

**Committee on Juvenile Courts**

*Committee Minutes*

Meeting Date: 04/19/2018

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

Minutes taken by: Natalie Foster

**Roll Call**

**Present:**

Honorable Bryan Chambers, Honorable Thomas Fink, Josh Frisby (proxy for Honorable Rick Williams), Joseph Kelroy, Connie Koch, Caroline Lutt-Owens, Jennifer Torchea, Honorable Margaret McCullough, Eric Meaux, Honorable Allan Perkins, Honorable, Kathleen Quigley (Chair), Honorable Tim Ryan, Honorable Mark Wayne Reeves (phone), Ernest Rose, Tyson Ross (proxy for Judge Newman), Denise Smith, Honorable Christopher Staring, Honorable Monica Stauffer (proxy for Honorable Travis Ragland), Honorable Daniel Washburn (phone), Honorable Anna Young

**Excused/Absent:**

Honorable Karl Elledge, Honorable Robert Higgins, Honorable Mathew Newman, Sheila Tickle, Honorable Sam Thumma

**Guests/Staff Present:**

Bobbi Chagolla, Jeff Hood, Mark Koch, Amy Love, Nina Preston, Beth Rosenberg, Cindy Trimble, 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 January 25, 2018 meeting. **Action:** Approve; **Moved by:** Judge McCullough; **Seconded by:** Eric Meaux.  
Motion passed unanimously.

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**Topic:** DCS Update

Speaker: Lauren Lowe, DCS General Counsel

Summary of Discussion:

Ms. Lowe was unable to attend meeting; no DCS Update provided

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**Topic:** ADJC Update

Speaker: Jeff Hood, Director, ADJC

## Summary of Discussion:

- Introduced Heather Wilkey, new Governmental Affairs and Media Relations Administrator
  - Tours
    - Targeted largely at judicial officers throughout the state
    - Good response
    - Judge Ryan, along with many of his judicial staff and officers have participated in the tour
    - Additional tour dates
      - May 2
      - May 22
      - June 6
      - June 13
  - Complete refreshing on their programming
    - Adopted Aggression Replacement Training-a 10-week closed group program for all youth with aggression issues. All clinical and program staff have been trained
    - Expanded Dialectic Behavior Therapy Program (DBT Program); offered to all youth
    - Implemented Sex Trafficking Awareness and Recovery Program (START); for female youth, developed by ASU
    - Changed program for youth with sexual behavior issues to Stages of Accomplishment Program; offered to youth with a diagnosed need for sexual behavior treatment
  - Director Hood offered to come back at a future COJC meeting to cover any of the programs more in depth, if the committee is ever interested
  - ADJC has expanded their internship program
    - Three ASU undergrad interns
      - Arts Education
      - Creative Writing
    - Approximately 32 GCU interns have been coming in weekly to tutor kids on an individual basis on educational programs
  - Update to Interstate Compact on Juveniles Benchbook
    - Distributing update through Joe Kelroy
  - Population Update
    - 162 youth in detention
      - 10 are female
      - 39 are involved with DCS
    - 11 High School Diplomas awarded so far this year and 37 GEDs
    - Average daily population is slightly lower than it was this time last year, but higher than 2016
    - Mental health numbers are up
    - Gang affiliation is up
    - Trending up in older population
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**Topic:** Judicial Branch Discrimination and Harassment Policy – Formal Action Item/Request (Handouts: AO92-33; Arizona Judiciary Sexual Harassment Policy and 2018 draft)

Speaker: David Withey, Chief Counsel, AOC

Summary of Discussion:

Handouts distributed/discussed

- Last policy adopted was in 1992
- Changes were made regarding what the policy addresses
- Policy Statement
  - Definitions
    - Discrimination
    - Harassment
    - Sexual Harassment
  - Duty to Report
  - Implementation
  - Education
    - Recommendation is to conduct annual training
    - Training would fulfill Ethics training for COJET requirement
- Code of Conduct for Judicial Employees
  - Rule 2.3 Bias, Prejudice, and Harassment
  - Comment
- A training is being provided though the Arizona State Bar
  - David will email information to the group on how to register

**Motion:** Recommend that the Chief Justice move forward with the Judicial Branch Discrimination and Harassment Policy draft that was presented. **Action:** Approve; **Moved by:** Judge Stauffer; **Seconded by:** Judge McCullough.  
Motion passed unanimously

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**Topic:** Petition to Amend Rule 123, Rules of the Supreme Court of Arizona; Rules 19, 47, 75, & 86, Rules of Procedure for the Juvenile Court – Formal Action (Handout)

Speaker: David Withey/Nina Preston, AOC Legal Counsel

Summary of Discussion:

Handout distributed/discussed

- Nina provided comments to rule petition that was filed by Maricopa County Presiding Juvenile Court Judge Ryan and the Clerk of Court
- Nina complimented the petition's extraordinary coverage of detail and recommendations

- Comments provided in the handout were discussed and changes made by AOC were explained

#### Committee feedback/questions

- Judge Ryan provided feedback and explanation of draft
  - Judge Ryan has no objections to proposed changes; however, he asks that AOC gets input from Aaron Nash (drafter) regarding the proposed changes
- Eric Meaux - Rule 123(1)(c)
  - Requested clarification regarding specific funding being tied into records
- David Withey suggested removal of the following verbiage in Rule 123(d)(1)(C)
  - funded by the juvenile probation fund (pursuant to ARS §8-321) or the family counseling fund (ARS § 8-261 et seq.)

**Motion:** For the committee to support all the purposed Rule changes with the modification recommended by David Withey, which is removal of the following verbiage in Rule 123(d)(1)(C): funded by the juvenile probation fund (pursuant to ARS §8-321) or the family counseling fund (ARS § 8-261 et seq.). **Action:** Approve; **Moved by:** Judge Chambers; **Seconded by:** Judge Young.

Motion passed.

Judge Ryan abstained since it was his rule.

**Topic:** Fostering Advocates of Arizona-Policy Recommendations 2018 – (Presentation)

Speaker: Beth Rosenberg/Bobbi Chagolla/Brittany Hunter, Children’s Action Alliance

#### Summary of Discussion:

Handouts distributed/discussed:

1. Fostering Advocates of Arizona Policy Recommendations 2018
2. Resource Card

- Beth Rosenberg, Children’s Action Alliance, introduced herself and explained how Children’s Action Alliance is involved with Fostering Advocates Arizona
- Beth introduced Bobbi Chagolla and Brittany Hunter
  - They are part of the Young Adult Leadership Board
- Bobbi and Brittany shared their stories, the Policy Priorities of Foster Advocates Arizona, and Recommendations
  - Priority One: Make the Foster Care Tuition Waiver Program permanent
  - Priority Two: Support continued participation in the independent Living Program until age 21
  - Priority Three: Provide permanent and healthy family home environments

- Priority Four: Give young people a stronger voice in their behavioral health treatment plans
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The committee commended the young ladies on sharing their stories and the work they are doing.

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**Topic:** 2019-2024 Strategic Plan – (Discussion Item)

Speaker: Cindy Trimble

Summary of Discussion:

- Cindy has been tasked with facilitating Vice Chief Justice Brutinel upcoming strategic agenda
- Vice Chief Justice Brutinel will take office as Chief Justice July 2019
- Began the process of requesting input from various committees and stakeholders of the Judicial Branch for Strategic Agenda ideas
- Sixth Strategic Agenda
- No specific theme at this point
- Current initiatives will continue to move forward
- Goal is to gather and create a book of suggested agenda ideas by June 2018
- Process
  - Meet with committees for input
  - Update will be given at June AJC
  - Vice Chief Justice Brutinel will possibly appoint a subcommittee of AJC to help organize input
  - Work on draft
  - Take draft to AJC in December for approval
  - Work on design and branding
  - Have completed by July 2019
- COJC member input
  - Judge Reeves suggestion
    - Revising juvenile rules due to many being incomplete
    - For juvenile rules to comport more with the civil and criminal rules
    - Has already spoke to Vice Chief Justice Brutinel regarding this
  - Judge Fink
    - Allow the courts (particularly the smaller courts) to catch up on programs and initiatives that have already been put in place from the current strategic agenda
    - Revision of juvenile rules is a good idea
  - Judge McCullough
    - ICPC – Something has to happen. The delays, especially in other states, is taking too long for approval
    - Placements – Need to be able to call another county and be able to swap kids to have placements closer

- Judge Ryan
    - Goal of share technology statewide. Programs/technology that are working in larger counties should be shared with smaller counties.
    - JACS system was given as an example
  - Cindy asked committee members to submit any additional ideas to her, Caroline, or Joe
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**Topic:** Legislative Update – Formal Action

Speaker: Amy Love, AOC Deputy Director of Legislative Affairs

Summary of Discussion:

Committee on Juvenile Court Legislative Update handout distributed and reviewed

- Dependent Children
    - H2006: Marriage; Minimum Age
    - H24152: Juvenile Dependency Proceedings Fund
    - S1071: Adoption; Subsidy; Review; Nonrecurring Expenses
    - S1198: Blind Persons’ Rights; Adoption; Custody
    - S1380: Children; Out-of-home Placement
    - S1395: Temporary Custody Without Court Order
    - S1473: Dependent Children; Placement; Kinship Care
  - Juvenile Justice
    - H2090: Pre-arrest Diversion; Precomplaint Education Program
    - H22259: Juvenile Court Facilities; Shelters; Use
    - H2356: Juvenile Court; Jurisdiction; Age
    - H2090: Pre-arrest Diversion; Precomplaint Education Program
    - H2259: Juvenile Court Facilities; Shelters; Use
    - H2356: Juvenile Court; Jurisdiction; Age
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**Topic:** Law Enforcement Detention Standards – Formal Action (Handout)

Speaker: Mark Koch, JJSD

Summary of Discussion:

A draft copy was distributed and reviewed

- A history of the standards was provided

**Motion:** To approve the draft as currently written. **Action:** Approve;  
**Moved by:** Eric Meaux; **Seconded by:** Jennifer Torchia  
Motion passed; Judge McCullough opposed

Judge Ryan provided an amended motion.

**Motion:** To support the State of Arizona Juvenile Detention Standards Section: 1 A 7 with the proviso that this is a minimum standard and that each individual county could have more restricted standards. **Action:** Approve; **Moved by:** Eric Meaux accepted amendment; **Seconded by:** Jennifer Torchia accepted amendment  
Motion passed; Judge McCullough opposed

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**Topic:** Judicial Roundtable (Casey Family) – (Discussion Item)

Speaker: Judge Quigley

Summary of Discussion:

- Reviewed the topic that was briefly brought up at the January 26 meeting
- The proposal was to have it at the October 2018 COJC meeting
- Asking for a vote from the committee to move forward or not
- Judge Quigley provided an explanation of why and how the meeting idea came up

Discussion among group members

**Motion:** Move to invite Casey to assist in a two-hour presentation on transfers and placements on issues related to ICWA cases, tribal roundtable included after participating in public committee proceedings. **Action:** Approve;  
**Moved by:** Judge Ryan; **Seconded by:** Judge Young.  
Motion passed unanimously

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**Topic:** Transnational Families Toolkit – Information (Handout)

Speaker: Judge Quigley

Summary of Discussion:

Separated and Transnational Families – A Toolkit for Child Welfare Cases – Judges, Attorney and Child Welfare Personnel was distributed and reviewed

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**Topic:** System Improvement

- JJSIP (matrix and CPC)
- Sex Offender Review Update
- CYPM State Protocol

Speaker: Joe Kelroy

Summary of Discussion:

- JJSIP
    - Thank to everyone who worked with JJSD on the JJSIP Matrix Correctional Program checklist effort
    - Conducted three regional meetings
    - Visited with Maricopa and Pima
    - Teams are made up from all departments
    - Georgetown presented
    - Good discussion and representation from stakeholders
    - Working on dispositional matrix through the system improvement
      - Talks about how we aligned probations efforts to look at research-based tools, data driven from risk assessment tools, then apply risk to seriousness of offense within a dispositional matrix.
    - The matrix will help launch the probation plan and recommendations
    - Two committees
      - One is working on the matrix
        - Have a representative from each county
      - The sub-committee working on data
        - Six counties that have actual researchers
    - The goal is to have a draft matrix by the end of year
  - CYPM State Protocol
    - Been in contact with leadership at DCS
    - Appreciate all efforts that have occurred within the counties
      - Six counties launched and are in practice
    - At the state level, JJSD has pulled out the protocols locally and are pulling out the information that is common to the state
      - DCS can review and train case workers and defer to local protocols for everyday business
    - Contact Joe or Caroline with any questions
  - Sex Offender Review Update
    - Through National Center of State Court and Center for Sex Offender Manager, JJSD has all the files they will be reviewing statewide
      - Files reviews take 1 ½ - 2 ½ hours per file
      - Review is taking longer than anticipated
    - Visiting providers sites
      - Interviewing therapist
      - File reviews from a clinical sense
    - There will be another advisory meeting in June
    - The target is to have recommendations by the end of year
    - Added four attorneys to the advisory committee
      - The committee is made up of five counties
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**Topic:** Fair Justice Delinquency/Dependency

Speaker: Judge Quigley

Summary of Discussion:

- Look at the fees/fines imposed on the Juvenile Court side
  - On Fair Justice Side, should a committee or subcommittee be created?
    - Recommendation:
      - To create a small workgroup to review, address and make recommendations.
  - Volunteers for a committee or subcommittee requested:
    - Judge Young volunteered
    - Judge McCullough volunteered
      - Someone from Financial-TBD
      - Someone from Probation-TBD
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**Topic:** Old Business

Speaker: Judge Quigley

Summary of Discussion:

N/A

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

Speaker: Members

Summary of Discussion:

**Judge Fink** (Santa Cruz) – Had a presentation from David Withey regarding holding juveniles who are Mexican nationals in custody after judge has ordered them released; having them held until ICE picks them up. It's illegal for them to be held after the time the judge orders their release.

**Ernest Rose** (Public Member) – In Maricopa County Regional School District, Mr. Rose is preparing a contingency plan in case teachers go on strike.

**Judge Young** (Yavapai) – Judge Young attended the Infant/Toddler Mental Health Clinic for the first time in Mohave County and said it was amazing and encourages anyone who has the opportunity to attend to do so. Judge Young has seen a huge uptick in number of kids being detained for threats made at school. She attended a school safety listening session on Friday to discuss school safety issues. Per Judge McNally, Judge Young asked how many counties have a Family Treatment Court.

**Caroline Lauth-Owens** (AOC) - Amended funding agreements for SURGE went out first week in April.

**Eric Meaux** (Maricopa) - Adult probation holding a Restitution Committee Conference on April 26; Vision services in detention has begun. Over two weeks, 40 kids have been screened. 30% were identified as needing glasses. Lyons Club will be providing the glasses.

**Denise Smith** (Pinal) - Hosting a Trauma Informed Care training through the Arizona Trauma Institute May 14-15; Expanding Teen Court Program into San Tan Valley area; Judge Neal approached Ms. Smith about a year ago and asked if their kids in detention could put together paracord bracelets for the Veterans Court. Ms. Smith agreed, and the Community Advisory Board purchased all the materials needed. The kids in detention have begun creating the paracord bracelets, under staff supervision. Judge Neal has come to detention and speak to the kids and explain what it's all about, along with some Veteran Court graduates.

**Judge Ryan** (Maricopa) – Court Authorized Removals begins July 1; Court Technology Services appears to be on track for the launch of Court Authorized Removals.

**Judge Sanders** (Greenlee) - Judge Sanders has retired.

**Judge Chambers** (Gila) - Semiannual dependency training June 8 in Globe

**Judge Staring** (Div Two) –There will be a Juvenile Appeals session at the Judicial Conference Thursday morning.

**Judge Reeves** (Yuma) – Judge Reeves is teaching ethics again for the fifth year, which includes juvenile ethics

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**Call to the Public:**

N/A

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**Next COJC Meeting:**

The next COJC meeting is scheduled for Thursday, August 23, at the Arizona Courts Building, Rooms 119A/B.

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**Adjournment:**

The meeting adjourned at 12:28 p.m.