

Committee on Juvenile Courts

Committee Minutes

Meeting Date: 1-25-18

The meeting was called to order by Judge Quigley at 10:00am

Minutes taken by: Natalie Foster

Roll Call

Present:

Honorable Bryan Chambers, Honorable Karl Elledge (phone), Josh Frisby (proxy for Honorable Rick Williams), Joseph Kelroy, Caroline Lutt-Owens, Tina Mattison (proxy for Jennifer Torchea), Honorable Margaret McCullough (phone), Eric Meaux, Honorable Kathleen Quigley (Chair), Honorable Tim Ryan, Honorable Mark Wayne Reeves (phone), Ernest Rose, Tyson Ross (proxy for Judge Newman), Denise Smith, Sheila Tickle, Honorable Daniel Washburn, Honorable Anna Young

Excused/Absent: Honorable Thomas Fink, Honorable Robert Higgins, Connie Koch, Honorable Mathew Newman, Honorable Allan Perkins, Honorable Corey Sanders, Honorable Monica Stauffer, Jennifer Torchia, Honorable Rick Williams,

Guests/Staff Present: Beth Broeker, Amy Love, Lauren Lowe, Joanne MacDonnell, Erica Quintana, Judge Sam Thumma

Introductions were made around the room.

Adoption of Minutes:

Motion: To accept and adopt minutes from the October 26, 2017 meeting. **Action:** Approve; **Moved by:** Judge Young; **Seconded by:** Denise Smith.
Motion passed unanimously.

Topic: DCS Update

Speaker: Lauren Lowe

Summary of Discussion:

- Continue to see improvements across the board
- Sustaining improvements made
- Backlog cases average between 250-300
 - Investigative caseloads are now reasonable
 - Allows investigators time to work with families
 - As a result, better quality cases coming out of investigative unit
- Emphasis: Timely completion of safety assessment

- As the number of open reports drop, the completion of safety assessments has climbed drastically
- Case workers have reasonable work load to complete assessments in a timely manner
- At home population continues to drop steadily
- Ongoing caseloads continue to drop steadily
- Placement Unit
 - Was decentralized
 - Determined best way to engage in better placement practices was to standardize the placement unit
 - Created a centralized placement administration
- Overview:
 - Ran by Amy Fox
 - Continuing to build out structure
 - Starting a Kinship unit
 - Continuing to focus on moving children out of congregate care settings
 - Success reducing the number of children in shelter care
 - Continue to work the new sex traffic protocol
 - Placement unit is writing the shelter extension reports, as opposed to the individual case managers
 - The Maricopa placement office is running about 80 shelter extension reports per week
- Wish list:
 - CPCs to be signed quicker
 - Moving kids from group home to foster homes is delayed by CPC
 - Anything that can be done to speed movement of children to less restrictive setting
- DCS administrative directive relating to adoption consents
 - Want to reemphasize best social work practice with the field
 - Unless extenuating circumstances are approved by a program administer, a child needs to be in a prospective adoptive placement for at least 6 months prior to the department granting its consent for adoption
 - Case managers need to check CHILDS database to verify there is no open investigation on the prospective adoptive family

Opportunity for discussion/questions

Topic: ADJC Update

Speaker: Beth Broeker

Summary of Discussion:

Current population:

- 168 children in secure care

- 157 boys
 - 11 girls
- 132 children on parole
 - 47 boys
 - 2 girls
 - 83 Interstate Compact Youth
- 41 children who are dually adjudicated
- 9 diplomas awarded
- 24 GEDS
- Basketball team is active
 - Two away games
 - 5 different races on a 9-person team
- Intern Director Hood has been appointed by Governor Ducey to be ADJC Director
- Governor Ducey has appointed Doug Sargent as Deputy Director
- ADJC adding Aggression Replacement Training and Dialectical Behavior Therapy to programming
 - ART begins in February
 - DBT begins in May
- Enhancing victim notifications
 - Victims' Rights unit has proactively increased their non-mandatory victim outreach efforts
 - 50% increase in victims opting in
- Georgetown Youth in Custody Capstone Project to enhance ADJC assessment process is moving forward
 - Appointed a team of subject matter experts/7 step team
 - Work through specific process
 - Reviewing assessment process from intake to discharge, including assessment instruments and timing of when kids are assessed
 - Created current state map which reflects how things are done now
 - Identifying a future state map (what the goal/dream would be)
 - Recommendations will be made based on their process
- Current review of monthly progress reports is moving forward
 - In process of determining necessary improvements to reports
 - ADJC is asking for any feedback
 - Still struggle getting bounce backs
 - Every judicial officer should receive reports for their kids that are committed to Adobe, both on dependency and delinquency caseload, on the 1st of the month
- Developed relationship with OCJ Foster Kids (faith-based group)
 - 2 kids on parole have already interacted with them
 - They have training classes, adulting summit, etc.
 - They provide kids aging out of parole with a startup kit
 - Air mattress
 - Clothes
 - Gift cards
 - Dually adjudicated kids
 - Parole officer created a video with the most recent child that participated

- Available to all DCS kids statewide
- Beth will send an email to Kathy Gilmore to share with committee

Director Hood has requested making the ADJC Update a standing agenda item.
The committee agreed to add as a standing agenda item.

Topic: Juvenile Appeals (Information Item)

Speaker: Judge Sam Thumma

Summary of Discussion:

Three handouts distributed/discussed

- Update on Division 1
 - Staff attorney doing juvenile appeals as of July 1, due in part to funding request granted by legislature and governor
 - Jeanna Walters-Chair of the Juvenile Section of State Bar of Arizona
 - Closed calendar year 2017
 - Up 6% on juvenile appeals from prior year
 - Placing juvenile appeals as they become an issue, so they can be resolved as promptly as possible
 - Place juvenile appeals when the answering brief is filed, as opposed to when the reply deadline comes
 - If they do not have enough capacity in their juvenile calendar within a given month, a calendar will be added
 - Department J; judges volunteer to hear those cases
 - Done in juvenile and when need be in criminal
 - Time standards information is out from the new time standards sets
 - 95% gate
 - 210 days from when they receive the appeal to resolution
 - 75% gate, 30 days later, doing ok
 - Not hitting marks on 95%
- Final Report handout reviewed
 - Report implementations as result of task force chaired by Justice Brutinel
 - The question was what can we do to more promptly and efficiently resolve juvenile appeals
 - Focusing on Division 1 and Division 2 of the courts
 - Issue 1: Extensions for Brief
 - Issue 2: Designation of the Record
 - November 2017 released two Administrative Orders:
 - AO 2017-4 (handout)
 - AO 2017-5 (handout)
 - The task force's last meeting was in November
 - This is not an ongoing committee/task force

- Educational efforts
 - Brown bags
 - Roadshows

Opportunity for discussion/questions

Topic: Ombudsman Presentation (Information Item)

Speaker: Joanne MacDonnell

Summary of Discussion:

PowerPoint and Annual Report distributed/discussed



Arizona Ombudsman-Citizens' Aide office overview:

- Classical Ombudsman
 - Receives public complaints
 - Investigates administrative acts of state agencies
 - Aim for lawful, fair and appropriate remedies
 - Promotes open access to government
 - Services are free
 - Confidential-if citizens request
 - Problems Ombudsman does not handle
 - Reasons for declining a case
 - Creating environment of trust
 - Services
 - Investigation process
 - Navigational boundaries
 - Statutes
 - Rules
 - Chapter law
 - Serves citizens and state employees
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Topic: Morrison Institute Analysis on Child Neglect in Arizona (Information Item)

Speaker: Erica Quintana

Summary of Discussion:



Andy Tobin provided introduction

PowerPoint distributed/presented by Erica Quintana

Spotlight on Arizona's Kids: A Closer Look at the Child Welfare System overview:

- The study and approach
- Neglect stats in Arizona

- Neglect terms used in the study
 - Methodology of neglect analysis
 - Reports not involving removal
 - Reports involving removal
 - Characteristics of caregivers
 - Projects next steps
 - Vision
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Topic: Legislative Update

Speaker: Amy Love

Summary of Discussion:

 Handout distributed/discussed

Bill Summaries:

Dependent Children

- HB2127: Children's Health Insurance Program
- HB2300: Central Registry; Unsubstantiated Claims
- HB2343: Schools; Child Abuse Hotline
- HB2376: Kinship Foster Care; Provisional License
- HB2415: Juvenile Dependency Proceedings Fund
- HCR2009: Obscenity; Sex Trafficking; Minors; Protection
- SB1046: Foster Homes; Child Welfare Agencies
- SB1071: Adoption; Subsidy; Review; Nonrecurring Expenses
- SB1087: DCS Reports; Study; Report
- SB1139: Marriage of Minors; Emancipation Required
- SB1198: Blind Persons' Rights; Adoption; Custody

Juvenile Justice

- HB2036: Substitute Teachers; Experience; Certification
- HB2068: Probation; Parole; Medical Marijuana Use
- HB2073: Juvenile; Court Jurisdiction; Age
- HB2193: Juveniles; Maximum Sentence; Commutation
- HB2207: Public Meetings; Audiovisual Recordings; Posting
- HB2259: Juvenile Court Facilities; Shelters; Use
- HB2303: Sentencing; Drug Offenses; Repetitive Offenders
- HB2309: Sex Offender Registration; Termination
- HB2332: School Resource Officers; Residential Vouchers
- HB2339: DUI; Administrative Suspension; Restricted License
- HB2356: Juvenile Court; Jurisdiction; Age
- HB2360: Juvenile Delinquency; Minimum Age
- HB2439: County Contributions; Committed Youth; Repeal

- SB1078: Arizona Criminal Justice Commission; Membership
 - SB1087: DCS Reports; Study; Report
 - SB1138: County Jail Education Programs; Age
 - SB1219: Classrooms; Student Removal Procedures
 - SB1260: Law Enforcement Officers; Interviews; Rights
 - SB1346: Juveniles; Court Jurisdiction; Age
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Topic: System Improvement

- National Center Review/ASI
- System Alignment/CPC
- Extended Jurisdiction

Speaker: Joe Kelroy

Summary of Discussion:

- November kicked off review of youth who offended sexually
 - Looking at 2016 closed cases
 - Nation Center has begun their file review with Maricopa
 - Twelve-month effort, with recommendations
 - An Advisory committee was created with five of the larger counties. They will have a phone conference in April, and get together meeting in June or July
 - Working with ASU with the same cases that were closed in 2016 to do a recidivism review
 - Last week, held a kick off for system alignment and correctional program checklist
 - 170 in attendance
 - Many providers in attendance
 - On Thursday, went to Maricopa and Pima county and met with judges, county attorneys, public defenders, and other probation court staff to give them an overview and get feedback from them
 - The goal within this contract is to do that with Georgetown for the remaining 13 counties
 - Joe Kelroy is seeking advice/assistance from the committee to conduct site visits
 - Coconino - March 7th (afternoon). To include the counties of Coconino, Yavapai, Mohave, Apache
 - Pinal – March 8th (morning). To include the counties of Gila, Greenlee, Graham, Cochise and Santa Cruz
 - AOC – March 8th (afternoon). To include Yuma and La Paz
 - It will be approximately two hours
 - Joe will send an email of the schedule to the counties involved
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Topic: Set Aside Sub-Committee (Discussion Item)

Speaker: Judge Quigley

Summary of Discussion:

- Beth Broeker and Eric Meaux are on the committee
- The committee is talking about set aside and sealing and destruction of records
- Looking at the statutes, rules, etc.
- Judge Quigley reviewed the current proposal
- The committee decided a small work group be put into place
 - Beth Broeker is heading the work group
 - There will be a rewrite of sealing of records
 - Discussion of presumption of sealing upon successful termination
 - Rule may be needed/accompany
- Committee is going to prepare the draft of a proposed statute first and possible rule second
- Issues
 - Should children have a sealing of record held up if the parents don't pay off their portion of fees/fines
 - Should the child be penalized for what the parent does or does not do
 - Restitution issues
 - What successful termination might mean
- The committee will talk with Jerry Landau to see if they can go into the area of sealing of records for children on sex offender status
- Created a wish list
- Judge Quigley asked the COJC committee to email her if they have a wish they would like added in regard to the sealing or destruction of records statute
 - Judge Quigley will pass any wishes on to the subcommittee
- Eric Meaux added some history/examples of why this is being addressed
- There is a representative from the Clerk's office on the committee
- Extended jurisdiction discussion
- The next meeting will be end of February or March
- They will report back in April at the next COJC meeting
 - Potential draft at the April meeting

Topic: Old Business

Speaker: Judge Quigley

Summary of Discussion:

N/A

Topic: Around the State/Upcoming Training

Speaker: Members

Summary of Discussion:

Judge Chambers (Gila) - Working with AOC to plan biannual dependency training.

Sheila Tickle (Maricopa) - Maricopa is looking at ways to address minor human trafficking. They have been working with the AOC and the Governor's office. A training will be offered in late spring to judicial officers and others. They have not yet secured dates, but will share when finalized.

Judge Young (Yavapai) - Relaunch of Crossover Youth Practice Model and had a lot of community participation.

Judge Ryan (Maricopa) - Rotation training for nine new judges, June 5-9. Contact Sheila Tickle for more details. There will be a Bench Bar Forum in April, presented primarily by Judge Bruce Cohen and others. In July, they will reinstitute 0-3 safe babies training. AOC is doing Dependency 101.

Judge Quigley (Pima) – Asked that the State Judge and Tribal Judge Roundtable topic be added to the April COJC agenda so the committee can vote on it

Judge Elledge (Cochise) - CYPM protocols have been completed and forwarded to Georgetown. They will do a series of trainings for DCS and JPOs.

Caroline Lauth-Owens (AOC) - CYPM is rolling out to the last 3 counties. Arizona is the first state in country to have a Cross Over Youth Practice Model initiative throughout the whole state. SURGE/DCPI: it was originally slated for a two-year period and any monies left over would be reverted back to the state general fund. However, AOC recently learned that the counties are now able to keep their funds past the two-year mark and continue to use them for the dependency side. AOC is in touch with the people designated for this project. The work on the Court Authorized Removal process continues and becomes effective July 1. Sub groups are being formed for training, paper back up system, and the finalized language of the court order.

Denise Smith (Pinal) - Recently had a tour of their juvenile detention center. A new school superintendent was brought in from Casa Grande Elementary School and she was amazed by the work they do. They decided to have the Community Advisory Board sponsor a roundtable luncheon with all school superintendents. The other idea was to roundtable with kids in detention to get their perspective on public education. The roundtable should occur in about three months. Detention is actively working with Navajo, Gila, and Apache County; Finalized video conferencing process with the Department of Juvenile Corrections.

Josh Frisby (Mohave) - Annual Infant/Toddler Mental Health Symposium in Laughlin, NV, April 10-11. They will be holding their annual Juvenile Drug Court retreat in April. The retreat provides in-service training/guest speakers on issues related to improving their drug court practices.

Tyson Ross (La Paz) - They are one of the last three counties to roll out CYPM in March. DCS and the county attorney's office did not hesitate to participate

Eric Meaux (Maricopa) – The work with Center for Juvenile Justice and University Cincinnati regarding risk assessments update provided. Learned, informally, that University of Cincinnati affirmed the risk assessment based on Maricopa, Pima, and Pinal as valid and the instruments are reliable. Detention standards were changed, so there has been a big push on how they can program better. They received some funding from Department of Education and are now working with a state certified provider, which is providing focused, routine workshops every three weeks. They will assess whether providing a reoccurring character education program will make a difference.

Ernest Rose (Public Member) – Working with Eric on the Character Education Grant. Last year, they started a program called College Now. It allows young people who have received their GED to start to receive college credit while in detention. Provided a tour for people from the Yavapai County Accommodation District. They welcome any county to come and see what they are doing.

Call to the Public:

N/A

Next COJC Meeting:

The next COJC meeting is scheduled for Thursday, April 19, 2018, at the Arizona Courts Building, Rooms 119A/B.

Adjournment:

The meeting adjourned at 12:46 p.m.