

COMMITTEE ON JUDICIARY
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2604
(Reference to printed bill)

Amendment instruction key:

[~~GREEN UNDERLINING IN BRACKETS~~] indicates text added to statute or previously enacted session law.

[~~Green underlining in brackets~~] indicates text added to new session law or text restoring existing law.

[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.

[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 12, chapter 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 12-102.05, to read:

4 12-102.05. Child and family representation; report

5 A. THE CHILD AND FAMILY REPRESENTATION PROGRAM IS ESTABLISHED IN
6 THE ADMINISTRATIVE OFFICE OF THE COURTS FOR THE PURPOSE OF COLLABORATING
7 WITH SUPERIOR COURTS, JUDGES AND ATTORNEYS TO ENSURE UNIFORM, HIGH-QUALITY
8 LEGAL REPRESENTATION BY ATTORNEYS APPOINTED PURSUANT TO SECTION 8-221.

9 B. THE SUPREME COURT SHALL EMPLOY ADMINISTRATIVE AND OTHER
10 PERSONNEL THAT IT DETERMINES ARE NECESSARY TO PROPERLY ADMINISTER THE
11 PROGRAM, INCLUDING A CHILD AND FAMILY REPRESENTATION COMPLIANCE CHIEF.

12 C. THE PROGRAM SHALL ENHANCE THE PROVISION OF LEGAL REPRESENTATION
13 FOR CHILDREN AND PARENTS BY DOING THE FOLLOWING:

14 1. ASSESSING THE PROVISION AND AVAILABILITY OF HIGH-QUALITY,
15 ACCESSIBLE TRAINING IN THIS STATE FOR PERSONS WHO SERVE AS COUNSEL FOR
16 CHILDREN AND PARENTS AND FOR JUDGES WHO REGULARLY HEAR DEPENDENCY MATTERS.

17 2. MAKING RECOMMENDATIONS TO THE SUPREME COURT CONCERNING THE
18 ESTABLISHMENT OR MODIFICATION, BY COURT RULE, OF MINIMUM TRAINING
19 REQUIREMENTS AND PRACTICE STANDARDS THAT ATTORNEYS WHO SERVE AS COUNSEL
20 SHALL MEET, INCLUDING APPROPRIATE MAXIMUM CASELOADS, MINIMUM
21 RESPONSIBILITIES AND DUTIES AND PRACTICE GUIDELINES.

22 3. AUDITING THE PRACTICE OF COUNSEL TO ENSURE COMPLIANCE WITH ALL
23 RELEVANT STATUTES, COURT RULES, OTHER DIRECTIVES, POLICIES OR PROCEDURES
24 AND CONTRACT PROVISIONS.

25 4. FILING ETHICAL COMPLAINTS AGAINST ATTORNEYS WHO VIOLATE THE
26 RULES OF PROFESSIONAL CONDUCT RELATED TO THE REPRESENTATION OF CHILDREN
27 AND PARENTS IN DEPENDENCY PROCEEDINGS.

1 5. WORKING COOPERATIVELY WITH THE DEPARTMENT OF CHILD SAFETY, THE
2 OFFICE OF THE ATTORNEY GENERAL, JUDGES, ATTORNEYS, ~~[PERSONS]~~ ~~[CHILDREN AND~~
3 ~~PARENTS]~~ WHO HAVE BEEN ~~[IN THE FOSTER CARE SYSTEM AND PARENTS WHO HAVE~~
4 ~~BEEN]~~ IMPACTED BY THE CHILD WELFARE SYSTEM TO FORM PARTNERSHIPS FOR THE
5 PURPOSE OF ENSURING HIGH-QUALITY LEGAL REPRESENTATION FOR CHILDREN AND
6 PARENTS.

7 6. RECOMMENDING FAIR AND REALISTIC COMPENSATION RATES THAT ARE
8 SUFFICIENT TO ATTRACT AND RETAIN HIGH-QUALITY, EXPERIENCED ATTORNEYS TO
9 SERVE AS COURT APPOINTED COUNSEL FOR CHILDREN AND PARENTS.

10 7. SEEKING TO ENHANCE EXISTING FUNDING SOURCES FOR THE PROVISION OF
11 HIGH-QUALITY COUNSEL SERVICES FOR CHILDREN AND PARENTS AND STUDYING THE
12 AVAILABILITY OF OR DEVELOPING NEW FUNDING SOURCES FOR THE PROVISION OF
13 COUNSEL.

14 8. DEVELOPING MEASURES TO ASSESS AND DOCUMENT THE EFFECTIVENESS OF
15 COUNSEL AND THE OUTCOMES ACHIEVED BY CHILDREN WHO ARE REPRESENTED BY
16 COUNSEL IN CONSULTATION WITH STATE AND NATIONAL INTEREST GROUPS WITH AN
17 UNDERSTANDING OF BEST PRACTICES FOR REPRESENTING CHILDREN AND PARENTS IN
18 DEPENDENCY PROCEEDINGS.

19 9. ASSISTING FOSTER PARENTS, FOSTER CHILDREN, BIOLOGICAL PARENTS
20 AND OTHER PERSONS WHO HAVE KNOWLEDGE OF AN ALLEGED VIOLATION WITH FILING
21 ETHICAL COMPLAINTS RELATED TO THE REPRESENTATION OF CHILDREN AND PARENTS
22 IN DEPENDENCY PROCEEDINGS.

23 D. ON OR BEFORE JUNE 30 OF EACH YEAR, THE PROGRAM SHALL REPORT ~~[TO~~
24 ~~THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF~~
25 ~~REPRESENTATIVES]~~ ON THE MEASURES TAKEN TO ASSESS AND DOCUMENT THE
26 EFFECTIVENESS OF COUNSEL. ~~[BEGINNING IN 2030 AND EVERY FIVE YEARS~~
27 ~~THEREAFTER, THE LEGISLATURE SHALL REVIEW THE PROGRAM OUTCOMES TO DETERMINE~~
28 ~~WHETHER THE PROGRAM SHOULD BE CONTINUED.]~~

29 Sec. 2. Appropriation; administrative office of the courts;
30 child and family representation program

31 The sum of \$200,000 and one FTE are appropriated from the state
32 general fund in fiscal year 2025-2026 to the administrative office of the
33 courts to implement the child and family representation program
34 established by section 12-102.05, Arizona Revised Statutes, as added by
35 this act.

36 Enroll and engross to conform
37 Amend title to conform
And, as so amended, it do pass

QUANG H. NGUYEN
CHAIRMAN

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