

Arizona Code of Judicial Administration
Maricopa County Juvenile Probation Feedback
Section 6-301.01: Juvenile Standard Probation Evidence-Based Practices

The Maricopa County Juvenile Probation Department respectfully submits the below comments regarding proposed draft ACJA changes to Juvenile Standard Probation Supervision Evidence-Based Practices.

Section:

A. Definitions

Comment: "Child," "youth" or "juvenile" definition should be updated to reflect new statutory language of extended jurisdiction.

Suggested Language:

"Child" "youth" or "juvenile" means "an individual who is under the age of eighteen years," as provided in A.R.S. § 8-201(6) OR UNTIL THE JUVENILE IS NINETEEN IF JURISDICTION IS RETAINED PURSUANT TO [A.R.S. § 8-202, SUBSECTION H](#).

B. Definitions

Comment: I(1)(b) Keep definition of out of home placement to reference continued supervision mandates for youth in group homes and shelter as active cases.

Suggested language:

"Out-of-home placement" means "the placing of a child in the custody of an individual or agency other than with the child's parent or legal guardian ..." as provided in A.R.S. § 8-501(8)(9). THIS CATEGORY INCLUDES FOSTER CARE, KINSHIP CARE, OR TEMPORARY SHELTER SERVICES.

C. Definitions

Comment: Add the term "specialized team" to amplify the meaning of the staff associated with specialized caseloads (ex. Crossover Youth Practice Model (CYPM)).

Suggested Language:

"SPECIALIZED TEAM" MEANS A PROBATION OFFICER AND SURVEILLANCE OFFICER OR OTHER DESIGNATED STAFF SUPERVISING A SPECIALIZED CASELOAD.

D. H. Standard Probation Caseload Limit

Comment: Research supports lower ratios for high risk caseloads/cases and higher ratios for low risk caseloads/cases, less supervision. The proposed ACJA changes will now require increased resources for higher risk juveniles. While the Department acknowledges that contact standards and methods have been altered to accommodate this shift, the full impact of such change has not been analyzed beyond our local projection of a monthly cumulative increase of new high-risk cases. Further, the current method used in calculating probation caseloads does not include consideration of pre-disposition cases.

Suggested Language:

A.R.S. § 8-203(B) provides: "A juvenile probation officer performing field supervision shall not supervise more than an average of thirty-five juveniles on probation at one time." TO BE DETERMINED.

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E. I. Active Cases (Proposed I.1.b)

Comment: Addition to active cases list. Cases that have not been dispositioned and are assigned to a Probation Officer require juvenile and parent contacts in order to gain information to make informed dispositional recommendations. Additionally, these types of cases require certain types of assessments. They are currently not counted as active cases.

Suggested Language:

I.1.b JUVENILES RESIDING IN COUNTY AND ASSIGNED TO AN OFFICER PRIOR TO DISPOSITION

F. I. Active Cases (Proposed I.1.c)

Comment: I.(1)(c) Proposed. Keep definition of out of home placement to reference continued supervision mandates for youth in group homes and shelter as active cases.

Suggested Language:

I.1.b-c. Juveniles in out-of-home care OR OUT OF HOME PLACEMENT ~~placement~~;

G. I. Active Cases

Comment: I(2)(a)(1), (2), and (3) Juveniles who are currently living out of county should be supervised by the receiving county through courtesy supervision or interstate transfer. Other inactive status' should include juveniles who are hospitalized and juveniles pending adult court action currently held in juvenile detention facilities. Juveniles assigned an officer prior to disposition require assessments, court reports, disposition matrix recommendations, and supervision of release or detain conditions and should be considered active cases. 2c should be stricken and 1B added.

Suggested Language:

I.(2)(a)(1), (2), and (3)

- 1) Juveniles traveling for more than 30 days out of state, COUNTY, or country with the approval of the juvenile probation department;
- 2) Juveniles direct filed to adult court and currently held in adult jail OR JUVENILE DETENTION FACILITIES pending the adult court action; or
- 3) Juveniles residing for more than 30 days out of state, COUNTY, or country, but the department has retained jurisdiction of the juvenile.

H. J.(1)(f) Program Operations

Comment: J(1)(f) Departments should have increased flexibility to determine who administers the various assessments as long as they are done properly. Consider allowing surveillance officers or other designated assessment trained staff to complete the AZYAS or any other assessment including trauma, substance use, or sex trafficking assessments.

Suggested Language:

J(1)(f) Which require ~~standard~~ probation officers, SURVEILLANCE OFFICERS, OR DESIGNATED ASSESSMENT TRAINED STAFF (SPECIALIZED TEAMS) to administer a youth assessment for each adjudicated juvenile ~~supervised~~, prior to disposition or within 30 days of placement on

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standard probation, if not completed during the pre-dispositional process. Probation Officers shall consider assessment results, family feedback, other agencies involved, as well as any other relevant information, when developing a case plan;

I. J.(1)(h) Program Operations

Comment: J(1)(h) Consider allowing Surveillance Officers or designated assessment trained staff to update the youth assessment. Update referral to ADJUDICATION to align with other suggested Code changes.

Suggested Language:

J(1)(h) Which require the juvenile probation officer, SURVEILLANCE OFFICER, OR DESIGNATED ASSESSMENT TRAINED STAFF to update the youth assessment, upon each subsequent ADJUDICATION EXCLUDING VIOLATIONS OF PROBATION and once every six months, at a minimum. Upon each re-administration, juvenile officers shall review the previous case plan evaluating and updating noted strategies to reflect identified risks and needs;

J. J.(1) (new i) Program Operations

Comment: J(1)(i) This would be a proposed new letter "i". Departments should be able to use a screening instrument or brief tool to determine initial risk. This practice is supported within the field as a "...means to 'screen out' the youth who are low risk. Youth who are low risk but were already adjudicated should be considered for the least restrictive disposition and lowest level of supervision and service intensity".¹ This is particular relevant to large agency with high volumes of adjudication. Thus, staff time is further reserved for the more comprehensive risk assessment for potentially moderate to high risk youth. Further, low risk juveniles do not generally involve treatment case planning given low criminogenic risk factors resulting in the reasonable use of limited case plan primarily focused on goals of very limited contact, completion of conditions, and release similar to the Recommendation Matrix model proposed.²

Suggested Language:

J(1)(new i) WHICH REQUIRE JUVENILE PROBATION OFFICERS OR SURVEILLANCE OFFICERS, OR DESIGNATED ASSESSMENT TRAINED STAFF (SPECIALIZED TEAMS) TO ADMINISTER REASSESSMENTS FOR JUVENILES THAT ASSESS AS LOW RISK ON THE INITIAL STANDARDIZED ASSESSEMENT UPON THE DISCOVERY OF NEW BEHAVIORS THAT INCREASE RISK SUCH AS CONTINUED DELINQUENT CONDUCT OR PATTERNS OF ONGOING SUBSTANCE USE.

K. J.(1)(new j) Program Operations

Comment: J(1)(new j) This would be a proposed new letter "j". Departments should have increased flexibility to determine who administers the various assessments as long as they are certified. Consider allowing surveillance officers or other designated assessment trained staff to complete the AZYAS or any other assessment including trauma, substance use, or sex trafficking assessments. Consider calling them "Specialized Teams". To be consistent with the Recommendation Matrix, violations of probation should not be included in the list of subsequent

¹ Risk Assessment in Juvenile Justice: A Guidebook for Implementation, Models for Change System Reform in Juvenile Justice, November 2012

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adjudications.

Suggested Language:

J(1)(new j) WHICH REQUIRE JUVENILE PROBATION OFFICERS OR SPECIALIZED TEAMS TO DEVELOP A CASE PLAN FOR JUVENILES WHO ASSESS AS MODERATE OR HIGH RISK A MINIMUM OF ONCE EVERY SIX MONTHS FROM THE COMPLETION OF THE LAST CASE PLAN. THE CASE PLAN SHALL REFERENCE THE MOST RECENT COMPLETED ASSESSEMENT AND SHALL BE UPDATED MORE FREQUENTLY UPON GOAL COMPLETION OR NEEDED GOAL ADJUSTMENTS.

L. J.(1)(new k) Program Operations

Comment: J(1)(new k) This would be a proposed new letter "k". Departments should be able to use a screening or brief instrument to determine initial risk. This practice is supported within the field as a "...means to 'screen out' the youth who are low risk. Youth who are low risk but were already adjudicated should be considered for the least restrictive disposition and lowest level of supervision and service intensity".³ This is particular relevant to large agency with high volumes of adjudication. Thus, staff time is further reserved for the more comprehensive risk assessment for potentially moderate to high risk youth. Further, low risk juveniles do not generally involve treatment case planning given low criminogenic risk factors resulting in the reasonable use of limited case plan primarily focused on the goals of very limited contact, completion of conditions, and release from probation similar to the Recommendation Matrix model proposed.

Suggested Language:

J(1)(new k) WHICH REQUIRE PROBATION OFFICERS OR SPECIALIZED TEAMS TO DEVELOP A LOW RISK CASE PLAN FOR JUVENILES THAT ASSESS AS LOW RISK.

M. J.(1)(new l) Program Operations

Comment: J(1)(new l) This would be a proposed new letter "l", formerly "I". Departments should have increased flexibility to determine who administers graduated incentives and/or responses. When dealing with specialized teams, Probation Officers, Surveillance Officers, and trained staff may all have the ability to work with the juvenile and families towards successful outcomes.

Suggested Language:

J(1)(new l) That require Probation Officers OR SPECIALIZED TEAMS to utilize graduated responses to promote positive behavioral change through incentives, consequences, and supervision to address violations;

N. J.(1)(new m) Program Operations

Comment: J(1)(new m) This would be a proposed new letter "m", formerly "j". Departments should have increased flexibility to determine who administers the various assessments as long as they are done properly. Consider allowing surveillance officers or other designated assessment trained staff to complete the AZYAS or any other assessment including trauma,

³ Risk Assessment in Juvenile Justice: A Guidebook for Implementation, Models for Change System Reform in Juvenile Justice, November 2012

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substance use, or sex trafficking assessments. Consider calling them “Specialized Teams”.

Suggested Language:

J(1)(new m) That ensure probation officers, SURVEILLANCE OFFICERS, OR DESIGNATED ASSESSMENT TRAINED STAFF providing standard supervision shall re-examine and reassess the risk and needs of each juvenile under their supervision and the factors associated with reducing, maintaining or increasing the juvenile’s level of supervision; and

O. J.(3)(a) Program Operations

Comment: J(3)(a) It is not always possible to obtain a parent signature within the required time frame. It is expected the probation officer will include the parent in the development of a case plan and provide a copy of the case plan to the parent/guardian. The goal is the building of the relationship. A signature of the parent shall not be mandatory. We are recommending differentiating the type of case plan used based on the assessed risk of the juvenile.

Suggested Language:

J(3)(a) The juvenile probation officer OR SPECIALIZED TEAM shall:

~~For every juvenile placed on standard probation, Develop~~ a LOW OR MODERATE/HIGH RISK case plan must be developed within 30 days of disposition for every juvenile who is placed on standard probation. The probation officer OR SPECIALIZED TEAM shall ensure the case plan includes objectives that are measurable and signatures of the probation officer AND juvenile. INPUT FROM THE JUVENILE AND PARENT/GUARDIAN WILL BE INCLUDED AS THE CASE PLAN IS DEVELOPED AND UPDATED. THE PROBATION OFFICER SHALL PROVIDE A COPY OF THE CASE PLAN TO THE JUVENILE AND PARENT/GUARDIAN.

P. K.(2)(a)(i,ii,iii) Minimum Supervision Requirements

Comment: K.(2)(a)(i,ii,iii) Research (Dr. LaTessa) indicates risk assessments and collateral information should all be considered when assigning a level of supervision to a youth placed on probation.

Suggested Language:

K.(2)(a)(i,ii,iii)

2. Visual contacts and supervision strategies shall be proportionate to the level of risk, needs of the juvenile based on results of the youth assessment, SEVERITY OF OFFENSE, REFERRAL HISTORY, RECENT COMPLIANCE/NON-COMPLIANCE WITH CONDITIONS OF PROBATION, THE Recommendation Matrix and other significant case information; ~~Visual contacts with the juvenile. Visual contacts shall be varied, scheduled, and unscheduled.—Visual contacts and supervision strategies shall be proportionate to the level of risk and needs of the juvenile based on results of the youth assessment and other significant case information.~~ DEPARTMENTS SHOULD BE EXPECTED TO DETERMINE THEIR OWN VISUAL CONTACT STANDARDS FOR JUVENILES HOSPITALIZED OR DETAINED.

a. The low risk supervision level shall include:

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- i. Visual contact with the juvenile within 30 days of disposition and one visual contact every MONTH thereafter;
- ii. Contact with the parent within 30 days of disposition and every MONTH thereafter;
- iii. Collateral contact every OTHER MONTH as determined by the conditions of probation and the case plan.

Q. K.(2)(b)(i,ii,iii) Minimum Supervision Requirements

Comment: K.(2)(b)(i,ii,iii) Research (Dr. LaTessa) indicates risk assessments and collateral information should all be considered when assigning a level of supervision to a youth placed on probation.

Suggested Language:

K.(2)(b)(i,ii,iii)

b. The moderate risk supervision level shall include:

- i. Visual contact with the juvenile within 30 days of disposition and one visual contact every MONTH NOT TO EXCEED 45 DAYS BETWEEN CONTACTS thereafter;
- ii. Contact with the parent within 30 days of disposition and every MONTH AND NOT TO EXCEED 45 DAYS BETWEEN CONTACTS thereafter;
- iii. Collateral contact every MONTH as determined by the conditions of probation and the case plan.

R. K.(2)(c)(i,ii,iii) Minimum Supervision Requirements

Comment: K.(2)(c)(i,ii,iii) Research (Dr. LaTessa) indicates risk assessments and collateral information should all be considered when assigning a level of supervision to a youth placed on probation.

Suggested Language:

K.(2)(c)(i,ii,iii)

c. The high risk supervision level shall include:

- i. Visual contact with the juvenile within 15 days of disposition and TWO visual contacts every MONTH AND NOT TO EXCEED 25 DAYS IN BETWEEN CONTACTS thereafter;
- ii. Contact with the parent within 15 days of disposition and every MONTH NOT TO EXCEED 45 DAYS IN BETWEEN CONTACTS thereafter;
- iii. Collateral contact every MONTH as determined by the conditions of probation and the case plan.

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S. K.(new 5) Minimum Supervision Requirements

Comment: K.(new 5) K(5) Proposed new 5. Juveniles who have completed all behavioral changes but owe large amounts of restitution should not continue with visual supervision. Many times this financial burden will follow the juvenile well into adulthood with a restitution order but victim rights may not allow a juvenile to be completely released from probation. Recommend a compliance monitoring type case load for these cases.

Suggested Language:

K.(new 5). RESTITUTION SUPERVISION LEVEL- IF A JUVENILE HAS COMPLETED ALL CASE GOALS AND CONDITIONS OF PROBATION EXCEPT RESTITUTION, THE JUVENILE CAN BE SUPERVISED WITH ONE CONTACT EVERY OTHER MONTH.

T. K.(current 5, new 6) (i, ii, iii)Minimum Supervision Requirements

Comment: K.(current 5, new 6)(i, ii, iii) Thirty day requirements changed to monthly requirements to be in contact with juvenile, parent, and out of home provider.

Suggested Language:

K.(current 5, new 6) (i,ii,iii)

5. Out-of-home care supervision level shall include;

i. Visual contact with the juvenile every MONTH AND NOT TO EXCEED 45 DAYS IN BETWEEN CONTACTS ;

ii. Contact with the parent every MONTH AND NOT TO EXCEED 45 DAYS IN BETWEEN CONTACTS to discuss the juvenile's progress and behavior with the out-of-home care provider, and shall make documented efforts to involve the parents or guardians in the juvenile's treatment and rehabilitation;

iii. Contact with the out-of-home care provider every MONTH AND NOT TO EXCEED 45 DAYS IN BETWEEN CONTACTS;