

## Committee on Juvenile Courts

## Committee Minutes

Meeting Date: 1/26/17

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

Minutes taken by: Natalie Foster

### Roll Call

**Present:** Honorable Kimberly Corsaro (phone), Honorable Karl Elledge (phone), Honorable Lee Jantzen, Joseph Kelroy, Connie Koch, Caroline Lault-Owens, Scott Mabery, Honorable Margaret McCullough (phone), Honorable Colleen McNally (Chair), Eric Meaux, Honorable Allan Perkins (phone), Honorable Kathleen Quigley, Honorable Mark Wayne Reeves (phone), Tyson Ross (proxy for Honorable Samuel Vederman), Honorable Michala Ruechel (phone), Honorable Corey Sanders (phone), John Schow, Honorable Monica Stauffer (phone), Sheila Tickle, Honorable Daniel Washburn, Honorable Anna Young (phone)

**Excused/Absent:** Honorable Bryan Chambers, Martin Perez, Jr., Honorable Samuel Vederman

**Guests/Staff Present:** Teasie Colla, Jeff Hood, Deborah Kurth, Amy Love, Lauren Lowe, David Redpath, David Withey

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**Introductions were made around the room.**

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### Adoption of Minutes:

**Motion:** To accept and adopt minutes from the October 20, 2016 meeting. **Action:** Approve;  
**Moved by:** Judge Jantzen; **Seconded by:** Judge Quigley.  
Motion passed unanimously.

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**Topic:** DCS Update (Information only)

Speaker: Lauren Lowe, DCS General Counsel

### Summary of Discussion:

- Seeing positive trends
- Improved turnover numbers
- Response timeliness – 90% constantly
- Continue to close more reports than they take in every month; backlog is dropping
- As of Monday, inactive cases is down from a high of 16,000 to 2,401
- Total open reports – 8,463 (topped out at over 30,000)
- Out of home population continues to steadily drop. November's final numbers are 17,413. More children are exiting than are entering the system

Permanency initiatives:

- Safe Model Renovation- Used to determine whether a child is safe. It was developed by Action for Child Protection and is the most widely used safety model in the country for child welfare agencies. DCS has had the model for a number of years; however, due to a lack of technical assistance, they drifted from where the model was intended to be. They are now focused on applying the model as it is intended to be applied. They are working with Theresa Costello, Executive Director of Action for Child Protection, to develop/improve the model. In conjunction with the Safe Model renovation, DCS has three field test sites that are piloting the current version of the Present Danger Policy
- DCS will be working with many different entities regarding court orders for removing children in impending, not present, danger cases

Opportunity for questions/comments provided.

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**Topic:** Introduction of ADJC Interim Director

Speaker: Jeff Hood, Interim Director, ADJC

Summary of Discussion:

- Mr. Hood has been the Interim Director since mid-September 2016 and provided a brief bio to the committee
- He will be the interim director through the legislative session, but does not know what will happen after that
- Mr. Hood wants improved communications, collaboration and sharing of information with the courts
- Organizational structure – There is a need to reinvest in the ADJC employees regarding their training
- Reinstated supervisory training (40 hour block). This training has not taken place for over 12 years. The first class started this week
- Officer training is being developed and implemented in February
- Revisiting in-service training for all staff, which had been diminished to 8 hours a year

Distributed and reviewed Just the Facts handout.

- As of close of business yesterday (1/25/17):
  - Population in secured care-160 youth
  - Community Supervision (Parole)- 193 youth
  - 25% of ADJC juveniles are dually adjudicated

Additional statistics provided to the committee are available on their website (<http://www.azdjc.gov>)

- Governor's initiative
  - 5 Gold Councils – Public Safety is Gold Council 4

- Key breakthrough metrics in Gold Council 4 is overall reduction of recidivism
- Every agency will have a scorecard to identify things that are key to the mission of the agency and to develop metrics to tell if they are doing a good job or not
- Mr. Hood’s commitment to the COJC is to do a more comprehensive presentation in a future meeting. He also commits to attending future COJC meetings as a standing speaker to provide brief updates and answer any questions
- In addition to attending COJC meetings, Mr. Hood would like to spend time with each Presiding Judge individually
- Mr. Hood will be reaching out collectively and individually to discuss what ADJC is doing, how they are doing, and what they can do better. He requests candid and specific feedback

Opportunity for questions and comments provided.

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**Topic:** CASA Volunteers

Speaker: Nancy Molever, State CASA Program Manager

Summary of Discussion:

Presenter out ill and not in attendance.

Caroline Lantt-Owens spoke on Ms. Molever’s behalf regarding the Courts commending volunteers in a minute entry and how important that is to the volunteers, programs, and retention.

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**Topic:** Arizona Juvenile Justice History/DMC (Information only)

Speaker: David Redpath/Deborah Kurth, AOC/JJSD Program Managers

Summary of Discussion:

The following PowerPoint was presented and emailed to COJC committee members: An Examination of Ethnic Disparities in Arizona’s Juvenile Justice System. Study from the American Institutes for Research.

- Arizona’s history examining equity
  - Historical Studies
  - Decision to Participate
  - Study’s Methodology
  - Overall Findings
  - RRI’s Controlling for Other Factors
  - Variations by Offense
  - Poverty Rates By State: 2014
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**Topic:** JDAI/RED Training (Information only)

Speaker: David Redpath

Summary of Discussion:

- Working with the Hayward Burns Institute
  - JDAI participating counties had a training with Tyler Whittenberg in 2016 and was received favorably
  - Training will be available to more stakeholders (target date March 2017)
  - Each training tailored with county specific data
  - Counties will identify one specific target area
  - Contract is currently in the routing process
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**Topic:** RED/AJC (Information only)

Speaker: Joe Kelroy, Director, JJSD

Summary of Discussion:

- Air Institute approached the court due to issues getting data released in Indiana
  - After the Air study was completed, it was presented to AJC and the Chief Justice. Members felt strong about the results and inquired about what they can do to have better outcomes
  - Primary task was for JJSD to bring to the study to COJC and update the committee as to what they are finding in the study. In addition, they want to bring counties before COJC to show the efforts they are making and have discussions on how to improve and expand
  - 12 counties involved with Cross Over Youth
    - One core principal- disproportionate minority contact
  - Mr. Kelroy is working with Georgetown University to develop a platform for data collection for the state to help bring initiatives together
  - Direct files and referrals – law enforcement and county attorney influence those greatly
  - JJSD is working with Judicial Conference and presenting a proposal for Racial and Ethnic Disparity training in June. It's built into the contract with Burns Institute, if it is approved
  - AJC wants JJSD to provide updates as to efforts on what they have done
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**Topic:** ICWA-Rule Changes for Juvenile Dependents (Action item)

Speaker: David Withey, AOC Legal Counsel

Summary of Discussion:

Handout distributed/discussed

Rules

- Rule Petition is currently pending for comment through March 15

- The court will have a special rules agenda in April
- Petition may be able to be adopted on an expedited basis
- Petition is to regulate federal regulations that went into effective December 12, 2016
- The regulations have been in the works for over a year
- This is the first time that there has been law in addition to the statute itself. Previously there were ICWA guidelines. These rules have the full force of federal law.
- Required amendments to the rule to acknowledge that, in addition to ICWA, these regulations have to be considered in a number of situations
- Changes outlined in handout

**Motion:** COJC supports the proposed amendments to rules 8-85 and the adoption of Rule 50.1 as outlined. **Action:** Approve; **Moved by:** Judge Kathleen Quigley; **Seconded by:** Judge Mark Reeves.

Motion passed by majority.

Margaret McCullough abstained

Judge Quigley thanked the ICWA committee for their hard work and efforts.

ICWA roundtable

- Effort by the National Indian Court Judges Association and the Casey Family Programs to bring together state and tribal judges from different states. They are trying to increase mutual understanding and commitment to improve outcomes for Indian children.
- National level speakers and facilitator
- Casey tends to target presiding judges versus all juvenile judges as the participants in ICWA roundtables
- It was suggested that a roundtable may be held in conjunction with a COJC meeting. When the COJC agenda is complete, the ICWA roundtable could begin

The group is in favor an ICWA roundtable after a COJC meeting. Mr. Withey will report the decision to the court forum.

Pro hav vice rule

- Considering whether to modifying the rule to make it easier for attorneys to practice handling an ICWA matter in another state.
- Per the committee, this situation does not appear to come up often

Opportunity for questions and comments provided.

Note: ICWA does not apply to delinquency

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**Topic:** Dr. Lisak Trauma Training-March 31st

Speaker: Teasie Colla, AOC/JJSD

Summary of Discussion:

- Committee members will be receiving an invitation for a training (Dr. David Lisak) that JJSD will be hosting, along with Cenpatico Integrated Care and the TRUST Organization
  - It is a continuing series on trauma informed trainings
  - Anticipating 300 people to attend
  - Date: March 31 at the AOC (101)
  - Six hours of COJET training, including Ethics
  - RSVP event due to large number of people expected to attend
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**Topic:** Dependency Operational Reviews

Speaker: Caroline Lautt-Owens, Director, DCSD

Summary of Discussion:

- Court Improvement has been working with Maricopa County and Casey Family to develop a new tool for the operational review process
  - New round of Operation Reviews is set to begin; starting with Maricopa County
  - Review still includes the file observation
  - Courtroom observation will look a little different. It will focus on the quality of the hearing versus just following the statutes
  - A guide of the tool is being drafted and will be emailed out when completed
  - Court Improvement website offers a document that explains what the review is about. A link to this site will be sent out when the new guide is sent.
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**Topic:** 9<sup>th</sup> Circuit Case (Roundtable discussion)

Speaker: All members

Summary of Discussion:

Handout provided

Discussion/comments among committee members

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**Topic:** Juvenile Justice System Improvement (Introduction to new standing item)

Speaker: Joe Kelroy, Director, JJSD

Summary of Discussion:

- Through the efforts of JJSD and the counties, there is a great effort to improve juvenile justice. To formalize it, Mr. Kelroy is seeking to have this topic added as a standing agenda item to allow for the opportunity for committee members to communicate what is occurring locally, question and answer session, and share ideas.

Opportunity for questions and comments provided.

Suggestion: to create an agenda item that would be a report out from other committees

Judge McNally would like to see a quick snapshot (data slide) of both delinquency and dependency stats at each meeting. The committee agreed.

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**Topic:** Old Business

Speaker: Judge McNally

Summary of Discussion:

N/A

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**Topic:** Legislative Update

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

Summary of Discussion:

Legislative Update handout distributed

Bill Summaries listed in document:

H2142: Foster Parents; Training

H2228: Child & Family Advocacy

S1089: Lottery Funding; LTAF; Restoration

S1194: DCS; Foster Parent; Medical Consent

S1236: Psychotropic Drugs; Foster Children; Report

S1258: DCS Reports; Ruled Out Classification

H2012: Crisis Referral Services; Confidentiality

H2097: Sovereign Authority; Commandeering; Prohibition; Exception

H2155: Victims' Rights; Failure to Comply

H2185: Juvenile Corrections; Transfer to Counties

A public member (foster parent) addressed the committee.

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**Topic:** Around the State/Upcoming Training

Speaker: Members

Summary of Discussion:

**Judge Quigley (Pima)** – August 11 is the next biannual ICWA training in the Phoenix area. It is a multi-professional training. Kate Fort will be the speaker. Day long, free event.

**John Schow (Pima)** – March 6-7 Kids at Hope will be doing a Mod 2 Train the Trainer training. Those interested can register through Kids at Hope website. March 23-24 Regional Racial and Ethnic Disparity training. JDI site visit May 16-17.

**Eric Meaux (Maricopa)** – Engaged in quality assurance process for the detention center. First collections of survey came in October and a corrective plan is now in place.

**Sheila Tickle (Maricopa)** – Through the generosity of Casey Family Programs, Maricopa has been able to work with a consultant from the National Center of State Courts to put together a dependency case management plan. In December a draft case management plan was produced. A finished project is being targeted for spring. Parent for Parent program – Maricopa has five parent allies. Conducted first HOPE (Helping Other Parents Engage) class. HOPE is built on a dependency 101 concept; 18 parents attended. Working on next HOPE class. A HOPE class for professionals in the system is being developed. Tomorrow will be a presentation from ASU on C2C evaluation for 2011-2014. This is the largest evaluation of its type on models after the Safe Babies Court Team 0-3 Model. The previous evaluations were built on sample sizes of 260 children; ASU sample is built on 8,000 children. Results will be published in social work periodicals.

**Caroline Lauth-Owens (DCSD, Director)** – Brought on five new CYPM counties: Gila, Graham, Apache, Navajo, and Cochise. There are 12 CYPM counties now. There will be an All Sites CYPM meeting October 4. Data and Information Sharing task force is moving forward. SURGE funding - 1<sup>st</sup> report out has been received. Most of the report is regarding setup. 2<sup>nd</sup> report is due the end of the month. Both reports will be shared with committee members. The Federal Court Improvement grants are in jeopardy; currently waiting for this session to see what happens with funding. Court Improvement currently receives three Federal grants. They expect to get the basic grant; however, the other two are in jeopardy.

**Judge McNally (Maricopa)** – Safe Reduction Effort – Since March 2016 there has been a steady decline of the number of new kids coming in, in addition to the number of cases the courts are monitoring. Casey Family program has supported the Safe Reduction Effort program. Judge Maurice Portley has been brought onboard. Judge McNally and Joe Kelroy will be sending a memo out to the committee regarding giving the National Juvenile Defenders Center permission to conduct a statewide assessment. They will be doing an assessment in Arizona in February and March and producing a report with recommendations. They will ask to meet with each county.

**Joe Kelroy (JJSD, Director)** - Detention standards approved. JJSD will work with directors to provide training for detention standards for staff around the counties. Three day PREA training was held and well received. Detention Centers Task Force to develop planning. The committee would consist of outside consultant, directors, stakeholders, county level people who fund programs.

**Scott Mabery (Yavapai)** – Assessment Center to open in mid-March; models after Pima and Yuma's Hope pod. Yavapai is developing a Juvenile Justice Advisory Committee to get input on where Yavapai County is headed and what the future of juvenile justice looks like.

**Judge Young (Yavapai)** – January 17 Parent Support Now program launched. A peer mentor for each parent on all dependency cases, filed after January 17, come to the preliminary protective hearing involving a child 12 and under.

**Judge Washburn (Pinal)** – Pinal went through a process of re-designating/re-tooling the construct for the attorney’s and how they work in the dependency realm. In addition to quality control, Pinal created teams of lawyers and assigned teams to judges.

**Connie Koch (Public Member)** – Mrs. Koch encourages the judges to let Caroline Lutt-Owens know if there are any recommendations regarding FCRB reports.

**Judge Jantzen (Mohave)** - 6<sup>th</sup> annual Northwest Arizona Infancy and Toddler Mental Health Symposium in Lake Havasu City April 4-6

**Judge Elledge (Cochise)** –AOC will be holding a Dependency Attorneys training in May or June; more details to come

**Judge McCullough (Coconino)** – Revamping intensive skill development program. CASA recruitment is good and they have taken over Best for Babies. Art contest is still going on. Submissions will be received Friday.

**Judge Reeves (Yuma)** – Visited Judge Quigley to get information/attend a training on starting a Parent to Parent Assistance Program. Judge Reeves thanked Judge Quigley for the assistance. Starting Successful Futures. Pilot program was conducted last year.

**Judge Stauffer (Greenlee)** – A high school in Greenlee County hosted the Supreme Court for oral arguments. Over 500 kids and teachers had an opportunity to observe oral arguments, ask questions, and interact.

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### **Call to Public**

N/A

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### **Next COJC Meeting:**

The next COJC meeting is scheduled for Thursday, April 20, at the Arizona Courts Building, Rooms 119A/B.

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### **Adjournment:**

The meeting adjourned at 2:05p.m.