

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of: )  
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TRANSMITTAL OF JUVENILE ) Administrative Order  
COMMITMENT RECORDS TO ) No. 2005- 25  
THE ARIZONA DEPARTMENT )  
OF JUVENILE CORRECTIONS )  
\_\_\_\_\_ )

The juvenile courts, as required by A.R.S. §§ 8-208, 8-341(L) and 8-342, transmit with the order of commitment case records and other pertinent juvenile commitment information to the Arizona Department of Juvenile Corrections (ADJC). Case information expedites the juveniles' care, treatment and rehabilitation, and facilitates their re-entry to the community.

On June 6, 2002, the United States Department of Justice notified the State of Arizona of its intent to investigate conditions of confinement by ADJC.

On January 23, 2004, the United States Department of Justice issued their findings pursuant to the Civil Rights of Institutionalized Persons Act (CRIPA), 42 U.S.C. § 1997 (a) (1) which concluded that certain conditions at Adobe Mountain School, Black Canyon School and Catalina Mountain School violated the constitutional and federal statutory rights of juveniles confined in these facilities.

On September 15, 2004, the State of Arizona entered into a Memorandum of Agreement with the United States Department of Justice to improve conditions at the facilities.

The Memorandum of Agreement requires that the State of Arizona develop and implement policies and procedures to obtain from the juvenile courts all pertinent records regarding youth committed to ADJC within one week of the juvenile's arrival at ADJC.

A review of the commitment case information provided by the juvenile courts demonstrates that, in the great majority of cases, the information is complete and has been provided in a timely manner. This process has been handled on an informal basis and the type of information requested by the ADJC has varied. This has resulted in the need to develop a uniform, standardized checklist of required case information and a formal process for transmittal of the information.

Now, therefore, pursuant to Article VI, Section 3 of the Arizona Constitution,

IT IS ORDERED that the Administrative Office of the Courts and the juvenile courts work collaboratively with ADJC to enter and maintain a memorandum of agreement that includes a checklist of records and information as well as a process to transmit the records and information on juveniles committed to ADJC as follows:

1. **JUVENILE COMMITMENT CHECKLIST:** The juvenile courts shall provide pertinent records and case information, or its equivalent, as listed in the checklist unless the information cannot be obtained or verified. The juvenile courts shall indicate on the checklist, which items of information were unavailable or could not be verified.
2. **TIMEFRAME:** The juvenile courts shall transmit certain information when the juvenile is transported or within seven days of the juvenile's arrival at an ADJC facility, as indicated on the checklist. Upon notification of missing or incomplete information, the juvenile court shall send any such information in its possession to ADJC at the earliest opportunity by the most expeditious means available.
3. **CONTACT PERSONS:** The juvenile courts shall designate an individual(s) as their primary contact for transmittal of information or inquiries from ADJC and notify ADJC of the designees. The Administrative Office of the Courts shall designate an individual as their primary contact person to address issues pertaining to this AO, the Memorandum of Agreement, and the process of transmitting information with juveniles committed to ADJC and notify ADJC of the designee.
4. **IMPLEMENTATION:** The Administrative Office of the Courts and the juvenile courts shall work collaboratively with the ADJC to review and update the Memorandum of Agreement and checklist as necessary

IT IS FURTHER ORDERED that the Administrative Office of the Courts, Juvenile Justice Services Division, shall periodically monitor the process of transmitting information during juvenile detention center inspections and operational reviews.

Dated this 7th day of April, 2005.

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CHARLES E. JONES  
Chief Justice