

AGENDA TOPIC

III. Review of Rules 7A and 39		JUDGE LINDSLEY AND BRIANA ALLEN
<p>Rule 7A: The committee discussed historical issues with the creation of Rule 7A-Pick up orders. The committee reviewed the difference between pick up orders and warrants, which was outlined by a former juvenile court law clerk in 2007. They also reviewed the rule drafting history provided by Briana Allen, current juvenile court law clerk. Ms. Allen updated the law clerk's 2007 memo and noted that there have been no significant legal changes on the issue since 2007.</p> <p>The committee discussed law enforcement procedures for placing a warrant on NCIC as required by federal law. DCFS is mandated to place runaways on NCIC within 24 hours of determining the child is missing. Judge Lindsley explained overnight pick up orders are not placed on NCIC because they are verbal and are not reduced to paper until the next business day. A discussion followed regarding whether or not AG and DCFS request verbal pick up orders for kids in foster care who run from placement after hours. H.B. 239 has created additional confusion in this area and related court forms now use the term "warrant." Ultimately, committee members agreed to table further discussion until the March 2018 meeting to allow time to determine whether any related legislative changes will pass this year.</p>		
<p>Rule 39: Katie Gregory reported that she is waiting to see if this year's judicial housekeeping bill will include revisions to 78B-5-705. The committee would like to add the Rules of Juvenile Procedure to the list of rules in section 705 for which unsworn written declaration may be used when the rules requires or permits a written declaration upon oath. After discussion the committee agreed to table the issue until after the legislative session.</p>		
Action Item:	Continue to track legislation related to Rules 7A and 39.	
Motion: Motion to table Rule 7A until after the legislative session	By: Judge Lindsley	Second: Alan Sevison
Approval	× Unanimous □ Vote: # In Favor _____ # Opposed _____	

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IV. Rule 3-Style of Pleadings and Forms		JUDGE LINDSLEY
The committee received a request to revise the language of Rule 3 to allow changes to the pleading templates in CARE. However, 78A-6-108 contains requirements for titling petitions and other court documents, so the requirements cannot be changed by rule.		
Action Item:	Judge Lindsley agreed to discuss this challenge with Krista Airam.	

AGENDA TOPIC

V. Old or New Business		ALL
The Committee discussed issues for the February meeting agenda based on the list of items that Carol Verdoia and Katie Gregory have been maintaining. One issue is whether a rule is needed to allow tribal participation in a hearing when the tribe is not represented by counsel. Related questions include whether the analysis is different if the tribe has intervened and who may speak for a tribe. Other agenda items on the list include: Rule 4 pertaining to computation of time, Rule 8 interviews of youth in detention, a private citizen's proposal pertaining to permanency and		

termination of parental rights time frames.

Carol Verdoia and Katie Gregory will put the remaining items from the list on the agenda for prioritization at the February meeting and will include the original requests received by staff.

Action Item:

Carol Verdoia and Katie Gregory will compile a list of possible agenda items to prioritize at the next meeting.