



The State & Future of Maricopa County Juvenile Dependency Court

PRESENTED BY JUVENILE PRESIDING JUDGE LORI BUSTAMANTE



Where We Are

- ▶ Statistics, Rules & Statutes
- ▶ Virtual Hearings

Where We Are Going/Goals

- ▶ Court Hearings within Timeframes
- ▶ Meaningful Virtual Hearings
- ▶ Utilization of Safety Framework Model
- ▶ Parent Allies/TEAMS Partnerships
- ▶ Trauma Informed Courtrooms
- ▶ Equity & Inclusion
- ▶ ICWA Court

Statistics

FY 2012-2022

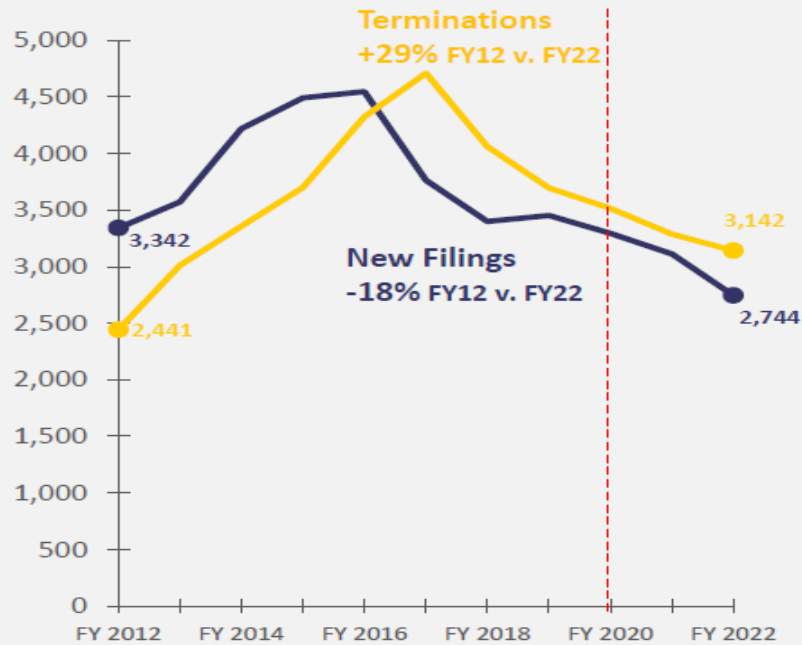
- ▶ New Filings are Down
- 598
- ▶ Terminations are Up
+ 701

FY 2022

- ▶ 3,142 Terminations
- ▶ 2,744 New Filings

Dependency

New filing based on first child's petition.
Termination based on last child's termination.

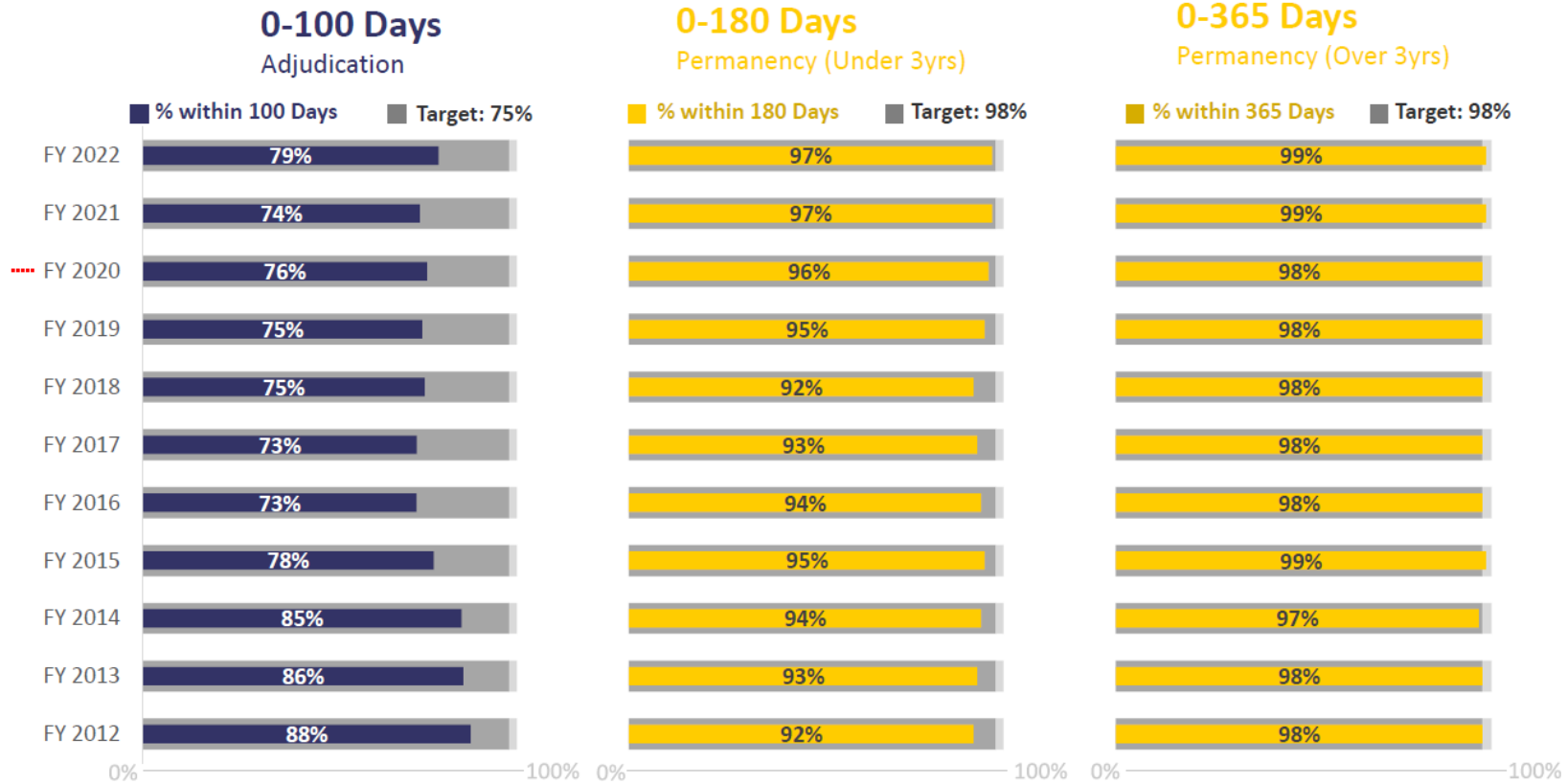


Time Statutes & Rules

- ▶ Dependency
 - ▶ 90 Days from Service – Rule 338 and § 8-842(C)
- ▶ Terminations
 - ▶ 90 Days from Initial – Rule 358
 - ▶ 90 Days from service on all parties - § 8-537(A)
- ▶ Guardianships
 - ▶ 90 Days from Initial- Rule 346 and § 8-872(D)

DEPENDENCY TIME STANDARDS

Based a count per child. Measured in accordance with AOC definitions.

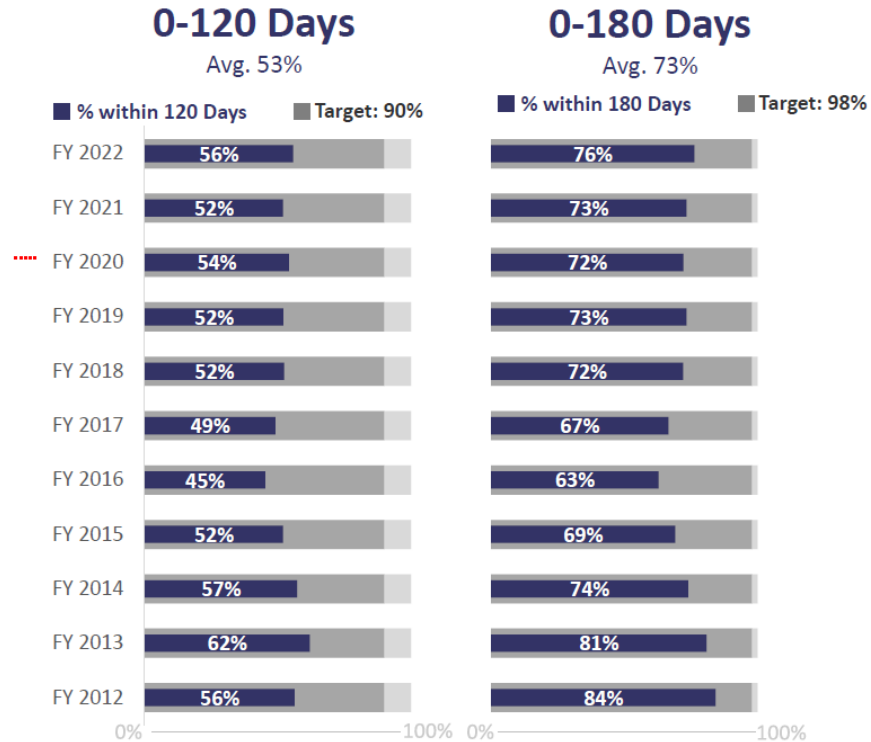


*Adjudication: from petition filing to adjudication / finding of first parent.

**Permanency: based on child's age at petition filing.

TERMINATION OF PARENTAL RIGHTS

Based a count per child. Includes motions for termination of parental rights and JS petitions.
Measured in accordance with AOC definitions.



..... COVID Closures

Time Limitation Statute

§ 8-530.03

Provides strict requirements for complying with timelines for adjudication hearings. Time limitations may not be waived, extended, or continued unless it is necessary for the full, fair, and proper presentation of evidence. A continuance beyond the statutory time frame should not be granted if the delay is not in the best interest of the child.

- ▶ A continuance beyond *thirty days* can only be granted upon a specific finding of *extraordinary circumstances*. This means acts or omissions that are unforeseen or unavoidable.
- ▶ Any party requesting a continuance beyond 30 days must file a Motion explaining why there are extraordinary circumstances. The Motion must be filed within 5 days of discovery of the extraordinary circumstances. If the Motion is granted, the court's finding must be in writing and shall state the factual basis.
- ▶ The court cannot extend the time limits beyond more than *60 days* unless the court makes written findings that *substantial evidence exists that the additional time is in the best interest of the child*.

ABA House of Delegates Judicial Excellence Standards

Because there are many ways to delay court hearings, court decisions, and the implementation of court orders – and because there are so many ways in which information that is vital to each case might be missed – there must be a strong mutual desire among key participants in the court process to work together toward their achievement. Judges, court employees, and participants in the court process must be prepared to work together to achieve these goals, even while often facing disagreements in the course of specific litigation.

***Work together to ensure compliance
with time statutes and rules.***

Virtual Hearings

Pandemic empowered us to think outside the box of a traditional court hearing.

- ▶ Parents can now appear virtually without having to take time off work or rely on transportation.
- ▶ Attorneys are able to go from one court to another without physically moving courtrooms or courthouses.
- ▶ Courts are able to start and end on time more frequently.
- ▶ Case workers can continue to work in the field or from their office without commuting to court.
- ▶ Children can participate in a less intimidating environment without leaving school or home.

Virtual Hearings

Administrative Order:

Provides a presumption that all hearings be virtual except for Adjudications, Treatment Courts, and Contested Evidentiary Hearings.

- ▶ Virtual Morning Calendars = PP5, Initials, Publications, Report & Reviews, PTC
- ▶ Afternoon In Person Calendars = Evidentiary Hearings
- ▶ The assigned judicial officer is authorized to deviate from the presumption if the presumptive manner is not practical or otherwise not in the interest of justice.
- ▶ Appearing on camera is vital to having the most meaningful court experience.

Virtual Hearings will continue to be a part of our Court.

AGENDA

Safety Framework

DCS Service Array

Parents for Parents

TEAMS Approach

Race and Social Justice in Child Welfare

ICWA Court and Brackeen

Trauma Informed

THE FUTURE OF OUR COURT

1. Timelines that Comply with Statutes and Rules
2. Utilization of the Safety Framework Model
3. Partnerships for Parents & Collaboration for Kids
4. A Court System that Ensures Equity and Fairness
5. Compliance with ICWA
6. Trauma Informed Courtrooms & Participants



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