



Pima County Juvenile Court Guidelines as to COVID-19

Update December 16, 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, nor bring your children to court if you or they are ill, instead, please contact your attorney, probation officer, or the judicial division associated with your court matter.

Family Drug Court

Family Drug Court is accepting new clients!

During this public health crisis, Family Drug Court (FDC) is supporting parents working on their recovery through virtual hearings utilizing Microsoft Teams. Additionally, FDC case and recovery support specialists are providing ongoing encouragement by contacting parents in the program weekly, and, FDC staff continues to advocate for participants during Child and Family Team and Adult Recovery Support meetings.

- If you would like to observe a virtual session of Family Drug Court, please RSVP to April Madero at 724-4754.
- If you know you want to participate in an intake and potentially join Family Drug Court, please call Keith Brunson at 239-6174 for an appointment.

COURT APPEARANCE PROCEDURES HAVE BEEN MODIFIED, SEE BELOW

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

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

- PHCs and PPHs are being held via Microsoft Teams with virtual video and audio options.
- The Microsoft Teams log-in information which includes a conference call number will be obtained by the Facilitator and provided to the judge.
- All counsel must appear using video for Microsoft Teams, and must speak to clients in advance or have a valid reason why not, if not.
- The PPH report will be sent by DCS using e-disclosure.
- Temporary Custody (TC) may be held virtually if all parties agree or it will be reset.
- Current PHC/PPH protocol will be followed (aside from the appearance using Microsoft Teams).
- Exhibits counsel plan 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 associated with the Microsoft Teams log-in and will be directed to an interview room with a phone.
- Interview rooms are cleaned on a regular basis and between each use.

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

- Intake/calendaring team will create a Microsoft Teams log-in that will cover the PHC/PPH at the time of the intake

- Information will be emailed to the judicial staff, attorneys, facilitators, and DCS assigned to the case.
- **You must connect to the Microsoft Teams video or utilize the associated conference line; the judge or facilitator will not call you.** Attorneys must appear using the video capability.

Preliminary Protective Hearings - Attorney Assignments

- **Assignment of Attorney during Intake:** The intake/calendaring team will conduct their regular processes to assign attorneys which includes contact OCAC. If they are unable to assign an attorney to a party, they will notify the assigned judge, JAA, and CCFS division leadership.
- **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 and waiting on OCAC.
- 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 present 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 present party and note that information on the Case Plan Summary.
- The facilitator will ask participants to wait on Teams/ 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)**

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

**Placement may always appear virtually.
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 virtual utilizing Microsoft Teams unless otherwise requested by attorney or client

County Attorney, Victim, and PO will appear virtually 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 - Procedures are below (some may be telephonic.)
- 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 virtual hearing and the attorney is virtual, bailiff will provide the conference call number and phone number of the attorney to the client and direct the client to a phone in a private room with instructions to call both their attorney and into the Microsoft Teams call.

Mediations:

- Signatures – Mediator will be original and then attorneys may sign for client. Attorneys may sign the documents electronically.
 - **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 may sign documents electronically.
- DCS/AG will be excused from the mediation last.

Microsoft Teams 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 Microsoft Teams log-in 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, two Microsoft Teams sessions will be set up for the FSET and the Dispute Resolution team will set up a second Microsoft Teams log-in 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 Microsoft Teams log-in while the SH/ADJ hearing proceeds on the second Microsoft Teams log-in. The mediator will disseminate the second Microsoft Teams access information at the time it is needed.
- When the SH/ADJ is concluded, the parties who participated in the hearing may call back into the original Microsoft Teams log-in 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.
 - Due to statutory confidentiality, everyone except the mediation participants, including court staff, must get off the line when an FSET or mediation is in session.

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.
- Contact the assigned adoption judge if you would like to conduct your hearing via Microsoft Teams.

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.
- No more than two exhibits necessary for telephonic hearings, under 20 pages, may be emailed to the JAA Team to be printed and brought to the clerk/courtroom.
- More than two Exhibits or 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.

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 Advocate (CASA):

- JAAs will include the CASA and also CASASupportStaff@sc.pima.gov when sending conference call, Microsoft Teams or other case-related information.
- CASAs are available to be appointed. Visit <https://www.azcourts.gov/casaofpimacounty> or call 724-2060 for more information. New volunteers are being accepted.

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. Clerk of Court staff will contact Resource Center staff if a petition needs to be drafted.
- **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 Microsoft Teams log-in forms are not available online; please call 520-724-4747 for assistance:
 - 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. The DCS Ombudsman number is (602) 277-7292.

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

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

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