

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

IN THE MATTER OF CORRECTIONAL)	
HEALTH SERVICES AND COURT-)	ADMINISTRATIVE ORDER
ORDERED MENTAL HEALTH)	NO. 2018-116
EVALUATIONS)	
_____)	

In juvenile delinquency and criminal court proceedings, the costs for certain mental health evaluations and treatment are required to be paid by the county pursuant to Title 8 and Title 13, Arizona Revised Statutes.¹ Currently, the Superior Court contracts with mental health experts to perform court-ordered mental health evaluations that are conducted pursuant to Title 13, Arizona Revised Statutes, Rules 11 and 26.5 of the Arizona Rules of Criminal Procedure, and A.R.S. 8-291, *et. seq.* Services ordered by the Superior Court under those contracts are invoiced to and paid for by Correctional Health Services, a department of Maricopa County. Additionally, Correctional Health Services also provides mental health services for the treatment and restoration to competency of certain defendants pursuant to both Title 13 and Rule 11.

The Superior Court's current contracts with mental health experts expire on August 31, 2018. Rather than renew those contracts with Superior Court, on September 1, 2018 Correctional Health Services will assume responsibility for providing services to the Superior Court for mental health evaluations and treatment under Title 13, the Arizona Rules of Criminal Procedure, and A.R.S. 8-291, *et. seq.*—either by its own employees or through contracted mental health experts. The list of mental health experts who are approved contractors for Correctional Health Services will be provided to all criminal and juvenile court judicial officers for assignment in criminal and juvenile delinquency cases where mental health evaluations are warranted.

THEREFORE, IT IS ORDERED that effective September 1, 2018, court orders for mental health evaluations in criminal and juvenile delinquency court proceedings will appoint mental health experts from the list of Correctional Health Services' approved contractors.

To enable Correctional Health Services to facilitate the required review of collateral records by the appointed mental health experts, IT IS FURTHER ORDERED that prosecution, defense counsel and outside agencies will electronically submit all collateral records directly to Correctional Health Services.

¹ See A.R.S. Title 13 Chapter 41 and Rule 11, Arizona Rules of Criminal Procedure [competency evaluations]; Rule 26.5, Arizona Rules of Criminal Procedure [pre-sentence evaluations]; A.R.S. §13-502 [guilty except insane evaluations]; A.R.S. §13-753 [I.Q.]; A.R.S. § 8-291, *et. seq.* [juvenile competency].

Correctional Health Services is authorized to securely manage, store, retain and disclose collateral records to mental health experts appointed by the Court.

To enable Correctional Health Services to administer its contracts with mental health experts, IT IS FURTHER ORDERED that Correctional Health Services shall receive a copy of the confidential reports prepared by contracted mental health experts and submitted to the Superior Court. In juvenile competency cases, the mental health expert reports will be redacted by defense counsel prior to the submission of the reports to Correctional Health Services. Correctional Health Services shall treat any copies of reports with the utmost confidentiality and shall not disseminate outside of the department.

Dated this 2nd day of August, 2018.

/s/ Janet E. Barton

Janet E. Barton
Presiding Judge

Original: Clerk of the Superior Court

Copies: Honorable Sam Myers, Presiding Judge, Criminal Department
Honorable Timothy Ryan, Presiding Judge, Juvenile Department
Judges and Commissioners for the Criminal and Juvenile Departments
Raymond Billotte, Judicial Branch Administrator
Richard Woods, Deputy Court Administrator
Shawn Friend, Deputy Court Administrator
Christopher Bleuenstein, Court Administrator for Criminal Department
Sheila Tickle, Court Administrator for the Juvenile Department