

# FOCUS

A Look at the  
Maricopa County  
Juvenile Court



*Superior Court of Arizona in Maricopa County*

*November, 1998*

## ARIZONA TOWN HALL

### Who Is Responsible for Arizona's Children?

The 150 delegates, research staff and speakers at the 73rd Arizona Town Hall discussed a question dear to the Maricopa County Juvenile Court: Who is responsible for Arizona's children? Although the participants clearly noted that families are responsible for ensuring that a child's basic needs of safety, shelter, clothing, education and nurturing are met, they also recognized that other factors, such as poverty, lack of access to basic necessities, substance abuse, domestic violence, teen pregnancy and lack of education can inhibit parents from being responsible or successful.

The participants decided that Arizona must make children its highest priority; that there needs to be leadership that values children and families; that our leaders must have a vision so that Arizona can create a strategic plan to extricate itself from the bottom of the heap on issues important to children and families.

Additionally, the participants recognized that Juvenile Court is one of the many organizations on the continuum to help children and families. Others on the continuum include: schools, faith communities, the business community and government. The participants, after recognizing that the Juvenile Court successfully rehabilitates the majority of youngsters, made the following recommendations for the Court:

- Diversion programs, especially community justice panels, should be used to make youngsters accountable to their community for their actions.
- The one judge-one family concept should be implemented to improve case management, ensure consistency and help discourage recidivism.
- Communication and training between probation officers, prosecutors, police officers and school officials must be improved.

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#### **THANK YOU FOR YOUR SUPPORT**

The Maricopa County Juvenile Court thanks voters who took the time and opportunity to vote in the November 3rd election; and especially those who voted for Propositions 400 and 401, the "jail tax." Based on the will of the voters, the Juvenile Court will continue to work with the community to protect the public while helping children and families. Thank you for your vote and continued support.

## DID YOU KNOW?

The number of children killed by gunfire appears to be on the decline since a record high of 5,793 deaths in 1994. The next year, the number of children killed by firearms dropped to 5,254. For the second year in a row, in 1996, gun related deaths declined when 4,643 children died by gunshot, according to data from the National Center for Health Statistics analyzed by the Children's Defense Fund. That represented a 12 percent decline in one year. The 1996 death-rate of children killed by firearms was the lowest since 1989.



Children born to mothers who used cocaine during pregnancy run a higher risk of developing long-term behavioral problems, according to a study of first-graders by Wayne State University's School of Medicine. Teachers who were asked to rate classroom behavior reported that cocaine-exposed children showed more problems in 11 of 14 areas, including being easily distracted, exhibiting hyperactivity, disorganization and poor social skills. The researchers cautioned that the study, published in the journal *Pediatrics*, did not take into account other factors that could have caused the problems.

A recently released study by the National Institute of Justice, "Preventing Crime: What Works, What Doesn't and What's Promising," found that many approaches are successful in addressing juvenile crime. They include: parenting training, establishing and consistently enforcing school rules, long-term training of social competency skills such as self control, stress management, social problem solving and other "thinking skills," rehabilitation programs and community policing with a crime focus. The report noted that juvenile drug courts with rehabilitative components, juvenile aftercare and drug treatment with testing are promising programs. Finally, it noted that boot camps, Scared Straight programs and any form of probation without rehabilitative programs just don't work. The report was prepared for Congress and can be found on the Internet at: [preventingcrime.org](http://preventingcrime.org).

## ARIZONA TOWN HALL

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- Ensure that detention facilities are properly staffed and managed so that detention, with services, can be a meaningful consequence for misconduct.
- Encourage full funding of successful court programs which address the needs of youngsters.
- Create a more comprehensive continuum of services in partnership with schools and social service agencies.
- Each Juvenile Court should collect information in its county about all organizations that serve children and families and work with the Administrative Office of the Courts to publish the information on its website.

Governor Jane Hull, Presiding Judge James Payne of the Marion County (Indianapolis) Juvenile Court and Jean McIntosh of the Casey Family Foundation were featured speakers.

Judge Payne, a member of the National Council of Juvenile and Family Court Judges, said "True leadership is the ability to take us where we should be when we are at our best; not just where we want to be."

The Town Hall had many other suggestions that impact the other organizations that work with children and families. The final report will be released this month. For more information or to get a copy of the final report, please call 252-9600.

# MODEL COURT



Recent studies indicate that annually more than 3 million children are abused or neglected nationwide. Many are removed and placed into foster care. Foster care is, however, not a permanent solution since it is intended to only be a temporary solution.

Currently there are more than 6,000 children in Arizona in foster care. The Arizona Department of Economic Security, parent of Child Protective Services (CPS), reported that in 1996 only 45% of foster care cases were resolved in two years, which means that the majority of children in foster care remain there for more than two years without going home, being placed in a permanent guardianship or being free for adoption. There is no justification for leaving a foster child with an uncertain future.

The National Council of Juvenile and Family Court Judges, a national organization to improve practices in juvenile courts, urged all courts handling dependency cases to shorten the time a child is in foster care and increase the opportunity for the child and parent to be reunited or find another permanent solution.

The Maricopa County Juvenile Court joins other courts in Arizona and around the country to implement an innovative solution. The solution is named "Model Court" after the Pima County pilot program.

Unlike traditional methods of processing dependency cases, which did not try to provide services until after the children were found dependent, the Model Court process "front loads" the process by having a meaningful hearing quickly in the hopes that families will take advantage of the services and work towards reunification.

The Model Court process (HB 2645 in 1998), with Arizona's passage of the Adoptions and Safe Families Act of 1997 (HB 2255) requires:

- Preliminary Protective Hearing: The Juvenile Court shall hold a conference and hearing with the parents, CPS, lawyers and other persons interested in the welfare of the children within 5 to 7 days after a child is removed from the parents to resolve the issue of the child's placement, visits and starting services to reunite the family.
- Expedited Trials: The Juvenile Court must resolve whether the children are dependent because of the abuse and neglect within 90 days. (Luckily, the Maricopa County Juvenile Court Dependency Mediation Program has resolved the majority of dependency matters within 45 days since 1996).
- Permanency Planning: The Court, within 12 months from the date the child is removed, must have a hearing and set a permanent plan for the child. If the plan remains reunification, a specific timetable has to be set. If the plan is termination, a severance motion will be filed within 30 days.

Maricopa County will start implementing the Model Court process on January 4, 1999. The Model Court Implementing Committee, comprised of judges, lawyers, CPS, Clerk's Office, Court Appointed Special Advocates (CASA), Foster Care Review Board, COMCARE and others, has been meeting since January 1998. The Committee organized training sessions and trained more than 1,200 people for the implementation of the process.

The Model Court process is innovative, unique and overdue. More importantly, it puts children first - which is where they belong. ↙



# KIDS CORNER

The Maricopa County Juvenile Court sees many youngsters. The vast majority receive a consequence and never return. Some are more difficult...more frustrating...and take more time and patience. The judicial officers, detention and probation officers, service providers, volunteers and others have to celebrate those cases that end well because it means that rehabilitation works. And, doesn't each youngster deserve that opportunity?

Here's such a story, with the youngster's name changed to protect her privacy.

Anita was a teenager with a severe substance abuse history involving LSD, crystal meth, marijuana and alcohol. She was involved with COMCARE, CPS, as well as probation as a result of incorrigible, assaultive and disorderly conduct behaviors, as well as suicide attempts. She was hospitalized at Wendy Paine O'Brien twice, Parc Place, the New Foundation RTC and finally placed with relatives in Tucson.

Anita successfully completed her probation terms and was successfully discharged from COMCARE. Although she is still a dependent child, she is a straight-A senior in high school, involved in drama and is the class president. She recently received a \$1000 scholarship from the University of Arizona, but aspires to enroll in the Arizona State University drama program and become an actress.

## JUVENILE COURT NEWS BRIEFS



Youngsters on juvenile probation have completed more than 40,000 hours of community service in Project SCRUB and other programs since January 1998.



A number of Juvenile Court programs have recently attracted national attention. The Detention Domestic Violence program and truancy programs are being examined by various organizations in Delaware. PBS recently filmed a Maricopa County Community Justice Committee session to be used as a national training session guide.



Juvenile Court Administrative Order No. 98-17 was signed September 30, 1998 to create a process to fully implement the mental health competency statute to attempt to restore a youngster to competency using outpatient providers or, where necessary, the Arizona State Hospital. A copy of the administrative order is available by calling, 506-2636.



Dr. Hellen Carter, two Sunnyslope Criminal Justice Committee (CJC) members and a diversion team traveled to Gila Bend to help the community set up its own CJC. The effort was successful and nine citizens are being trained to operate a CJC, which will be a benefit to the community.



Judges Rebecca Albrecht, Kenneth Fields and Maurice Portley, along with Juvenile Court Administrator Noreen Sharp and Kim Rose, who is the former Presiding Judge of the Juvenile Court and Superior Court, participated in a week-long AOC Dependency Training Pilot Project. The Project, designed to provide dependency training for newly appointed Juvenile Court judges, is the first in the nation. It addresses judicial ethics, case management, the interaction between federal and state laws, child development and other relevant topics to ensure judges taking the course will be fully versed on subjects necessary to help get a child to a permanent placement as quickly as possible.



The first statewide CAB (Community Advisory Board) conference was held in Prescott in September. Our CAB Chairperson Marty Whalen attended the conference. It was an opportunity for CAB organizations across the state to meet, share successes and discuss options to increase the size of the organization, programs and other matters of interest.

# NEWS NOTES



## THE \$86,400 QUESTION

A gentleman approaches you and offers you \$86,400 a day, everyday. He tells you, you can spend the money on anything you want. The only restriction is that what you do not spend by the end of the day, you lose. What would you say?

Every day you wake up, you are given this deal. There are 86,400 seconds in every day. Every morning when you arise, you have the option of filling those moments any way you choose. But at the end of the day, you can't keep any leftover time.

So when you awake tomorrow, think for a minute how you are going to spend your precious 86,400 allotments of time. Do you have a spare 1,800 moments to read to your child? Do you have an extra 3,600 seconds to spend in your child's classroom?

**How are you going to spend today's \$86,400 worth of life?**

Foster parents have traditionally been the backbone of the child welfare system when a parent could not care for the child. Once a youngster was available for adoption, an interested foster family would have to go through the adoption certification process. Juvenile Court Commissioner Richard Aubachon examined the process, determined that the foster care licensing process and adoption certification process were identical. He then devised a process to expedite adoptions for foster parents who have had a child in their care for at least one year. The expedited process will result in a substantial savings of time and money for foster parents and ensure that children have permanent homes expeditiously and efficiently.



The Maricopa County Bar Association's Projects for Kids Committee is collecting inspirational books, audiotapes and videotapes for detained youngsters. Books can be left at the Bar's offices at 303 East Palm Lane, or call 257-4200.



Childhelp USA opened its Childhelp Children's Center during November in the Scottsdale Airpark. The Center houses a doctor, forensic investigator and medical staff from St. Joseph's Hospital, counselors, Phoenix police officers, a C.P.S. unit, lawyers and support staff from the Maricopa County Attorney's Office and the Attorney General's Office so that abused or neglected children brought to the Center can be interviewed and receive any medical treatment in a child-friendly location. The Children's Center joins the Center Against Family Violence in Mesa and the Northwest Valley Advocacy Center as the county's child-friendly centers to investigate abuse and neglect cases.



The Juvenile Study Committee and the Juvenile Section of the State Bar of Arizona will present a GAL (guardian ad litem) seminar on December 4, 1998 at the ASU College of Law. For more information contact Janet Story at 947-8864.

# MARK YOUR CALENDAR



- What:** 10th Annual Statewide Child Abuse Prevention Conference
- Where:** Mesa Sheraton  
200 W. Centennial Way, Mesa
- When:** January 7 & 8, 1999
- Who:** Keynote Speaker: Dr. Bruce Perry, M.D.  
Topic: "Impact of Abuse and Neglect on the Developing Child"

Registration begins on January 7, 1999 @ 7:30 a.m.  
Call for reservations: 1-520-445-1807

## JUDICIAL OFFICERS

### Southeast Court Center

Judge Rebecca Albrecht	506-3727
Judge Kenneth Fields	506-2060
Presiding Judge Maurice Portley	506-2306
Commissioner Elizabeth Arriola	506-1117
Commissioner Bethany Hicks	506-2139
Commissioner Thomas Jacobs	506-4203
Presiding Commissioner Penny Willrich	506-2502
Commissioner Elizabeth Yancey	506-2040

### Durango Court Center

Judge Armando de Leon	506-3435
Associate Presiding Judge Pam Franks	506-3528
Judge Linda Scott	506-2610
Commissioner Aubuchon	506-4556
Commissioner Margaret Downie	506-5015
Commissioner Alfred Fenzel	506-7080
Commissioner Jesse Filkins	506-2501
Commissioner John Trombino	506-3151
Commissioner Eileen Willett	506-3343

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