

Committee on Juvenile Courts

Committee Minutes

Meeting Date: 8/23/18

The meeting was called to order by
Judge Quigley at 10:04 am

Minutes taken by: Natalie Foster

Roll Call

Present:

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

Excused/Absent:

Honorable Karl Elledge, Honorable Mathew Newman, Honorable Allan Perkins, Ernest Rose, Sheila Tickle

Guests/Staff Present:

Shawn Fuller, Jeff Hood, Amy Love, Tina Mattison, David Withey

Introductions were made around the room.

Adoption of Minutes:

Motion: To accept and adopt minutes from the April 19, 2018 meeting. **Action:** Approve;
Moved by: Judge Ryan; **Seconded by:** Judge Young.
Motion passed unanimously.

Topic: DCS Update/Removal Authorization Process

Speaker: Shawn Fuller, DCS General Counsel

Summary of Discussion:

PowerPoint distributed and reviewed. PowerPoint will be sent to those participating by phone

July 2018

- Total removals (preliminary): 745
 - 54.4% of total removals were with a Court Authorized Removal (CAR)
- CAR requests:

- 297 applications for 451 children
- Outcomes:
 - 406 authorizations (children removed)
 - 12 denials (children)
 - 21 applications deleted or cancelled by Department
 - Cancellations/deletions are requested by Department if exigent circumstances occur or other safety arrangements are put in place
 - 8 are in “more information” status (children)

August 2018 (as of mid-day on 8/22)

- CAR requested:
 - 254 applications for 398 children
- Outcomes:
 - 360 authorizations (children removed)
 - 3 denials (children)
 - 19 applications deleted or cancelled by Department
 - 24 are in “more information” status (children)

Department believes the Court Authorized Removal process has been a success, thus far.

Drop in numbers have been attributed to the safety plans put in place by the Department. Judge Ryan observed that the downward trend is tracking with the rollout of the Safe AZ Model (observation for Maricopa County).

Discussion on the difference between when the removal is requested when the dependency petition is filed, without a CAR, as opposed to going through the CAR process.

Topic: ADJC Update

Speaker: Jeff Hood, Director, ADJC

Summary of Discussion:

Tour update

- ADJC continues to offer tours to the judges and their judicial staff
- Getting good response/interest
- Added two additional tour dates in September, one in October, two in November, and one in December
 - If any of the scheduled dates do not work for the judges/judicial staff, please contact ADJC and they will try to adjust according to request
 - Dates will be sent out later today

Georgetown-First Capstone project

- Reviewed entire assessment process for the youth ADJC receives
- Work has been completed
- Director Hood has approved recommendations
- Recommendations will go into effect by the end of September

- Removed outdated and redundant tools
- Added the SAVRY as their Violence Risk Assessment Tool
- Benefits: Relocated intake center to make better use of staff and make intake process quicker for the youth, this should result in a reduced intake time; from 21 days down to 14 days. This will allow ADJC to move youth into a treatment program about 33% quicker than they have in the past.
- Implementation will occur over the next six weeks

Next Capstone project

- Looking at the entire approach to family engagement

Update on efforts to implement HB2356, Extended Jurisdiction Bill, given by Beth Broeker

- Signed by Governor in May
- Went into effect August 3
- Formed internal workgroup
 - Identified changes needed
- Extended jurisdiction youth may be committed to ADJC through three different pathways
 1. As a result of an original commitment
 2. As a result of a probation violation
 3. As a result of an extension of their current commitment to ADJC if they committed a new offense while they were at ADJC and they were not a chronic felony offender
- Determined that an extended jurisdiction youth will have the same housing, treatment, education, behavioral expectations, and community opportunities as all ADJC youth
- Extended jurisdiction youth will be housed along with all other ADJC kids
- Confirmed that all treatment programs are validated for youth over 18
- ADJC is in the process of connecting with juvenile justice system partners in other states that have extended jurisdictions to learn from their experiences and using evidence-based practices
- There are 15 different states that have independent juvenile correction agencies that also have extended jurisdiction
- ADJC has educated all current youth on the new law
- Education has also been incorporated in classes to all new commits and reentries
- ADJC put together an 18-year-old packet for arrivals that are 18 or older when they arrive (or if they will be 18 while they are in ADJC jurisdiction)
 - Release of information
 - Voter registration
 - Selective Service registration
- Issues during implementation
 - The placement options for youth who are in secured care on their 18th birthday
 - Historically they have attended to release kids before their 18th birthday
 - DCS has been a fantastic partner working with ADJC
 - In the process of working to ensure those who are/turn 18 while in secured care get housing services
- ADJC staff are going through a process that will allow them to apply for AHCCCS coverage for youth who turn 18
- Plan to work with AOC and County Attorney to share information

Topic: Pinal County Juvenile Dependency Retained Counsel Procedure Update (Information item)

Speaker: Judge Daniel Washburn

Summary of Discussion:

Judge Washburn originally mentioned this topic to the committee about a year ago, during the Round the State.

Update:

- Changes to Pinal's court appointed council were implemented approximately 1 ½ years ago
- Changes applied to all dockets/types of cases
 - Substantial change for juvenile court
- Pinal has three juvenile judges
 - 600-650 dependency cases were divided among two of the three judges
- Ten attorneys went through a vetting process
- The final ten lawyers were then divided between the two judges (five assigned to each judge)
- Three ad-hoc lawyers were added to each team
- Each team stays with their assigned judge
- The retained layers are paid a flat-fee per month, the ad-hoc lawyers are paid an hourly fee
- The benefits:
 - Lawyers calendars mimic their assigned judge's calendar
 - Fewer scheduling conflicts
 - Streamline case process
 - Improved quality representation, especially with parents

Topic: Arizona Indian Child Welfare Act (ICWA) Guide (Information only)

Speaker: David Withey

Summary of Discussion:

Location and guide reviewed

- Link
<https://www.azcourts.gov/Portals/93/handouts/AZ%20ICWA%20Guide%202018%20%20Revisions%20July%2024%202018.pdf?ver=2018-07-24-161640-280>
- The guide was borrowed heavily from Michigan
 - Organization
 - Content

- Arizona specific laws and provisions have been incorporated
- Create by
 - Professor Atwood, University of Arizona
 - Dawn Williams, Attorney General's Office
- Editor
 - David Withey (along with some content)
- Viewer
 - Judge Quigley
 - Judge Quigley's Judicial Assistant
- Provides access by using links
 - Not just WestLaw links; anyone can use it
 - Table of Contents is listed question format

Suggestion: Adding it to Wendell for possible COJET opportunity

Topic: Legislative Proposals Update (Formal action requested)

Speaker: Amy Love

Summary of Discussion:

1. Handout provided for HB2356 and reviewed

Group discussion - Interpretation of when the statute/extended jurisdiction is triggered

Question to committee:

- If there is a change, would there be support from the COJC to pursue giving judges the ability to extended jurisdiction without it only being based off the notice of the intended prosecutor?

The committee agreed they would support it (no formal action required)

2. Proposal review

- Proposal request process
- 2019-01: Court security officer; powers and duties
- 2019-03: Class 6 felonies; designation; juveniles (formal action required)

Motion: Support proposal 2019-03 as presented. **Action:** Approve;

Moved by: Judge McCullough; **Seconded by:** Judge Young.

Motion passed unanimously.

- 2019-06: Juvenile court; possession of firearms
 - Still working through the draft
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Topic: State/Tribal Judicial Roundtable

Speaker: Judge Quigley

Summary of Discussion:

- Originally discussed having the roundtable at October's COJC meeting; however, there is a conflict due to the NICWA conference being held in October
- Discussion was to move the roundtable to January (date not yet decided)
- Original motion was made by Judge Ryan

Motion: To consider a new date for a State/Tribal Judicial Roundtable. **Action:** Approve;
Moved by: Judge Ryan; **Seconded by:** Judge McCullough.
Motion passed unanimously.

David Withey suggested developing a workgroup to work on this. If interested in participating in the workgroup, contact Judge Quigley or Caroline Lault-Owens

Topic: Juvenile Justice Updates

Speaker: Joe Kelroy

Summary of Discussion:

Rite of Passage (ROP) Review

- Reviewed original concerns
- Recently conducted a contract monitoring review of both facilities
 - It was the best review since Director Kelroy has been at AOC
 - Very pleased with the changes and work ROP is doing

Judge Ryan requested a copy of the review be sent to the committee

DCS Data Sharing Agreement

- A data sharing agreement was sent to all presiding juvenile judges for their authorization
- Working with DCS to provide them a report that flags CYPM juveniles.
- Provides legal information so they can update the Childs system
- Establishing relationships with each county so that all probation departments have Childs access
- Staff will be trained so information can go back and forth

CYPM Protocols

- Working with DCS on state protocols
- Working with Mike Faust and his team
- Reviewing protocols from all counties and identifying common areas
- Looking at responsibilities of DCS, probation and AOC

- The goal is to have a state protocol draft, in relationship to local protocols, presented at the all sites meeting in November

Uniform Conditions

- Recently modified
 - Directors have been made aware of the changes
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Topic: Civil Liberties (NICS) (Information item/handouts)

Speaker: Joe Kelroy

Summary of Discussion:

Handout distributed and reviewed

Prohibited Possessors of Firearms

- 13-904. Suspension of civil rights and occupational disabilities
- 13-912.01. Restoration of civil rights; persons adjudicated delinquent (in draft)
- 13-31001. Definitions

Committee discussion

Topic: System Improvement PowerPoint Presentation (Information item)

Speaker: Joe Kelroy

Summary of Discussion:

PowerPoint presented and reviewed

- Core components of an evidence-based decision-making platform
 - Risk, need and responsibility
 - Risk/needs assessments
 - Arizona youth assessment screening (AZYAS) includes five tools
 - Diversion Tool
 - Disposition
 - Detention Screening Tool
 - Residential
 - Reentry
 - Disposition matrix
 - Mapping of service continuum
 - Purpose of the correctional program checklist (CPC)
 - Focus areas of the CPC
 - EBDM platform component
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Topic: Around the State/Upcoming Training

Speaker: Members

Summary of Discussion:

Honorable Bryan Chambers (Gila) – Bi-annual training has been completed; working on challenges with CASA coverage within certain locations; working on recruiting more CASAs; a video was developed that will hopefully help with recruiting

Honorable Thomas Fink (Santa Cruz) – Interested in Pima’s Transnational Families training; Playing catch up since the departure of Judge Kim Corsaro

Honorable Robert Higgins (Navajo) – A judge pro-tem was recently trained in dependency

Joseph Kelroy (AOC) – Thanked committee members, and their staff, for their support/participation in AOC workgroups and committees

Caroline Lauth-Owens (AOC) – CASA code has been revised and is open for comment if anyone would like to go online to view; comment period ends September 4; once comments are reviewed/updated, the code will be presented to COJC for adoption; FCRB Code updates/revision will follow; staff is working on training all of the FCRB volunteers on AZ Safe Model and what their role is

Honorable Margaret McCullough (Coconino) – Enjoyed the self-defense training in Tucson

Eric Meaux (Maricopa) – In September, they will be working with the cooperative extension 4H

Honorable Kathleen Quigley (Chair) (Pima) –Transnational Families training December 6 from approximately 12:00-2:30 pm

Honorable Tim Ryan (Maricopa) – Also borrowing the DAP program from Pima; happy to have CTS share with other counties on how to build/use JACS for real-time report with CAR; Extending offer to attend Annual Judicial Day Conference in Maricopa County on October 26 from 8:30-4:30 at the East Valley Institute Technology (email Judge Ryan, if interested)

Honorable Mark Wayne Reeves (Yuma) – Two years ago, started Successful Futures Court and it has been very successful; Round 4 is starting with 15 kids; it runs six months long; Program is 6-7:30 pm so families can participate; if successfully completed, the juvenile can get released from probation early; Looking at annual dependency training in March 2019

Tyson Ross (proxy for Judge Newman) (La Paz) – Finalizing CYPM protocols

Denise Smith (Pinal) – Working on a new treatment program established in their juvenile detention facility; incorporates the family into the program; six-month program

Honorable Christopher Staring (Appeals) – On June 4, judges and staff were hosted by Judge Quigley at Pima Juvenile Court

Honorable Sam Thumma (Appeals) – Participated in a Judicial Conference program; comments showed it was well received; Last fiscal year was the first time a staff attorney was assigned exclusively to juvenile appeals; Stats are being pulled to see the impact; There were 620 juvenile appeals for Div 2 in FY17 and 516 in FY18; eight years ago, there were about 250 juvenile appeals; During FY18, almost 570 cases were cleared out; Meeting with Judge Ryan’s bench next month

Jennifer Torchea (Pima) – The detention facility received a USDA grant for their garden; will purchase planter beds and have specialized speakers come in; the kids participating are excited; Also received a grant for the Reimagine Juvenile Justice Initiative; six modules were focused on; the most powerful thing that came out was to ensure youth and family voices were heard in the work they do; looking forward to final report and implementing recommendations

Honorable Daniel Washburn (Pinal) – Visited Pima County to witness their DAP program; Pinal is now in the process of having that implemented in October or November

Honorable Rick Williams (Mohave) – Started juvenile health and wellness court in June; happy to report that it seems to be going well; juveniles enrolled are complying with rules, parents appreciate the support; Working with Eileen Bond and Victor Machiche for a dependency training on September 25 and invitations went out to all stakeholders in Mohave and La Paz county; Probation department and Judge Williams are going to meet with interested parties regarding truancy issues in their county

Honorable Anna Young (Yavapai) – Currently, working with Victor Machiche and Eileen Bond for dependency attorney training, which will be held in the Verde Valley to make it more of a regional training; training will be October 19 at the Cliff Castle Casino; notices will be going out soon; Someone from Casey will be coming to do Safe AZ training that morning; Scott Mabery is working on conducting an active shooting training in the juvenile justice center; The CASA Program Manager has resigned, applications are being accepted on the Yavapai County website

Call to the Public:

The following public members addressed the committee:

Name	Representing	Subject
Patricia Borden	AZRSOL	Juveniles on the sex offender registry/laws
Elaina Halford	AZRSOL	Juveniles on the sex offender registry/laws
Shawn Van Dyke	AZRSOL	Juveniles on the sex offender registry/laws
Rebecca Masterson	GenJustice	SB4173

Meeting adjourned at approximately 1:15 pm and was then called back to order a minute later to allow another public member a chance to address the committee

Public Member:

Ryan Browning

Juveniles on the sex offender registry/laws

Adjournment:

The meeting adjourned at 1:26 pm.

Next COJC Meeting:

The next COJC meeting is scheduled for Thursday, October 18, at the Arizona Courts Building, Rooms 119A/B.