



ARIZONA HOUSE OF REPRESENTATIVES

HB 2356: juvenile court; jurisdiction; age

PRIME SPONSOR: Representative Bowers, LD 25

BILL STATUS: [Chaptered](#)

Abstract

Relating to juvenile court jurisdiction.

Provisions

Jurisdiction of Juvenile Court

1. Requires the juvenile court to retain jurisdiction over a juvenile who is at least 17 years old and who has been adjudicated delinquent, until the person reaches 19 years old, if the state files a notice of intent to retain jurisdiction. Jurisdiction may terminate early if:
 - a. It is ordered by the court; or
 - b. The juvenile is discharged from ADJC. (Sec 1)
2. Requires the court to order continued probation and treatment services until the juvenile adjudicated delinquent reaches 19 years old or services are terminated by the court. (Sec 7)
3. Permits the court to terminate probation or treatment services before the person turns 19 if:
 - a. Probation or treatment is not required or in the best interest of the juvenile or the state; or
 - b. The juvenile commits a criminal offense after turning 18 years old. (Sec 7)
4. Requires ADJC discharge a youth over 18 years of age if the youth is charged with a criminal offense. (Sec 16).
5. Extends the option for outpatient or inpatient assessment of a child who exhibits behavior of a mental disorder or that the child might be a danger to self/others to juveniles on probation.
 - a. Includes the ability to admit the child for inpatient psychiatric acute care services.
 - b. Outlines process and timeframes. (Sec 4)
6. Requires the Director of Juvenile Court Services to submit an annual report to the PJ of the superior court and the Legislature including the number of juveniles that the court retained jurisdiction over after the juvenile turned 18. (Sec 2)

Juvenile Court Merit System

7. Requires juvenile probation, surveillance and detention officers to be included in any county employee merit system. Permits deputy directors and all other juvenile court employees to be included in the merit system, at the discretion of the PJ of the superior court. (Sec 2)
8. Removes the prohibition on terminating a JPO involuntarily without written notice of the cause of termination. Removes process for the JPO to have a review of the termination by the PJ of the juvenile court. (Sec 2)

Miscellaneous

9. Makes conforming changes. (Sec 3-16)
10. Makes technical changes. (Sec 1, 3, 6, 10, 11, 13, 14, 16)

Legend:

ADJC-Arizona Department of Juvenile Corrections

JPO-juvenile probation officer

PJ-presiding judge

Amendments – **BOLD** and ~~Stricken~~ (Committee)

Prop 105 (45 votes)
 Prop 108 (40 votes)
 Emergency (40 votes)
 Fiscal Note

Current Law

[A.R.S. § 8-202](#) states that the jurisdiction of the juvenile court is retained until a child becomes 18 years old.

[A.R.S. § 8-204](#) requires the Director of Juvenile Court Services to serve at the pleasure of the superior court PJ. If the county has a county merit system or a judicial merit system, all other employees of the juvenile court must be included in the system and are entitled to the same privileges and protections that are available to other county or court employees.

This section also requires counties without an employee merit system to provide written notice to any JPO prior to involuntary termination, if the JPO has at least two years of service in that position. If given notice, the JPO may ask for a review of the termination by the juvenile court PJ. The JPO can present evidence at the hearing, after which the PJ makes a final (non-appealable) decision. Specific timeframes for notice and the review are also included in this section.

[A.R.S. Title 38, Ch. 8, Article 2](#) outlines more specific provisions related to disciplinary actions against JPOs. These statutes prohibit disciplinary action except for just cause (defined in [A.R.S. § 38-1131](#)) and include an appeal process for disciplinary actions.