NCJJ State Profiles: Arizona

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Delinquency Services Summary
Decentralized State: Delinquency services are organized at both the state and local level in Arizona. Detention, intake screening, predisposition investigation, and probation supervision are organized at the county level under the administrative authority of the juvenile courts. County attorneys also have a role in screening and petitioning delinquency cases. The Arizona Department of Juvenile Corrections administers the state's juvenile correctional institutions and aftercare/re-entry supervision.

Service Classification

Detention	Local/Judicial
Probation Supervision	Local/Judicial
Juvenile Corrections	State/Executive
Aftercare Supervision	State/Executive

Court(s) with Delinquency Jurisdiction
Superior Courts in each county exercise jurisdiction over delinquency matters. Superior Courts are general jurisdiction trial courts. The Chief Justice of the Arizona Supreme Court appoints a Presiding Judge in each county. Counties with more than one Superior Court judge typically also have a separate Division for Juvenile Court and a Presiding Judge of the Juvenile Court. One or more Superior Court judges are generally assigned to the Juvenile Court and hear all delinquency cases. More information can be found on the Arizona Judicial Branch's web site.

Highlights

Model Delinquency Guidelines Initiative
The Arizona Supreme Court, through the Administrative Office of the Courts, Juvenile Justice Services Division is working to implement the National Council on Juvenile and Family Court Judges' Model Delinquency Guidelines as a statewide initiative. This project is a two year endeavor to assist Arizona'sjuvenile courts and their stakeholders in becoming courts of excellence through training and technical assistance. The purpose is to set forth the essential elements of effective practice for the court processes that are involved in the handling of juvenile delinquency cases to produce better results in our delinquency cases. The Guidelines are designed to be aspirational and are grounded in current research and promising practices. Set forth in the Guidelines are sixteen principles to bring about a model court. They are:

1. Juvenile delinquency court judges should engage in judicial leadership and encourage system collaboration.

2. Juvenile delinquency systems must have adequate staff, facilities, and program resources.

3. Juvenile delinquency courts and juvenile abuse and neglect courts should have integrated on family-one-judge case assignments.

4. Juvenile delinquency court judges should have the same status as the highest level of trial court in the state and should have multiple year or permanent assignments.

5. All members of the juvenile delinquency court shall treat youth, families, crime victims, witnesses, and others with respect, dignity, courtesy and cultural understanding.

6. Juvenile delinquency court judges should ensure their systems divert cases to alternative systems

whenever possible and appropriate.

7. Youth charged in the formal juvenile delinquency court must have qualified and adequately compensated legal representation.

8. Juvenile delinquency court judges should ensure crime victims have access to all phases of the juvenile delinquency court process and receive all services to which they are entitled by law.

9. Juvenile delinquency courts should render timely and just decisions and trials should conclude without continuances.

10. Juvenile delinquency system staff should engage parents and families at all stages of the juvenile delinquency court process to encourage family members to participate fully in the development and implementation of the youth's intervention plan.

11. The juvenile delinquency court should engage the school and other community support systems as stakeholders in each individual youth's case.

12. Juvenile delinquency court judges should ensure court dispositions are individualized and include graduated responses, both sanctions and incentives.

13. Juvenile delinquency court judges should ensure effective post-disposition review is provided to each delinquent youth as long as the youth is involved in any component of the juvenile justice system.

14. Juvenile delinquency court judges should hold their systems and the systems of other juvenile delinquency court stakeholders accountable.

15. Juvenile delinquency court judges should ensure the court has an information system that can generate the data necessary to evaluate performance, facilitate information sharing with appropriate agencies, and manage operations information.

16. Juvenile delinquency court judge is responsible to ensure that the judiciary, court staff, and all system participants are both individually trained and trained across systems and roles.

Reentry Initiative

The Arizona Department of Juvenile Corrections (ADJC) received a grant in 2002 from the U.S. Office of Justice Program's Serious and Violent Offender Reentry Initiative. In Arizona, this grant provides transition services for paroled juveniles in four designated rural counties: Pinal, Mohave, Cochise, and Yuma. The grant funds Reentry Specialists who assist juveniles, families, and parole services to improve juvenile transition to the community in the areas of education, employment, treatment for substance abuse, mental health care, housing, mentoring and community involvement. Reentry Specialists assist with work clothes, transportation, school tuition, books, and volunteer mentoring. More information about the Initiative's impact during FY05 is available in the ADJC *Annual Report*.

Standardized Program Evaluation Protocol (SPEP)

The Administrative Office of the Courts (AOC)/Juvenile Justice Services Division (JJSD) has implemented the SPEP with the assistance of a team of national experts, under the direction of Dr. Mark Lipsey (Director of the Center for Evaluation and Research Methodology at the Vanderbilt Institute for Public Policy Studies) and Dr. James "Buddy" Howell (Former Director of Research and Program Development at the Federal Office of Juvenile Justice). The SPEP provides a process for systematically evaluating and improving the effectiveness of juvenile treatment programs in reducing recidivism. Specifically, the SPEP identifies how closely the characteristics of Arizona programs, for youth in probation, match those associated with programs that achieve the best outcomes in national research. In addition to assessing a program's effectiveness, the SPEP also identifies specific options for program improvements. This approach to program evaluation will provide the information needed to ensure the programs funded by the courts are effective at reducing recidivism and the appropriate juveniles are receiving services.

Detention
Each county's Board of Supervisors is statutorily responsible for providing and maintaining a juvenile detention center, but the operation of the center is under the authority of the presiding juvenile court judge. County budgets determine funding for detention centers. There are currently 14 secure detention centers in Arizona; one county contracts with a neighboring county for juvenile detention services, two counties share a joint regional facility, and Maricopa County (Phoenix) has two detention centers.

Arizona uses alternatives to secure detention, such as home detention, electronic monitoring, and shelters, but their use varies greatly by county. The number of shelter beds is very limited. A few community-based alternative programs that have agreements with the local juvenile court and county attorney (for certain types of cases) provide some shelter beds. These alternative centers operate 24 hours a day, 7 days a week, and are run by non-profit agencies.

Intake screens detention admissions. Most counties use a detention-screening tool, but it is not a uniform, statewide instrument. Judges may overrule a screening instrument. Other assessments administered at admission include educational assessments, substance abuse assessments, and a health screening that includes a mental health/suicide risk assessment.

Juveniles may be held in detention before adjudication, pre-disposition, while awaiting placement, as a disposition, and as a sanction for probation violation for up to one year. Arizona statute and court rule state that the following are reasonable causes to detain a juvenile: if the juvenile would not otherwise be present at any hearing; if the juvenile is likely to commit an offense injurious to himself or others; if the juvenile must be held for another jurisdiction; if the interests of the juvenile or the public require custodial protection; or as a condition of probation.

A juvenile must be released from detention if a petition is not filed within 24 hours; after a petition is filed, a detention hearing must be held within 24 hours. If a juvenile is held in detention while awaiting disposition, a disposition hearing must be held within 30 days of adjudication.

From FY98-01, the state created a special fund called the State Aid to Detention Fund to help counties renovate, expand, and/or construct new detention centers. A mix of federal, state, and county funds were used for new or renovated centers in 14 counties. In 1999 (revised 2002), the juvenile courts adopted *Operational Guidelines and Best Practices for Juvenile Detention Care in Arizona*, developed specifically for Arizona juvenile detention services.

Delinquency Intake Screening
Juvenile probation intake officers from local court-administered juvenile probation departments receive delinquency referrals from law enforcement, parents, school officials, probation officers, or other agencies or individuals in contact with youth. The county attorney is able to designate which offenses the juvenile court retains for diversion, refers directly to a community-based alternative program, or sends to the county attorney for review and possible petition filing. Intake officers make decisions about sending a referral to the county attorney's office based on the guidelines determined by county attorneys in each county.

When an intake officer receives a referral, that referral can take three different paths to reach resolution: (1) the referral is determined to be ineligible for diversion and is submitted to the county attorney to determine if a petition should be filed; (2) the intake officer determines that the offense does not fit the criteria to be reviewed by the county attorney, and the juvenile offender is referred to a community based alternative program; or (3) the intake officer assigns conditions (consequences) through the juvenile court that must be completed in order for the juvenile to avoid the filing of a petition with the court.

Certain serious, violent, and chronic offenses are automatically sent to the county attorney's office. The county attorney ultimately determines what charges the juvenile will face.

Diversion

Diversion allows a juvenile to avoid formal court processing by participating in a program and/or completing consequences or conditions that have been assigned by a designated agency (such as a community-based diversion program or juvenile court diversion). Diversion requirements and funding for community and court based programs are detailed in A.R.S. 8-321. The Juvenile Justice Services Division (JJSD) of the Administrative Office of the Courts (AOC) within the Arizona Supreme Court funds juvenile justice Diversion programs. More information on the diversion process is available online.

In Arizona, the county attorney has the responsibility to determine which offenses are eligible for diversion. This may be done in collaboration with juvenile court administration. This enables a juvenile to avoid formal court processing and to have their offense adjusted by completing one or more consequences. Diversion is the pathway for the majority of juvenile offenders charged with first or second time misdemeanor offenses (if the offender acknowledges responsibility for the offense). Juveniles who have been identified as chronic violent offenders or have been referred for a DUI offense are not eligible for diversion.

After it is determined that the juvenile should be sent to diversion, a probation/intake officer conducts an interview with the juvenile and at least one parent or guardian. This interview process includes: a risk/needs assessment, determining whether victims were involved in the crime, processing a petition (if applicable), and referring the youth to an appropriate diversion service. If the juvenile acknowledges responsibility for an offense (based on the referral), the probation/intake officer begins the process of adjusting the referral. Adjustment of the referral can only occur after the juvenile completes one or more conditions (consequences) as assigned by the probation/intake officer.

Diversion programs can be either a community-based alternative program operated by the county attorney or administered by the juvenile court. Diversion options include community work service, teen court, day supervision, substance abuse treatment, counseling/education programs, and restitution. Juveniles who admit having committed certain eligible offenses may be diverted to Community Justice Boards, made up of community members who decide on proper consequences for the juveniles' actions. Completing a diversion program cannot be used against the juvenile in any further proceeding, is not an adjudication of incorrigibility or delinquency or conviction of a crime, does not impose civil disabilities resulting from a conviction, and does not disqualify the juvenile in any civil service application or appointment.

The Juvenile Justice Services Division (JJSD) of the Administrative Office of the Courts maintains performance expectations for Juvenile Courts/County Probation Departments related to the administration and provision of Deversion programming.

Predisposition Investigation

Juvenile probation officers from local court-administered juvenile probation departments perform predisposition investigations. Disposition recommendations to the court are made using the Arizona Risk/Need Assessment Instrument, a mandated, statewide tool for all cases, as a major component. The assessment is used at the time of a juvenile's first referral to the juvenile justice system and is updated with each subsequent referral. The Arizona Risk/Need Assessment Instrument is also used to collect information at each subsequent stage of juvenile justice processing except detention. When preparing the predisposition report, the juvenile probation officer reviews the needs of the offender, his/her risk to the community, the nature of the offense, and the juvenile's delinquency history and history of referrals and informal adjustments. The report must include a written victim impact statement, information about restitution if it is required, and dispositional recommendations.

Victim Rights and Services

Arizona Revised Statutes Title 8, §381 et seq contains the laws regarding victims of crimes by juveniles. Victims of juvenile crime have the same rights in Arizona as victims of adult crime. During Arizona's 2001 Legislative Session, the legislature passed laws allowing victims of crime and juvenile offenses to exercise their right to be present at legal and court proceedings (ARS 13-4439). These statutes were again updated to expand the rights of victims during the 2005 legislative session. One

statute requires that employers who have a certain number of employees allow an employee who is a victim of a crime to leave work to exercise his or her right to be present at proceedings. An excellent resource for crime victims in Arizona is the Arizona Supreme Court's Victim's Rights web page.

Probation Supervision

Local juvenile courts administer regular probation, referred to as juvenile standard probation services, and are managed by Directors of Juvenile Court Services. In 7 of the 15 counties, probation departments include both Juvenile and Adult Officers. Chief Probation Officers typically manage these departments. In these combined departments, officers may supervise only juveniles or have a combined caseload comprised of both juveniles and adults. The Juvenile Justice Services Division (JJSD) of the Administrative Office of the Courts (AOC) within the Arizona Supreme Court funds juvenile justice programs for delinquent and incorrigible youth in coordination with local juvenile courts. Funding provided to the juvenile courts for juvenile standard probation programs is mandated to supplement, not supplant, county funding for this component. JJSD also conducts operational reviews of juvenile probation departments, provides training, establishes probation performance measures, and assists juvenile courts in developing probation plans and budgets. The juvenile court judge sets the terms of probation. However, statutes limit probation to one year, except in certain offenses and unless extended by the judge.

Juvenile probation practices in Arizona incorporate the principles of the balanced approach, and many departments adhere to the principles of restorative justice. Juvenile probationers are expected to maintain crime-free behavior, participate in assigned community work programs, pay restitution and fees as assigned, and submit to drug testing as required. The juveniles' risk and needs score from the Arizona Risk/Needs Assessment Instrument, a validated instrument mandated for use throughout the state, determine levels of probation supervision. Juvenile probation officers are also required to develop an individualized supervision plan in addition to the conditions of probation set forth by the court. This is a customized treatment plan that addresses the needs of juvenile offenders, such as mandatory drug testing, counseling, restitution, community service, curfew, and school requirements.

All of Arizona's counties provide the state-funded Juvenile Intensive Probation Supervision (JIPS) program for probationers adjudicated of a second felony offense or as an alternative to commitment or out-of-home placement. JIPS is a highly structured program that includes frequent contact with probationers, a minimum of 32 hours of structured activity per week, mandatory drug testing, treatment requirements, and restrictions on juveniles' time away from home or school. JIPS supervision teams may consist of two juvenile probation officers; one juvenile probation officer and one surveillance officer; or one juvenile probation officer and two surveillance officers. Caseloads are statutorily mandated for JIPS—a 2-person intensive probation team can only supervise 25 juveniles on a caseload at one time and a 3-person team can supervise no more than 40 juveniles at one time. In smaller counties, a waiver may be requested authorizing JIPS supervision by a single probation officer, with a maximum caseload of 15 juveniles. Juvenile probation departments in Arizona may also provide specialized probation supervision and programs depending on available resources. In Maricopa County, the Treatment Supervision Unit supervises juveniles who are in residential treatment, or are on probation and also wards of the Arizona Department of Economic Security (DES). More information about juvenile probation in Maricopa County is available online.

Non-traditional work sites and hours depend on the individual county and available resources and are more common in metropolitan areas than in rural counties. Two urban probation departments maintain Community Justice Centers, which provide probation and other services, such as diversion programs and community work service programs, to juveniles within their own communities. In some cases, probation departments arrange for specific times that a community location, such as a church or school, will be available to specific officers to meet clients. The Safe Schools Program provides State funding for juvenile probation officers to be present full-time at schools, but these officers fill an educational and resource role, not one of providing active caseload supervision. In Maricopa County, some probation officers, called 'virtual probation officers,' use laptop computers instead of spending time in an office, which maximizes the number of field contacts they can make during the day.

Arizona Revised Statutes, the Arizona Code of Judicial Administration, and Administrative Orders from

the Supreme Court set standards or establish parameters for county probation departments in many areas of both juvenile and adult probation, including standards for caseload size, supervision standards, officer certification and training, powers and duties of officers, personnel practices, and financial practices. The legislature has set and oversees a mandated standard for maximum caseload size, based on the American Probation and Parole Association's caseload standard. A.R.S. 8-203B states that Juvenile Standard Probation officers must not supervise more than an average of 35 juveniles on active juvenile standard probation at one time.

Juvenile Probation Officer Qualifications, Certification, and Training
Juvenile probation officers must have a bachelor's degree, preferably in the behavioral sciences. Surveillance Officers must have a High School Diploma or GED, with an appropriate associate's degree preferred.

Juvenile probation officers must be professionally certified in Arizona. The Committee on Probation Education (COPE) provides the Probation Officer Certification Academy, which the Education Services Division of the Administrative Office of the Courts staffs. The Certification Academy provides 70 hours of basic training for probation officers, who must pass a certification test and complete one year of employment in order to be certified by the Arizona Supreme Court. The certification process must be completed within the first year of employment as a juvenile probation officer. Additionally, both Probation Officers and Surveillance Officers assigned to Intensive Supervision must complete an Academy provided by COPE and staffed by the Education Services Division.

COPE also coordinates statewide training for Arizona probation officers. New juvenile probation officers must attend a mandatory orientation within the first 30 days of employment that covers major probation subjects and the practical skills needed to perform the job. Individual probation departments conduct the orientation. All probation officers are also required to successfully complete a 40-hour Defensive Tactics Academy and participate in on-going refresher training. Officers requesting authorization to be armed must also successfully complete a 40-hour Firearms Academy, participate in on-going practices, and re-qualify annually. In addition, juvenile probation officers are required to have 16 hours a year of continuing education, which may be provided in-house or outside of the department. Training may cover new developments in the probation field and procedural developments in the judicial system, as well as any training that is necessary to improve probation officers' abilities.

Juvenile Corrections Continuum
The Arizona Department of Juvenile Corrections (ADJC) is the state agency responsible for adjudicated delinquents committed to its jurisdiction by juvenile courts. ADJC manages the state's secure juvenile facilities and provides a variety of rehabilitation, treatment, and education services.

There are more than 900 secure beds available for committed youth in four facilities: Adobe Mountain, Black Canyon, Catalina Mountain, and the Southwest Regional Juvenile Corrections Complex (SWRJCC). SWRJCC is composed of two facilities, Eagle Point and Sunrise Parole Violator Center. Services for committed youth may start in a secure, institutional environment, and then continue in less restrictive, community-based programs. In FY05, the four schools located in each of the secure facilities became graded K-12 schools, allowing juveniles to earn school credits that apply to high-school graduation requirements.

ADJC operates, or contracts for, programs for juveniles with violent offenses, sexual offenses, substance abuse offenses, and a treatment program designed for youth with a history of behavioral health problems.

Commitment to State
Commitments to the Arizona Department of Juvenile Corrections (ADJC) are indeterminate with a minimum stay. By statute, the court can specify a minimum period during which ADJC cannot release the juvenile without seeking a modification of the original commitment order. Juvenile court judges consider *Commitment Guidelines to the Arizona Department of Juvenile Corrections* when determining which juveniles to commit to ADJC. The Arizona Supreme Court developed these guidelines, which reside in the Arizona Code of Judicial Administration.

All newly committed youth are placed in a secure care facility and go through ADJC's Reception, Assessment and Classification (RAC) process to determine the most appropriate institutional or community placement. Information gleaned from the standardized RAC process is used to develop an Individual Development Plan for each juvenile. Juveniles are classified as to their risk of re-offending through the use of standardized risk instruments and consideration of the most serious offenses committed by the juveniles. The classification process is also used to determine minimum length of stay when the juvenile court does not order one. Clinical, community, educational/vocational, and medical staff complete a needs assessment, which is also used to create the Individual Development Plan. ADJC public risk assessment, Needs Assessment, and Initial Home Evaluation instruments are used to decide where to place juveniles.

Committed juveniles can be placed in secure care facilities run by ADJC or in community placements or services, such as secure and non-secure residential treatment centers, therapeutic group homes, acute care, day treatment, shelter care, independent living training, and evening support. However, the juvenile court may not direct placement for committed juveniles other than ordering a minimum length of stay in secure care. Once a juvenile is committed to ADJC, ADJC is solely responsible for determining the services that the juvenile receives and these services are based on an individualized treatment plan requiring information from a diagnostic psychological evaluation and educational assessment received from the court.

Parole officers supervise juveniles committed to ADJC while they are in placement. Juvenile probation officers may supervise juveniles placed in detention centers as part of their disposition, but this can vary by county.

Direct Placement
In Arizona, the juvenile court judge may order juveniles into private placements without committing them to the Arizona Department of Juvenile Corrections. For example, judges can place them in foster homes, group homes, shelters, or residential treatment facilities. Juveniles can also be ordered into locked residential treatment centers as a condition of probation. Arizona statute states that the court may place juveniles in private agencies or institutions, subject to supervision by juvenile probation officers. If a juvenile has been placed in a residential treatment center, this placement must be reviewed every 60 days after the disposition order.

Release
The Arizona Department of Juvenile Corrections makes release decisions. However, the juvenile court occasionally recommends early release to a less restrictive placement if the youth successfully completes an intensive, in-patient program. A Superintendent's Review Board, which is usually comprised of three administrators from Behavioral Health Services, Education, and a facility superintendent or assistant superintendent, determines release from secure care. The mandated Arizona Risk/Need Assessment Instrument is used for re-assessments at this stage of juvenile justice processing. The juvenile court is not required to review release decisions, but the committing court is notified of all potential and actual releases. ADJC makes the decision on where the juvenile will be placed upon release.

Aftercare/Re-entry
Parole officers from the Arizona Department of Juvenile Corrections supervise youth on aftercare (parole). High-risk juveniles are placed in a 'continuum of care' step-down program (placement - day support - home).

Arizona is participating in the Office of Justice Program's Serious and Violent Offender Reentry Initiative. For information about Arizona's involvement, click here or read the Highlight. By visiting the State Activities & Resources page, users can read about how other states are using their grants. Descriptions of programs for juveniles follow the descriptions of programs for adults, where applicable.

State Laws

Legal Resources

Arizona's Juvenile Code can be found in sections 8-201 to 8-420 of Title 8

Arizona Rules of Court

State Bar of Arizona

Purpose Clause for Delinquency Proceedings
Although no Arizona statute explicitly declares the purposes of the state's juvenile justice system, numerous appellate court decisions have affirmed that its purpose is generally rehabilitative.

Delinquency Jurisdiction (as of the end of the 2005 legislative session)
Lower Age: 8
Upper Age: 17
Extended Age of Delinquency Jurisdiction: 20

Juvenile Transfer Laws
For information on Arizona's juvenile transfer laws, click here.

Juvenile Justice Leadership

Arizona Courts Association
The Arizona Courts Association is a non-profit organization for professionals from all court jurisdictions in the state. This organization aims to improve the operation of Arizona's courts through fostering cooperation and understanding between judges, court personnel, the legal community, and others.

Arizona Juvenile Justice Commission
The Arizona Juvenile Justice Commission, as the State Advisory Group, allocates and disburses federal funding and insures compliance with the core requirements of the JJDP Act of 1974. The AJJC also serves as the Juvenile Crime Enforcement Coalition (JCEC), which provides oversight on the use of Juvenile Accountability Incentive Block Grant (JAIBG) funds and is responsible for creating an enforcement plan to reduce juvenile crime.

Arizona Chief Probation Officers Association
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Arizona Probation, Parole & Correctional Association
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Resources/Contacts
Juveniles Processed in the Arizona Court System

Arizona Courts Association
Arizona Judicial Branch
Arizona Juvenile Justice Commission
Department of Juvenile Corrections
Juvenile Justice Services Division, Arizona Supreme Court, Administrative Office of the Courts
Law For Kids
State Bar of Arizona

The National Center for Juvenile Justice strives to make each State Profile as accurate as possible. Please bring any errors, updates, or additions to the attention of the State Profiles project manager. Persons listed as state contacts are not responsible for information contained in these profiles.

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