

Committee on Juvenile Courts

Committee Minutes

Meeting Date: October 20, 2016

The meeting was called to order by
Judge McNally at 10:01am

Minutes taken by: Natalie Foster

Roll Call

Present: Honorable Bryan Chambers, Honorable Kimberly Corsaro, Honorable Karl Elledge, Honorable DeLana Fuller (proxy for Honorable Brenda Oldham) Honorable Lee Jantzen, Joseph Kelroy, Caroline Lantt-Owens, Scott Mabery, Honorable Margaret McCullough, Honorable Colleen McNally (Chair), Tina Mattison, Eric Meaux, Honorable Allan Perkins (phone), Honorable Mark Wayne Reeves (in person or phone), Tyson Ross (proxy for Honorable Samuel Vederman), Honorable Michala Ruechel (in person or phone), John Schow (also proxy for Honorable Kathleen Quigley), Honorable Monica Stauffer (phone), Honorable Anna Young

Excused/Absent: Connie Koch, Honorable Brenda Oldham, Martin Perez, Jr., Honorable Kathleen Quigley, Honorable Corey Sanders, Sheila Tickle, Honorable Samuel Vederman

Guests/Staff Present: Ron Adelson, JoAnne Chiariello, Mark Koch, Amy Love, Lauren Lowe, Chris Phillis, Nina Preston, David Redpath

Introductions were made around the room.

Adoption of Minutes:

Motion: To accept and adopt minutes from the August 25, 2016meeting. **Action:** Approve;
Moved by: Honorable Lee Jantzen; **Seconded by:** Eric Meaux
Motion passed unanimously.

Topic: Maricopa County Juvenile Court Strategic Initiatives
(Information only; handouts/PowerPoint)

Speaker: Judge McNally, Committee Members

Summary of Discussion:

PowerPoint presented. Handout of PowerPoint provided and reviewed.

Project 1: Arizona Judicial Branch Strategic Agenda and Juvenile Court Efforts

- Goal 1: Promoting Access to Justice
- Goal 2: Protecting Children, Families, and Communities
- Goal 3: Improving Court Processes to Better Serve the Public
- Goal 4: Enhancing Professionalism within Arizona's Courts
- Goal 5: Improving Communications and Community Participation

The Arizona Judicial Branch Strategic Agenda can be found at <http://www.azcourts.gov/AZ-Courts/Strategic-Agenda>

Project 2: Maricopa Superior Court Strategic Focus (SFA) and Juvenile Court Efforts

- SFA 1: Access to Justice Delivery
 - SFA 2: Procedural Fairness, Effective Case Management and Efficient Operations
 - SFA 3: Competent and Engaged Workforce
 - SFA 4: Branch Infrastructure: Technology, Facility, and Security
 - SFA 5: Judicial Branch Governance Accountability
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Topic: Improving the Lives of Arizona's Foster Children

(Information only; handout/PowerPoint)

Speaker: Ron Adelson, Aid to Adoption of Special Kids (AASK)

Summary of Discussion:

PowerPoint presented. Handout of PowerPoint provided and reviewed.

- Arizona has two options for placing a child into a family home
 - Community Foster Care
 - Licensed foster parent
 - Unlicensed foster parent is not an option
 - Kinship Foster Care
 - Unlicensed Foster Parent
 - Licensed Foster Parent
- Arizona has significantly increased placing children in unlicensed kinship family homes
 - 88% of kinship homes are unlicensed
 - Unlicensed foster families have greater difficulty working with the courts and other systems
 - Unlicensed foster families receive less financial support and services
- Placement cost per child
 - Unlicensed Kinship - \$552 yearly cost
 - Licensed Foster Care - \$7,884 yearly cost
 - Congregate Care - \$45,085 yearly cost
- AASK set up a bi-lingual website: Arizona Family Resources
<http://www.azfamilyresources.org>
 - The goal is to make the website a one stop shop for foster families and to work with partners to provide relevant content
 - In a few weeks, AASK will be adding a community calendar
 - AASK is producing “fill the gap” videos
 - Example - A video was produced to show families how to fill out a DCS billing document.
 - AASK will interview foster families to ask what advice they have for other foster families on specific situations
- AASK is asking for help in two areas:

- Distribution (magnets, posters, kiosks, etc.)
 - Developing content by experts in specific areas (listed by County)
 - AASK will travel to rural counties to provide this presentation
 - AASK will provide magnets to anyone who wants them
 - They will also do posters or any other methods that will help get the word out
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Topic: Legislative Update:

1. Pima County Permanent Guardianship Proposal
2. Possible legislation related to reinstatement of parental rights
(Possible formal action item; handouts)

Speaker: Amy Love, Deputy Director of Government Affairs, AOC

Summary of Discussion:

Two handouts provided and reviewed:

- Proposal 1, **2017-08: Permanent Guardianship; procedure**, came to Amy Love's office internally
 - Depending on today's vote, it will help guide Presiding Judges and the Judicial Council when they meet next week to determine what the AOC's legislative package will be
- Proposal 2, **Washington Law on Reinstatement of Parental Rights**, was given to Amy Love by a representative who is considering the legislation and hoping to get feedback from the bench

Amy Love opened the floor for discussion and asked the committee if they would support the proposals moving forward so she can notify the Presiding Judges and the Judicial Council when she meets with them next week.

Proposal 1 discussion

Motion: To move forward with this proposal 1. **Action:** Approve;

Moved by: Honorable Margaret McCullough; **Seconded by:** Honorable Mark Wayne Reeves
Motion passed unanimously.

Proposal 2 discussion

(This would not be proposed by the court; it would be proposed by Representative Allen)

- Several committee members have concerns with Proposal 2 and Judge Reeves is against it. Amy Love asked the committee members to think about whether or not they'd support Proposal 2 so she can provide feedback to Representative Allen.
- KidsCare has been reinstated
 - Amy Love was given a one page informational sheet about KidsCare to distribute to the family court bench so the judges can provide the information to families that may benefit from it.

- Amy will send that information sheet to the judges
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Topic: Discussion: ADOE Guidance/Guidelines regarding excused absences pursuant to A.R.S. §15-901(A)(1)
(Handouts/PowerPoint)

Speaker: Judge Margaret McCullough, Coconino County Presiding Juvenile Judge, and Nina Preston, AOC Legal Services Staff

Summary of Discussion:

PowerPoint/handouts (Attendance Policy PowerPoint, EX-1, and draft letter) distributed and reviewed

Flagstaff Unified School District Attendance Policy

- Unexcused absences include:
 - Ditching/Truant
 - Court Dates
 - Juvenile Detention/Probation
 - Runaway
- Email (dated 8/19/16) from Assistant Superintendent Mary Walton stated that a site administrator may excuse a court appearance as a family emergency
- Under A.R.S. §15-901(A)(1), the Department of Education has the authority to decide what is excused and what is not
 - DOE establishes Guidelines to “inform district schools and charter schools when an absence shall be considered excused.”
 - The guidelines could not be located and an email (dated 9/2016) was sent explaining why they were pulled
- Mr. Lyle Friesen, Deputy Associate Superintendent, suggested that the COJC draft a letter expressing their concerns regarding court appearances being unexcused absences
- Judge Margaret McCullough and Nina Preston drafted a letter urging the Department of Education to include “court appearances” as an excusable absence and asked the committee if they’d consider signing it
- According to Mr. Friesen’s email, Superintendent Douglas intends to review and reissue EX-1 with an effective date of 7/1/2017 or later.

Motion: To submit the drafted letter as presented to the committee. **Action:** Approve;
Moved by: Judge Kim Corsaro; **Seconded by:** Judge Anna Young
Motion passed unanimously.

Topic: DCS Update
(Information only)

Speaker: Lauren Lowe, DCS General Counsel

Summary of Discussion:

Where DCS stands right now:

- Ms. Lowe considers DCS to be in a good place right now
- Data is regularly posted to DCS website
- Generally speaking, DCS is seeing some positive trends
- Slow but steady reduction in out of home population, which DCS hasn't seen in years
- Inactives (backlogs) and total open reports (a measure of their investigated work load) are going down
 - Early next year projection is inactive cases to fall below 1000
 - Aiming for total open reports to be about 75 days worth of work
 - 60 days is when policy says they are supposed to close a case after investigation
 - Some cases have outstanding documentation
- The number of kids on petitions has not dropped, which indicates more in-home dependencies
 - DCS is still serving these families, but in a less restrictive environment
- Removals are down year over year
 - DCS believes it's reflective of their ability to engage families better
 - Since investigative work loads have gone down, it allows case managers more time to engage families and be more creative
- DCS is closely watching their numbers for re-reports and re-entries of children who return
- DCS is closely tracking the wait list for services, which is a great concern to DCS
 - As of the end of September over 600 were on the wait list; however, there has been a drop of over 200 on the wait list over the last couple weeks
 - The biggest drops have been for family reunification teams and the supervised visitation only (attributed to getting the new SVO contract in place)
- Ms. Lowe believes that all the data is telling us that DCS is doing is good

Initiatives

- Since investigation loads are going down, this allows an opportunity for realignment of resources.
 - Potentially offers the opportunity to rebalance some of the divide between investigations and case workers, in terms of maybe shifting some units and in terms of funding.
- Renovation of the Arizona Safe Model. The model is used to assess if a child is safe or not. It is used across the country and developed by an agency called Action for Child Protection. They are working to improve and refine the safety model and application. DCS has an updated safety intervention discussion guide. They are receiving positive feedback from the field.
 - Ms. Lowe will send link to Kathy Gillmore for distribution to the committee
- DCS is working on implementing a family engagement practice framework
- Title IV-E waiver going on
- Targeted staffing is ongoing

Ms. Lowe asked the committee if they have any topics they would like covered at the next update:

- CMPD, specifically administrative appeals

Comment: DCSD, through Court Improvement, has been working with DCS regarding the safety plan and working towards developing some type of judicial training so all are aware of the safety plan once it's renovated.

Topic: National Juvenile Defender Center (NJDC) Statewide Assessment
(Formal action item)

Speaker: Chris Phillis, Public Advocate; Co-Director SW Region for the National Juvenile Defender Center; Director of the Office Public Defense Services. Presenting on behalf of the National Juvenile Defender Center

Summary of Discussion:

- National Juvenile Defender Center is an organization that helps train juvenile public defenders and juvenile delinquency attorneys.
- They are trying to do 52 statewide assessments, including Puerto Rico and Guam
- They have completed a number of them already; however, since it is a grant funded organization, they are unable to do that many assessments at one time
- The center would like to do an assessment in Arizona and is asking for the Court's acceptance
- The primary purpose of the assessment is to look at representation of children in delinquency
- When they do the assessment, they will not be going to all counties in Arizona
- They bring in attorneys from other states to talk to defense attorneys, prosecutors, judges, probation officers, court administration, and juveniles or parents who are willing to talk to them.
 - A report will be written and will be sent to the courts
 - The courts will be able see what the opinions are of the training level of the delinquency attorneys
 - Based on the results, free training will be offered for juvenile delinquent attorneys
 - JTIP: Juvenile Training Immersion Program. There are 52 different sections in the JTIP program
- The center wants to assess Arizona because Gault turns 50 this year
 - Assessment would show where Arizona was pre-Gault and where it is post-Gault
- Ms. Phillis is impressed where Arizona is compared to where other states are

Motion: COJC is in support of the assessment moving forward. **Action:** Approve;
Moved by: Judge Margaret McCullough; **Seconded by:** Judge Lee Jantzen
Motion passed unanimously.

Topic: Detention Standards
(Formal action item; handout)

Speaker: Joe Kelroy, David Redpath and Mark Koch, Juvenile Justice Services, AOC

Summary of Discussion:

- An advisory committee was reestablished
- The committee has met numerous times
- Last year, the standards were brought before this committee and there was one comment
- The standards were sent to Dave Byers for final approval
 - The standards were revisited
 - From that effort, the advisory committee reviewed
- A draft was sent out and received 166 comments
 - October 13, the committee communicated with the directors and had a majority vote
- Discussions included topics such as:
 - Search upon admission or new resident coming into the detention center
 - Current standards sent out do not have a draft of the language (handed out new language and reviewed). New language requires all juveniles being admitted into detention to be stripped searched unless the presiding juvenile court judge issues an AO allowing to use reasonable suspicion. Discussion revolved around trauma caused from a strip search.
 - Detention screening instrument
 - Use a unified tool
 - Currently, that tool is close to being in AZYAZ
 - Fifteen counties were brought together and came to an agreement, which is the proposed tool and currently being used by the JDAI counties that will be used for the validation process.
 - 700-800 assessments that have been completed and will be entered electronically
 - From the validation report, it will be altered as necessary
- The goal today is to make these standards a living document, keeping the committee active to review proposed changes as needed.
- Judge Stauffer disagrees with including that every county would be subject to using the statewide DSI instrument. Due to some concerns, Mr. Kelroy would like to remove the sections, Law Enforcement Interviewing Youth and the detention screening instrument, for right now and bring it back before the committee, after further work is done and vet through committees next year.
- Regarding strip searching youth upon admission to the detention center, voting today is on the highlighted section of the handout; E and E2 only

Discussion followed

Overview of changes

- Section I A 7 General Administration; Juvenile Contact with Law Enforcement
 - It's being set aside for the time being
- Section I F 1 Admission Screening; Detention Screening Instrument
 - Recommended revisions will be pulled out of the current standard section leaving the original language in place and will be voted on today. After the validation

study comes in, the advisory committee will regroup to discuss before vetting back through committee.

- Based on the above decision, to note the current standards will remain in place for the DSI; “Each county shall be using a validated detention screening instrument”
- Section II B 3 Health Services; Health Care Assessment
 - B3.3 – New verbiage: “signature is required within 7 days”
- Section II D 2 Juvenile Rights; Visitation
 - D.2.3 - New verbiage: “staff may impose noncontact visits only when there is a reasonable suspicion of risk to the health, safety, or security of the facilities, or there are no other available means to provide visitation”
- Section III A 11 Detention Operations; Safety, Security and Control
 - A 11.1 - add language: “excluding the courtroom”
 - A 11.6 – add new language: change “fully restrained” to just “restrained”
- Section III A 16 Safety, Security and Control; Searches of Persons and Facility
 - A 16.7 e “upon admission juveniles shall be searched, with the exception being if a county wanted to base their search criteria on reasonable suspicion, the local judge may issue an AO allowing them to use reasonable suspicion as a criteria.”
This is what the directors voted on. E2 will be crossed out and E will be used

Motion: To Adopt, under the Strip Search Standard, E rather than E2. **Action:** Approve;

Moved by: Scott Mabery; **Seconded by:** John Schow

Motion passed unanimously.

Motion: To accept that the sections on Law Enforcement and the DSI be removed and accept the minor adjustments to the other standards as written. **Action:** Approve;

Moved by: Judge Monica Stauffer; **Seconded by:** Judge Karl Elledge

Motion passed unanimously.

Judge McNally thanked the committee for all the work they put into this document.

Scott Mabery also gave credit to the committee for the work they have done.

Topic: Old Business

Speaker: Committee Members

Summary of Discussion:

N/A

Topic: Around the State/Upcoming Training

Speaker: Members

Summary of Discussion:

Judge Bryan Chambers (Gila) –Just completed their 8 hour dependency training

Judge Karl Elledge (Cochise) -Continue to reorganize and restructure their juvenile court; implementing policies and procedures in a lot of different areas in the court system. They have a new crisis center opening in the Sierra Vista area. Upcoming training: active shooter training, which will include the juvenile detention center.

Judge Lee Jantzen (Mohave) -Saturday, October 22 is their Annual Girls Days Out for female juvenile probationers. Judge Jantzen is the opening speaker. Next Tuesday, they are honoring a couple of self-starting juvenile probation officers. They will be honored at the Court Leadership Conference for a handbook they created called Runaway Handbook. The handbook was created for parents and juveniles that go through the runaway process.

Director Joe Kelroy (JJSD) - Director Kelroy thanked the committee members regarding the Detention Standard's discussion. His hopes are to keep the document alive and work on pieces as needed. The presiding judges will be receiving a letter from the Juvenile Justice Commission through the Governor's Office. One of the subcommittee's tasks is to look at DMC. There was approval for data to be shared with that committee years past; however, because of the turnover, that letter is going back to the presiding judges for authorization to share DMC data from their county. The AOC researcher collects this data. Director Kelroy is on the committee that will look at the data to see how they can assist current JDAI sites who have committees that are work on developing strategies to address DMC.

Director Caroline Lauth (DCSD) - SURGE update: Thirteen of the 15 Of the 15 counties submitted applications; 2 declined. Currently in the process of finalizing the last two applications. The 2nd disbursement of monies is due out at the end of the month, for counties that submitted their plans early. All other counties will get their 1st and 2nd disbursements at the end of the month. Once the final applications are put together, a document will be developed to show all the initiatives. Shortly after that, the first report is due from each county. A full report will be put together on that, as well. CYMP update: At year end, a contract with Georgetown University will be finalized. The plan is to extend the contract; they are currently in negotiations. The plan for next year, if the right price can be negotiated, would be to offer some extended support for the three counties that are just finishing their first year (Pima, Pinal, and Santa Cruz), as well as some follow ups with Maricopa, Yavapai, Mohave and Coconino. In addition, they will move into other counties. Of the eight remaining counties, they targeted six that are on the east side of the state. A conference call is schedule for November 21 with each of those six counties, as well as the Georgetown partners, to talk about what that can look like for each of them. Each practice model will look different in each county. A task force was put together through the Chief Justice on data and information sharing related to the Cross Over Youth work. They will meet for the first time next week. They were also tasked with putting together a report for COJC review; that report will have recommendations. The report is due by September 2017. Parent Standards update: The standards were approved and are moving forward in court rule. There was also a proposal that came out of the Public Defenders Association regarding standards for GALs. The court has asked that a task force be put together to consider the GAL standards.

Judge Margaret McCullough (Coconino) -Solicited ideas from the committee regarding a lost child.

Judge Colleen McNally (Maricopa) -Maricopa will be working with Chris Phillis to participate in a Kaizen event, which is an approach to continuous improvement; short duration improvement projects. They are trying to decrease the time to permanency for kids and trying to measure that. They believe that one of the struggles they are having is the way they are compensating attorneys

(child and parent attorneys) in their county, which is slowing down their ability to deliver trials in a timely manner. They will be bringing together a group to make some recommendations on how to handle/change it. Another county problem is the method in which they are assigning attorneys. To address these problems, Maricopa is inviting staff from the County Manager and supervisors at the County Board to participate in the next couple meetings, so they can hear what the problems are and what suggestions there may be.

Mr. Eric Meaux (Juv. Court Director, Maricopa) - Maricopa has been doing training around evidence based practices. All supervisors and management teams went through two days of training. They rolled out an 18 month curriculum done by the Carey Group. It walks supervisors and staff through approximately two hours of training per month. There are 18 different components of evidence based practices. It's getting people to talk and meet regularly to work through some of the practice changes and develop some learning committees.

Tina Mattison (Pima) –Pima County just hired a family navigator with the DCPI money. They also have their two mediation support positions onboard. The only outstanding positions are the second family navigator and mediator. Maricopa was gracious enough to allow Pima to look at what they are doing with the Parent to Parent Peer Mentoring program. They are also developing something similar with the Children's Home Society in Washington.

Mr. John Schow (Juvenile Court Director, Pima) - Pima opened their Youth Success Center. It is at a community site called Higher Ground, which is located in an old closed middle school within TUSD. It provides many pro-social activities. They also had a great visit with Rick Miller and Antwon Fischer. Antwon Fischer went into the detention center and met with approximately 40 kids. They were very receptive to his message. In the school setting, they watched the movie beforehand, so they knew about the story. The next day was a community event and there were approximately 250 people at the event. It was well received by the community partners. They also connected Antwon with TUSD. He presented at one of the high schools in the evening and approximately 400 people attended. He tailored the presentation to crowd, which included high school students, parents and staff. Yesterday, Pima had their 3rd visit with Georgetown for the CYPM. Santa Cruz, Pinal and Pima County all participated. It was their last official session with Georgetown.

Judge Anna Young (Yavapai) - On the delinquency side, they stopped cuffing and shackling in court as of the first week in September. As part of that, they stopped transferring kids to Verde for their court appearances. They have been appearing in the Juvenile Justice Center courtroom by video. There has been no issues and the attorneys have received good feedback from the kids. Their Dependency Attorney Training is on Dec 16. HCIC (formally known as NARBA) has agreed to fund the Parent to Parent Peer Mentoring in Yavapai County, which will start in December. They will use the Family Involvement Center.

Judge DeLana Fuller (Pinal) – Pinal County is having a complete rotation of the juvenile bench. Pinal received a new attorney contract that is being implemented November 1st. It is a completely different model. There will be retained attorneys assigned to each judge, so there is no conflict.

Mr. Tyson Ross (La Paz) – La Paz's probation department combines adult and juvenile. They are introducing Kids at Hope to the entire staff (adult and juvenile), including support staff. They will introduce that in the next month or so.

Next COJC Meeting:

To be announced in early November
(Tentative date: January 26, 2017)

Adjournment:

The meeting adjourned at 2:28p.m.