



El Paso County Juvenile Justice Center

VIRTUAL HEARING PROCESS REVIEW AND RECOMMENDATIONS

INTAKE INTERVIEW/FORMALIZATION:

For cases referred after May 28, 2020, at the time of Initial Intake Interview or formalization, a family assessment for virtual capabilities will be conducted with families.

FAMILY ASSESSEMENT FOR VIRTUAL CAPABILITIES - ALL UNITS:

The JPOs will obtain the following information from parents and youth and update JMIS accordingly. Initially to assist with new process, a comment in the JMIS COMMENTS module will be entered with full scope of information.

Once process has been established and Courts, County Attorneys and Defense Attorneys have been trained and are familiar with JMIS location of demographic relevant information (email, phone and primary language for parents), the only information that will be entered in a COMMENT is as follows:

- Tech Knowledge, Access to technology, type of technology
- Needed interpretation services
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Officer will ensure JMIS update under demographics tab (under email address and cell phone information) for parent and youth, as applicable.

For all intake cases in which CCMF is not approved, the Intake unit provide the family with the Parent Portal instructions and advisement via email for family to activate their access to the Parent Portal. JPO will provide PIN Code as per current process to both youth and parents.

Once normal Intake operations resume and families attend the Intake interview in person, electronic signatures will also be obtained via the ANE Form), the Acknowledgement form, and the Service referral form (if service referral was made). in JMIS.

Once parent portal allows for e-signature without an in-person appts, that process will be utilized for e signature by parents on Intake documents and subsequent transfer of e signature acknowledgement for future hearings.

If family fails to attend Intake Interview, Intake will attempt a subsequent appointment to complete the assessment/ obtain technological capabilities info/ and signatures. If family fails to attend subsequently rescheduled appt or no contact is made, case will be staffed for forwarding to prosecutor without assessment/formalization/signatures.

If family refuses to attend the Intake Interview due to their own choice or on advisement of their attorney, no further efforts will be made by Intake to schedule the assessment or capture e signatures and this information will be documented in JMIS.

For cases that will proceed to Prosecutors whereby appt was refused or not attended and contact is made with family, update of technological information will be attempted verbally over the phone for purposes of virtual hearing.

However, if family has no prior history with the department and an in-person interview was not held, signatures cannot be obtained until family presents at JPD to capture signature in JMIS. This is subject to change once the JPD Parent Portal allows for e signature to be captured remotely the first time.

SUMMONS PROCESS

The County Attorney's office will complete the summons and request the family to physically appear to the Court. The family will be directed to contact the court 14 days prior to the hearing to inquire as to whether the hearing will be in person or virtually.

The Summons Server will receive the ZOOM Instructions as part of the Summons Packet in both English and Spanish and provide those to the family at the time they are served (prior to the hearing).

- In cases where signature was not captured and/or technological update was not completed, it is recommended that signatures be captured and technological update be verified/completed upon family proceeding for the financial assessment with Liliana as this activity takes place after case has been filed and prior to any scheduled hearings. This will allow information to be updated in time for the upcoming hearing process.
- Upon Court confirmation that families have any of the above noted capabilities and case is filed on, then the Courts have the capacity to proceed with virtual hearings.

If families do not have the required technology or knowledge, the Courts may need to reset the hearing or request family appear in person to the Court for hearing and/or to capture electronic signatures.

SIGNATURES OF YOUTH AND PARENT/GUARDIAN

Signatures for youth and families who do not have a history with the department and in which a e-signature was not captured at the Intake appointment must be captured by the courts prior to any hearing.

NO PARENT PORTAL ACCESS AND DENY APPROVAL OF E-SIGNATURE TRANSFER

For families who do not have access to the Parent Portal and who do not grant permission to affix electronic signature/or whose signature has not been captured, will be required to report to JPD to sign documents and receive a copy. The date and time to capture signature shall be coordinated with the respective Court by the assigned JPO. If no JPO is assigned, the Courts shall coordinate directly with the parent/guardian a date and time to report to JPD.

NO PARENT PORTAL ACCESS AND APPROVAL OF E-SIGNATURE TRANSFER ATTAINED FROM PARENT/GUARDIAN

For families who do not have access to the Parent Portal but have granted permission to affix their signatures, the JPO shall follow the transfer of e-signature process. The courts shall mail a copy of court documents to the address in JMIS for those cases where a JPO is not assigned. For those with a JPO, the JPO shall provide the family with a copy of their signed documents. This can be done via email, text message a picture of the documents or via US Mail at a later date.

PARENTS WITH ACCESS TO PARENT PORTAL

For families who are registered on Parent Portal, JPO shall request they login and sign all documents pending signature in their pending documents queue after reviewing all documents with the parent/guardian and juvenile. **INDIGENCY DETERMINATION AND TECHNOLOGY/INTERPRETATION NEEDS ASSESSMENT-COURT LEVEL:**

Liliana Martinez will contact family prior to initial pretrial hearing to complete financial assessment and complete the following tasks:

1. Verify and update information entered in the demographic tab to include email addresses for juvenile and parent/guardian;
2. Verify whether technology capacity exists with family and update COMMENTS module;
3. Verify whether family will require interpretation services and update COMMENTS module;
4. Verify if an electronic signature for youth and family exists in JMIS, access to parent portal is setup or whether family needs to report to JPD to capture electronic signature for future use.
5. If signatures are not in JMIS and parent portal is not setup, Liliana shall communicate said information to the respective Court so they can schedule family.
6. Financial Assessment must be completed a minimum of two weeks (10 work days) prior to the scheduled hearing to allow sufficient time for all required Court and Defense Atty. critical activities.

PRE-TRIAL COURT SCHEDULING PROCESS

- The following will be completed as part of the Court scheduling process:
 - The court shall provide Parent Portal Activation instructions, (if family did not attend the Intake appt.) via email or US Mail.

- The court shall provide Zoom Hearing instructions and notify family that the hearing link will be provided to them at a later point in time via email or US Mail.
- Inform family they will be contacted by their assigned attorney to discuss the case (if indigent).
- If family does not qualify for appointed attorney, family shall be instructed to retain an attorney prior to the hearing.

COURT HEARING SCHEDULING PROCESS

It is the Courts responsibility to schedule all hearings via Zoom and notify all interested parties to include scheduling the interpreter for those requiring interpretations.

The following process shall be followed by the courts when scheduling or rescheduling hearings:

- The Court Coordinator/Administrative Assistant shall submit the Zoom hearing notification via email to the Detention Director and Senior Officer of Detention (for detained youth only), JPO, Prosecutor, Defense Attorney and Court Interpreter (when applicable) for all scheduled hearings. For detained youth only, Detention Director and Senior Officer of Detention shall be responsible for advising the assigned Team Leader of the youth's Hearing who will then facilitate the youths attendance. JPOs shall be responsible to communicating the changes to the Parents/Guardians and other interested parties (ie. CPS). If family does not have email capacity, the JPO shall contact the family telephonically to provide them Zoom hearing instructions.
- Changes to scheduled Zoom hearing dates and/or times shall be communicated by the Court Coordinator/Administrative Assistant to Detention Director and Senior Officer of Detention (for detained youth only), JPO, Prosecutor, Defense Attorney and Court Interpreter (when applicable) for all scheduled hearings at a minimum of 2 hours prior to the scheduled hearing time change. JPOs shall be responsible for communicating the changes to the Parents/Guardians and other interested parties (ie. CPS). ***The Court Coordinator/Administrative Assistant shall delete from Outlook the previously scheduled Zoom hearing which will notify all parties and send out a new Zoom link for the rescheduled hearing.***

TRAINING NEED FOR DEFENSE ATTORNEYS (In planning phase)

- Outline expectations to all attorneys on the wheel and retained attorneys regarding required pre coordination with client, and update to Court Coordinator within required timelines to schedule final hearing date and time to facilitate a smooth virtual hearing process.

Provide JMIS training to attorneys regarding JMIS and how/where to access information that is relevant to youth's case to include, police report, risk and need level and Intake recommendations for Deferred Prosecution.

HEARING TYPES:

PRE TRIAL HEARINGS (COMMUNITY BASED YOUTH):

If qualified based on indigency and upon attorney assignment or entry of appearance for a retained attorney, JMIS access is provided to attorney as per current process. JMIS triggers an automatic notification to the attorney.

Upon appointment, attorney will review case specifics, confer with family and if eligible, coordinate DP referral with County Attorney. The goal during the virtual hearing process will be to minimize risk of exposure to clients and/or staff through minimal in-person hearings or resetting/removal of hearings in which case should be reset or case can be appropriately disposed of through Deferred Prosecution.

Process:

- Courts will confirm whether assigned attorney has an e signature captured within JIMS. If not, attorney will be referred to ITD for capture of electronic signature.
- Prior to the pre-trial, the defense attorney will seek juvenile approval to transfer e-signatures and the court will be advised and coordinate signature transfer. When signature has not been captured, the juvenile will be asked to attend his/her pre-trial at JPD so that his/her signature may be captured by the court in the juvenile board room.
- Assigned attorneys will have contact with their clients prior to scheduled hearing as expected by the courts. Additionally, attorneys shall coordinate with their clients prior to the stipulation hearing to obtain their signature on the Waiver, Stipulation and Admission form if youth will stipulate.

- Upon signature by family on said forms/Orders, attorney is recommended to be responsible for provision of assigned document to the Court.
- Once documents/Orders are signed by the Court and Judge Gtz., Courts will forward document to the District Clerks as per required timelines for proper e filing and subsequent upload into JMIS.
- Attorneys should coordinate with the courts and County Attorney immediately on cases that were recommended for Deferred Prosecution by Intake to determine if this an appropriate recommendation and determine if County Attorney will approve. If so, communicate with Court Coordinator as case may be eligible for removal from Docket.

STIPULATION HEARINGS (COMMUNITY BASED AND DETAINED YOUTH)

Courts will be responsible for hearing process, to include communication of final date and time for scheduled ZOOM Hearing to all involved parties, interpretation capacity, Waiver Orders, fingerprints on Adjudication Order, scheduling of Disposition Hearing date, etc...

PROCESS:

- For youth currently on supervision and in which an Agreed Order may be possible, assigned JPO will coordinate ahead of time with Defense and County Attorneys, and submit any Agreed Orders, applicable recommendations, Court memos and other Court Orders to facilitate an expeditious court process, when appropriate.
- The attorney will keep the courts apprised of their case status and request appropriate hearings.
- *The Court shall follow the Court Hearing scheduling and notification process outlined above.*
- If youth is on supervision, assigned JPO will also coach family regarding guidelines to facilitate a smooth virtual hearing process.
- For cases that will be continued, the Court will setup jury, non-jury or issue a reset as deemed necessary by the Court.
- During the stipulation hearing, Defense Attorney will attain juvenile/family acknowledgement and approval on the record to affix electronic signatures for those who do not have access to the Parent Portal.

- Courts/JPOs shall follow the signature attainment process noted above.
NOTE: Cases that have not been adjudicated, nor detained and in which were conditionally released or electronically referred do not have a JPO assigned.

ADJUDICATION AND CASE TRANSFER PROCESS

Upon adjudication, PS/SPU/Intake clerical shall review hearings tab and identify cases that stipulated and are set for Disposition Hearing (current process).

For cases not currently on probation, Intake administrative assistant shall deliver the hard file to the assigned JPO Office as they adjudicate as per established timelines (9am and 4pm) when skeleton crews are working, otherwise the files will be distributed on Fridays by 5pm. If case is on probation, file will remain within Probation or SPU Units unless PDR is assigned to a different JPO.

Upon adjudication, the assigned JPO shall screen the case for Parent Portal access. In the event the family is not setup for the Parent Portal, the JPO shall assess for the juvenile and parent/guardian capacity to create a Parent Portal account and facilitate that process when possible. Document efforts for Parent Portal creation in the Comments section of JMIS. The assigned JPO may note upon case assignment that a juvenile has not been live-scanned as per policy. JPO shall ensure to communicate with Intake once we reconstitute to the department and request assistance to have the juvenile live-scanned. It is imperative for JPOs to ensure that all juveniles be live-scanned prior to probation termination.

PDR ASSIGNMENT

PS/SPU SPO assigns case to JPO for PDR investigation within 1 working day and JMIS is updated with required information.

As JPOs are being assigned new adjudications for PDR investigation and Intake routes the files as they adjudicate as per established timelines (9am and 4pm) when intake is operational or Fridays by 5pm, the necessity for JPOs to visit the department will also increase as they need to review the hard copy file as they continue the virtual process of completing their investigation. Taking into account the need to maintain social distancing and rotating officers into the office with oversight from the SPOs/Directors the following protocol has been established:

JPOs Rotation to go to JPD:

1. JPO shall go to JPD for NO MORE than four (4) hours on any one day
2. There shall be NO MORE than two Level 3 JPO per hallway/two Level 4 JPO per hallway at any given time. JPOs who share offices cannot be scheduled at the same time.
3. SPO shall approve & forward to DC, Luis (Jesus Mendoza), and cc the Director.
4. JPO shall email Marc and Luis when they are leaving the office so their area is appropriately sanitized.
5. Try to schedule a 30 minute window between JPOs going to the office.
6. SPO shall enter JPOs going to JPD on the shared calendar (where JPO vacation is entered).

DEFENSE ATTORNEYS ACCESS-DETAINED YOUTH:

Process: Defense attorneys do not have access to JMIS until after an Entry of Appearance is processed by the courts and the record is entered in JMIS. If detained, this access is granted after the detention hearing as per current process. Access is removed after 30 days of the case being disposed.

Ensure private, appointed attorneys are aware they must sign documents electronically immediately after the hearing. See process for private attorneys who have not had signatures captured in JMIS.

FINGERPRINTS ON ADJUDICATION ORDERS AND OTHER (DETAINED AND COMMUNITY BASED YOUTH):

Courts shall be responsible for coordinating with the parent and juvenile within 2 business days after the adjudication hearing to capture the ink prints on the orders.

Fingerprints shall be captured by the Bailiff in the Juvenile Board Room. In addition, if the family and juveniles signature requires capturing, the Court shall complete this task as well to facilitate access to the parent portal for future electronic signature of documents.

Follow CDC protocols when scheduling families and stagger appointments to minimize the number of people reporting to the department.

Courts shall provide a copy of the adjudication order and directions on how to dress for future hearings.

DETENTION HEARINGS- PS/SPU/INTAKE

- JPOs shall be responsible for monitoring their emails for the “JMIS System Notification” emails. These emails are sent directly to the assigned Supervision Officer once youth are detained. Thereafter, the on Call Intake JPO will also provide a phone call and email to supervising JPO and SPO for referred youth.
- Notification of referrals for youth under SPU, Probation and Challenge will be done by the assigned Intake JPO (as per current protocol).
- On cases where youth is detained on a new offense or a Directive supplement, Intake Officer will upload LEA report and rap sheet onto a JMIS chronological attachment to allow for easy access by assigned JPO.
- JPOs will request via an email to the Judge, court personnel, SPO and Director, permission from the court for an additional 24 hours when needed to effectively prepare for a detention hearing, as per established unit guidelines. In particular, this is necessary to coordinate with families who are unfamiliar with Zoom, who are not setup in Parent Portal or youth who have come to detention at an hour that will not allow for an effective Detention Hearing.
- Intake JPO will notify the youth’s family that the juvenile is detained pending a Detention Hearing and advise the supervising JPO who will be contacting them with additional information.
- Supervising JPO (home detention or probation) will be responsible for a follow up phone call advising the youth’s family of the date and time for the D-Hearing. The JPO shall inquire if the family has access to technology capability and ability to participate in a Zoom Meeting (virtual hearing).
- Supervising JPO will need to verify and complete a Financial Assessment with the family. The JPO shall attain parent/guardian/juvenile approval to affix electronic signature to detention hearing documents for those who do not have access to the Parent Portal. For those who have access to the Parent Portal, they will be asked to review and sign documents in the Portal. JPO shall document said request and authorization in JMIS chrono. If family does not sign the financial assessment prior to the hearing, the financial assessment

should still be forwarded to the Court. Additionally, JPOs may forward via email or text message a copy of the financial assessment and attain a written approval from the family. Their response shall be documented in JMIS and the photo of the communication shall be uploaded into a chrono.

- Supervising JPO shall staff the case with their SPO to consider conditional release or request time extension from the Court for the detention hearing to allow the JPO to prepare the family for the virtual hearing. JPO shall screen the family for virtual hearing capacity and need for interpretation. In the event that the family does not have access to audio or video the court shall be notified via email to seek guidance.
- Detention hearings shall be at 1:30pm daily. However, in the event the Court needs to change the detention hearing time, the Court Coordinator/Administrating Assistant shall follow the process noted above for scheduling of Court Hearings.
- JPO will submit any Directives and/or Financial Assessments for D Hearings directly to Court Staff (Court Coordinator, Administrative Assistant and Bailiff) via email before 10 AM on the day of the D Hearing or 2 hours prior to the scheduled hearing. JPO shall also include Director and Senior Officer on the email advising of the D Hearing.
- ***The Court shall follow the Court Hearing scheduling and notification process outlined above.***
- JPO will also email Probable Cause Statements and pertinent documents (Directives to Apprehend, Police reports and Rap sheets) directly to all assigned JPD Public Defender Attorney's, Public Defender Supervisor (William Cox), all County Attorney's and County Attorney Supervisors (Laura Christopherson and Emily Dawson) no later than 10 AM on the day of D hearing or 2 hours prior to the hearing time. This will also apply to all retained attorneys. JPOs shall utilize the email ENCRYPTION when sending documents to attorneys employed outside the County. To send encrypted emails: type: [ENCRYPT] in the subject line of the email you are sending with confidential information. See link for instructions: <http://intranet/video/Proofpoint.mp4>
- The Detention Hearing Log will be sent out via JMIS (remotely) by the designated morning Physical Referrals Intake JPO.

- Supervising JPO will be responsible for updating the Court Hearing tab and fill out all applicable areas. The court shall be responsible for updating the Court Hearing time in the Hearings Tab if court time or date changes.
- On Sunday, the Intake Physical Referrals JPO will establish PC with Judges remotely as per current protocol. Supervising JPO's must complete the PC statement for youths proceeding to a D Hearing by 10 AM on Sunday. This can be done remotely via JMIS.
- The Court will email the supervising JPO a link to the D Hearing that will be held virtually on Zoom by 8:30am the day of the D hearing. The JPO will be responsible for emailing/providing the link/call in phone number, meeting ID and password to the youth's family and assuring they have audio and video capabilities for the virtual hearing and inquiring whether interpretation services will be necessary. JPO shall place the need in the Comments module in JMIS and email all court staff of the request for interpreter services.

Testimony at D Hearing

- Defense Counsel will be responsible for contacting via email or telephone (849-2570) the Detention Staff (Director Castillo at lcastillo@epcounty.com and Senior Detention Officer Artalejo at martalejo@epcounty.com) to schedule a meeting for them to communicate with the youth in detention prior to D Hearing. The defense attorney is responsible for obtaining signature on the Waiver of Right to Detention Hearing before Juvenile Court Judge and provide it to the Court prior to the hearing.
- The detention team leader, the juveniles, supervising JPO and family shall join the meeting 15 minutes prior to the D Hearing via link or call in phone number sent by the JPO. All JPOs must be properly dressed in Court Attire for the D Hearing and assure that all parties attending the hearing are in a quiet and private setting.
- The Court will accept all parties into the D Hearing via Zoom.
- If interpretation services are required, the court shall provide instructions to all in attendance to activate the interpretation functions. The court interpreter shall instruct the parent/guardian on how to connect to the Spanish channel via Zoom for simultaneous interpretation when two devices are connected to the hearing from the same household. If the family does not join utilizing two

devices, the family shall place their phone on speaker and the court interpreter shall provide consecutive interpretation services on the English Channel.

- The JPO will raise their right hand to be sworn in by the Court and may remain seated during the D Hearing.
- The JPO may need to remind the Court of the need to obtain the parent's permission to transfer their signatures from previous documents.
- If the parent refuses to have their signatures transferred; the JPO will then have to make arrangements with the IT team for the family to go into the Department to sign the documents. (Only if the parents refuse to have signatures transferred).
- The Court will end the virtual hearing through Zoom. The Supervising JPO will then contact the parents telephonically through their JPD cell phone to review all court orders and answer any questions.
- ***JPO shall follow signature process note above.***
- When a JPO attains verbal/text consent to transfer signatures, the JPO shall document said approval in JMIS-chronos and upload a picture of the text (when available) as validation of said approval from parent/guardian.

MODIFICATION HEARINGS

The youth's case is already assigned to a PO (Level III, IV or V), as youth is already on probation pending stipulations for violations of probation.

JPO shall staff case with their respective SPO prior to requesting a Modification Hearing.

- The youth's case has been scheduled for a Modification Hearing during a Detention Hearing (if juvenile is detained) by the Court within the following week. The Court will schedule a Modification Hearing at a later time for any youth in the community.
- ***The Court shall follow the Court Hearing scheduling and notification process outlined above. Any changes to the scheduled Court Hearing the Court Coordinator/Administrative Assistant shall follow the Court Hearing scheduling and notification process outlined above.***
- The JPO prepares and submits the Request for Modification based on the deadline provided by the court.

- Upon receipt of the Request for Modification, the County Attorney's office shall review and file the Modification Order unless the child has picked up a new offense, the CA will file on the new charges. The JPO shall submit an updated Financial Assessment to the Court prior to the modification hearing at the time the Motion to Modify is submitted to the County Attorney's Office so the Court may determine if the juvenile qualifies for a appointed counsel or not.
- The Court will advise the JPO if the juvenile does not qualify for appointed counsel at which time the JPO must advise the parent(s)/guardian(s) to retain an attorney by the set Modification Hearing date. If the family fails to obtain an attorney then the Courts may; reset the case to allow time for the family to obtain an attorney. If family fails to retain an attorney, the court may appoint an attorney and order the family to reimburse the County of El Paso. The process server is responsible for serving the family for their Modification Hearing.
- For detained youth: the Defense Attorney is responsible for contacting the youth via the Detention Director and/or Detention Senior Officer to schedule a time to speak with their client prior to the hearing (email addresses are noted above).

For youth in the community, the Defense Attorney will be appointed prior to the Modification Hearing.

Defense Attorney will communicate with the County Attorney to discuss the proposed stipulation prior to the hearing or during the hearing. Defense Attorney will advise the Court if they will be stipulating to the violations.

- The courts may place the juvenile and attorney in a Zoom breakout room to confer and discuss any pending matters (ie. Documents, transferring of signatures, etc..).
- ***The Court shall follow the Court Hearing scheduling and notification process outlined above. Any changes to the scheduled Court Hearing the Court Coordinator/Administrative Assistant shall follow the Court Hearing scheduling and notification process outlined above.***
- For Agreed Orders the Supervising JPO shall present the recommendation to the County Attorney prior to the hearing via email and/or phone call. If in agreement, the JPO will present the recommendation to the Defense Attorney prior to the hearing. The Defense Attorney will then discuss the

recommendation with their client. The County Attorney and Defense Attorney will advise the Court of the Agreed Order and present for consideration.

- In Court #1 the JPO does not have to be present regardless of whether it is an agreed order or not.
- If an agreed order in Court #2, the JPO must be present for the hearing and must be prepared to testify. If not an agreed order, the JPO does not have to be present.
- If the juvenile is detained and the JPO is requesting release, the JPO shall submit a memo along with the order prior to the scheduled hearing.

DISPOSITION HEARINGS/MODIFICATION DISPOSTION HEARINGS

Pre-Disposition Report

- The Senior JPO will assign the case to JPO and notify them via email of the case assignment.
- The assigned JPO has 48 hours to contact the juvenile and parents/custodians to schedule a telephonic interview. The JPO shall advise the juvenile and family of the Department's current protocol due to the COVID 19. The JPO shall inquire if the family has access to technology capability and ability to participate in a Zoom Meeting (virtual/telephonic hearing). JPO shall inquire whether the family requires interpretation services and whether the family is able to connect via two devices for interpretation services. This information shall be documented in the Comments section of JMIS.
- In addition, the JPO shall assist the family in setting up the Parent Portal as per established protocols.
- The JPO shall review all chronological entries in JMIS prior to the interview date.
- In the event the juvenile has not been live-scanned upon case assignment, the assigned JPO shall coordinate with Intake once they are fully operational to have the juvenile live-scanned. This task must be completed prior to probation termination.
- JPOs shall requests any mental health records/school records or/CPS records as needed (Intake will have scanned documents via JMIS chronos). Inability to obtain consents for release of records shall be documented in the PDR.

- Additionally, the JPO shall also reach out to the El Paso Gang Taskforce and verify if the juvenile has been registered in their gang database.
- JPO shall request NCIC/Odyssey for background checks on parents/guardians and any additional adults residing in the home via email to Director for approval. The Director will forward email request with approval to IT Supervisor, Ramon Hernandez.
- PDR interviews shall be conducted over the phone with the juvenile and parents/guardians. A PACT Assessment interview will also be conducted to assess the juvenile's risk level. (The requirement for a home evaluation is currently waived. However, if the family has the electronic capability to video conference, a virtual home evaluation can be completed as part of the PDR investigation.) The JPO must also advise them of the process of the upcoming court proceedings and possible outcomes.
- The JPO shall staff and submit staffing form via JMIS with recommendation along with PACT assessment to the SPO within 48 hours of PDR interview. (The JPO shall complete a Staffing Form prior to staffing with SPO on all cases staffed for disposition whether recommending for level 3 or a level 4 program. The SPO shall sign electronically via JMIS and a copy shall be placed in the juvenile's file at a later time.)
- If the case was approved by SPO for a Level 4 program; the JPO shall request via email a staffing date with the Director and/or SPO for the Program. If the JPO requests a team staffing with Directors and SPOs, please email your request to everyone you would like involved. The case shall be staffed appropriately via MS teams with respective program and/or committees.
- The JPO then types the Pre-disposition Report via JMIS and presents it to the Senior Officer for review and corrections by 10 am, three (3) business days prior to the scheduled Disposition Hearing, to include court orders and supporting documentation via JMIS.
- A copy of the PDR, PACT Assessment and any evaluations/assessments shall be submitted by the JPO to the Court (bailiff, court coordinator and administrative assistant), the County Attorney's secretaries and Public Defender's Secretary and attorneys by 11 am two business days prior to the scheduled hearing. The JPO shall also submit all Court Orders (Release Order, Explanation of Right to Appeal, Level 4 Additional Terms and Conditions, Sex Offender Program (SOP) Additional Terms and Conditions, GPS Program Additional Terms and Conditions, Restitution Order, Exhibit A

and B, Final Judgment without Disposition and/or Judgment of Probation) must be submitted in JMIS at the same time as the submission of the PDR.

- PDR shall be submitted regardless of whether the juvenile is on runaway status unless waived by the court.

Modification Disposition Report

- The juvenile is currently on Supervised Probation, pending a Modification Hearing; therefore, the JPO will begin the Modification Disposition Report.
- The JPO shall re-staff and submit staffing form via JMIS with recommendation along with PACT re-assessment to the SPO within 48 hours of Modification Hearing (stipulation of violations). The JPO shall also submit the request form for a BHA to the SPO if new evaluation is needed on case (only if detained).
- The JPO will refer for needed services. The clinical unit, detention unit or FCO will schedule appointments and follow up with any medical/dental exam and psychiatric/bio-psychosocial evaluations as needed on the case. If staffing for SNDP or out of home placement, the evaluation must be conducted within a year. If staffing for Drug Court, the substance abuse assessment shall be no older than six months. If staffing for Challenge, the evaluation must have been done within a year. The IQ requirement has been waived for Challenge until further notice and for other Out of Home Placement facilities the IQ requirement must be discussed prior to the submission of the staffing packet for variance consideration. The JPO shall request any updated mental health records/school records or/CPS records as needed. Additionally, the JPO will update any background checks for the parent(s) or adult family members and a gang database check for the juvenile. The inability to attain records shall be annotated in the modification disposition report.
- If the case was approved by SPO for a Level 4 program; the JPO shall request via email a staffing date with the SPO for the Program. The case shall be staffed appropriately via MS teams with respective program and/or committees. If the JPO requests a team staffing with Directors and SPOs, please email your request to everyone you would like involved.
- The JPO then types and completes the Modification Disposition Report via JMIS and presents it to the Senior Officer for review and corrections by 10 am, three (3) business days prior to the scheduled Modification Disposition Hearing, to include court orders and supporting documentation.

- A copy of the MDR, PACT Assessment and any evaluations/assessments shall be submitted by the JPO to the Court (bailiff, court coordinator and administrative assistant) the County Attorney's secretaries and Public Defender's Secretary and attorneys by 11 am two business days prior to the scheduled hearing. The JPO shall also submit all Court Orders (Release Order, Explanation of Right to Appeal, Level 4 Additional Terms and Conditions, Sex Offender Program (SOP) Additional Terms and Conditions, GPS Program Additional Terms and Conditions, Restitution Order, Exhibit A and B, Final Judgment without Disposition and/or Judgment of Probation) must be submitted in JMIS at the same time as the submission of the MDR.
- MDR shall be submitted regardless of whether the juvenile is on runaway status unless waived by the court.

CONTEMPT HEARINGS

- Contempt has been requested by the JPO. The JPO shall assure the contempt has been amended for any new fees or a new Judgment of Probation.
- The contempt has been accepted and filed by the County Attorney's Office.
- The family has been issued a contempt hearing date by the Court. The juvenile's parents will be served by Summons server for new case.

Contempt for Fees only

- The JPO will advise the family of the date of Contempt Hearing and direct them to send in payment via mail or parent portal (when available). POs are responsible for checking the Fees tab in JMIS to verify whether a payment has been received by the department or not prior to the scheduled contempt hearing. If the payment has been received prior to the Contempt Hearing; the JPO will email the Administrative Assistant, Bailiff and Court Coordinator of the respective Court to advise that a payment has been received from the parent(s) and request a new hearing date.
- The Court staff will prepare and create an order of court setting for the parent's subsequent contempt hearing the following month or as requested by the JPO. The JPOs will forward the Order of Court setting to the parents via the Parent Portal for signatures. For those parents who do not have access to the parent portal, the JPO shall follow the attainment of signature protocol noted above.
- The JPO will advise the parents of the new Contempt Hearing date and provide them a copy of the Court Setting via email, screenshot or request the court to mail out a copy of the document. In addition, the parents will be

advised that the Order of Court Setting is available for their review and signatures.

- The JPO will make arrangements with the respective Court if the parent(s) are unable to give a payment prior to the Contempt Hearing.
- ***JPO shall follow signature process note above.***
- The JPO will make contact with the respective Courts if the parents failed to make contact with the Department regarding their Contempt Hearings (failure to appear warrant may be issued by the Court).

Contempt for Violations of Probation/Non-compliance with Court Orders

This type of Contempt Hearing shall not be held to address fees.

- The JPO shall notify the Administrative Assistant, and Court Coordinator 48 hours in advance prior to the Contempt Hearing advising of the non-compliance of the parents for the sanction the Court would like to give or request that it be heard and the reasoning for the request via email.
- The Court has the discretion to proceed with the Contempt Hearing and appoint an attorney if the family qualifies (possible reset).
- ***The Court shall follow the Court Hearing scheduling and notification process outlined above. Any changes to the scheduled Court Hearing the Court Coordinator/Administrative Assistant shall follow the Court Hearing scheduling and notification process outlined above.***
- Instruct the family to join the virtual hearing a minimum of 15 minutes prior to the scheduled time of the Contempt Hearing and JPO shall be ready to testify.
- During the Contempt Hearing the JPO will inform the Court of the non-compliance or issues regarding the parent(s). The Court will provide sanction for the parent(s) and has discretion to order community service hours, a fine up to \$1,000.00, up to 6 months in the County Jail or both.
- The JPO shall contact the parent(s) telephonically after the hearing to answer all questions with regard to the Contempt Hearing and remind the parent(s) of the next Contempt Hearing date.
- ***JPO shall follow signature process note above.***
- Email signed court order to family or Screen shot signed court order to family by 5 pm on same business day and document through chronological entry in JMIS (only if they don't have access to parent portal).

ADMONISHMENT HEARINGS

- JPO shall staff case with their respective SPO prior to requesting an Admonishment Hearing.
- The JPO shall request an Admonishment Hearing to the respective Court through a Memorandum of Court.
- The Court will provide a response (Approved or Denied) for the requested Admonishment Hearing.
- If approved, the JPO shall email a copy of the approved memo to the Administrative Assistant, Bailiff and Court Coordinator advising of the requested Admonishment Hearing.
- ***The Court shall follow the Court Hearing scheduling and notification process outlined above. Any changes to the scheduled Court Hearing the Court Coordinator/Administrative Assistant shall follow the Court Hearing scheduling and notification process outlined above.***
- The JPO shall contact the juvenile and parent(s) advising of the Admonishment Hearing date. The JPO will be responsible for emailing/providing the link/call in phone number, meeting ID and password to the youth's family and assuring they have audio and/or video capabilities for the virtual hearing and inquiring whether interpretation services will be necessary. Furthermore, the juvenile and parent(s) will be instructed to be present 15 minutes prior to the hearing, dressed appropriately and in a quiet area for the Admonishment Hearing.
- The JPO shall also be present 15 minutes prior to the hearing and ready to testify.
- The Court shall hear the Admonishment Hearing virtually through Zoom. It is the Court's discretion to proceed with detaining the juvenile depending on the severity of violations of probation or will sanction the juvenile and parent(s). The Court has the discretion to schedule a Status Hearing to review the compliance of the family or review the issues as reported by the JPO.
- ***JPO shall follow signature process note above.***
- If the court decides to detain the juveniles, and an in person hearing shall be scheduled by the court or a notice of detention will be issued.
- Email signed court order to family or Screen shot signed (via JPD cell phone) court order to family by 5 pm on same business day and document

through chronological entry in JMIS (only if they don't have access to parent portal).

- The JPO shall contact the family after the hearing telephonically and answer all questions with regard to the Court's order or sanction. In addition, the juvenile and parent(s) will be advised of the next scheduled hearing.

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- *The Court shall follow the Court Hearing scheduling and notification process outlined above. Any changes to the scheduled Court Hearing the Court Coordinator/Administrative Assistant shall follow the Court Hearing scheduling and notification process outlined above.*

At least a week prior to the scheduled Competency Hearing, the assigned JPO will follow up with the Court and obtain copies of the forensic evaluations for proper review (as applicable).

JPO will remind family of the scheduled date and time of hearing and advise them Court will forward a ZOOM link prior to the hearing.

Upon a judgement of unfitness, the case will be scheduled for a Review Hearing within 90 days (as per TFC statute). The case will be staffed with County Attorneys within 75 days or at least a week before the scheduled Review Hearing (once initial progress report is due) to determine if case may be eligible for dismissal. This staffing will occur with County Attorney's regardless of unfitness under MH and IDD prong.

County Attorneys will update the Court and Defense Atty on CA position. JPO will follow up with Court regarding provided review status report and remind family on date and time of hearing and forthcoming ZOOM link, if hearing will proceed. CA will submit Dismissal before the hearing.

If case will be reset, the Court will email reset status to all involved parties ahead of time to minimize family proceeding or preparing for a reset or cancelled hearing.

REVIEW HEARINGS

Submission of Review Reports:

All time frames for submissions and documentation of Review Reports shall be submitted in accordance with Prob Serv/SPU Policy 5-10. In an effort to refrain from having a Review Hearing being heard the assigned JPO shall recommend on the Review Report to either:

1. Have the juvenile continue on probation or Deferred Prosecution (D.P.) indicating the amount of time; or
 2. That the juvenile's probation or Deferred Prosecution be terminated (successfully/unsuccessfully).
- I If the Court signs Review Order Extending DP or Probation:

In the event the Review Hearing will be heard by the court, the Court shall:

1. Verify in JMIS Comments Tab whether the family will require interpretation services or not. If the family does need an interpreter, the court shall communicate via Zoom with the interpreter.
2. ***The Court shall follow the Court Hearing scheduling and notification process outlined above. Any changes to the scheduled Court Hearing the Court Coordinator/Administrative Assistant shall follow the Court Hearing scheduling and notification process outlined above.***

The JPO shall:

1. Contact the juvenile and parent(s) advising of the DP or probation term being extended.
2. ***JPO shall follow signature process note above.***
3. The JPO shall contact the family after the hearing telephonically and answer all questions with regard to the Court's order or sanction. In addition, the juvenile and parent(s) will be advised of the next scheduled hearing.
4. Once the defense attorney signs Review Order submit to the 65th for Judge Gutierrez' signature. If the juvenile is terminated; the court shall electronically sign the Review order. The Order will automatically be sent to accounting for processing.
5. Court signs Review Order indicating Hearing will be held on the original date and the court shall:
 - a. ***The Court shall follow the Court Hearing scheduling and notification process outlined above. Any changes to the scheduled Court Hearing***

the Court Coordinator/Administrative Assistant shall follow the Court Hearing scheduling and notification process outlined above.

6. Then the JPO shall:

- a. Remind parents and juvenile of the hearing date and time.
- b. Ensure juvenile and parents have capability to connect to hearing via Zoom 24 hours prior to Review Hearing, submit Review Hearing Order to the appropriate Court.

Day of the Review Hearing:

1. Fifteen minutes prior to the hearing, have the family connect to Zoom via the Zoom request provided to them. Follow Virtual Hearing and e-signature protocol.
2. After all signatures have been captured by the juvenile, parent(s)/guardian, and attorney; submit orders to Judge Gutierrez via JMIS. If juvenile is terminated; the court shall electronically sign the review hearing order and it will be automatically forwarded to the accounting queue.

STATUS HEARINGS

The Court shall follow the Court Hearing scheduling and notification process outlined above. Any changes to the scheduled Court Hearing the Court Coordinator/Administrative Assistant shall follow the Court Hearing scheduling and notification process outlined above.

One Business Day Prior to Hearing

- Court may verify if family will require interpreter service, if they will have the technology to participate via zoom and whether they will join with one or two devices for those needing interpretation services. This information shall be documented in the demographics and comments section of the JMIS module for Court verification.
- If applicable, notify court via email with regard to capability to transfer e-signature from other documents in JMIS by 11 am one business day prior to the hearing
- E-mail the receiving JPO the date, time, and which Court the Disposition Hearing is in. Also email them the Zoom link so they may join if they may choose.

- JPO shall forward Zoom link to families by 11 am one business day prior to hearing
- Instruct the family to join the virtual hearing a minimum of 15 minutes prior to the scheduled time.
- JPO shall join virtual hearing 15 minutes prior to the scheduled hearing time.
- Courts shall follow detention notification protocols if juvenile is detained and detention shall join virtual hearing 15 minutes prior to the scheduled hearing time.
- Instruct family if they are unable to join the hearing through the link, to utilize the phone number on the bottom of the invite for the HOUSTON area. Advise them that they will need to enter the meeting ID and password to join the call over the phone.

During Hearing

- Find a quiet area in home for virtual hearing for privacy and minimize disruptions.
- Wear appropriate attire in accordance to policy for virtual hearing.
- Join call through Zoom 15 minutes prior to the scheduled hearing.
- If applicable, remind court with regard to family's approval needed to transfer signature from other documents in JMIS to court order.

After Hearing

- ***JPO shall follow signature process noted above.*** If applicable, review court orders/Notice of Court Setting and answer all family's questions with regard to court order.
- If applicable email signed court order to Attorney by 5 pm on same business day and document through chronological entry in JMIS.
- If the Court follows the recommendation by 5 p.m. the day of the Disposition Hearing, send the receiving JPO the Disposition Notice and CC their supervising SPO.
- By 5 p.m. the next business day submit via email to your assigned secretary and CC your SPO, the JMIS Court Information Sheet and any applicable program data entry sheet for update and transfer.
- Upon the Disposing JPO's scheduled in office duty day, it will be their responsibility to update the physical file and place the file in the supervising JPOs office, ensuring they document their events in JMIS Chronos.