

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF ACCESS TO CLOSED,)
CONFIDENTIAL AND WORK PRODUCT)
RECORDS AND INFORMATION OF THE)
ADULT PROBATION DEPARTMENT)
_____)

ADMINISTRATIVE ORDER
No. 2017-011

WHEREAS, the Arizona Board of Regents for and on behalf of Arizona State University’s Center for Health Information and Research (“ASU CHiR”) has been awarded a grant by the Robert Wood Johnson Foundation (RWJF) to conduct a multi-sector system analysis in order to discover and apply new ways of aligning the delivery and financing of health systems to improve population health and well-being; and

WHEREAS, the Maricopa County Adult Probation Department is a stakeholder due to the probation population having high rates of behavioral health and other health needs; and

WHEREAS, the ASU CHiR seeks data from the Maricopa County Adult Probation Department to conduct its multi-sector system analysis; and

WHEREAS, the Maricopa County Adult Probation Department agreed to assist with the multi-sector system analysis as a condition of participating in the RWJF grant and desires to obtain the results of the analysis; and

WHEREAS, Rule 123(d)(2)(B) of the Rules of the Arizona Supreme Court provides that “diagnostic evaluations, psychiatric and psychological reports, medical reports, alcohol screening and treatment reports, social studies, probation supervision histories and any other records maintained as the work product” of the probation department are not public records; and

WHEREAS, Rule 123(c)(6) of the Rules of the Arizona Supreme Court provides that “government agencies and political subdivisions, and private organizations, the objective which is to serve a public purpose, such as criminal justice, child welfare, licensing, mental health treatment, or research for scholarly, journalistic, or governmental purposes, may be granted access to court records as required to serve that purpose . . . as provided by any . . . court order; and

WHEREAS, the Maricopa County Adult Probation Department and the ASU CHiR will be entering into a Records Access and Confidentiality Agreement regarding the data to be provided to the ASU CHiR;

IT IS ORDERED as follows:

1. As specified in Attachment "A" of the Records Access and Confidentiality Agreement between the Maricopa County Adult Probation Department and ASU CHiR, and in accordance with Rule 123 of the Rules of the Supreme Court, the Maricopa County Adult Probation Department is authorized to provide probationer identifying information, probation offense information, demographic information, treatment information, assessment information, diagnostic evaluations, treatment reports, social studies, probation supervision histories and other work product of the Adult Probation Department to the principal investigator at the ASU CHiR for probation clients during the time frame of October 1, 2013 through September 30, 2016.
2. The data will be provided electronically in a format and at intervals agreed upon by the ASU CHiR and the Maricopa County Adult Probation Department.
3. The ASU CHiR is authorized, pursuant to the terms of the grant with the Robert Wood Johnson Foundation for the evaluation, to provide the data, in aggregate form, necessary to support its findings to the Robert Wood Johnson Foundation. The ASU CHiR shall not disclose any information which may be used to identify a specific defendant, probationer, treatment provider, probation officer, or victim.
4. The ASU CHiR shall secure all data, records, and information provided by the Maricopa County Adult Probation Department and shall not share, copy, or use the data, records, and information except as authorized in this Order and the Records Access and Confidentiality Agreement.
5. The ASU CHiR shall ensure that only Arizona State University employees, researchers, students, interns, externs and/or volunteers who have been approved by the Maricopa County Adult Probation Department have access to the data, records, and information provided under this order.

6. The ASU CHiR shall provide their analysis when available to the Maricopa County Adult Probation Department. Any final work product including analytical models or reports shall not include personal identifiers or any information which may be used to identify a specific defendant, probationer, treatment provider, probation officer, or victim.

Dated this 17th day of January, 2017.

/s/ Janet E. Barton

Janet E. Barton
Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. Sam Myers, Criminal Presiding Judge
Raymond L. Billotte, Judicial Branch Administrator
Barbara Broderick, Chief Adult Probation Officer
William Riley, Principal Investigator, Arizona State University