



Pima County Juvenile Court Guidelines as to COVID-19

Update April 9, 2020

In response to COVID-19 concerns, to comply with medical recommendations and to ensure the safety of the community, court staff, attorneys, and the judiciary, the Pima County Juvenile Court provides the following guidance. **PLEASE DO NOT COME TO COURT IF YOU ARE ILL.**

COURT APPEARANCE PROCEDURES HAVE BEEN MODIFIED, SEE BELOW

Pre-Hearing Conferences, Preliminary Protective Hearings, Temporary Custody Orders

TELEPHONIC APPEARANCE REQUIRED for Pre-Hearing Conferences (PHC), Preliminary Protective Hearings (PPH), and Temporary Custody Orders (TC)

- Conference call number will be obtained by Facilitator and provided to the judge.
- All counsel must appear via phone and must speak to clients in advance or have a valid reason why not, if not.
- The PPH report will be scanned and e-mailed per AG's procedure.
- TC may be held telephonically if all parties agree, or will be reset.
- Current PHC/PPH protocol will be followed (aside from the telephonic appearance).
- Exhibits counsel plans to use for TC must be scanned and emailed to parties in advance, if not received in advance, the scanner in the court lobby should be used to forward all exhibits.
- Should a parent appear at the courthouse, they will be provided their attorney's number and the conference call number, and be directed to an interview room with a phone.

The Intake Team has a conference call line for PHC/PPH (new intakes)

- Intake/calendaring team will create a teleconference line that will cover the PHC/PPH at the time of the intake
 - Information will be included on the intake sheet for the case.
- If the intake sheet does not have the conference call number, JAA will set a conference call
- **You must call into the conference call; the judge or mediator will not call you.**

Preliminary Protective Hearings - Attorney Assignments

- **Assignment of Attorney during Intake:** The intake/calendaring team will conduct their regular processes to assign attorneys. Each afternoon when PHC packets are completed the intake/calendaring team will email CCFS Division leadership to inform that either all PPHs have assigned attorneys, or that there are parents who do not have attorneys assigned and provide the relevant case information.
- **Appointment of Attorney after Intake:** If no attorney is assigned during the intake process, the DEPTINT document accessed by the JAAs will note no attorney is appointed.
- The Judge/JAA covering the PPH will manage the process for getting an attorney assigned and appointed. If there is an order in the PPH Minute Entry, **OCAC Juvenile must receive the Minute Entry**. Even with an order in the Minute Entry the request form needs to be sent to OCAC, **please make sure to include future dates set at the PPH such as the FSET and DPRV**.
- OCAC email is: OCACIntake@pima.gov

Pre-Hearing Conferences (if Counsel Not Assigned)

- The facilitator will call the PHC since it is mandated by statute, however, the facilitator cannot move forward with substantive issues in the case as to any parent due to a lack of attorney representation.

- The facilitator will inform the participants that they cannot discuss placement, visitation, or services due to no attorney being assigned to a party and note that information on the Case Plan Summary.
- The facilitator will ask participants to wait on the phone while the facilitator contacts the JAA for the Judge hearing the PPH. The JAA will ask the facilitator if they want to proceed with the PPH early or ask parties to call back at the time of the scheduled court hearing.

The following hearings will presumptively be IN PERSON for all but DCS and OCC/Child's counsel UNLESS requested otherwise by attorney or client, and permission granted by judge.

(To request permission to appear telephonically, e-mail the JAA 24 hours in advance and include all attorneys so as not to ex parte the JAA.)

(Hearings below listed alphabetically)

- Detention Hearings (County Attorney, Victim and PO by phone)
 - Youth will be brought forward unless defense attorney requests telephonic; if youth is ill, detention staff will notify Judicial Administrative Assistant (JAA) who will inform all the child will appear telephonically
 - If parent of child wants to appear telephonically, defense counsel will provide them the call-in number
- In-Custody Adjudications* (County Attorney in person and PO by phone)
- In-Custody Dispositions* (County Attorney, Victim, and PO by phone)
- In-Custody Trial Reviews* (County Attorney, Victim, and PO by phone)
- Judicial Bypass Hearings
- Judicial Transfer Hearings* (County Attorney and PO in person)
- Orders of Protection (OOP) / Injunctions Against Harassment (IAH) **(May be telephonic)**
- Rule 59 – Return to Parent Motions

*If child is ill, court and parties have discretion to continue or, appear telephonically, depending on status of the child

Placement may always appear telephonically.

**The Court will limit the number of individuals permitted in the courtroom.
All witnesses will be asked to wait in the lobby.**

The following hearings will presumptively be TELEPHONIC unless otherwise requested by attorney or client

County Attorney, Victim, and PO will appear telephonically for all but in-custody adjudications, transfer, and evidentiary hearings.

TR's may be continued through a request to the JAA and all parties. All other hearings require a Motion to Continue [MTC]. Judges have discretion on matters without strict timelines.

(Hearings below listed alphabetically)

- Adjudications (ADJ)
- Adoption Hearings (details below)
- Dependency Reviews (DPRV)
- Dependency Trials (case-by-case basis)
- Destruction of Records (non-essential)
- Family Law Hearings
- Guardianship Trials (case-by-case basis, **a MTC must be filed**)
- Initial Dependency Hearings
- Initial Severance Hearings (bailiff will check for parent; judge and parties allow for flexibility)
- **Mediations - New procedures are below** (some may be telephonic; Rene Wright will appear by phone for all)
- Mental Health Hearings

- Permanency Hearings
- Placement Reviews
- Private Severance Hearings (ongoing will be telephonic, new IS will be set for June)
- Probation Reviews
- Publication Hearings (AG and DCS to appear by phone unless waived by judge)
- Severance Trials (generally continued, but addressed case-by-case, **a MTC must be filed**)
- Status Hearings (SH)
- Status Hearings for Competency

Bailiffs will check the lobby for every hearing. If a client appears for a presumptive telephonic hearing and the attorney is by phone, bailiff will provide the conference call number and phone number of the attorney and direct the client to a phone in a private room with instructions to call both their attorney and into the conference call.

Mediations: (New procedures in blue)

- Signatures – Mediator will be original and then attorneys may sign for client.
- DCS must be available to make arrangements for signatures.

Attorneys – *please* stay on top of timely signing the mediation agreements. The mediators need a fast turn-around to timely process the form, ensure all signatures are correct and then provide to the judge for signature.

- DCS/AG will be excused from the mediation last.

NEW Teleconference (Mitel) Status Hearing/Adjudication Process for Facilitated Settlement Conferences

If the FSET is set as to only one parent, and the mediator is telecommuting, only one Mitel line is necessary.

- If the parties proceed to the Status Hearing/Adjudication (SH/ADJ) the Facilitated Settlement Conference (FSET) will end.
- The Mediator will exit the line, the parties will stay on the line, and the Judge will come on the line and conduct the hearing.

If the FSET is set as to more than one parent and the mediator is working in the office, one Mitel number will be set up.

- If the parties proceed to the SH/ADJ the FSET will continue as to the parent(s) who appeared while the SH/ADJ proceeds for the parent(s) who did not appear.
- The mediator will call those who will continue with the FSET from their court phone, and the parties will proceed to the SH/ADJ using the Mitel number.
- The mediator will resume the FSET with the Mitel number when the SH/ADJ has ended.
 - Due to statutory confidentiality, everyone except the mediation participants, including court staff, must get off the line when the FSET resumes.

If the FSET is set as to more than one parent and the mediator is telecommuting, one Mitel number will be set up for the FSET and the Dispute Resolution team will set up a second Mitel number for the SH/ADJ.

- If the parties proceed to the SH/ADJ the FSET will continue as to the parent(s) who appeared on the original Mitel number while the SH/ADJ hearing proceeds on the second Mitel number.
- When the SH/ADJ is concluded, the parties who participated in the hearing may call back into the original Mitel number to get an update on whether the mediation is finished, they are ready to continue the mediation, or whether the mediator needs more time with the parties on the line before the rest of the parties re-join the line.

Adoption Hearings (telephonic)

- Petitioner's attorney must email the form of order to the assigned judge's JAA 24 hours in advance of the adoption hearing.
- If there is an adoption that must move forward and the request is for in-person appearance, file your motion to request the hearing and the reason the hearing must proceed as an in-person appearance hearing.
- If the motion is granted, the court may invoke ARS 8-115 (A) and limit who may attend.

The following hearings will be continued by the JAA to their own judge's TR block the week of April 20, and set as SH's:

- Out-of-Custody Delinquency Adjudications
- Out of Custody Delinquency Dispositions
- Out-of-Custody Motions
- Out-of-Custody Restitution Hearings

NO TR'S SET THE WEEK OF APRIL 20

- If the Court is still in crisis mode, it will assess procedures at that time.
- If the Court is out of crisis mode, judges will set those matters for the appropriate hearing at that time.

Exhibits:

- **DCS PPH/DPRV/Perm Reports for Judge and as Exhibits:** AG will send these reports only to the JAA team. The JAA teams will ensure a copy of each PPH, DPRV and Perm Report is provided to the judge and that a copy is brought to the courtroom to be marked as an exhibit.
- All other exhibits necessary for telephonic hearings, under 20 pages, may be emailed to the JAA Team to be printed and brought to the clerk/courtroom.
- Exhibits over 20 pages for telephonic hearings must be brought to the judge's division and will be provided for the clerk to mark.

Child Family Team (CFT) Meetings: for kids in detention will be held, when possible, telephonically.

- All other CFT's - Conference rooms are not available to reserve at this time.

Adult Clients at the Jail: Clients WILL NOT be transported to juvenile court due to the risk of congregate care in the jail, even if it is a hearing where all parties will presumptively appear.

- If you would like to deviate from this, please contact the JAA and all parties to make your request.
- Defense attorneys should arrange for a telephonic appearance by emailing pcadcspecialrequests@sheriff.pima.gov
- If the conference call number and code is provided in advance, jail staff will call into the hearing.

Youth at the Jail: Will NOT be transported to the court for delinquency hearings.

- Defense attorneys should arrange for a telephonic appearance by emailing pcadcspecialrequests@sheriff.pima.gov
- If the conference call number and code is provided in advance, jail staff will call into the hearing.

Family Drug Court:

- Telephonic hearings are up and running.
- Parents may complete intakes before observing.
- **Family Drug Court is accepting new clients, please refer your clients for an intake!**

Interpreters:

Juvenile Court interpreters will not meet in interview rooms with attorneys and clients, these services will be provided telephonically.

- Advise the JAA team or the Interpreter's Office of your need for an interpreter along with your client's phone number.
- Court Interpreters will call your client directly and provide simultaneous interpretation.

Court Appointed Special Counsel (CASA):

- JAAs will include the CASA and also CASASupportStaff@sc.pima.gov when sending conference call or other case-related information.

Miscellaneous

- **If you are going to be late**, please notify the JAA via email for the next hearing.
- PCJCC judiciary will be appropriately liberal with motions to continue and provide leeway in appropriate circumstances.

Juvenile Court Resource Center

To protect the health of our community and our court staff members, the Resource Center is temporarily closed.

- **Orders of Protection/Injunctions Against Harassment:** Monday through Friday from 8:00 a.m. until 5:00 p.m., protection order requests can be started online, and the hearings held telephonically. For more information please see: https://www.sc.pima.gov/Portals/0/Library/OOP_info_COVID_19b.pdf?no-cache
 - **If you visit the Juvenile Courthouse** - Please proceed to the office of the Clerk of Court, next to Courtroom 1
- **Juvenile Court mediation documents:** Pending signatures, please call 520-724-4747 for assistance.
- **Copier and scanner needs:**
 - Court employees and professionals with access codes may use the copier next to Conference Room B.
 - For those without a copier access code, we are not able to offer copier services at this time.
 - There is a UPS Store in the Food City shopping center at Irvington and Campbell, 2004 E. Irvington Road. They are currently observing standard hours, M-F 7:30 am until 6:00 pm, Saturday 9:00 am until 3:00 pm, closed Sundays
 - Their telephone number is 520-889-0077
- **Telephones** are available in interview rooms next to the courtrooms
- **Court Forms:** please visit www.sc.pima.gov and navigate to the "Self-Service Forms" tab or <http://www.pcjcc.pima.gov/> and navigate to the "Forms" tab.
 - The following three forms are not available online; please call 520-724-4747 for assistance:
 - Dependency Petition
 - Request for Attorney in a Dependency Case
 - Consent to Place for Adoption

DCS Information

Check the COVID-19 link on the [DCS website](#) for modifications during this crisis.

Parental Visitation/Parenting Time: DCS staff is doing their best to keep services in place for children and parents.

- Visitation may be via telephone or video when children are placed in foster care.

Visitation supervisors will clean cars between each transportation, and facilities following each visit.