

2019

**State of Arizona
Systems Integration Initiative**

INFORMATION SHARING GUIDE



The Governor's Office
of Youth, Faith
and Family

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INTRODUCTION

The Arizona Information Sharing Guide is written for Assistant Attorneys General, Department of Child Safety Specialists (case managers), County Attorneys, Court Appointed Special Advocates, Behavioral Health Treatment Providers, Juvenile Probation and Parole Officers, and School Personnel (social workers, teachers, administrators, and psychologists). It contains guidelines for the sharing of information of children and families that are involved in the child welfare and juvenile justice systems. It was created by attorneys and personnel representing the Arizona Attorney General's Office, Arizona's Administrative Office of the Courts (AOC) and the Departments of Child Safety (DCS), Education (ADE), Health Services (DHS) and Juvenile Corrections (ADJC).

It began in May 2006, when multidisciplinary teams representing each Arizona county and a state-level team consisting of state agency directors and policy writers gathered together to participate in a learning and planning summit. The focus of the summit was to help promote greater integration in the provision of services to children and families in their communities.

At the conclusion of the summit, the Child Welfare-Juvenile Justice Integration Initiative Executive Committee was established. Members of the committee include state agency staff, representatives from the Governor's Children's Cabinet and community stakeholders. The committee's goal was to coordinate agency responses and improve outcomes for youth who are involved in the child welfare and juvenile justice systems (crossover youth) or those involved or at risk of involvement in either of these systems.

In order to reach these goals, the sharing of information should be viewed as a key component. It not only facilitates the coordination of services among the agencies, it also improves outcomes for children and youth in the child welfare and juvenile justice systems. Often times, it is confusing for staff to know what types of information may be shared. This manual provides guidance on questions that relate to the sharing of information between staff involved with children and youth in the child welfare and/or juvenile justice systems.

The information that is provided in this field guide was written and reviewed by attorneys representing these systems, and is intended to be applied statewide. It is not, however, intended to answer all questions you may have regarding information sharing and confidentiality. **Please contact your organization's attorney if you need clarification or have any questions that may not be answered in this document.**

The Child Welfare-Juvenile Justice Field Guide Workgroup approved the contents of the original document. The Child Welfare-Juvenile Justice Systems Integration Initiative Executive Committee is appreciative for the legal research that was conducted by the following attorneys: David Withey, Joel Rudd, Kim Anderson, Nancy Logan, and Nina Preston. Other participants on the Field Guide Workgroup that dedicated an enormous amount of time to this important endeavor included Abby Page, Art Wilkerson, Barbara Presler, Bill Morrison, Bill Riedmann, Chris Rufo, Chris Shipley, David Barnhouse, Helen Gouvert, James de Jesus, Janet Garcia, Nicole Yancey, Patricia Carey, Peggy Eggemeyer, Rob Lubitz, Sandra Lescoe, and Steve Lazere.

The 2018 edition builds upon the work conducted in 2006 and includes revisions to the original document that reflect current laws that direct information sharing. Due to various system changes over the years and the necessity to keep the legal information up-to-date, the Arizona

Juvenile Justice Commission (AJJC) determined the time was right for revising the guide to ensure its continued usefulness in the field. For several years, especially after the creation of the Department of Child Safety, the professional community has expressed the need for an updated version. Oversight for the revision was delegated to the AJJC Systems Improvement Committee in the fall 2016. This update was conducted through collaboration by the Governor's Office of Youth, Faith and Family, the Arizona Juvenile Justice Commission Systems Improvement Committee, the Task Force on Crossover Youth Data and Information Sharing and the following legal and administrative consultants: Keven Ray, Ben Norris, Cathleen Fuller and the Child and Family Protection Division at the Attorney General's Office, Kathryn Blades, Peter Luszczak, Beth Broeker, Casey Baird, Nina Preston, Robert Shelley, Mary Therese Colla, Ashlee Hoffmann, Matt Devlin, Rhonda Seefeld, Alissa Trollinger. In all, legal representation from the Arizona Attorney General's Office, the Administrative Office of the Courts, the Department of Child Safety, the Department of Juvenile Corrections, the Arizona Health Care Cost Containment System, and the Department of Education provided input to address what information can be shared and to whom it may be shared with.

A special thanks to Janet Wiig, JD, MSW, Senior Consultant with the Child Welfare League of America. Ms. Wiig consulted and worked with the staff in the Governor's Office for Children, Youth and Families to develop this document.

OVERVIEW OF INFORMATION SHARING RESPONSIBILITIES

There are many federal and state laws and rules governing the sharing of information that must be followed when working with families who have systems-involved children. The goal of these laws and rules is to create a balance between protecting a family's/individual's privacy and legal rights and to allow agency professionals to exchange information considered essential for the coordination of services.

What is your role?

Your ability to obtain and share information depends on your role in the child's life. The Information Sharing Guide provides several tools for helping you decide when and how to share information. It also identifies those laws authorizing the sharing of information.

Why should information be shared?

Some children who are involved with the Department of Child Safety have also committed delinquent offenses. These children are described as "crossover youth" because they are involved in both our child welfare and juvenile justice systems. The agencies and individuals who work with youth involved in these and other systems, including behavioral health and education, are better able to serve the needs of these children when relevant and necessary information is shared. Services can be better coordinated and more efficiently provided. Additionally, more timely and efficient communication results in greater collaboration to create positive outcomes for these children.

When should you share information?

This guide answers basic questions about information sharing. However, the guide is not intended to be legal advice. To fully understand the laws that apply, some situations will require that you consult your supervisor or your legal advisor.

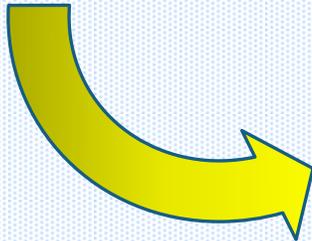
Even if the law gives you authority to share information, many situations require you to use good judgment about what information you should share, how and when to share it, and with whom. Children and their families are dealing with very sensitive issues, and you should respect their privacy. The requestor of information should be asked to explain the reason(s) why the information is needed. Information may be disclosed when the requestor has a need for such information in order to carry out the requestor's own responsibilities under law to protect or serve children. You will need to have a discussion with the requestor so that the requestor can convey what information is necessary and relevant to his/her needs. This questioning will help you disclose only that information necessary and relevant for serving the needs of the child and family. Care should be taken to protect potentially incriminating information gained in the process of screening, assessing, or treating a youth from disclosure and re-disclosure that can push a youth further into the juvenile and criminal justice systems. Remember, once released, information is difficult to retract. Regularly consult your supervisor or records coordinator if you are unsure about whether and how to share information.

DISPELLING MYTHS

Confused about who can share what about whom? You are not alone! When it comes to sharing information about children, it's hard to separate myth from fact. This is especially true when large systems intersect. Here are two common myths along with corresponding facts.

MYTH:

All information in the DCS record about dependent children is confidential and may not be shared with anyone except the child's parents.

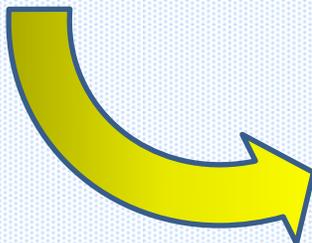


FACT:

Depending on your role, you may provide and/or receive DCS information about a child's DCS records when you are conducting an assessment regarding the child, evaluating the child's needs for services, or have responsibility for the child's welfare, placement, or supervision.

MYTH:

JPOs and/or ADJC case workers are prohibited from sharing information with anyone other than the child's parents.



FACT:

Parents or children and their attorneys are entitled to access to all records and information collected about them or retained by the JPOs and/or ADJC case workers with the exception of probation's social file and records that are "closed" or confidential. In addition, records retained or produced by the JPO and/or ADJC case worker may be shared with DCS Specialists if DCS is conducting an assessment, pursuing a case regarding the child, or has responsibility for the child's welfare.

QUESTIONS AND BEST PRACTICES FOR THE REQUESTOR OF INFORMATION

1. **Why do you need the information...what is your purpose...what entitles you to the information?**

A request for information should be made only if it is necessary to assist in the assessment of the youth's needs, the development of a service plan for the youth, and/or the coordination of services between agencies. The requestor needs to determine whether he/she is entitled to the information sought, and possesses the legal authority to obtain this information either by statute or by obtaining the appropriate consent/release of information.

2. **How are you going to use the information?**

Information should only be used for the purposes for which it has been sought. Information obtained about a youth's substance abuse, mental health status, or unlawful behavior should not be used to further incriminate or push the youth unnecessarily further into the juvenile justice system.

3. **How are you going to protect the information during its use (including information maintained on a computer)?**

Reports and notes containing information obtained from other agencies should be protected along with other confidential information about the youth. Care should be taken to keep hard files in locked cabinets, and electronic information should be stored in a manner that protects it from unintended access and use.

4. **How are you going to protect/dispose of the information after your use?**

Once the information has been used for its intended purposes, it should be disposed of in accordance with the involved agencies' policies for destruction of data. Anything containing protected health information should be shredded. If it needs to be maintained, it should be stored in a special section of the case file and/or blocked from unintended access, until it can be destroyed.

5. **Who else is going to have access to the information?**

Access to the information should be prescribed in terms of who is permitted to see and use either hard file or electronic copies. Access should be allowed only as minimally necessary for the particular job function. This should be audited as necessary to ensure the privacy of the information.

6. **What additional dissemination of the information are you going to make? For what purpose? Is it necessary?**

It may be that some dissemination of the information is necessary to achieve the evaluation or treatment goals. Care should be taken to think about each transmission to be sure that the person receiving it is entitled to the information and that it is necessary for said person to receive it for the intended purposes. Beyond the formal dissemination, all holders of the youth's information should take care to not informally share the information in casual conversation or inadvertently disseminate the information in some other manner beyond its intended use.

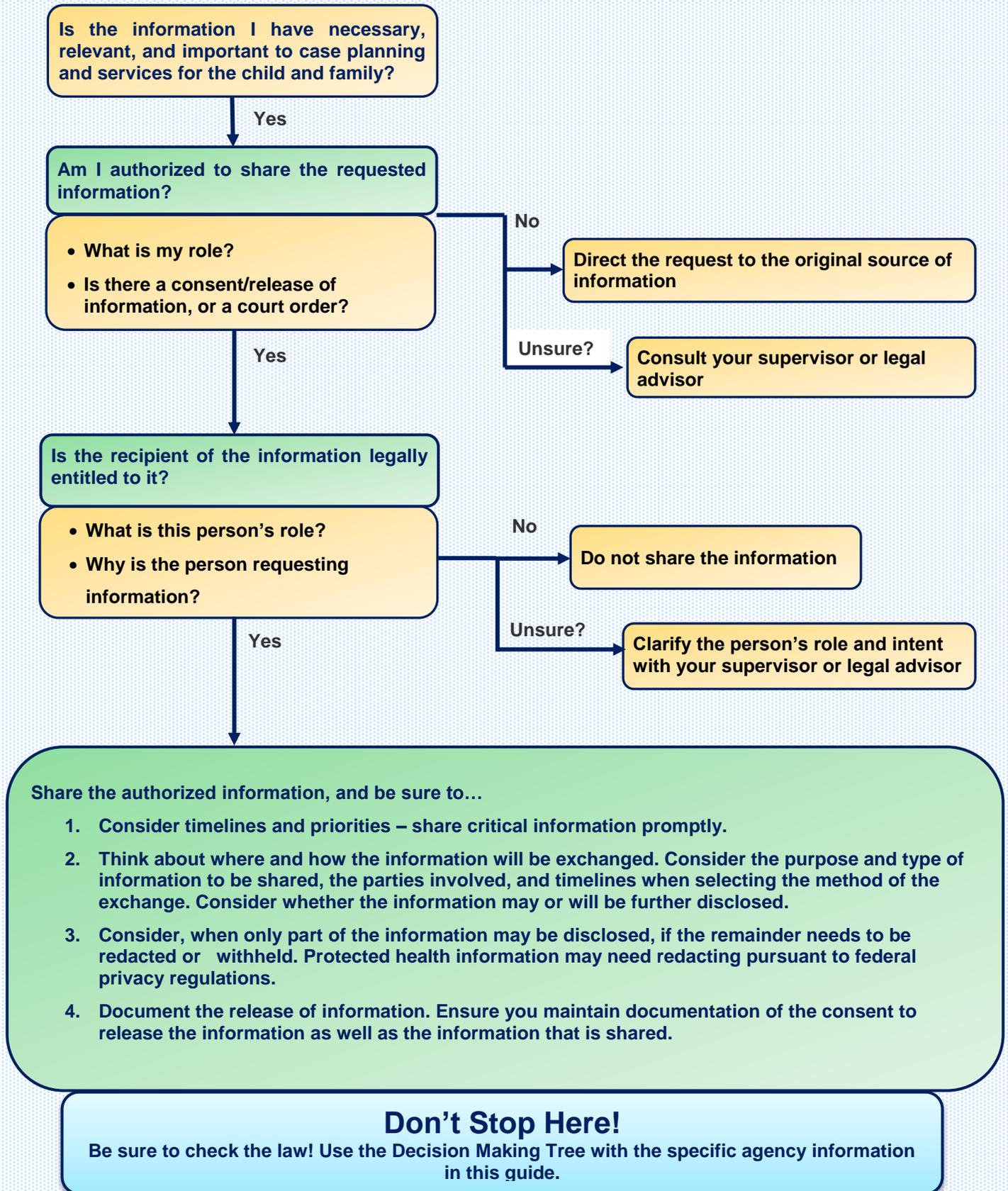
7. **Should you keep a log or some type of record of who requested and who transmitted information?**

Agencies should document a log of requests and transmissions of information according to their agency's policies. This may be established centrally if there is an information access officer or it may be maintained by the individual worker. If a log is maintained by the individual worker, there should be a log for information requests and transmissions on all the worker's cases along with a notation in the individual case file of each information request and transmission.

8. **How will you handle requests for consents/releases of information with the families?**

The participation of family members in the assessment and planning for services delivery is critical in order to achieve identified outcomes for youth. As consents and releases are sought, communications should be conducted in a manner that is respectful of the family's right to privacy. The requested information should be shared with the family to determine whether it is correct and whether the family is in agreement with any information changes that may have been made. Be advised, per 42 CFR 2.14, a minor child's written consent is required before disclosure to family members if he/she is legally able to obtain substance abuse disorder services without parent consent.

WHAT TO CONSIDER WHEN SOMEONE ASKS YOU FOR INFORMATION



QUICK REFERENCE GRID ON INFORMATION SHARING LAWS

		RECEIVERS OF INFORMATION					
		Department of Child Safety Specialists	Juvenile Probation Officers	Juvenile Corrections	Behavioral Health Services Providers	Court Appointed Special Advocates	School Staff and Educators
GIVERS OF INFORMATION	Department of Child Safety Specialists	DCS Specialists may share all information within DCS as necessary: ARS § 8-807	Information reasonably necessary to provide services to the child or family: ARS § 8-807(B)	Information reasonably necessary to provide services to the child or family: ARS § 8-807(B)	Information reasonably necessary to provide services to the child or family: ARS § 8-807(B)	Authorized to receive all information requested: ARS § 8-522(F)	Information reasonably necessary to provide services to the child or family: ARS § 8-807(B)
	Behavioral Health Services Providers	Information for treatment purposes with DCS specialists who are members of Child-Family Team: ARS 8-514.05(B)(2) ARS § 36-509(A)(1) 45 CFR 164.506 45 CFR 164.512(c) “Psychotherapy notes” require authorization: 45 CFR 164.508(a)(2) Federally assisted substance use disorder treatment information requires consent absent court order or other exceptions: 42 CFR Part 2	With consent of parent/guardian, court order or under other specific circumstances: ARS § 36-509 (A)(2) ARS § 36-509 (A)(3) ARS § 36-509 (A)(7) 45 CFR 164.508(a)(2) 45 CFR 164.510 and for certain purposes related to law enforcement: ARS § 36-509(A)(6) 45 CFR 164.512(f) Federally assisted substance use disorder treatment information requires consent absent court order or other exceptions: 42 CFR Part 2	With consent of parent/guardian, court order or under other specific circumstances: ARS § 36-509(A)(2) ARS § 36-509 (A)(3) ARS § 36-509 (A)(7) 45 CFR 164.508(a)(2) 45 CFR 164.510 and for certain purposes related to corrections and law enforcement: ARS § 36-509(A)(6) 45 CFR 164.512(k)(5) Federally assisted substance use disorder treatment information requires consent absent court order or other exceptions: 42 CFR Part 2	All information with other Behavioral Health Service Providers involved in the care, treatment or supervision of child: ARS § 12-2294(C)(1) 45 CFR 164.506(c) Federally assisted substance use disorder treatment information requires consent absent court order or other exceptions: 42 CFR Part 2	Authorized to receive all information requested: ARS 8-522(F) 45 CFR 64.512(e) Federally assisted substance use disorder treatment information requires consent absent court order or other exceptions: 42 CFR Part 2	Information with school staff and educators per parent/guardian, court order or if disclosure is to a school nurse and is related to treatment of child: 45 CFR 164.512(a)(1) 45 CFR 164.512(e)(1) 45 CFR 164.508(a) 45 CFR 164.508(c) Federally assisted substance use disorder treatment information requires consent absent court order or other exceptions: 42 CFR Part 2

QUICK REFERENCE GRID ON INFORMATION SHARING LAWS

		RECEIVERS OF INFORMATION					
		Department of Child Safety Specialists	Juvenile Probation Officers	Juvenile Corrections	Behavioral Health Services Providers	Court Appointed Special Advocates	School Staff and Educators
GIVERS OF INFORMATION	Juvenile Probation Officers	<p>If child <u>not</u> in DCS custody, legal file ok but not social file: AZ RP Juv Ct 19(A)</p> <p>If child <u>is</u> in DCS custody, all information that would otherwise be shared with child's custodian: ARS § 8-341.01(E)</p>	Information with other JPOs based upon need to know. Social file information available only to those JPOs with need to know.	Information contained in legal file and social file: ARS § 8-341(L)	Interpretation of law is unclear; seek legal advice or judicial authorization.	Authorized to receive all information requested: ARS § 8-522(F)	Legal file ok. Social file information only with approval of parent/guardian or per court order: AZ RP Juv Ct 19(A)
	School Staff and Educators	<p>Under certain conditions, student directory information: 34 CFR 99.37</p> <p>Education records if DCS has legal custody of child: 20 USC 1232g(b)(1)(L)</p> <p>or in emergency: 34 CFR 99.31(a)(10) 34 CFR 99.36</p>	<p>Under certain conditions, student directory information: 34 CFR 99.37</p> <p>Educational records in an emergency or per court order: 20 USC 1232(b)(1)(I) 20 USC 1232(b)(1)(J) 34 CFR 99.31(a)(9), 34 CFR 99.31(a)(10) 34 CFR 99.36</p>	<p>Timely release to ADJC all educational records relating to students awarded to ADJC: ARS § 15-141(C) ARS § 41-2831(H)(3) 20 USC 1232g(b)(1)(A) 34 CFR 99.31(a)(2) 34 CFR 99.34(b)</p>	<p>Under certain conditions, student directory information: 34 CFR 99.37</p> <p>Educational records in an emergency or per court order: 20 USC 1232g(b) 20 USC 1232g(b)(1)(I) 20 USC 1232g(b)(1)(J) 34 CFR 99.31(a)(9) 34 CFR 99.31(a)(10)</p>	Authorized to receive all information requested: ARS § 8-522(F) 20 USC 1232g(b)	<p>Student directory information with other schools: 20 USC 1232g(b)(1)(A) 34 CFR 99.37</p> <p>Schools must timely request and provide educational records of transfer students: ARS § 15-828(G) 20 USC 1232g(b)(1)(B) 34 CFR 99.31(a)(2) 34 CFR 99.34</p>

Arizona Department of Education/Schools

The Family and Educational Rights and Privacy Act (FERPA) is a federal law that protects the confidentiality of student education records [20 U.S.C. § 1232g]. Arizona law provides that the release of or access to student education records is governed by FERPA [A.R.S. § 15-141(A)]. Any record maintained by an educational agency that contains personally identifiable information that is directly related to the student is an education record under FERPA. In general, FERPA prohibits the disclosure or release of personally identifiable information from a student's education records unless the student's parent consents in writing or the release is specifically authorized by FERPA. When a student reaches the age of 18 or attends a school beyond the high school level, the consent required of the parent transfers to the student. There are several important circumstances, however, under which schools and the Arizona Department of Education (ADE) may share information with agencies serving and supervising youth.

When are schools permitted to share education records with the Arizona Department of Juvenile Corrections?

A school district governing board is required to release to the Department of Juvenile Corrections all education records relating to a pupil who is awarded to the Department of Juvenile Corrections. These records must be released within ten working days after the date the request is received [A.R.S. § 15-141(C)].

When are schools permitted to share education records with the Juvenile Court?

The juvenile court may order a school district to provide the court with the education records of a juvenile who is accused of committing a delinquent or incorrigible act before the juvenile is adjudicated. The disclosure of the education records must comply with FERPA [A.R.S. § 15-141(D)].

When are schools permitted to share education records with DCS Specialists, JPOs, Behavioral Health Services Providers and Court Appointed Special Advocates (CASAs)?

With respect to Department of Child Safety (DCS) Specialists, Juvenile Probation Officers (JPOs), and Behavioral Health Services Providers, some information in a student's education record is defined as directory information under FERPA. School staff may share, without parental consent, directory information such as a student's name, address, telephone number, date and place of birth, dates of attendance, and the most recent previous school attended by the student. However, the school may determine what it designates as directory information and the parents may exercise the option to restrict the school's release of directory information [20 U.S.C. § 1232g(a)(5); 34 CFR § 99.37].

In 2013, FERPA was amended to allow DCS caseworkers with "the right to access a student's case plan" and the legal responsibility "for the care and protection of the student" to obtain education records without prior notice to the parents of the child [20 U.S.C. § 1232g(b)(1)(L)]. Court Appointed Special Advocates (CASAs) have authority from the court to access student directory and education records [20 U.S.C. § 1232g(b)(2)(B); A.R.S. § 8-522(F)].

Schools do not need prior written parental consent to disclose education records to appropriate parties in connection with an emergency if the information is necessary to protect the health or safety of the student or other individuals [20 U.S.C. § 1232g(b)(1)(I); 34 CFR § 99.36]. Schools disclose education records in order to comply with a court order or lawfully issued subpoena. When responding to a subpoena or court order, the school must make reasonable efforts to notify the parent of the student before releasing the records. However, there may be possible exceptions to this notification requirement, such as when the parent is a party to an abuse or neglect proceeding [20 U.S.C. § 1232g(b)(1)(J), (b)(2)(B); 34 CFR § 99.31(a)(9)].

When may ADE share education records with entities serving and supervising youth?

Education records may also include records kept by ADE in the form of student system databases, such as the Student Accountability Information System (SAIS). Student level data maintained by ADE in SAIS includes a student's name, date of birth, school(s) of attendance, and the name of the student's parent or guardian. Student level data maintained by ADE in SAIS does not include data elements related to student behavior, discipline, criminal history, medical history, religious affiliation, or family information not authorized by the parent or guardian of the pupil [A.R.S. § 15-1042(J)]. The disclosure of student level data elements compiled by ADE must comply with FERPA [A.R.S. § 15-1043].

ADE does not need prior written parental consent to release student level data to appropriate parties in connection with an emergency if the information is necessary to protect the health or safety of the student or other individuals [20 U.S.C. § 1232g(b)(1)(I); 34 CFR § 99.36].

ADE may disclose student level data in order to comply with a court order or lawfully issued subpoena. When responding to a subpoena or court order, reasonable efforts must be made to notify the parent of the student before releasing the records. However, there may be possible exceptions to this notification requirement [20 U.S.C. § 1232g(b)(1)(J), (b)(2)(B); 34 CFR § 99.31(a)(9)].

Behavioral Health Services Providers

As a rule, behavioral health records and information are confidential and generally may not be disclosed [A.R.S. § 36-501, 509 and 12-229 – 12-2294.01; *see also* 45 CFR Part 160 and Part 164 (HIPAA regulations)]. A behavioral health services provider may always disclose its records and information about a client if the client has validly authorized such disclosure [A.R.S. § 36-509(A)(2), A.R.S. § 12-2294(B), and HIPAA regulations at 45 CFR § 164.502(A)(1)(iv) and 164.508]. In addition, a behavioral health services provider may share records and information if such disclosure is authorized by a court order or is needed by another health services provider for the purposes of treatment, payment, or operations [A.R.S. § 36-509(A)(1), (3), 12-2294(A), (C); 45 CFR § 164.506(c), 164.512(e)].

Substance use disorder (SUD) programs assisted directly or indirectly by the federal government are regulated by 42 CFR Part 2, which imposes strict guidelines on the release of information with or without patient consent. This law limits the release of information without authorized consent to (a) comply with mandatory reporting of child abuse and neglect, (b) report cause of death information, and (c) comply with a court order. Consult your legal department to ensure the exchange of information is in accordance to federal law.

What information may a behavioral health services provider share with members of the child's "Child and Family Team" (CFT)?

Arizona's model of behavioral health service provision to a child is based on a unique CFT. The CFT is a group of individuals whose primary function is to develop a comprehensive and unified service or treatment plan for the child. The CFT may include: the child; family members; health, mental health, or social service providers; juvenile probation officers or ADJC representatives; or other persons who are not health, mental health, or social service providers. Under A.R.S. § 36-509(A)(1) and 12-2294(C)(1), (2) and 45 CFR § 164.506, a behavioral health services provider may share information with members of the CFT who are health, mental health, or social service providers if the information is for treatment purposes. On the other hand, a behavioral health services provider is prohibited from disclosing information to members of the CFT who are not health, mental health, or social service providers unless the child (or the child's health care decision maker) authorizes disclosure, does not object to disclosure or, if unable to agree or object, the provider determines that it is in the child's best interests to disclose the information [A.R.S. § 36-509(A)(7)]. If a DCS child is not living with a parent, the physical custodian or DCS specialist are for most purposes the health care decision makers for that child [A.R.S. § 8-514.05(C)]. And, in that role, both the physical custodian and the DCS specialist are entitled to receive the child's behavioral health records [A.R.S. § 8-514.05(A)(2), (B), (2)]. See page 12 for release of information related to federally supported substance abuse programs.

When is a behavioral health services provider permitted to share records and information with the child's juvenile probation officer?

If the juvenile probation officer is actively participating in the child's care, treatment or supervision, a behavioral health services provider may share limited information if the child's provider determines that the child or the child's health care decision maker does not object to the disclosure. If the child or his health care decision maker cannot agree or object legal counsel should be consulted to determine which circumstances dictate disclosure of information absent consent [A.R.S. § 36-509(A)(7)]. Barring such objection, the behavioral health provider may disclose only the information that is directly relevant to the person's involvement with the patient's health care. Further, under A.R.S. § 36-509(A)(6), (7)(d), and HIPAA regulations found at 45 CFR § 164.512(f), a behavioral health services provider is authorized to share limited behavioral health records and information with the child's juvenile probation officer for purposes of identifying or locating a suspect, fugitive, material witness, or missing person to secure the return of a missing child or to report a crime on the premises.

See page 12 for release of information related to federally supported substance abuse programs.

When may a behavioral health services provider share records and information with CASA volunteers?

Under HIPAA regulations, a behavioral health services provider is required to share information with a CASA volunteer, as a participant in a judicial proceeding, where such disclosure is authorized by court order if all elements of the section are met [45 CFR § 164.512(e)].

Juvenile Probation Officers

Probation is often invoked as a disposition for children who are adjudicated delinquent in Arizona. Juvenile probation in Arizona takes two forms: (1) Standard Probation Services and (2) Juvenile Intensive Probation Supervision (JIPS).

Standard Probation Services provides funding to counties through A.R.S. § 12-261, et seq. for improving, maintaining, or expanding juvenile probation services. These services promote public safety through effective community based supervision and enforcement of court orders, the offering of accurate and reliable information, and affording juveniles opportunities to be accountable and initiate positive changes.

Juvenile Intensive Probation Supervision (JIPS) is a sentencing consequence established pursuant to A.R.S. § 8-351, et seq. used by the juvenile court judges for youth who are in need of a higher level of supervision and a highly structured program. The intent of the 1987 legislation creating the program was to allow certain juveniles adjudicated delinquent to remain at home under increased supervision and structure rather than be placed in either a residential treatment facility or the Arizona Department of Juvenile Corrections. JIPS differs from standard probation in the increased frequency of face to face contacts between the juvenile and the JIPS officer, the requirement to actively participate in 32 hours of structured activities per week, the restrictions on unsupervised time out of the home, the frequency of drug testing on demand, and the lower caseload ratio.

Juvenile probation officers are recommended by the director of juvenile court services with appointments approved and ordered by the presiding judge of the juvenile court.

When may the JPO share information with the DCS specialist

The following juvenile court records are open to the public: (1) referrals, after made to the juvenile court or diverted; (2) arrest records; (3) delinquency hearings; (4) disposition hearings; (5) a summary of delinquency, disposition, and transfer hearings; (6) revocation of probation hearings; (7) appellate review; and (8) diversion proceedings involving delinquent acts [A.R.S. § 8-208].

A juvenile probation officer may share the legal file with the DCS worker. The legal file consists of "all pleadings, motions, minute entries, orders or other documents as the court may order." Further, the legal file "shall be open to public inspection without order of the court, except upon a finding by the court of a need to protect the welfare of the victim, another party or a clear public interest in confidentiality" [Ariz. R.P. Juv. Ct. 19(A)(1)].

On the other hand, the social file is confidential and withheld from public inspection except upon order of the court. The social file "may consist of all social records, including diagnostic evaluations, psychiatric and psychological reports, treatment records, medical reports, social studies, Department of Child Safety records, police reports, disposition reports, detention records, and records and reports or work product of the probation department [Ariz. R.P. Juv. Ct. 19(A)(2)]. However, if the juvenile is dependent or a dependency petition is pending, and the court in the delinquency matter recommends that the child receives residential treatment, the probation officer must provide the DCS worker "any reports relating to the child's placement for residential treatment services" [A.R.S. § 8-341.01(E)].

Juvenile court records are open except for juvenile adoption, dependency, severance, and other related proceedings. All information and records obtained in the course of evaluation, examination, or treatment of juveniles who have been referred to a treatment program funded by the juvenile probation fund or the family counseling fund are confidential and shall not be released unless authorized by rule or court order [Ariz. R. Sup. Ct. 123(d)(1)].

When may the JPO share information with the Department of Juvenile Corrections?

The JPO and the juvenile court may share information with the Arizona Department of Juvenile Corrections (ADJC) when the court awards a juvenile to ADJC. Upon issuing a commitment order, the court transmits copies of a diagnostic psychological evaluation and educational assessment if one has been administered. In addition, the court provides copies of the case report, all other psychological and medical reports, restitution orders, any request for post adjudication notice that has been submitted by a victim, and any other documents or records pertaining to the case requested by ADJC. Before commitment to ADJC, every child is to be given a medical examination. Copies of records, examinations and evaluations shall be made of the findings of the medical examination and of any subsequent treatment and discharge. Copies of these records are to be included in the child's commitment papers [A.R.S. § 8-341(L) and A.R.S. § 8-342(B)].

When may the JPO share information with CASA volunteers?

Typically, with the appointment of a CASA, the court will issue an order requiring release of all information pertaining to the child. With this statute and order, the JPO shares all information with the CASA volunteer. A special advocate shall have access to all documents and information regarding the child and the child's family without obtaining prior approval of the child, the child's family, or the court [A.R.S. § 8-522 (F)].

When may the JPO share information with the schools?

The court is required to notify the elementary or high school district in which a juvenile resides if that juvenile is adjudicated delinquent or is convicted of a dangerous offense (defined as "an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person.") or certain sexual offenses [A.R.S. § 8-350].

Juveniles who are subject to the supervision of a probation officer are generally required to attend school [A.R.S. § 8-355, A.R.S. § 8-371]. Consultation with the school is required to determine the proper training or education level and to confirm that the juvenile is attending school regularly, maintaining appropriate behavior, and performing at a satisfactory level. Additionally, the school district of residence and the juvenile court may establish education, counseling, or other programs in order to improve the behavior and educational performance of juveniles covered by this section [A.R.S. § 8-371 (Educational Rehabilitation)].

Legal file information may be shared at all times with schools. Social file information sharing is limited to that permitted by the Educational Rehabilitation statute (A.R.S. § 8-371) and the establishment of education, counseling, or other programs to improve behavior and educational performance. Due to court rules, sharing of social file information with schools is limited and would only be permissible when establishing education, counseling, or other programs pursuant to A.R.S. § 8-371(D).

Absent these statutory provisions, schools fall under the definition of “public” in Rule 123, Arizona Rules of the Supreme Court, and would require that they be "authorized by state or federal rule or law to inspect and copy closed court records."

Court Appointed Special Advocates (CASAs)

When may CASAs share information?

CASAs gather and provide independent and factual information to aid the court in making its decision regarding what is in the child's best interest and in determining if reasonable efforts have been made to prevent removal of the child from the child's home or to reunite the child with the his or her family. CASAs provide advocacy to ensure that appropriate case planning and services are provided for the child [A.R.S. § 8-522(E)(3), (4)]. While CASAs have access to all documents and information regarding the child and the child's family, all records and information the special advocate acquires, reviews, or produces are subject to limitations on disclosure described in A.R.S. § 8-807 and A.R.S. § 41-1959(A).

CASAs with questions about permissible disclosures will consult the CASA county coordinator in the county where the CASA is appointed.

Department of Child Safety Specialists

When and with whom may Department of Child Safety Specialists (case managers) share information generally?

A request for information about a child who is the subject of a DCS investigation, who is receiving DCS services, or who is in DCS custody, requires consideration of the child's and his or her family's privacy rights. These rights are based on state and federal laws that require DCS to keep personal information in DCS records confidential and on the right of privacy guaranteed by Article 2 § 8 of the Arizona State Constitution. However, sharing of information is permissible in order to:

- Facilitate protection of children through law enforcement and criminal prosecution of crimes involving child maltreatment.
- Ensure care and treatment of children.
- Provide services to families.
- Inform the public regarding the government's performance of its responsibilities and obligations to individuals and the public.

The DCS confidentiality statute, A.R.S. § 8-807, specifically identifies governmental agencies, courts, county attorneys, schools, community services providers, and contract service providers as the types of entities and individuals who may obtain DCS information [A.R.S. § 8-807(B)]. As a general matter, information is shared if there is a reasonable need in order to provide services to a minor, or to the minor's parents or care provider, to enforce or prosecute violations of the law involving child maltreatment or to help protect the child. “DCS information” generally includes all information about a child or family that DCS gathers during an investigation or

during the period a case is open for services [A.R.S. § 8-807(X)]. DCS information includes not only the information and assessments created by a DCS specialist, but also all of the data the specialist receives from other sources.

When may DCS share information with the Juvenile Court?

Information is shared with other parties in a dependency or termination proceeding [A.R.S. § 8-807(C)]. When a child is a member of a recognized Indian tribe, or if one of the child's parents is a member and the child is eligible for membership, the state court proceeding will be subject to the Indian Child Welfare Act. In these cases, DCS can share information concerning the child and family with the child's Indian tribe. When the child also has been adjudicated delinquent or incorrigible, DCS will share information with the juvenile probation officer.

When a case is pending in juvenile court, even if the court opens the proceeding to the public, juvenile court rules require that DCS information learned by parties or others who participate in the court proceeding must be kept confidential [Ariz. R. P. Juv. Ct. 41(F), Rules of Procedure for the Juvenile Court]. A violation of the rule will be deemed contempt of court. The court's dependency file is not accessible to the public and can be reviewed only by court personnel, parties to the case and their attorneys of record, and by others authorized to have access by statute, such as a CASA or confidential intermediary, or by specific court order [Ariz. R. P. Juv. Ct. 47].

When may DCS share information with the Family Court?

DCS information will be shared with the domestic relations, family, or conciliation court if the DCS information is necessary to promote the child's safety and well-being [A.R.S. § 8-807(D)]. The court notifies the parties when such information is received.

When may DCS share information with ADJC?

When a crossover youth is committed to the Arizona Department of Juvenile Corrections (ADJC), DCS information will be shared with ADJC for treatment, planning, and placement purposes, including when a youth is under community-based supervision and treatment by ADJC. Information may be shared with ADJC when needed in order to plan for a youth who may be committed to ADJC.

When may DCS share information with schools?

When a child is in out-of-home placement, DCS information necessary to ensure the child receives appropriate education services will be shared with the school [A.R.S. § 8-807(B)]. DCS specialists and foster parents are authorized to share information required to allow a child or youth to participate in school activities. However, information about the child, his or her siblings, or other family members that is not necessary to understanding or meeting the needs of the child will not be disclosed.

When may DCS share information with individuals or parents?

An individual, or the legal agent of an individual, can obtain DCS information about himself or herself [A.R.S. § 8-807(E)]. DCS information sharing is also permitted with a parent, guardian, or custodian if the information is reasonably necessary to provide for the child's safety and well-being, unless a court order prevents access [A.R.S. § 8-807(F)(3)]. Prospective foster or

adoptive parents can be given information about a child to help them decide if they are able to provide a secure and appropriate home for that child [A.R.S. § 8-807(O)]. Behavioral health and medical treatment information and records concerning a child in DCS custody can be shared if there is a reasonable need for the information [A.R.S. § 8-514.05(A)]. When a child is in DCS's legal custody, the DCS Specialist will make a determination to share information when necessary, just as a parent would, and with the same concern for the child's and family's right to privacy.

What information may be shared with CASAs?

A Court Appointed Special Advocate (CASA) is authorized by statute A.R.S. § 8-522 to gather and access all documents and information, including DCS information regarding a child or the child's family, in order to aid the court in making decisions about what is in the child's best interests [A.R.S. § 8-807(C)]. CASAs are required to maintain the confidentiality of the records and information they obtain and review [A.R.S. § 8-807(U)].

How do you obtain information that cannot be shared?

When DCS shares information as discussed above, certain types of information will not be disclosed, including information that would identify the source of a child abuse report or referral; information that would jeopardize the safety of a child, client or any other person; or information that would cause specific, material harm to an ongoing criminal or DCS investigation [A.R.S. § 8-807(L)]. If the requestor is not the type of individual or entity with whom DCS may share information pursuant to the confidentiality statute, the requestor may petition the court for access to the information. The judge will weigh and balance the need of the requestor for the information against the privacy rights of the individual whose information is being sought. The court also balances possible harm to the child or family caused by release of DCS information against the anticipated benefit to the requestor [A.R.S. § 8-807(K)].

Another way for a third party to obtain DCS information that otherwise cannot be shared for an authorized purpose is to obtain a proper written authorization or consent to release of information from the subject of the information. An example is a consent signed by the parent for release of behavioral health treatment information.

When DCS information is shared in order to provide services for a specific child, information about other members of the family, or other information that is not subject to disclosure, will be redacted. For example, criminal history information received by DCS, such as that received to evaluate a potential foster or adoptive placement for a child or youth, can be shared only with the court [A.R.S. § 8-807(P)].

Juvenile Corrections Personnel

When and what information can ADJC share with DCS?

If a juvenile is both a ward of DCS and committed to ADJC, the DCS specialist is entitled to receive the same information a parent or guardian would be entitled to receive [A.R.S. § 8-807]. ADJC will include the DCS caseworkers on clinical and treatment information, continuous case plan (CCP) progress, multi-disciplinary team (MDT) meetings, and conditional liberty placement determinations.

In addition, the DCS caseworker for a juvenile may release information that would otherwise be confidential for the purpose of providing treatment, rehabilitation, and placement for the juvenile. All information received by ADJC from DCS will be maintained as confidential, except in cases where it is pertinent to a criminal prosecution [A.R.S. § 41-1959(C)(5)].

When may ADJC share information with the JPO?

ADJC may share information produced by ADJC and providers upon request if relevant to a current or pending delinquency proceeding.

When may ADJC share information with CASA volunteers?

ADJC is authorized to share information with CASAs, as CASAs will always have a court order allowing them to receive the requested information.

When may ADJC share information with the schools?

ADJC may share the juvenile court legal file with schools and educators. Education records will be shared school-to-school upon enrollment.

When may ADJC share information with individuals or parents?

ADJC may share the juvenile court legal file with individuals (members of the public) upon written request. Probation's social file will only be shared upon order of the court. ADJC will share information produced by ADJC with individuals who have a signed release from the child's parent or legal guardian, or a signed release from the person currently or formerly committed to ADJC.

ADJC will share information produced by ADJC with the parent upon written request. Parents are entitled to have access to documents and other information concerning their child's education and physical, mental, moral, and emotional health including medical, school, police, court, and other records. Records related to the child's HIV and sexually transmitted disease status requires permission from the child. Documents produced by third party treatment providers must be requested directly from the provider.

When may ADJC share information with Behavioral Health Service Providers?

ADJC may share information with behavioral health service providers with the approval of the child's parent or legal guardian, in an emergency (A.R.S. § 41-2805), or in response to a court order or subpoena.

Arizona Department of Child Safety

The Department of Child Safety (DCS) specialist (case manager) is responsible for the development and monitoring of case plans for children, youth and families involved with DCS, whether they are court-involved or services-only cases. Developing the case plan includes the coordination and assimilation of assessments, evaluative recommendations and services available, or provided through other service systems (i.e. Division of Developmental Disabilities, Behavioral/Mental Health, and Juvenile Justice).

In situations where a youth is adjudicated dependent, removed from home and placed into the custody of the DCS, the DCS Specialist will arrange for an appropriate out-of-home placement and an array of services designed to facilitate attainment of the assigned permanency goal. The permanency goal is determined by the Service Team, which is composed of the parents, child/youth, case manager, service providers, extended family, or other supportive persons identified by the family. If the youth is dually adjudicated, the assigned probation or parole officer (or other staff person responsible for service planning and supervision) is added to the Service Team and is involved in decision-making around placement and other service needs until such time that the youth is released from their supervision.

The primary permanency goal pursued by DCS is reunification. When reunification is unlikely due to a parent's inability or unwillingness to resolve existing safety issues, another permanency goal will be pursued. Oftentimes, a concurrent permanency goal (i.e., permanent placement with a relative) will be established due to circumstances in the case which make reunification unlikely. Once a youth has been in and out of home care 15 of the most recent 22 months, an evaluation of the likelihood of reunification must occur. If the prognosis for reunification is "poor," another permanency goal is established (i.e., adoption, guardianship, or independent living—aka "Another Permanent Planned Living Arrangement" or APPLA).

Youth who are adjudicated delinquent and committed to the Arizona Department of Juvenile Corrections (ADJC) are initially placed into a secure "behind the fence" setting at Adobe Mountain School. During the time the youth is in this setting, the DCS specialist is responsible for monitoring the youth's progress through monthly visits, monthly communication with the assigned ADJC staff, and participation in ADJC-facilitated multi-disciplinary team meetings. The DCS Specialist will work cooperatively with ADJC, the youth's family, and other service team members to plan for the youth's transition back into the community. The ADJC parole officer will remain a part of the Service Team until the youth earns an Absolute Discharge from parole under A.R.S. § 41-2820(B), the youth turns 18, or the youth turns 19 if juvenile court jurisdiction was retained under A.R.S. § 8-202.

Arizona Department of Education

The three divisions within the Arizona Department of Education that deal directly with agencies for adjudicated youth or youth who are in contact with the juvenile justice system are listed below. In addition, divisions within the agency such as Title II (Teacher Certification), GED, Homeless Education, etc., provide information and supporting services.

Title I, Part D

The Arizona Department of Education (ADE) administers the Title I, Part D - *Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent or At-Risk* program of the federal Elementary and Secondary Education Act (ESEA), now known as the Every Student Succeeds Act (ESSA). There are two funded programs, Subpart 1 – *State Agency Programs* and Subpart 2 – *Local Agency Programs* [ESEA Sec. 1401. (20 U.S.C. 6421)].

Title I, Part D, Subpart 1 supports sub-grants to the Arizona Department of Corrections and the Arizona Department of Juvenile Corrections to assist them in “providing free public education for children and youth:

- (1) In institutions for neglected or delinquent children and youth;
- (2) Attending community day programs for neglected or delinquent children and youth; or,
- (3) In adult correctional institutions”.

[ESEA Sec. 1411(A)(1-3). (20 U.S.C. 6431)]

Title I, Part D, Subpart 2 supports sub-grants to Local Educational Agencies “to support to support the operation of local educational agency programs that involve collaboration with locally operated correctional facilities

- (1) To carry out high quality education programs to prepare children and youth for secondary school completion, training, employment, or further education;
- (2) To provide activities to facilitate the transition of such children and youth from the correctional program to further education or employment; and
- (3) To operate programs in local schools, including schools operated or funded by the Bureau of Indian Education, for children and youth returning from correctional facilities and programs which may serve at-risk children and youth”.

[ESEA Sec. 1421. (20 U.S.C. 6451)]

Exceptional Student Services (ESS)

The second division providing services is ESS, which employs Secure Care Specialists who focus on supporting effective and accountable special education services for students who are instructed in the secure care setting. They work to ensure that these students receive a free appropriate public education (FAPE) as specified in their individualized education programs

(IEPs). ESS monitors secure care schools for compliance with the Individuals with Disabilities Education Act (IDEA) and also reviews results-driven accountability using the Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings guidance given by the U.S. Department of Education and the U.S. Department of Justice. Additionally, ADE ESS created and makes available for free the Merging Two Worlds curriculum for use in secure care schools. This curriculum helps students learn the skills they need to successfully transition back to their home school and community.

Career and Technical Education (CTE)

The third division providing services is CTE, whose vision is to ensure a dynamic workforce by fully developing every student's career and academic potential while preparing Arizona students for workforce success and continuous learning. Arizona CTE has partnered with the Arizona Department of Juvenile Corrections (ADJC) to help fund Career and Technical Education Programs such as automotive technologies, construction technologies, culinary arts and information technology. ADJC education services emphasize a "hands on" approach to learning through CTE. In all CTE classes, teachers integrate reading, math, and language skills with content and job skill training. The CTE Division within ADE provides technical assistance and professional development to the instructors so that the programs within ADJC are successful and provide these young adults with skills and opportunities that they may not have otherwise.

Arizona Department of Juvenile Corrections

The Arizona Department of Juvenile Corrections (ADJC) is responsible for youth adjudicated as delinquent and committed to its jurisdiction by the county juvenile courts. ADJC promotes public safety through the management of the state's secure juvenile correctional facility, and the provision of supervision, rehabilitation, treatment, and education to the youth committed to its care. The agency plays a critical role in meeting the treatment and rehabilitation needs of youth who, due to repeated delinquent behavior, are at risk for early entry into the adult criminal justice system under A.R.S. § 13-501.

ADJC operates one secure care facility, Adobe Mountain School, which houses both boys and girls. ADJC is also responsible for youth on parole in the community and those who are subject to the Interstate Compact for Juveniles. ADJC parole offices are located in five different counties.

Within the first 23 days of commitment, all youth are assessed through the Reception, Assessment and Classification (RAC) process. Evidence-based screening and assessment instruments are used during this process to identify a youth's criminogenic risk, as well as treatment, behavioral and medical health, and educational needs. This information forms the basis for the youth's Continuous Case Plan (CCP), with goals and objectives to address the needs of the youth.

The CCP process outlines a stage progression for youth to achieve competencies and expectations in the secure facility and continues into the community after release. As part of this process, treatment groups, individual work performed with licensed clinical staff, and specialized housing units focus on delivering intensive interventions to youth with histories of substance dependence, mental health issues, or sexual offenses.

Youth committed to ADJC remain under ADJC's jurisdiction until they earn an absolute discharge under A.R.S. § 41-2820(B), or until their 18th birthday. Youth who are subject to retained jurisdiction of the juvenile court under A.R.S. § 8-202 remain under ADJC's jurisdiction until age 19, unless they earn an absolute discharge earlier. Following release from secure care, youth under ADJC's jurisdiction return to the community on conditional release, which is commonly referred to as parole. Each youth has a parole officer who helps develop the youth's CCP in secure care and monitors the plan in the community. The CCP spells out the youth's community treatment, education, and/or work programs according to the youth's identified needs. ADJC also contracts with community-based providers to deliver services to youth in the community as needed.

Arizona Health Care Cost Containment System

Founded in 1982, the Arizona Health Care Cost Containment System (written as AHCCCS and pronounced 'access') is Arizona's Medicaid program. Medicaid is a federal healthcare program jointly funded by the federal and state governments for individuals and families who may qualify for acute or long-term care services.

Goals of AHCCCS:

- 1) Mission: Reaching across Arizona to provide comprehensive, quality health care to those in need.
- 2) Vision: Shaping tomorrow's managed care...from today's experience, quality, and innovation.
- 3) Values: Passion, Community, Quality, Respect, Accountability, Innovation, Teamwork, Leadership.
- 4) Credo: Our first care is your health care.

Members who are living with a serious mental illness (SMI); individuals enrolled in the Department of Economic Security/Division of Developmental Disability Arizona Long Term Care System (DDD ALTCS); and most children enrolled in the Comprehensive Medical and Dental Program (CMDP) receive behavioral health services from one of three geographically assigned service area Regional Behavioral Health Authorities (RBHAs):

- Arizona Complete Health serves Cochise, Graham, Greenlee, La Paz, Pima, Pinal, Santa Cruz and Yuma counties.
- Steward Health Choice serves Apache, Coconino, Pinal, Gila, Mohave, Navajo, and Yavapai counties.
- Mercy Care serves Maricopa County.

Effective October 1, 2018, AHCCCS became AHCCCS Complete Care Health Plan (ACC Plan). The ACC Plan gives members who are not living with an SMI, enrolled in DDD ALTCS, or

CMDP, access to a network of physical and behavioral healthcare providers for services under their chosen health plan.

In addition to RBHAs and the ACC Plans, AHCCCS has Intergovernmental Agreements (IGAs) with some of Arizona's American Indian Tribes to deliver behavioral health services to persons living on the reservation. Gila River Indian Community, Navajo Nation, Pascua Yaqui Tribe, Colorado River Indian Tribes and the White Mountain Apache Tribe of Arizona each have an IGA.

Crisis hotlines by county can be found at the website: azahcccs.gov/BehavioralHealth/crisis.html

Arizona Judicial Department

In Arizona, judicial power is vested in an integrated judicial department consisting of a Supreme Court, such intermediate appellate courts as may be provided by law, a superior court, such courts inferior to the superior court as may be provided by law, and justice courts.

By statute, the juvenile court has original jurisdiction over all delinquency proceedings brought under Title 8, the portion of the Arizona Revised Statutes pertaining to Child Safety. Arizona has a superior court in each of the fifteen counties. Juvenile court is a part of the superior court. The presiding judge of the juvenile court in each county appoints a director of juvenile court services. That director in turn appoints deputy probation officers and other staff.

A delinquency petition initiates the formal court hearing process in juvenile court and is prepared by the county attorney. A petition is a legal document alleging that a referred juvenile is a delinquent or incorrigible. A youth under the age of 18 has committed a delinquent act if that same act committed by an adult would be a criminal offense.

Standard Probation

A possible outcome for a delinquency petition is placement of the juvenile on probation. Juveniles placed on probation must comply with specific terms and conditions. The core tenets of juvenile probation are protection of the community, the belief that youth can make positive changes in their behavior, fostering law-abiding behavior, restitution to victims and society for the wrongs committed against them, preservation of the best interest of the child, and stability of the family unit. Typically the standard terms and conditions include scheduled contacts with a probation officer, maintaining law abiding behavior, and paying restitution to the victim. Additional terms may also be imposed depending on individual juvenile needs, such as mandatory drug testing, curfew, school attendance, community service hours, letters of apology, attendance at counseling or treatment sessions, and restrictions on acquaintances.

Once a juvenile has been placed on probation, the juvenile probation officer monitors the juvenile's compliance with the terms and conditions of probation. The probation officer works closely with the juvenile and their family as well as members of the community including teachers, victims, treatment providers, and others involved in the life of the juvenile and their family.

Juvenile Intensive Probation Supervision (JIPS)

Juvenile Intensive Probation Supervision (JIPS) is a sentencing consequence used by the juvenile court judges for youth who are in need of a higher level of supervision and a highly structured program. The intent of the 1987 legislation creating the program was to allow certain juveniles adjudicated delinquent to remain at home under increased supervision and structure rather than be placed in either a residential treatment facility or the Arizona Department of Juvenile Corrections. JIPS differs from standard probation in the increased frequency of face to face contacts between the juvenile and the JIPS officer, the requirement to actively participate in 32 hours of structured activities per week, the restrictions on unsupervised time out of the home, the frequency of drug testing on demand, and the lower caseload ratio.

Court Appointed Special Advocates (CASAs)

The Court Appointed Special Advocate Program was established by Arizona statute to provide specially trained community volunteers to advocate for children who are wards of the court. The presiding judge of the juvenile court in each county may appoint an adult as a special advocate for a child who is the subject of a dependency action. The Arizona Supreme Court certifies special advocates pursuant to rules adopted by the Supreme Court. The appointment of the CASA continues until the court relieves the advocate of the advocate's responsibilities or until the court dismisses the action before it.

The CASA meets with the child and advocates for the child's safety as the first priority. The CASA also gathers and provides independent, factual information to aid the court in making its decision regarding what is in the child's best interest and in determining if reasonable efforts have been made to prevent removal of the child from the child's home or to reunite the child with the child's family. The CASA also provides advocacy to ensure that appropriate case planning and services are provided for the child. The CASAs provide written court reports to the judge for all Report, Review, and Permanency hearings. CASAs also attend Foster Care Review Board meetings to update them on the progress of the case.

The Arizona CASA Program administers 15 county CASA programs throughout Arizona. The county programs recruit, train, and supervise the CASA volunteers.

LIST OF COMMONLY USED ABBREVIATIONS

ADE	Arizona Department of Education
ADJC	Arizona Department of Juvenile Corrections
AG	Attorney General
AHCCCS	Arizona Health Care Cost Containment System
ALTCS	AArizona Long Term Care System
AOC	Arizona Supreme Court, Administrative Office of the Courts
A.R.S.	Arizona Revised Statutes
CASA	Court Appointed Special Advocate
CMDP	Comprehensive Medical and Dental Program
CFR	Code of Federal Regulations
CFT	Child and Family Team
CTE	Career and Technical Education
DCS	Department of Child Safety
DCYF	Division of Children, Youth and Families (DES)
DDD	Division of Developmentally Disabled
DES	Department of Economic Security
DHS	Department of Health Services
DHS	Department of Health Services
DOA	Department of Administration
ESS	Exceptional Student Services
FERPA	Family Educational Rights and Privacy Act
GAL	Guardian ad Litem
HIPAA	Health Insurance Portability and Accountability Act
IEP	Individual Education Plan
JIPS	Juvenile Intensive Probation Services
JPO	Juvenile Probation Officer (County Probation)
RBHA	Regional Behavior Health Authority
SUD	Substance Abuse Disorder
U.S.C.	United States Code

RULES AND LAWS ON SHARING AND CONFIDENTIALITY

Arizona State Statutes <http://www.azleg.gov/arstitle>

- A.R.S. § 8-208 Juvenile court records; public inspection; exceptions
- A.R.S. § 8-807 DCS information; public record; use; confidentiality; violation; classification; definitions
- A.R.S. § 8-341 Disposition and commitment; definitions
- A.R.S. § 8-349 Destruction of juvenile records; electronic research records
- A.R.S. § 8-350 Dangerous offenders; sex offenders; notification to schools; definition
- A.R.S. § 8-371 Educational rehabilitation for youth subject to juvenile probation supervision or ADJC commitment
- A.R.S. § 8-522 Dependency actions; special advocate; appointment; duties; immunity
- A.R.S. § 12-2291 Courts of record, evidence, medical records, definitions
- A.R.S. § 12-2292 Confidentiality of medical records and payment records
- A.R.S. § 12-2293 Release of medical records and payment records to patients and health care decision makers; definition
- A.R.S. § 12-2294(A), 2294(B) Release of medical records and payment records to third parties
- A.R.S. § 12-2294.01 Release of medical records or payment records to third parties pursuant to subpoena
- A.R.S. § 13-501 Persons under eighteen years of age; felony charging; definitions
- A.R.S. § 15-141 Education records; injunction; special action
- A.R.S. § 15-1042(J) Time line; student level data; definition
- A.R.S. § 36-501 Public health and safety, mental health services definitions
- A.R.S. § 36-509 Public health and safety, mental health services, patient's civil and legal rights, confidential records
- A.R.S. § 41-1959 Confidential information; permissible disclosure; rules; violation; classification

Rules of Procedure for the Juvenile Court <https://www.azcourts.gov/rules>

- Rule 19 Records and proceedings

Federal Laws and Guidelines

- Adoption and Safe Families Act (ASFA), 42 U.S.C § 629(b), P.L. 105-89
- Alcohol and Drug Abuse Patient Records, 42 U.S.C. § 290dd-3 and 42 U.S.C. § 290ee-3, 42 CFR, Part 2
- Child Abuse Prevention and Treatment Act (CAPTA), 42 U.S.C.§ 5101, et seq.
- Family Education Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, 34 CFR Part 99
- Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings
- Health Insurance Portability and Accountability Act (HIPAA), 42 U.S.C. § 1320d-1320d-8, 45 CFR Parts 160, 164
- Requirements of Part B of the Individuals with Disabilities Education Act (IDEA)

You can find these federal regulations at:

<http://cfr.law.cornell.edu/cfr/>

www.law.cornell.edu/uscode/text

<https://www2.ed.gov/policy/gen/guid/correctional-education/guiding-principles.pdf>

<https://www2.ed.gov/policy/gen/guid/correctional-education/idea-letter.pdf>

RESOURCES

Governor's Office of Youth, Faith and Family
<http://goyff.az.gov>

Administrative Office of the Courts, Juvenile Justice Service Division
www.azcourts.gov/jjsd

Arizona Department of Child Safety
<https://dcs.az.gov/>

Arizona Department of Economic Security
<https://des.az.gov>

Arizona Department of Education
www.azed.gov

Arizona Department of Health Services
www.azdhs.gov

Arizona Department of Juvenile Corrections
www.azdjic.gov

Arizona Health Care Cost Containment System (AHCCCS)
www.azahcccs.gov/

Arizona Revised Statutes
www.azleg.gov/arstitle

Casey Family Programs
www.casey.org

Children's Action Alliance
www.azchildren.org

Child Crisis Arizona
<https://childcrisisaz.org>

Georgetown Center for Juvenile Justice Reform, Crossover Youth Practice Model
<https://cjjr.georgetown.edu>

United States Department of Education
<https://www2.ed.gov>

THE STATE OF ARIZONA SYSTEMS INTEGRATION INITIATIVE
A PROJECT OF
THE ARIZONA JUVENILE JUSTICE COMMISSION
AND
**THE GOVERNOR'S OFFICE OF YOUTH,
FAITH AND FAMILY**

In Partnership with the:

ARIZONA ATTORNEY GENERAL'S OFFICE

ARIZONA ADMINISTRATIVE OFFICE OF THE COURTS

ARIZONA DEPARTMENT OF CHILD SAFETY

ARIZONA DEPARTMENT OF EDUCATION

ARIZONA DEPARTMENT OF JUVENILE CORRECTIONS

ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM



Governor's Office
of Youth, Faith
and Family

Governor's Office of Youth, Faith and Family
1700 W. Washington Street, Suite 230
Phoenix, Arizona 85007
<http://goyff.az.gov>