

Committee on Juvenile Courts  
*Meeting Minutes*

Meeting Date: April 30, 2020

The meeting was called to order by  
Judge Quigley at 12:05pm

Minutes taken by: Kathy Gillmore

Meeting conducted by WebEx due to COVID-19 pandemic.

**Call to Order**

**Present:**

Hon. Bryan Chambers (Gila), Hon. Joseph Kreamer (Maricopa), Hon. Michala Ruechel (Navajo), Hon. Kathleen Quigley (Pima), Hon. Daniel Washburn (Pinal), Hon. Kami Hart (Gila River Indian Community Court), Hon. Sam Thumma (COA, Div. 1), Joannie Collins (Public Member), Janet Garcia (Public Member), Eric Meaux (Maricopa County Juvenile Court Director), Jennifer Torchia (Pima County Juvenile Court Director), Hon. C. Allan Perkins (Apache), Hon. Travis Ragland (Graham and proxy for Hon. Monica Stauffer, Greenlee), Hon. Terry Bannon (Cochise), Hon. Ted Reed (Coconino), Hon. Jessica Quickle (La Paz), Hon. Rick Williams (Mohave), Hon. Anna Young (Yavapai), Hon. Kathryn Stocking-Tate (Yuma), Hon. Christopher Staring (COA, Div. 2), Tim Hardy (Yuma County Juvenile Court Director), Valerie VanAuker (FCRB)

**Excused/Absent:**

Hon. Thomas Fink (Santa Cruz)

**Guests/Staff Present:**

Joe Kelroy (JJSD), Caroline Lutt-Owens (DCSD), Shantelle Bagnell (DCSD), Kathy Gillmore (JJSD), Nina Preston (AOC), Holly Reynolds (JJSD), Liana Garcia (AOC), Teasie Colla (JJSD), Chris Varner (JJSD), Beth Broeker (ADJC), Mike Faust (DCS), Hon. Peter Hochuli (Pima), Randy Alexander (DCS), Virginia Herrera-Gonzales (AGO), Steve Selover (GOYFF)

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Introductions were made on the conference call.

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**Adoption of Minutes:**

**Motion:** To accept and adopt minutes from the January 30, 2020 meeting.

**Moved by:** Judge Washburn; **Seconded by:** Judge Young

No discussion.

**Action:** Motion passed unanimously.

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## Announcements:

- Court Improvement and Title IVE – Judge Anna Young (Yavapai) and Caroline Latt-Owens; *Director; Dependent Children’s Services Division*
    - At the April 21<sup>st</sup> CIP meeting we received good news from the Federal Government - also eligible for IVE funding is reimbursement for the administrative cost of paralegals, investigators, peer partners and social workers that support attorneys representing kids in dependency and their parents at all stages of the foster care proceedings. Caroline has been working with the counties on the Title IVE issues. All fifteen counties are participating, with all the reimbursement for 2019 having been processed and now with DCS. Additionally, third quarter of this year has also been processed. For 2019 there was over \$28M in expenditures claimed, which will be approximately \$6M back to the counties. This is a bit higher than what we anticipated for 2019 so DCS will be working to get the reimbursements transferred as soon as they are able.
    - Director Faust commented that there are two major hurdles before a claim can be made:
      - We need to amend all the contracts, as they do not permit claiming for that.
      - The claiming volume was significantly greater than what was forecasted; there is a cash shortfall from the federal government to cover those expenses. As a result, we have claims for over \$6.5M but we must work out details.
    - We did anticipate that there would be a wait for this process and are confident that we can work through the challenges.
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**Topic:** DCS Update

Speaker: Mike Faust, *Director; Department of Child Safety*

Information item

### Summary of Discussion (PowerPoint):

- **COVID-19 Response** – The Department has maintained all functions and services throughout Arizona’s Stay Home order. DCS has not stopped the flow of any services during this period. Much of the wait list is now gone. DCS has issued a survey to help them learn the best way to do business moving forward.
  - In person responses to investigations and In-Home cases with a safety plan
  - Child and parent contacts are being conducted virtually
  - Will return to in-person child contacts after May 15<sup>th</sup> and in-person parent contacts after May 29<sup>th</sup>
  - Some services still delivered in person:
    - In Home Preservation for children on a safety plan,
    - Reunification Services,
    - Home studies for children ready to transition,
    - Remainder of services delivered through telephonic means.
  - Majority of visits are conducted virtually

- Will return to in person visits after May 29<sup>th</sup>
  - Transition back to in person will be one week prior to directive expiring.
  - Need to ensure that facilities and procedures are in place to support.
- **DHS Landing Page;** The above information can be found on our website; all directives and letters are included in both English and Spanish.
- **Behavioral Health Integration:**
  - Given delays in contracting (and COVID-19), we anticipate the “go live” to be April 1<sup>st</sup>, 2021
  - The last round of discussions with partner health plans were finished this week
  - Review committee finishing scoring next week
  - Target award date is May 31<sup>st</sup>
  - New time line will provide eleven months of transition to ensure successful implementation
- **Questions:**
  - Statistics broken out by county have been requested; this will still be provided.

**Topic:** Amendments to ACJA 6-105.01, 6-301.01 and 6-302.01: Recommendation Matrix and Risk Based Supervision

Information item

Speaker: Joseph Kelroy; *Director; Juvenile Justice Services Division*

Summary of Discussion (Handouts):

Modifications have been made to code to incorporate our recommendation matrix and risk-based supervision. We presented this to the Committee on Probation (COP) last week and we were hopeful of bringing this to the Committee on Juvenile Courts today for a vote. The basis for the hope moving this forward was that there was over 170 views on all three codes; there were no comments. However, it did not move through COP. There were concerns brought forward with the language within the code specific to the matrix. We will now bring together the Juvenile Directors, address concerns and modify the codes; then bring them back to COP and COJC in August 2020. This will push the project out six months or so, to be presented to AJC in October. The comments are appreciated as we move this forward to be the best product that it can be.

Topic: **Call to the Public** – Judge Quigley

None

**Topic:** Arizona Department of Juvenile Corrections (ADJC) Update

Information item

Speaker: Beth Broeker; *Chief Hearing Officer; ADJC on behalf of Director Jeff Hood*

## Summary of Discussion:

- **General Update:**

- There are currently 229 youth in secure care, including 207 boys and 22 girls. The community corrections officers are supervising 128 youth: 45 boys and 4 girls on parole with ADJC and 79 supervised through the interstate compact. Fifty-one of the ADJC youth (18%) are dually involved with DCS. We have awarded one diploma and 51 GED's. We currently have 13 extended jurisdiction youth.

- **COVID-19 Response:**

- We would like to thank the judicial officers and juvenile administrators for their cooperation with our modified intake schedule. We now have intakes occurring every fourteen days instead of every seven days. This safety measure has enhanced our ability to protect youth and staff from exposure to the virus, as we are able to quarantine youth separately for the known time frame of the incubation period.
- All incoming youth are housed in quarantine units for 14 days with other youth that arrived at Adobe on that same day. Youth are participating in programming and going through the intake process while they are in the quarantine process. Each incoming cohort is quarantined separately. Youth are being closely monitored for any symptoms of COVID-19,
- Parents and family visitation are currently suspended, and telephone contact has been increased. Video participation has been expanded statewide.
- During this crisis we prefer that the youth be allowed to participate by telephone for court hearings whenever possible. Additionally, if the youth has a criminal matter in adult court and is currently housed in jail, we would prefer that the youth not be released to Adobe Mountain until their criminal matter is resolved, to prevent the need to transport kids back and forth to court, risking exposure and the need for quarantine.
- Ms. Broecker informed the Committee that she will be leaving ADJC and beginning work as the general counsel at the Department of Education effective on May 18<sup>th</sup>. She has very much appreciated working with this group. At this time, ADJC would like to renew the request that if a youth is committed to Adobe and it is known that they have an open dependency, it is extremely helpful if the dependency information is conveyed at intake. ADJC respectfully asks the court to endorse ADJC on minute entries and orders so these are included in the calendar. The email address to endorse ADJC is [minuteentry@azdjc.gov](mailto:minuteentry@azdjc.gov).
- Questions:
  - There is not yet an end date for the two-week intake schedule. As long as it remains necessary to quarantine youth, we will have to adhere to this schedule.
  - Video visitation may be extended after the pandemic has ended.

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**Topic:** Old Business

Speaker: All Members

Summary of Discussion:

Joe Kelroy- Our work continues with juveniles with sexually abusive behavior (JSAB); we are in the process of contracting with a consultant. We will be developing trainings for judges, attorneys and stakeholders regarding the code that was previously passed regarding the polygraph and the best practices with JSAB.

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**Topic:** Legislative Update

Speaker: Liana Garcia, *Legislative Liaison; AOC*

Information item; topic taken out of agenda order.

Summary of Discussion (Handout):

The Legislature is still on hiatus. The first five bills on the handout are all in limbo; they have all passed through one house and stand a good chance of passing if the legislature does reconvene. SB 1523 (mental health omnibus) did pass this session and was signed by the Governor. The other bills on the handout are all budget bills. A skinny budget was passed, adding some COVID-related funding.

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**Topic:** Around the State Updates

Speaker: All Members

Summary of Discussion:

**Judge Terry Bannon (Cochise):** Cochise County is closing the detention center on December 31, 2020, due to financial reasons incurred by the COVID crisis. It has not yet been decided on where the youth will be placed.

**Judge Ted Reed (Coconino):** Restricted services (COVID); working on reopening plans and have worked with county management on ways to save money, including housing some kids from Navajo County.

**Judge Jessica Quickle (La Paz):** We are working with the other presiding judges on the program to get back to business; concerns with Zoom security.

**Judge Joseph Kreamer (Maricopa): Dependency:** All remote hearings are being held on a “go to meeting” platform with a bridge line that is open and serves as the public and media conduit; the bridge line is muted so that they can call in and listen. We are keeping over 95% of staff at home, including judges, and have reduced public traffic by over 90% as well. The morning calendar (non-evidentiary) has not been moved; some evidentiary hearings have gone forward, while some have been pushed back while we deal with the challenges related to evidentiary hearings occurring remotely. We are teaming with Microsoft to create a new video conference platform; we are finding that our remote hearings are better attended and more productive. Parents tend to participate more. **Delinquency:** Eric and his staff have done a great job in managing a difficult situation. The determination has been made to move the remaining juveniles from the Southeast detention facility to the Durango facility on a temporary basis for at least 6-12 months; we will access as we go as to whether we will continue. We have significantly reduced our

population by identifying juveniles who could be released from detention during this crisis. Virtually all of the delinquency hearings have been occurring remotely, with the parties generally waiving under Rule 12 the right to have in-person hearings.

**Judge Rick Williams (Mohave):** Dependency and delinquency benches have done a good job of acclimating to remote hearings and telephone/video appearances. We are now focusing on what our juvenile court will look like and how it will operate on June 1<sup>st</sup> and beyond. We initially had some concerns on how the restrictions would impact our juveniles that are in drug court and juvenile health and wellness court with reduction in supervision and in-person contact, but our telephonic hearings have been met with success.

**Judge Michala Ruechel (Navajo):** We are doing almost all DCS and dependency hearings telephonically. Most of the delinquency hearings are occurring remotely, except for disposition. A “thank you” to the AOC for help and support with technology, which has allowed the clerks, probation officers and court staff to appear by phone.

**Judge Kathleen Quigley (Pima):** We are learning new things and accessing how we can continue doing business.

**Judge Daniel Washburn (Pinal):** Using the WebEx platform for hearings, including evidentiary. Approximately half of the trials have proceeded, and we have moved forward with 90% of caseload going forward. Request of Judge Kreamer to share special actions/results of those cases. Once he obtains the documents, Judge Kreamer will forward them to Kathy Gillmore, who will then send out to the Committee.

**Judge Anna Young (Yavapai):** Microsoft Teams- running a full dependency calendar; vast majority of delinquency hearings by phone, except for the disposition hearings. Some parents do not have access to a phone and still attend in person. On the probation side, we have been able to cut our numbers down to 15 kids in detention. We are not having any probationers coming into the office; we partnered with the local school districts, taking lunches and food boxes for the families. Morale is good, and we will change things moving forward, using Microsoft Teams.

**Judge Kathryn Stocking-Tate (Yuma):** Dependency: all hearings are telephonic using a bridge system, which has worked out well. There has been an uptick in the number of dependency filings (7). We are moving along with less disruption than anticipated.

**Judge Kami Hart (Gila River Indian Community Court):** Also moved to audio/video; this will probably continue after the pandemic. Judge Hart may reach out to Judge Washburn with respect to WebEx for weekend arraignments and hearings. All the juvenile/family drug courts are appearing remotely and maintaining daily contact. We are changing things, hopefully for the better. We have lost our court bailiff to COVID-19, so we are working through the grief process with good support from our HR department.

**Judge Sam Thumma (COA, Division One):** Great admiration for what everyone is doing during this time.

**Judge Christopher Staring (COA, Division Two):** Echo the sentiments of Judge Thumma.

**Valerie VanAuker (Foster Care Review Board):** The FCRB was able to transition all boards to WebEx audio conference. The volunteers were very patient. We are very committed to advocating for the best interest of children in the Arizona foster system.

**Joannie Collins (Public Member):** Our “*When You Turn Eighteen*” brochure is finally complete, we are sending a box of them to all court directors. If anyone would like copies please send me an email. We have also created a new app for the youth and translated the brochure to Spanish. The e-tournament for iCivics was very successful. We will also be hosting one for detention in June. We will be making an e-summit for Teen Court available online, as well as in person.

**Janet Garcia (Public Member):** We appreciate the Arizona Courts in their continuing of hearings. This is not happening in all states. The rest of the country can learn a lot from Arizona.

**Tim Hardy (Yuma County Juvenile Court Director):** We were able to reduce numbers in detention to 10. Our presiding judge has directed for half of the staff to work at home at any given time. We have learned new ways of doing probation, which in some respects are very effective.

**Eric Meaux (Maricopa County Juvenile Court Director):** In our work with ASU we have been managing content at the device level, which means that these devices can not only happen in the detention center, but also when they leave the detention center.

**Jennifer Torchia (Pima County Juvenile Court Director):** We are down to 25 kids in our facility. We are working on new and different ways of keeping our kids from getting too bored.

**Joe Kelroy (Director; Juvenile Justice Services Division):** We have been meeting with DHS, JJSD managers and juvenile court directors for weekly updates to keep up with what is happening locally and from the state level. If there are needs or questions noted, DHS has been good at getting information back to the counties. We have also been working on a videotaped Delinquency 101, which will be a nice product for judges to have as a platform to look at juvenile justice in Arizona. This is five hours of content, broken into five session segments, to view at judges convenience.

**Caroline Lutt-Owens (Director; Dependent Children's Services Division):** Local CASA programs continue to support volunteers as well as support the initiation of new applicants. Historically, we have required that applicants do all the background checks prior to attending training. Because we are not currently doing the polygraph/fingerprints at this time, we have reversed this process and they are doing their training first. They will still need to follow up with background check information, but this will save time. We are in the midst of the third virtual training and they are going well.

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### **Closing Comments/Adjournment:**

The meeting was adjourned by Judge Quigley at 1:22 p.m.

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### **Next COJC Meetings:**

The next COJC meeting is scheduled for Thursday, August 20, 2020 at the Arizona Courts Building, Room 345A/B and via conference call.