

Committee on Juvenile Courts

Committee Minutes

Meeting Date: February 9, 2007

The meeting was called to order by Judge Brutinel at 10:00 a.m.

Minutes taken by: Delaine Davis, typed by Charli Matson

Members Present:

Carol Boone
Bruce Brannan
Honorable Robert Brutinel
Honorable Kimberly Corsaro
Honorable Patricia Escher
Honorable Gilberto Figueroa
Tim Hardy
Honorable Ann Littrell
Honorable Margaret McCullough
Honorable John Paul Plante
Bernadette Polley
Honorable Michala Ruechel
Honorable Corey Sanders
Rik Schmidt
Pat Trebesch
Honorable Richard Weiss
Honorable Eileen Willett

Guests Present:

Sherri Ayers
Delaine Davis
Girlye Forman
Joshua Frisby
Arno Hall
Scott Mabery
Bryon Matsuda
Michael Nickelsburg
Tara Nielson
Beth Rosenberg
Sheila Tickle
Myrtle Young

Staff Present:

Caroline Lauth-Owens
Rob Lubitz
Steve Tyrrell

Approval of Minutes:

The minutes of November 8, 2006 were approved. **COJC 0701.**

Topic: Overview of Juvenile Audit

Speakers: Dale Chapman, Michael Nickelsburg, Tara Nielson

Summary of Discussion:

The state's Auditor General's Office is conducting an audit of the Juvenile Treatment Services and Juvenile Detention Centers. The audit will have three phases: preliminary survey, field work, and reports. The audit will be completed by December 1, 2007.

Michael Nickelsburg, team leader of the Juvenile Detention Center audit, said that two of the focuses of the Detention Center audit will be on the Operational Guidelines and the tracking and reporting of incidents.

Tara Nelson, team leader of the Juvenile Treatment Services audit, said that her team's main focus is to determine whether the state is adequately ensuring that youth in the system are receiving adequate and appropriate treatment services. The three questions to be answered are: what the courts and JJSD are doing to ensure that youth are receiving appropriate treatment services; whether JJSD effectively supervises and monitors juvenile treatment providers; and whether there are barriers between state agencies that prevent them from ensuring youth are receiving appropriate treatment services.

Topic: Legislative Update

Handout: Committee on Juvenile Courts Legislative Update

Speakers: Jerry Landau and Leila Gholam

Summary of Discussion:

Refer to the handout for the review of legislation.

Judge Escher asked about the status of SB 2209 and the Meet and Confer bill. Leila Gholam shared that the AOC is opposing SB 2209 but has not been actively doing so. Bruce Brannan made the motion to express to the AJC that the COJC believes the AOC should actively opposed SB 2209 legislation. Motion was seconded and passed. **COJC 0702**

Judge Brutinel requested that Leila Gholam look up the Meet and Confer bill and email a report on it to the COJC members.

Judge Willett inquired about HB 2393 which gives ability to the Board of Education to appoint a surrogate parent. She suggests that the AOC follow this bill also, to ensure that the courts ability to appoint surrogate parents is not taken away.

Topic: JJSD Update

Handouts: FY07 Request for Program Services Plan-JPSF-JCRF Part A; AZ SPEP; Research Proposal Application

Speakers: Rob Lubitz, Stacia Nowinski, and Dr. Nancy Rodriguez

Summary of Discussion:

Rob Lubitz reviewed handouts FY07 Request for Program Services Plan-JPSF-JCRF Part A, Part B, and Juvenile Treatment Allocations.

Rob explained that the division has been under scrutiny by the JLBC and the Legislature regarding capacity for probation, specifically the JIPS program. They are looking at cutting \$500,000 from the Juvenile budget by cutting JIPS positions, and transferring those monies to Adult Probation to help cover its growing populations.

From conversation that ensued about the drop in juvenile probation population, Rob Lubitz will form a study group to determine what, if any, changes may need to be made to the current juvenile probation procedures and capacity reports.

Rob Lubitz told the committee about the ASU Research Proposal Application, included in the handouts. Dr. Nancy Rodriguez answered questions about the proposal.

A motion was made to approve the proposal and to ask the Chief Justice to issue an Administrative Order allowing ASU access to records and information concerning dependent and delinquent minors for the purpose of this research. Motion was seconded and passed. **COJC0703**

Topic: DCSD Update

Speaker: Caroline Lantt-Owens

Summary of Discussion:

The Dependency Judges Training Curriculum Summit resulted in over 100 recommendations related to content, format, presenters/audience, and delivery method. Recommendations focus not only on the New Dependency Judges Curriculum, but also what is currently called Advanced Dependency through the Dependency track at the Judicial Conference. The division began working with Education Services to develop a curriculum based on the recommendations.

New Judges Dependency Training scheduled for March 13–15, 2007 will include some of the recommendations that could be easily and quickly implemented. A new curriculum is being planned for the training in 2008.

Court Teams for Infants and Toddlers was a one-day pre-conference held in conjunction with this year's Prevent Child Abuse conference, focusing on County Teams and the Zero to Three population. Interested county teams were encouraged to submit applications for technical assistance. The technical assistance will provide a staff member from Prevent Child Abuse to assist the county in identifying specific goals and, where applicable, offering training specific to these goals. It will also include access to literature resources compiled by Prevent Child Abuse in their work in Yavapai County in the Best for Babies program.

Regional Collaborative Summits will be held by the Dependent Children's Services Division (DCSD) using grant funds, obtained by the Court Improvement Program, which requires collaboration within our training efforts. Representatives from DES, DHS, the court, attorneys, service providers, foster parents, and others will join with the CASA and FCRB volunteers for these summits.

Case Flow Management Team Follow Up sessions are currently being planned. The format will be similar to last year, with the exception that the training will be one day and will be backed up with a one-day delinquency training with Juvenile Justice Services Division (JJSD). Counties will be contacted to discuss possible dates for these sessions.

Topic: Delinquency Guidelines Training

Speaker: Ellen Kirschbaum

Summary of Discussion:

JJSD is partnering with the DCSD to present a Delinquency Guidelines Training in conjunction with the Case Flow Management Team Follow Up. Each county wanting to participate will receive a formal letter of invitation, which will also ask the county to put together a strong team of stakeholders from the area. The participants will attend the training, work on identifying what guidelines work in your area, and develop an action plan to be worked on in your region.

Topic: DES CRSR Review

Handout: CFSR (Child and Family services Review) PowerPoint handout

Speaker: Jakki Hillis

Summary of Discussion:

Jakki Hillis showed a PowerPoint presentation to explain the new measures for the Child and Family Services Review; please refer to the handout.

Topic: CW-JJ Letter of Agreement

Handouts: Letter of Agreement Supporting Dually Adjudicated Youth and Their Families in Arizona; Next Steps Letter of Agreement Support Dually Adjudicated Youth and their Families in Arizona; Draft Outcomes for Inter-agency Integration and Coordination Initiative

Speakers: Judge Brutinel, Rob Lubitz, and Janet Garcia

Summary of Discussion:

Janet Garcia reviewed the Letter of Agreement Supporting Dually Adjudicated Youth and their Families in Arizona. The Agreement was signed in January by ADHS, ADES, ADJC and Judge Brutinel representing COJC. Janet Garcia reviewed the Next Steps document.

Judge Escher reinforced that she believes the data and information sharing is an essential part of this agreement.

Pat Trebesh suggested that schools be included in the references.

Topic: Code Section: Committee on Probation

Handout: Arizona Judicial Council Administrative Order Codification Proposal, Section 6-114: Committee on Probation

Speaker: Brett Watson

Summary of Discussion:

This section replaces and amends Administrative Order 90-52 and codifies membership of the Committee on Probation. This document has gone before the Committee on Probation and the Limited Jurisdiction Court Committee. The committees approved the code as written with one exception, to strike C. 8.

The motion was made to approve the code as presented, striking C.8. Motion was seconded and passed. **COJC0704**

Topic: Juvenile Driver's License

Speaker: Judge Corey Sanders

Summary of Discussion:

Judge Corey relayed a trend in his county that officers are not determining where juveniles are consuming the alcohol when they are stopped for DUI. The youth then goes to court as an alcohol in body charge. When a youth gets two of these and its time to determine whether the license should be suspended, Title 28 has never been amended to include this as a suspendable offense and MVD says they do not take action on it. Now Graham County has youths who have several of these offenses but licenses are not

suspended because of the way the youth is charged on the petition. Judge Corey asked if Title 28 should be revised, or can licenses be suspended some other way under another section in Title 8.

Judge Corsaro responded that a license can be suspended on anything that is alcohol related, that it's a matter of how it's reported on the abstract. She suspends based on Title 8.

Topic: JOLTS Info Sharing

Handouts: Request for JOLTS Access; Response Letter from the AOC on reason for JOLTS access and the reasoning for access

Speakers: Rob Lubitz, Caroline Lault-Owens, and Nina Preston

Summary of Discussion:

The handouts were formulated in response to numerous requests for information from JOLTS. The Response Letter indicates what information is tracked in JOLTS and surveys what information is needed from the requestor. This committee was asked whether this procedure was acceptable to proceed with. The committee agreed it was.

Topic: Guide to Dependency Report

Speaker: Beth Rosenberg, Children's Action Alliance

Summary of Discussion:

A pre-press copy of a guide for youth in the dependency court process was distributed. The guide talks about the youth's rights and responsibilities, the court process, and includes a section for frequently asked questions and contact information. It will be given to youth in care, providers, judicial officers, foster parents, CASAs, and other stakeholders.

Topic: Open Discussion/Around the State

Summary of Discussion:

Yuma County: Tim Hardy stated that there has been an increase in juvenile referrals, due in part to the sophisticated security system at a new mall that is catching more shoplifters.

Scott Mabery, Yavapai County: 10th annual CAB Retreat will be held in Prescott on September 28 and 29, 2007.

Pima County: Judge Escher stated that dependency petitions were down 12% last year and asked if this was the trend in other counties. A majority of the other counties responded that their petitions were up. Navajo County is anticipating their filings to be down by 35%, due in part to CPS efforts for more early interventions, and group staffings and settings early on to avoid filing in court.

Cochise County: Judge Littrell asked other counties how they handle substance-abusing delinquent juveniles who are not going to school and whose parents are aware, and CPS won't recognize these as dependency cases. Judge Escher shared that Pima County will assign a guardian ad litem to investigate then refer the matter to CPS. If CPS doesn't intervene, the GAL is authorized to file a dependency petition and she orders CPS to investigate. CPS then gives a report in court and they are substituted as the petitioner.

Maricopa County: Judge Willett asked whether other counties have run into the situation where a relative is told by CPS to just take the child from the parent(s) and file a guardianship. One county responded that it allows the guardianship to be filed. If a parent objects, then CPS is pulled in.

Call to the Public

No respondents

Adjournment

The meeting adjourned at 2:30pm