

REPORT HIGHLIGHTS

PERFORMANCE AUDIT

Subject

The Supreme Court (Court), in coordination with county juvenile courts, administers supervision and treatment programs for delinquent and incorrigible juveniles. The purposes of the programs are to protect communities and rehabilitate juveniles. This audit reviewed processes that county juvenile courts use to identify, plan for, and monitor the provision of treatment programs and the Court's contracting and monitoring of treatment services vendors.

Our Conclusion

The AOC should take steps to ensure that adequate risk, needs, and strengths/protective factors assessments are completed for all juveniles referred to juvenile court, and that their progress against case plans is monitored. Although the AOC uses a comprehensive contracting system to obtain juvenile treatment services, it can improve its monitoring of its vendor contracts.



2007

Supreme Court should improve assessment, planning, and monitoring processes

More than 48,000 juveniles were referred to juvenile courts in 2006. State law requires county juvenile courts to assess each juvenile's risk of re-offending and his/her treatment needs. These assessments are designed to:

- (1) Help the courts determine the appropriate disposition of the juvenile, and
- (2) Identify the treatment services or other programs needed to reduce the juvenile's risk of re-offending.

The way these assessments are conducted and used, including ensuring that all juveniles receive assessments, needs improvement.

Court has developed risk and needs assessments—In response to state law, which requires the use of a "common risk needs assessment instrument," the Court has developed three assessments:

- **Risk assessment**—Ten questions regarding risk factors (family conflict, substance abuse, school, and mental health) designed to assess the likelihood of re-offense.
- **Needs assessment**—Thirteen needs categories covering mental health, substance abuse, and educational and family functioning.
- **Strengths/protective factors assessment**—Twelve questions assessing a juvenile's strengths and identifying factors that may reinforce positive behavior.

Counties are required to use the court-developed risk and needs assessments.



Source: Administrative Office of the Courts.

Although the strengths/protective factors assessment is important to complement the needs assessment, it is optional and typically not used.

Some risk assessments not completed—Juveniles are often referred to juvenile court multiple times and each referral should receive a risk assessment. Of the 12,591 juveniles on probation in fiscal year 2006, although 95 percent of these juveniles had at least one completed risk assessment, 3,152 (25 percent) had at least one referral for which they did not receive a risk assessment.

Further, even when risk assessments are conducted, they are often conducted too late to be used in the hearing process. Both statute and the counties' own policies suggest that a risk assessment should be completed before the juvenile's disposition hearing (sentencing) to help determine the outcome. However, 8,484 (67 percent) of the juveniles on probation in fiscal year 2006 had at least one referral that did not have a completed risk assessment prior to disposition.

Without completed risk assessments, the juvenile court lacks important information that can be used to recommend the appropriate level of supervision and treatment.

Court's needs assessments not completed—

Almost half (46 percent) of the juveniles on probation in fiscal year 2006 had at least one instance for which the Court's needs assessment was not completed. However, a review of 25 individual case files from Maricopa and Pima Counties suggests that needs are being assessed using other assessments. After considering these additional needs assessments, only 3 of these 25 juveniles had at least one instance of not receiving a needs assessment prior to disposition.

According to some probation officers in Maricopa and Pima Counties, the Court's needs assessment is not useful and provides little new information or guidance in writing a disposition report or developing a case plan. They reported that they gather information about needs from their contacts with interested parties and from completing other assessment tools. For example, Maricopa County requires probation officers to complete a family social form, which gathers information about family history, school status, criminal history, and drug use.

Court's needs assessment is being evaluated—

The Administrative Office of the Courts (AOC) believes that a state-wide standardized needs assessment tool is required to meet statutory requirements and will better ensure that juveniles receive appropriate treatment services. It has established a work group to determine whether its needs assessment conforms to best practices used by other states or agencies, or if assessment tools used by other states or agencies can better meet its needs. The work group has visited Utah and has contacted Florida to learn more about its assessment processes.

Case planning needs improvement—The Court's goal was for probation officers to use the assessments to develop case plans for the juveniles.

Although the Court requires probation officers to prepare case plans, it has not developed any policies or procedures to guide their creation. Maricopa County juvenile court policies require the completion of a formal case plan within 45 days of a juvenile being placed on probation. However, we sampled 15 juveniles' case files and found that case plans were not completed for more than half of the 27 instances in which the juveniles were placed on probation. Further, when case plans were completed, they often did not have specific goals, objectives, or action steps.

Pima County requires probation officers to provide information on needs and recommended treatment services within a section of its disposition report to the juvenile court. However, these report sections are not consistent with best practices because they often lack specific goals, objectives, and action steps.

Under the direction of the Arizona Judicial Council, the AOC should work with the county juvenile courts to develop and implement policies and procedures for creating case plans for juveniles. The AOC can use best practices taken from national organizations and other states for such policies.

Treatment monitoring also needs improvement—

Although some probation officers in Maricopa and Pima Counties monitor juveniles' treatment progress, such monitoring is not consistent. In a review of 25 case files, 5 juveniles had not received court-ordered treatment services, services that the Court typically funds. In addition, treatment progress and completion was inconsistently recorded in many of the case files.

In addition to case monitoring, probation officers should also periodically reassess juveniles' risks and needs and make adjustments as necessary. Federal guidelines indicate that regular 90-day reassessments of risks and needs are important to case management and supervision.

Recommendations

Under the direction of the Arizona Judicial Council, the AOC should:

- Work with county juvenile courts to develop and implement policies and procedures regarding the completion of risk assessments.
- Continue its efforts to evaluate and revise or develop a new needs assessment.
- Work with the county juvenile courts to establish policy requiring completion of a strengths/protective factors assessment.
- Work with county juvenile courts to develop and implement policies and procedures for creating case plans.
- Work with county juvenile courts to establish policies and procedures to ensure monitoring of treatment service delivery and adjustment of case plans based on periodic reassessments.

Contracting process thorough, but AOC should improve monitoring of treatment services vendors

The Supreme Court, through the Administrative Office of the Courts (AOC), contracted with 161 vendors during fiscal year 2007 to provide 17 categories of treatment services for juveniles. In fiscal year 2007, the Supreme Court paid nearly \$22.8 million for treatment services.

Comprehensive contracting process—The Court has developed and uses a comprehensive process to contract for juvenile treatment services. The AOC has established minimum qualifications for vendors—such as accreditation—and creates a list of qualified vendors who meet the qualifications.

Biannually, the AOC surveys the counties to identify their treatment service needs. The AOC then develops and solicits proposals from treatment service vendors. After the AOC receives the proposals, it conducts an administrative evaluation and verifies information about the providers such as past contract performance, equal access, and insurance.

Before awarding the contract, the AOC negotiates the fee-for-service rate with the provider. Rates in rural locations tend to be a little higher because the provider absorbs higher costs. The Court typically enters into 1-year contracts with up to four 1-year contract extensions, for a total contract term of 5 years. This permits the terms and conditions of the contract to be modified annually as needed.

AOC can strengthen vendor monitoring—The AOC monitors vendors' compliance with contracts. It employs four part-time monitors to conduct site visits or review self-audits for a number of its treatment services vendors.

- **Site visits**—During these visits, the monitors review the vendors' client and personnel files, conduct interviews, and review financial records and the work environment to check for health and safety issues. The monitor then prepares a report to document the scope and findings of the review, identifying areas of noncompliance.

The AOC then issues the report to the vendors and requires the vendors to submit corrective action plans that address the noncompliance issues. During 2006, the AOC conducted site visits of 41 vendors.

Expenditures for Supreme Court-Funded Juvenile Treatment Services Fiscal Year 2007 (Unaudited)

Treatment Services Category	Amount
Out-of-home-care	\$ 7,317,276
Sex offender services	6,518,756
Substance abuse services	2,388,607
Delinquency prevention/intervention services	1,250,916
Outpatient mental health	1,214,326
Evaluation and diagnosis	1,170,854
Ancillary services (drug testing, polygraphs, etc.)	1,069,326
Multisystemic therapy services	778,270
Behavioral support services	565,659
Renewing Arizona family traditions (intensive, in-home therapeutic interventions)	177,104
Functional family therapy	142,871
Competency restoration (education programs)	102,690
Foster home services	46,165
Substance abuse intensive outpatient program	17,240
Brief strategic family therapy	9,245
Education services (tutoring and GED testing)	3,038
Violence intervention/prevention services	563
Total	<u>\$22,772,906</u>

Source: Auditor General staff analysis of fiscal year 2007 expenditure information from the Supreme Court's juvenile treatment services invoice-tracking system; *Juvenile Treatment Services Fund Invoice Billing Manual* for contract year 2007; and the *Renewing Arizona Family Traditions* 2006 annual report.

- **Self-audits**—Because the AOC does not have the resources to perform site visits for every vendor annually, it requires some vendors to audit themselves. The AOC provides the self-audit questionnaires and requires each selected vendor to complete them. Although this self-audit process verifies that vendor forms comply with contract requirements, the process does not ensure that providers use these forms as required. However, in fiscal year 2008, the AOC plans to begin requiring vendors to submit samples of actual client case files for its review to further ensure contract compliance.

The AOC typically does not conduct site visits of vendors who bill less than \$20,000 in the service categories selected for review. However, the AOC's internal auditors have recommended that smaller vendors should periodically be monitored as well.

AOC should ensure deficiencies are addressed in a timely manner—It sometimes takes months, and in some cases more than a year, to resolve all the non-compliance issues noted in site visit reports. Although the AOC is in the process of establishing time frames for its monitoring processes, according to a random sample of 16 site visits in 2005 and 2006, it took:

- 60.5 calendar days for the AOC to issue a report after the site visit;
- 26.5 calendar days for the vendor to submit the first corrective action plan after the AOC issued its report; and
- 48.5 calendar days between receipt of the first action plan and the AOC's approval of the plan.

Recommendations

The Administrative Office of the Courts should:

- Implement its plan to improve the self-audit process.
- Modify its sampling approach to include site visits for a sample of its smaller vendors.
- Finalize, implement, and follow its policies for the timely review and approval of vendor corrective action plans.

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