



GOOD TO GREAT



**2006** Annual Report of the Arizona State Courts



## Message from Chief Justice Ruth V. McGregor

On behalf of the Arizona Judicial Branch, it is my pleasure to present our 2006 Annual Report. This online document presents an overview of the accomplishments of our court system throughout the last year. Eighteen months ago we embarked on a new strategic agenda, “Good to Great” to guide our priorities and reflect our commitment to making Arizona’s justice system the best possible. The agenda outlines five goals:

- Providing Access to Swift, Fair Justice
- Protecting Children, Families, and Communities
- Being Accountable
- Improving Communication and Cooperation with the Community, with Other Branches of Government, and within the Judicial Branch
- Serving the Public by Improving the Legal Profession

I’m pleased to report that with the hard work and professional commitment of the many court officers, employees, and citizen volunteers we’ve made significant toward making our courts truly great. We’ve reached out to each branch of government to discuss how we can all work together to improve a serious public safety issue – driving under the influence. Our adult probation tracking system is now functional statewide, making our communities safer as information on probationers is tracked and updated more efficiently. And our statewide efforts to assist children and families continue, providing improved education for judges and volunteers.

Finding out what is going on within the Supreme Court

has never been easier for the public. Court agendas, rulings and administrative decisions are posted to the Web. We now stream oral arguments live on the Web, and changes and comments to Supreme Court rule changes can be filed electronically. In addition, many courts throughout the state are working to increase public understanding of the court system.

As we continue forward, we acknowledge that achieving our goals is only possible through work and leadership on every level, and participation from communities and citizens throughout Arizona. We will continue to call upon these people to take an active role in improving our justice system

Remember the Judicial Branch deals with cases that impact real people, your family and neighbors, every day – either through cases in which they may be involved or through jury service. Each case is important because the community depends on the court system to be swift, fair, and just. In a very real sense, our staff keeps the constitution alive every day by carefully processing the more than 2.5 million matters that come into our courts each year.

I look forward to the continued journey in improving the delivery of justice and working with our many partners, including the Arizona Judicial Council, the Executive and Legislative Branches of government, the State Bar of Arizona, and individual citizens of Arizona. Together, we will take our system of justice from very good to truly great.

Ruth V. McGregor  
Chief Justice

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## Providing Access to Swift, Fair Justice

*The most fundamental aspect of our judicial system is that it be swift and fair. All citizens coming before the courts are entitled to equal justice, regardless of race, ethnicity, gender, age or economic circumstance. Furthermore, courts must provide meaningful access to all, ensuring that no litigant is denied justice due to the lack of counsel or the inability to understand legal proceedings.*

### DUI CASE PROCESSING IMPROVEMENTS

To address the critical public safety issue posed by drunk drivers, Chief Justice Ruth V. McGregor announced, in January 2006, plans to improve DUI case processing based on recommendations from the DUI Case Processing Committee. The judicial branch responded to these recommendations by instituting three projects – a pilot court project, holding a “Judicial Training Academy,” and hosting a DUI Summit.

The eleven courts participating in the DUI case processing pilot project, including Phoenix Municipal Court, all Navajo County Justice Courts, and the Pima Consolidated Justice Courts, work to reduce the time of the DUI offense through the imposition of sanctions, thus enhancing public safety. The goal of this project is to complete 90 percent of DUI cases within 120 days and 98 percent within 180 days. Each pilot court worked with local government officials, law enforcement, prosecutors, and defense attorneys to find ways to improve DUI case processing. Meetings were held to ensure all the pilot courts implemented the same procedures to experiment with improving DUI case processing. As a result, several courts are already meeting their goals. For instance, one pilot court developed an early disposition court with the help of the city prosecutor’s office and public defenders. A main element of the pilot project includes having prosecutors and defense attorneys appear at the arraignment. The result has been an increase in the numbers of pleas being accepted at arraignment and a decrease in the number of cases that proceed to pre-trial and trial. The pilot program began July 1, 2006 and lasts for one year. At that time the Supreme Court will look at implementing

the successful recommendations statewide.

Pursuant to the recommendations of the DUI Case Processing Task Force, a team of state leaders and judicial officers developed a unique “Judicial Training Academy” for 48 judges who represent nine counties from 18 Justice Courts and 11 Municipal Courts. The team wrote curriculum for 10 sessions taught by 13 different faculty members. In addition, they designed 17 mock hearing scenarios for judges to practice handling the most complex matters. One judge stated his appreciation for the training and said that there were, “So many great ideas for moving my cases and techniques to use with attorneys; good information on forensic toxicology; mock hearings (were) especially good.”

The National Judicial College (NJC) co-sponsored the Judicial Training Academy. The Governor’s Office for Highway Safety coordinated with Arizona Supreme Court to hold their annual Conference for Judges in Tucson immediately following the Judicial Training Academy, creating a special opportunity to maximize judicial participation and both educational curriculums.

On December 4, 2006 approximately 150 representatives from all three branches of government and additional agencies involved in and impacted by the DUI process assembled for the 2006 Arizona DUI Summit. Information presented to participants included:

- Arizona’s DUI laws history;

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*Article continued on next page*

- Arizona’s current sentencing laws and policies;
- an overview of what sanctions do and do not work nationally; and
- improving recidivism rates using evidence-based sentencing practices

Participants also assembled into small discussion groups, discussed the information they received and came up with recommendations that could improve Arizona’s recidivism rate as well as reduce the number of alcohol-related fatalities.

## E-COURT INITIATIVE UPDATE

Electronic filing initiatives, part of the judiciary’s strategic agenda, support the Court’s efforts to take advantage of technology to manage court cases efficiently.

The goals of early electronic filing projects are:

- Increase ease of access to justice;
- Reduce cost;
- Improve public service;
- Study, coordinate, and plan the transfer of case records electronically between courts; and
- Promote pilots and models in different courts.

The e-Court Subcommittee of the Commission on Technology and its subteams are working toward a unified, statewide system of e-filing in the following general areas:

- Court to court filing, leveraging the electronic appeal process;
- Leveraging justice community information using a clearinghouse for case-related data; and
- Form-based attorney/public e-filing using standardized, interactive, statewide forms as the foundation.

### *Court to Court Electronic Filing*

A statewide court-to-court electronic filing pilot initiative is underway, beginning with the Superior Court in Yavapai County and Division One of the Court of Appeals, and followed by the Arizona Supreme Court. The project’s goal is to securely electronically transfer

the record on appeal, including the index of record, from the trial court to the appellate court, and then from one appellate court to the next appellate court.

More specifically, the pilot project automates production of the record on appeal from electronic court documents housed in Yavapai County’s OnBase electronic document management system (EDMS), transfers them to Division One’s OnBase EDMS and case management system, Appellation. And then to the Supreme Court which also uses these programs.

The project is being completed in multiple phases leading to electronic transfer of the record on appeal being available for all courts filing either the Court of Appeals Division One or the Arizona Supreme Court. Phase One of this project established technical feasibility. Phase Two, which is underway with the pilot implementation in Yavapai County, will more fully test the software, establish business practices and procedures, and permit judges, deputy clerks, and staff attorneys to handle a series of appeals in order to make sure the program meets the courts needs.

## SUPREME COURT RULES WEBSITE

The Administrative Office of the Courts developed a court rules forum Website that permits easy public access to Supreme Court rule change petitions and comments, including the ability to electronically file petitions and comments. The Commission on Technology approved the site as an e-filing pilot project. The site has expanded access to the public to the rule making and rule changing process, saving time and money for both filers and the Court.

Rules 28 and 124 of the Supreme Court, Rule 83 Rules of Civil Procedure, and Rule 36 Rules of Criminal Procedure were revised to enable the existence of an electronic process in addition to the traditional paper method.

Since the Website went live on May 3, 2006, there have been thousands of rule and comment views, numerous electronic filings of comments, and several new petitions for rule change filed electronically.

## NEW DOMESTIC VIOLENCE RULES

The Supreme Court established the Domestic Violence Rules Committee on November 17, 2005 as an advisory committee to the Arizona Judicial Council, to:

- Research other statewide domestic violence rules;
- Study the issues relevant to domestic violence procedural matters in Arizona; and
- Consider alternatives to Rule 96, Domestic Violence Benchbooks, in the *Arizona Rules of Family Law Procedure*, which may include statewide domestic violence rules.

The Committee researched national and statewide domestic violence issues, and court procedures and sought input from judges, judicial staff, clerks, law enforcement and the public. The Committee drafted a separate set of rules titled *Arizona Rules of Protective Order Procedure (ARPOP)*. This draft includes procedural rules for Orders of Protection, Injunctions Against Harassment, and Injunctions Against Workplace Harassment. The Committee filed a petition with the Supreme Court for adoption of *ARPOP* on October 31, 2006 and may receive comments until May 21, 2007. To provide comments electronically please visit [www.supreme.state.az.us/cidvc/DVRules/comment.asp](http://www.supreme.state.az.us/cidvc/DVRules/comment.asp).

Additional information about the DV Rules Committee can be found at <http://supreme.state.az.us/cidvc/DVRules/default.htm>.

## CREATION OF VICTIMS' COMMISSION

Constitutional and statutory provisions for victims' rights have existed in Arizona for more than 10 years. As a result of feedback from the community, Chief Justice Ruth V. McGregor established the Commission on Victims in the Courts (COVIC) to better help understand the needs and rights of crime victims, while maintaining court neutrality.

Chief Justice McGregor officially signed Administrative Order 2006-25 at the Commission's inaugural meeting on March 10, 2006. Maricopa County Superior

Court Judge Ron Reinstein serves as COVIC chair and is leading the diverse membership of 24 well-respected professionals representing the legal and court communities, victim rights advocacy organizations and the public.

The Commission is charged with developing policy recommendations to improve the overall administration of justice, ensuring victims' constitutional and statutory rights are upheld, identifying victim-related training and education for judges and court staff, and improving restitution collection and disbursement.

As a standing commission to the Arizona Judicial Council, COVIC met three times in 2006 and began strategic planning efforts. They created three initial workgroups: Education, Restitution and Administration of Justice. These workgroups began gathering information on issues such as identifying potential speakers for educational conferences, evaluating current bench books and procedures to ensure victim rights issues are addressed and possibly enhancing the Commission's Website with more restitution information.

## LEGAL INFORMATION TASK FORCE

In an environment where an increasing number of court users do not hire attorneys, and tend to ask court staff "legal questions," the Supreme Court created the Legal Advice-Legal Information Guidelines Task Force in May 2006. The task force goal is to develop standards adopting useful distinctions between legal information and legal advice for guidance to court staff, and to determine the best way to implement the proposed guidelines in Arizona's courts that will promote consistent quality service.

The Task Force has developed a manual with guidelines for court personnel, a question and response handbook, a glossary of common terms, and training materials to provide assistance to court personnel when they interact with court users. The Task Force will present their final report and recommendations to the Arizona Judicial Council in March 2007; and a broadcast to all Arizona courts is scheduled for March 27, 2007.



## Protecting Children, Families, and Communities

*While continuing to provide a fair and impartial forum to resolve disputes, ensure those who violate laws are held accountable, and serve to limit the arbitrary use of government power to deprive citizens of their rights; Arizona courts are working to ensuring that those in need of protection due to age or infirmity are protected from physical or financial harm.*

### ARIZONA'S ADULT PROBATION AUTOMATION SOLUTION

What began in preparation for Y2K, is now fully functioning in each adult probation department (APD) in all of Arizona's 15 counties. The Adult Probation Enterprise Tracking System (APETS) began as a joint effort between Maricopa and Pima counties, and the Administrative Office of the Courts (AOC). Maricopa County Adult Probation started using APETS in March 1999 as the first pilot system. Rollout to Arizona's other counties began in September 2003 and concluded December 2006.

More than 2,100 department employees actively use the APETS system. The system contains more than 191,500 probationer records and 6.35 million probationer contact note records, and hosts more than 200 screens that are restricted through numerous layers of security.

As a single database shared by all fifteen APD's, APETS allows for:

- internal and external integration;
- full adult probation tracking system for departments to share data;
- transfer of probationer records electronically from county to county; and
- update of probationer records as they move through the system and/or come back into the system.

This critical functionality allows the APD's to better track information on probationers, and it provides a mechanism for vital information to be shared between departments to help keep probation staff and our

communities more safe.

The APETS teams spent countless hours to ensure that the system implementation was a success, while continuing to provide maintenance and development support to the counties that already use APETS. The teams also worked closely with each local APD's team members to re-engineer their business processes.

### DEPENDENCY CASEFLOW MANAGEMENT

In 2006, the federal government passed a law providing new funding for state courts to improve their ability to measure their performance in overseeing cases and the status of dependent children. This funding also requires state courts to collaborate with state child welfare agencies to help the children in their joint care.

Since 1999, Arizona courts have reduced the amount of time a child spends in foster care by half, yet there are more cases brought before the Court than ever. Courts are exploring new ways to manage their mounting case load.

With the support of the Administrative Office of the Courts, each Arizona county recently began using "Dependency Caseflow Management," a process designed to increase efficiency and effectiveness, and improve outcomes for children in foster care. County teams consisting of the Presiding Juvenile Court Judge, attorneys representing children and parents, Child Protective Services, behavioral health representatives, and other key staff meet to identify key areas of concern and jointly develop realistic solutions.

## ATTORNEY GENERAL'S DISTINGUISHED SERVICE AWARD

In April 2006, during Victim's Rights Week, the Office of the Attorney General honored Arizona CASA volunteers with the Distinguished Service Award in the Advocacy/Direct Service category. There are 850 Court Appointed Special Advocates throughout the state who serve children who are removed from their homes due to abuse or neglect. In calendar year 2005, CASAs donated 65,923 hours forming relationships with their CASA children, attended CPS meetings, wrote court reports and attended court hearings to advocate for the best interests of their children and to ensure that a safe permanent home is a reality.

## CASA TRAINING REORGANIZATION

The Arizona Court Appointed Special Advocate (CASA) Program reorganized its orientation training to better serve the needs of its volunteers. These citizens, also known as CASAs, advocate in the best interests of abused and neglected children who are involved in the juvenile court system.

Orientation training, a two-day, 15 hour training, is part of a CASA's required 30 hours of initial training before they can be assigned a case. Before the reorganization, the training was offered every two months at the Arizona State Courts building in Phoenix.

With the help of a committee comprised of CASA Coordinators from both rural and urban counties, the State CASA office implemented a monthly training program that alternates between the State Courts building in Phoenix, and the Juvenile Court facility in Tucson. The class sizes have been reduced from 45-60 people to 20-30 people. This allows for a more intimate and discussion-oriented experience for trainees. Travel costs are also reduced for the Southern Arizona programs, especially Pima County.

The educational content was also reviewed and reorganized. The program implemented a more structured training agenda which now highlights unique themes for each day of training. The theme for day

one "Understanding Systems" includes presentations on Child Protective Services, Dependency Court, Confidentiality, and Court Reports. "Understanding Families" is the theme for day two, and includes presentations on substance abuse, psychological trauma of children, and attachment and bonding. This provides a more logical flow of new information that trainees must absorb.

The State CASA Program is also reviewing the training provided by the local counties to their CASA volunteers to assure consistent delivery of required training topics.

## SIBLING DAY

The Arizona Friends of Foster Children Foundation (AFFCF), along with the Foster Care Review Board (FCRB), the Court Appointed Special Advocate (CASA) program, and Child Protective Services (CPS) hosted the 4<sup>th</sup> Annual Maricopa County Sibling Reunion Day event on Saturday, October 14, 2006 in Phoenix. The event provided an opportunity for nearly 70 children from across the Valley to come together to visit with their brothers and sisters for a day of fun, games, and food.

The FCRB and CASA programs worked with CPS to identify sibling groups who were placed in separate foster care facilities and therefore have limited chances to spend time together. Twenty-nine family groups were represented at the event. After identifying eligible sibling groups, FCRB, CASA and CPS coordinated transportation for the children. If not for the coordination of transportation, many of the children would not have been able to take part in this special day.

FCRB and CASA also contacted their program volunteers, staff members and AOC staff to arrange for volunteers. Sixty-six volunteers came together to make this day special for all of the children involved. Each child left with a goody bag and a portrait of their family. Each family was given a disposable camera to take photos of the days events, and a set of prints were put in a photo album and mailed to each child. These items will be a reminder of the cherished memories the families were able to share.

## INTEGRATED FAMILY COURT PILOT PROGRAM

Family law cases constitute the largest category of filings for the Superior Court of Arizona. Accordingly, improving the timeliness and effectiveness of the resolution of family issues in the court system is a priority.

Numerous studies conducted at the national and state levels recommend the establishment of a Family Court system to deal with problems of the family in an integrated manner. In 2002, recognizing that families in litigation have special needs and that the current system for dealing with family issues could be improved, the Domestic Relations Committee (DRC), a legislative committee staffed by the Administrative Office of the Courts, prepared a statewide plan for an Integrated Family Court (IFC).

Arizona State Senator Karen Johnson, co-chair of DRC, introduced SB 1267 to the Second Regular Session of the 47<sup>th</sup> Legislature to establish a two-year IFC Pilot Program. The bill, signed by Governor Janet Napolitano, provided for an appropriation of \$850,000 to the Supreme Court for the pilot program. On September 6, 2006 Chief Justice Ruth V. McGregor signed Administrative Order No. 2006-68, selecting the Superior Court in Coconino County to conduct the IFC pilot.

Coconino's plan includes three key elements:

- **Access to Services:** The IFC will increase the Court's ability to provide essential services to families involved in the judicial system. Services proposed include: supervised visitation and exchange, counseling and anger management training, mental health evaluations, substance abuse evaluations, and assistance with document preparation.

- **Mediation, not Litigation:** Courts nationwide found that alternative dispute resolution (ADR) methods, such as mediation, are more effective and efficient than traditional adversarial approaches. Accordingly, the pilot incorporates the use of ADR to the greatest extent possible, and even require families to do so in some instances.

- **One Family/One Judge:** When feasible, one judge hears all cases involving a family to ensure a comprehensive and coordinated approach to each case. This allows the judge to respond to the family's needs and assign those services that best meet their needs.

The pilot is targeted to begin January 2007 and will

serve as a model statewide. An independent evaluation will be conducted after the pilot is completed to track the success of the court.

## IMPROVING JUVENILE JUSTICE PROGRAMS

The Administrative Office of the Courts (AOC) has partnered with the Vanderbilt University Center for Evaluation and Research Methodology to implement a Standardized Program Evaluation Protocol (SPEP) to systematically evaluate and improve the effectiveness of juvenile treatment programs in reducing recidivism. Using JOLTS data and program descriptions, treatment providers will receive scores based on how closely their program characteristics match those associated with best practices, based on national evaluation research. These SPEP scores will provide a baseline for measuring current program effectiveness and will provide a roadmap showing how programs can be modified to increase their scores and improve outcomes. Additionally, JOLTS data will also be used to determine recidivism rates prior to SPEP implementation and subsequent to the programming improvements.

This collaboration has resulted in a:

- briefing of juvenile court judges, juvenile court directors, treatment providers, and other key stakeholders;
- number of comprehensive SPEP information sessions, conducted by the Vanderbilt University Center, and held in Maricopa and Pima counties; and the development and operation of a SPEP Website [www.supreme.state.az.us/jjsd/spep](http://www.supreme.state.az.us/jjsd/spep).

## JOLTS AZ DETENTION VISITATION ROLLOUT

The Administrative Office of the Courts (AOC), Pima County, and Arizona's less populated counties, are in the process of reengineering and modernizing the State's Juvenile Online Tracking System (JOLTS). This modernization project is named "JOLTSaz." The first module in this project involves the automation of the visitation process in juvenile detention centers across the State. This involves allowing staff to electronically schedule, view, update, and edit visitation records. Currently, the visitation module has been successfully implemented in Santa Cruz, Yuma, Coconino, Cochise and Mohave counties. Implementation in the remaining counties is scheduled for completion by Spring 2007.

## PROJECT PASSPORT & ARIZONA'S NEW PROTECTIVE ORDER FORMS

During the past year, Arizona's Project Passport Team has collaborated with many states to enhance the safety of victims and law enforcement officers by improving the recognition and enforcement of orders of protection within and among states and tribes. The team, chaired by the Honorable William O'Neil, judge in the Superior Court of Arizona in Pinal County, has earned many accolades and recognition from the National Center for State Courts for their effort in developing and implementing new protective order forms in compliance with Project Passport's goals.

The final NCSC Project Passport Regional Conference, March 20-23, 2007 in Boston, Mass., will include the last few states and tribal nations to join in the national Project Passport initiative. Administrative Office of the Courts staff will serve as faculty for the final regional conference.

The Arizona Judicial Council (AJC) approved new protective order forms in June 2006 and the forms were adopted via Administrative Directive No. 2006-01. The forms keep in focus the precepts that launched Project Passport. The technological implementation of the new forms began January 1, 2007; with all courts mandated to use the new forms by December 31, 2007.

## EXPANSION OF ARIZONA'S DRUG COURTS

Nationwide, the results of more than 100 program evaluations have yielded definitive evidence that drug courts increase treatment retention, reduce substance abuse and prevent crime. Building on this success, Chief Justice Ruth V. McGregor announced funding awards to six adult probation departments and nine juvenile probation departments to support the continuation, improvement, initiation or expansion of drug courts in Arizona. The funds awarded included a special \$1 million drug court appropriation from the Legislature supplemented with \$454,310 provided by the Administrative Office of the Courts. These departments receiving funds went through a detailed and rigorous application process to ensure that they incorporate best practices, based on national guidelines. The programs will be evaluated for their effectiveness and adherence to best practices.

## SENIOR INITIATIVES

A number of projects furthered the goals of the Arizona Court's Strategic Agenda to protect elderly and vulnerable persons:

**Law for Seniors:** In collaboration with the Arizona Foundation for Legal Services and Education, the Supreme Court developed and distributed 100,000 "Law for Seniors" newspaper style brochures to Arizona citizens. This free brochure addresses legal concerns faced by Arizona seniors and those who care for them and helps seniors and their families protect and prepare themselves legally, physically, and financially for the challenges posed by aging. The brochure is available to citizens at all state courts, Walgreens' drugstores and senior centers. The Court also created a website, [www.lawforseniors.org](http://www.lawforseniors.org), which contains much of the same information as the brochure, and is helpful to out of state people who care for Arizona seniors. In addition to the information provided in the brochure, the website allows individuals to post questions which are then answered by volunteer attorneys.

**Elder Law Hotline:** The Supreme Court provided ongoing funding for this free hotline, where those over the age of sixty can speak with an attorney and ask legal questions. The number is 1-800-231-5441.

**Probate Rules Committee:** Vice Chief Justice Rebecca White Berch chairs this newly created committee, charged with reviewing current statewide and local rules of procedure in the probate area and recommending changes to standardize and simplify probate procedures throughout Arizona. The Committee will submit its proposed changes in the Fall of 2007.

**Licensing of Fiduciaries:** The Administrative Office of the Courts licenses and conducts compliance audits of court appointed fiduciaries who manage the financial and personal matters of those who are unable to do so themselves. The licensing and auditing of fiduciaries helps assure that fiduciaries are qualified and competent and comply with law and court rules, and enhances public financial safety.

**Training:** Superior Court judges, clerks of court and court administrators participated in a training session on tools and procedures to provide for effective oversight of court appointed fiduciaries.



## Being Accountable

*In order to foster public trust and confidence, the judiciary must be accountable to the public and other stakeholders. The judiciary has an obligation to develop a clear strategic agenda; keep the public informed of court operations, programs and initiatives; and ensure that all levels of staff are competent, professional and customer service oriented.*

### NEW RETIREMENT PLAN FOR PROBATION OFFICERS

In 2006, the Arizona Legislature passed legislation which allows state probation, surveillance, and juvenile detention officers, to join the Correctional Officer Retirement Plan (CORP). Until this legislation passed, probation and detention personnel were required to participate in the Arizona State Retirement System (ASRS), the general retirement system for state employees. CORP provides additional benefits that will assist in recruiting and retention of qualified personnel.

Enhanced CORP benefits include:

- early retirement;
- pension benefits of 50 to 80 percent of the average monthly salary;
- two types of disability retirements with no service credit requirement;
- survivor benefits with no reduction of the members' pension; and
- benefits payable to an eligible surviving child.

The Administrative Office of the Courts is currently working towards implementing the CORP program. Implementation will make it possible for approximately 2,800 eligible probation, surveillance and juvenile detention officers to join CORP and begin receiving benefits.

### FIRST COURT MANAGEMENT PROGRAM GRADUATES

In May 2006, thirty-one court employees from throughout Arizona graduated from the Court Management Program of the Institute for Court

Management, the educational arm of the National Center for State Courts. The program was a joint program with the Arizona Supreme Court. The graduates represented the first graduating class from Arizona. To date, only seventeen graduating classes exist nationally.

The Court Management Program, the only program of its kind in the United States, is a two-phase program established for mid-level court managers. The program complements the training needs of courts implementing the National Association for Court Management's core competencies. Arizona is only one of eight states to offer the Court Management Program in-house.

Prior to graduating, course members completed five courses in financial management, human resource management, caseload management, managing information technology, and court performance standards. Most of the graduates attended all their prerequisite programs in Phoenix through a partnership between the Administrative Office of the Courts and the National Center for State Courts.

Graduates attended a weeklong concluding seminar and engaged in leadership activities. They met with legislators, refined their communication skills and strengthened their management knowledge, skills and abilities. Adult learning, empowerment and teambuilding were the reoccurring themes throughout the week. At the end of the week, graduates were congratulated by Chief Justice Ruth V. McGregor; Mike Baumstark, Administrative Office of the Courts Deputy Director; and Marna Murray, Education Services Division Director.



# Improving Communication and Cooperation with the Community, other Branches of Government, and within the Judicial Branch

*Effective and meaningful communication within the judiciary and with the Executive and Legislative branches of government is vital to serving the public efficiently and effectively, and improving business relations. It promotes better-informed policy making, improved collegiality, intra-branch cooperation and participation in the administration of justice. Judicial outreach to the community is also critical so the public can develop a greater understanding of the important role the judiciary plays in democracy.*

## COURT LEADERSHIP INSTITUTE OF ARIZONA

With the signing of Administrative Order 2006-69, Chief Justice Ruth V. McGregor formally established the Court Leadership Institute of Arizona (CLIA) and appointed the inaugural committee members. She named Honorable Louraine Arkfeld, Presiding Judge for Tempe Municipal Court, and Kent Batty, Court Administrator for the Superior Court in Pima County, as Committee Chair and Co-Chair respectively.

The Court Leadership Institute of Arizona (CLIA) accomplished several major goals in 2006. CLIA staff reviewed and assessed the variety of court leadership development programs available to Arizona's court personnel. These efforts included discussions with the Advanced Public Executive Program (APEP) at ASU, the development of a leadership-focused session at the 2006 Judicial Conference in Tucson (taught by APEP staff), and discussions related to the continued use of on-site Institute for Court Management courses.

In December, CLIA sponsored the second annual Arizona Court Leadership Conference in Sedona, attended by more than 130 court leaders, bringing together the breadth of the state's court leadership in a single location. Mark Carey, a nationally-recognized expert in justice and correctional issues, delivered the keynote address on evidence-based sentencing practices. Other conference sessions included a panel discussion with members of city and county leadership, evidence-based supervision, pandemic and emergency planning, updates on court automation projects, criminal case processing performance measures and standards, and jury management. The

conference also featured critically-important county meetings, allowing an opportunity for each county's court leadership to discuss important issues.

## NEW JURY VIDEO

To better inform the public and further the Arizona Supreme Court's strategic goal of improving communication and cooperation with the community, and about the importance of jury service, the Court produced a new jury service video. A committee comprised Kathrine M Brauer, Jury Commissioner, Pima County; Bob James, Director of Jury Management, Maricopa County; Sheri Newman, Clerk and Jury Commissioner, La Paz County Superior Court; and AOC staff worked on the project with videographers to produce a new jury orientation video.

The jury commissioners served as subject matter experts, working closely with the video scriptwriters to produce narration and visuals that assure accuracy for all jury trial courts in the state. Chief Justice Ruth V. McGregor provides the introduction and closing remarks on the video, stressing the importance of jury service and expressing the Court's appreciation for jurors' time and efforts.

The video offers an overview of juror expectations and requirements and includes "juror on the street" interviews, in which actual jurors talk about their jury service experiences.

The Administrative Office of the Courts distributed the jury orientation video in June 2006 to all courts statewide that conduct jury trials.

### JUDGES TRAINING SUMMIT

In an effort to ensure that judges serving on the juvenile bench receive training that builds on their knowledge and expertise in managing dependency cases, the Dependent Children Services Division conducted a Judges Dependency Training Summit in November 2006. The Summit evaluated the current process for training new Dependency Judges and identified ways to improve the curriculum.

State and national experts participated in the Summit. Participants included Arizona stakeholders representing judges, attorneys, the Arizona Department of Economic Security and the Arizona Department of Health Services. National organizations represented at the meeting included the National Center for State Courts, the American Bar Association's Center on Children and the Law, the National Council of Juvenile and Family Court Judges, and Fostering Court Improvement. Participants shared their ideas, expertise, and knowledge of best practices in an effort to improve the way that judges in Arizona receive training on dependency matters.

The Summit resulted in 76 recommendations that will help judges who work in Arizona's dependency system be well informed of not only case specifics, but in the latest trends and the different agencies dependent children rely for their protection and growth. The recommendations will be reviewed, and then incorporated in new training curriculum, and the dependency judges track at the annual judicial conference.

## IMPROVING COMMUNICATION, CONT.

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### ORAL ARGUMENTS ON THE ROAD

Continuing their tradition of bringing the Court to different communities, the Supreme Court traveled to Southern Arizona and Northeastern Arizona to conduct oral arguments.

In April 2006, the Court traveled to Sierra Vista and held oral arguments in front of the largest audience in Supreme Court history. More than thirteen hundred

community members and middle and high school students from around Cochise County listened while the Court heard arguments in two cases.

The Court visited the communities of Snowflake and Chinle in October 2006. The justices held a Town Hall at Snowflake High School for students from throughout Navajo County. They discussed the Arizona Court System and gave the students an opportunity to ask questions. The Court then traveled to Chinle and conducted oral arguments; the first time they've held their proceedings on the Navajo Nation. Community members and students from throughout the Navajo Nation and Apache County witnessed the historic occasion.

The Court also continued their practice of holding oral arguments at the James E. Rogers College of Law at the University of Arizona, and at the Sandra Day O'Connor College of Law at Arizona State University.

An informal question and answer session immediately followed oral arguments in each community.

### ORAL ARGUMENTS STREAMING LIVE ON THE WEB

In June 2006, the Supreme Court unveiled live video Web cast capabilities for all oral arguments, making it more convenient for the public to view their proceedings.

Visit [www.supreme.state.az.us/courtvideo](http://www.supreme.state.az.us/courtvideo) to watch all oral arguments.

An Web archive to watch and listen to these taped proceedings and other court videos will be completed in 2007.



## Serving the Public by Improving the Legal Profession

*The Supreme Court regulates the practice of law and along with the rest of the judiciary, plays a crucial role of protecting individual rights and liberties in a free society. The court must determine how the legal profession can best serve the public through examining existing rules governing the practice of law, attorney admission and disciplinary systems, and legal practices and procedures that encourage unnecessarily adversarial proceedings in and our of the courtroom.*

### ATTORNEY DISCLOSURE OF INSURANCE

**B**eginning on January 1, 2007, the Arizona Supreme Court requires that all attorneys disclose whether or not they carry malpractice insurance. This change, made official by Arizona Supreme Court Rule 32C, helps consumers of legal services make informed choices about whom they retain.

### ATTORNEY DISCIPLINE INFORMATION ONLINE

**P**ursuant to a change in Supreme Court rules, the public can now find out an attorney's discipline and status information online at [www.azbar.org](http://www.azbar.org).



## CASELOAD AND REVENUE HIGHLIGHTS

- Arizona Courts had 2,551,574 case filings in FY 2006.
- On average, 1,286 cases were filed in Arizona Courts every working hour.
- Statewide case filings increased by 13,900 or 0.5%, while Justice Courts filings increased by 3.3% or 28,600.
- Superior Court case filings in Maricopa and rural counties increased by 1.6% and 4.4%, respectively.
- Justice Court case filings increased by 3.3% in FY 2006, rural Justice Court case filings increased by 10.5%, and Maricopa and Pima counties case filings decreased by 0.4% and 0.5% respectively. Rural Courts civil traffic filings increased by 15.3% or 23,300.
- In FY 2006, Municipal Court case filings statewide decreased by 1.2%, while the rural Municipal Court filings increased by 4.4%, during the same period. Municipal Court filings in Maricopa and Pima counties case filings decreased by 1.7% and 3.5% respectively.
- 87,040 DUI cases were filed in Justice and Municipal Courts. This represents a decrease of 1,526 case filings from FY 2005. (Case filing in Justice and Municipal Courts are primarily counted by charges not defendants.)
- Civil traffic case filings account for 55.3% of all case filings in Justice and Municipal Courts. This case category increased by 9,100 case filings, or 0.7% from FY 2005 to FY 2006.
- Statewide revenue and expenditures trends in fiscal year 2006 are outpacing case filings trends. Case filings increased by 0.5%, while revenue increased by 13.7% and expenditures increased by 10.8%.
- Arizona courts have collected more than \$1.85 billion in additional revenue over the \$70 million benchmark established in FY 1988.

### FY 2006 Annual Clearance Rate by Court Level

Annual Clearance Rate	Court Level
99.5%	Arizona Supreme Court
110.7%	Court of Appeals, Division One
95.7%	Court of Appeals, Division Two
92.5%	Arizona Tax Court
95.4%	Superior Court
98.4%	Justice of the Peace Courts
105.8%	Municipal Courts

Annual Clearance Rate Definition: A percentage that reflects a comparison of outgoing cases to incoming cases. Outgoing cases include total terminations and transfer out cases. Incoming cases include original filings and transfer in cases. A clearance rate of 100% means a court has the exact same number of outgoing cases as incoming cases during this fiscal year.

# Judiciary Organizational Chart

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Supreme Court  
 5 Justices, 6-year terms  
 Chief Justice, Vice Chief Justice  
 3 Associate Justices

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Court of Appeals  
 22 Judges, 6-year terms

Division I, Phoenix  
 Chief Judge & 15 Associate Judges  
 Counties: Apache, Coconino, LaPaz, Maricopa,  
 Mohave, Navajo, Yavapai, Yuma

Division II, Tucson  
 Chief Judge & 5 Associate Judges  
 Counties: Cochise, Gila, Graham, Greenlee,  
 Pima, Pinal, Santa Cruz

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Superior Court  
 171 Judges, 4-year terms  
 Presiding Judge in each county

Apache	1	Greenlee	1	Pima	30
Cochise	5	LaPaz	1	Pinal	8
Coconino	4	Maricopa	94	Santa Cruz	2
Gila	2	Mohave	6	Yavapai	6
Graham	1	Navajo	4	Yuma	6

In addition to the judicial positions listed above, there are approximately 95 full-time and part-time judges pro tempore, commissioners and hearing officers in the Superior Court.

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Justice of the Peace Courts  
 85 Judges, 85 Precincts, 4-year terms

Apache	4	Mohave	5
Cochise	6	Navajo	6
Coconino	4	Pima	10
Gila	2	Pinal	8
Graham	2	Santa Cruz	2
Greenlee	2	Yavapai	5
LaPaz	3	Yuma	3
Maricopa	23		

Municipal Courts  
 142 Full- and Part-time Judges, varying terms

	Judges	Courts		Judges	Courts
Apache	3	3	Mohave	4	4
Cochise	6	4	Navajo	4	4
Coconino	6	4	Pima	17	5
Gila	6	6	Pinal	9	9
Graham	2	3	Santa Cruz	2	2
Greenlee	1	1	Yavapai	9	9
LaPaz	2	2	Yuma	4	4
Maricopa	67	23			

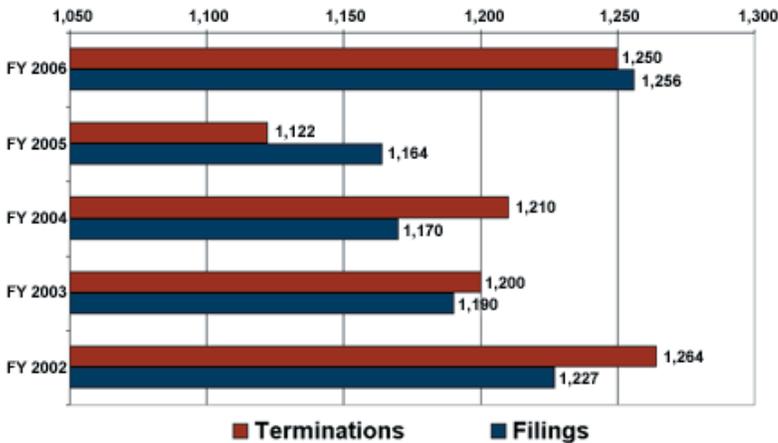
# FY 2006 Case Filings by Court Level

Appellate	
Court Level	Case Filings
Supreme Court	1,256
Court of Appeals	3,716
Division One	2,825
Division Two	891
Appellate Total	4,972

General Jurisdiction Superior Court	
County	Case Filings
Apache	1,081
Cochise	4,441
Coconino	3,895
Gila	1,976
Graham	1,429
Greenlee	296
La Paz	935
Maricopa	129,974
Mohave	6,319
Navajo	3,047
Pima	30,111
Pinal	8,646
Santa Cruz	2,329
Yavapai	7,970
Yuma	6,222
Tax Court	765
<b>Total</b>	<b>209,436</b>

Limited Jurisdiction Case Filings		
County	Justice	Municipal
Apache	10,771	1,598
Cochise	46,623	8,910
Coconino	28,489	25,370
Gila	15,402	7,589
Graham	5,688	3,330
Greenlee	1,810	526
La Paz	19,066	4,277
Maricopa	374,560	986,865
Mohave	44,723	31,164
Navajo	31,937	5,274
Pima	185,682	262,843
Pinal	43,779	27,306
Santa Cruz	9,430	16,898
Yavapai	41,340	45,001
Yuma	26,141	24,774
<b>Total</b>	<b>885,441</b>	<b>1,451,725</b>

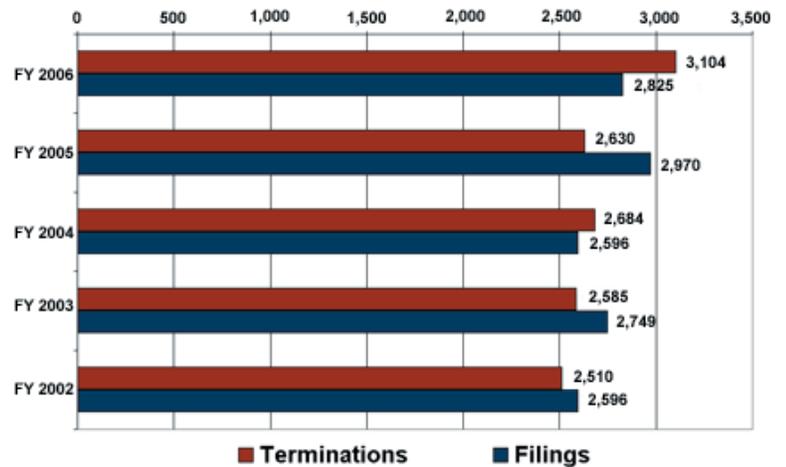
## Arizona Supreme Court



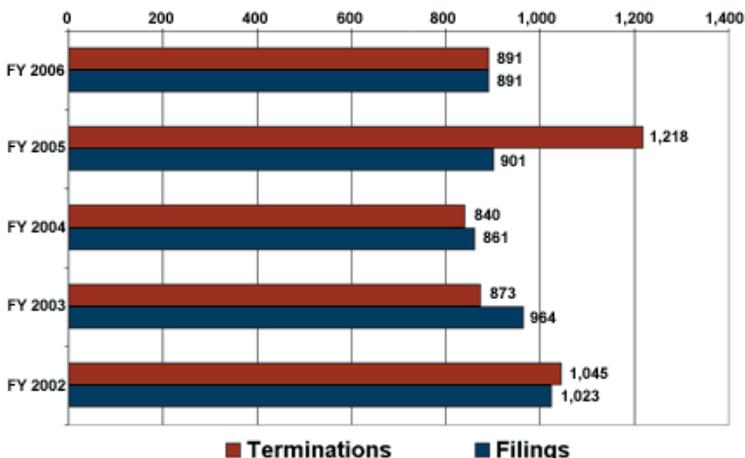
- Supreme Court FY 2006 case filings increased 7.9% from cases filed in FY 2005.
- Cases terminated by the court in FY 2006 increased 11.4% over case terminations in FY 2005.
- The difference between filings and terminations resulted in a pending caseload increase of 1.9%. There were 412 pending cases on July 1, 2005, compared to 420 pending cases on June 30, 2006.

## Court of Appeals, Division One

- Filings in FY 2006 represented a 4.9% decrease from FY 2005. However, excluding a one time spike in certain criminal cases filed in FY 2005 resulting from U.S. Supreme Court decisions, all other filings actually increased by 5.0% during FY 2006.
- Criminal filings increased 15.4%, from 551 in FY 2005 to 636 in FY 2006.
- Civil filings increased 10.2%, from 812 in FY 2005 to 895 in FY 2006.
- Juvenile filings increased 28.9%, from 201 in FY 2005 to 259 in FY 2006.
- Pending caseload was reduced by 6.9%, from 2,502 on July 1, 2005 to 2,329 on June 30, 2006.

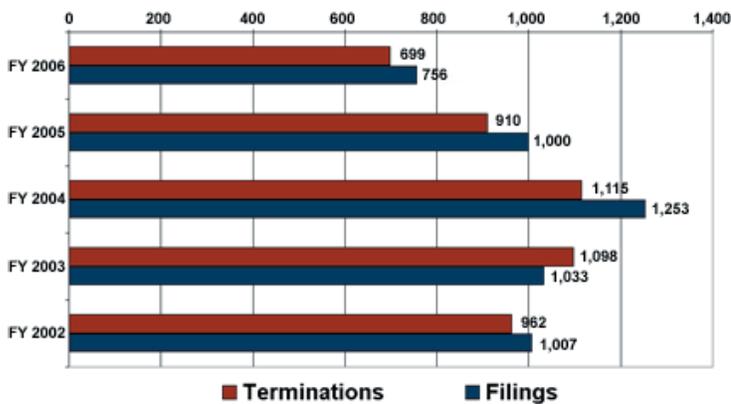


## Court of Appeals, Division Two



- Total filings in FY 2006 (not including Industrial Commission cases) decreased 1.1% from FY 2005. However, excluding a one time spike in certain criminal cases filed in FY 2005 resulting from U.S. Supreme Court decisions, all other filings actually increased by 0.7% during FY 2006.
- Civil filings increased 8.1%, from 173 in FY 2005 to 187 in FY 2006.
- Total cases pending increased by 5.6%, from 954 on July 1, 2004 to 1,007 on June 30, 2006.

## Arizona Tax Court



The Arizona Tax Court serves as the statewide venue for all civil actions involving a tax, impost or assessment.

- A total of 756 original cases were filed in the court during FY 2006 a decrease of 24.4% from the 1,000 cases filed in FY 2005.

- Of the FY 2006 cases filed, 436 were property tax actions, accounting for 57.7% of the total.

- A total of 699 cases were terminated, 275 or 39.3% by judgment.

- As of June 30, 2006, there were 774 cases pending in the tax court.

## Superior Court

- Total case filings in FY 2006 increased by 1.5% from FY 2005.

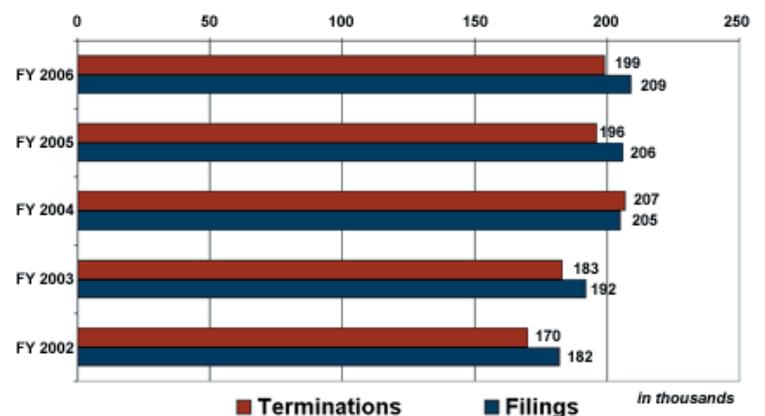
- Total case terminations kept pace with case filings as they increased by 1.4% during the same period.

- Civil case filings increased 0.7% from 52,885 in FY 2005 to 53,237 in FY 2006. In the same period, civil case terminations were down 2.6% from 50,285 to 48,961.

- Criminal case filings increased 6.4% from 56,359 in FY 2005 to 59,941 in FY 2006. Criminal case terminations increased 6.8% from 52,271 to 55,831.

- Domestic relations cases decreased 3.5% from 54,093 in FY 2005 to 52,197 in FY 2006, and domestic relations case terminations decreased 1.5% from 56,104 to 55,273. Domestic violence petition filings increased 5.5% in Superior Court from 8,363 to 8,826 in FY 2006.

- There were 218,346 total cases pending on July 1, 2005, compared with 218,033 cases pending on June 30, 2006, a decrease of 0.1%.

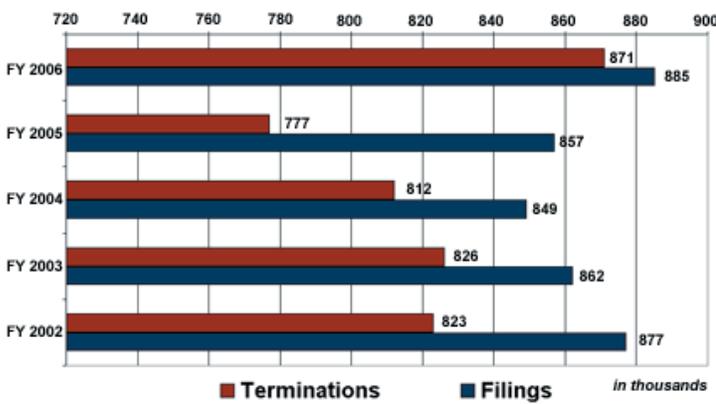


- Juveniles with direct filings to adult court increased 22.1%, from 402 in FY 2005 to 491 in FY 2006. Juvenile cases transferred to adult court decreased 25.3%, from 95 in FY 2005 to 71 in FY 2006. A total of 562 juvenile cases were either transferred or directly filed in adult court in FY 2006 compared to 497 in FY 2004, an increase of 13.1%

### Emancipation of a Minor

In FY 2006, 31 emancipation petitions were filed in Superior Court. During the same period, Superior Court granted 11 petitions, denied eight and three were withdrawn. The reasons for granting the petitions included written consent, minors living on their own and an unsafe environment.

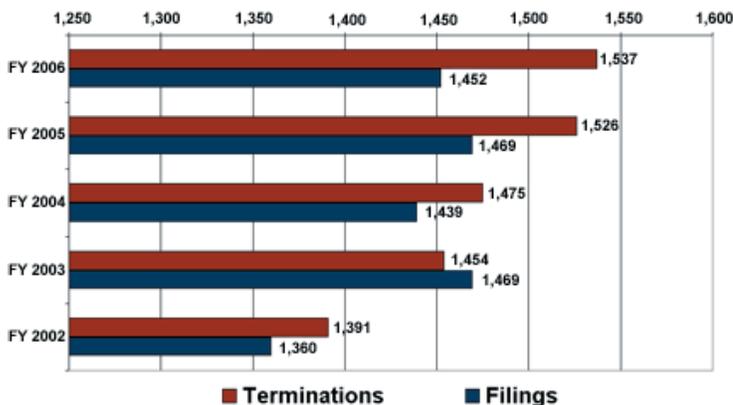
## Justice of the Peace Courts



- Total filings in FY 2006 increased 3.3% from FY 2005. Total case terminations increased 12.1%.
- Civil and criminal traffic filings, which comprise almost two-thirds of all justice court filings, increased 2.1%, from 525,815 in FY 2005 to 536,874 in FY 2006.
- Criminal (misdemeanor and felony) case filings increased 8.4% from 143,299 in FY 2005 to 155,306 in FY 2006. Criminal case terminations increased 19.4% from 135,737 in FY 2005 to 162,002 in FY 2006.

- Domestic violence petition filings increased 7.9% in justice courts, from 10,866 to 11,723. Petitions for Injunctions Against Harassment decreased 1.0% from 10,915 to 10,803.
- Total cases pending rose by 2.1% from 665,613 on July 1, 2005 to 651,889 on June 30, 2006.

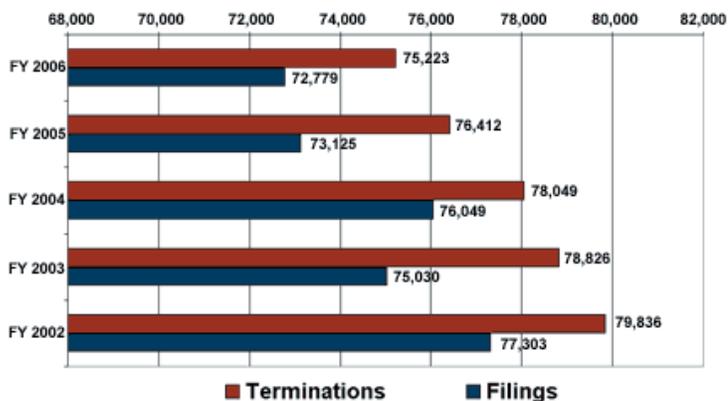
## Municipal Courts



- Case filings in FY 2006 decreased 1.2% from FY 2005. Total case terminations increased 0.7% in the same period.
- Civil and criminal traffic filings, which comprise about three-fourths of all municipal court cases, decreased 0.9%, from 1,057,934 in FY 2005 to 1,048,279 in FY 2006.

- Criminal misdemeanor case filings decreased 0.3% from 238,156 in FY 2005 to 237,418 in FY 2006. Criminal misdemeanor case terminations increased 14.0% from 254,730 in FY 2005 to 290,481 in FY 2006.
- Domestic violence petitions decreased 2.8% from 12,827 in FY 2005 to 12,465 in FY 2006. Petitions for Injunction Against Harassment decreased 4.8%, from 9,416 in FY 2005 to 8,960 in FY 2006.
- Total cases pending increased 6.5%, from 785,528 on July 1, 2005 to 836,833 on June 30, 2006.

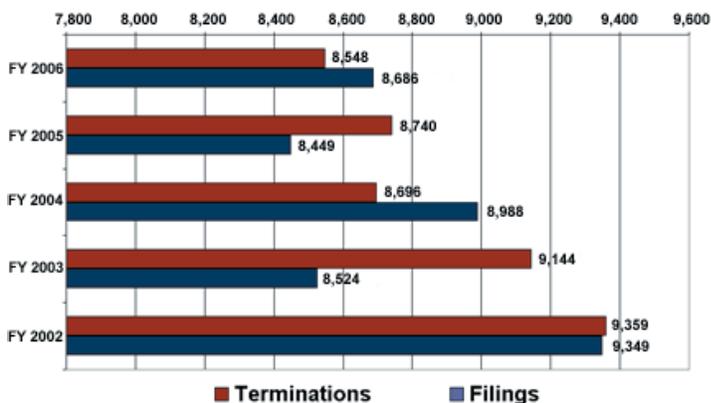
## Juvenile Court Referrals



- There were 72,779 referrals to juvenile court in FY 2006, a 0.5% decrease compared to 73,125 in the previous year.
- 75,223 referrals were terminated in FY 2006, a 1.6% decrease compared to the 76,412 referrals terminated in FY 2005.

## Juvenile Probation/Corrections

- The number of juveniles on probation at the end of FY 2006 increased 0.5% from 8,762 on July 1, 2005 to 8,806 on June 30, 2006.
- A total of 8,686 adjudicated juveniles were placed on probation in FY 2006, a 2.8% increase from the 8,449 youths placed on probation in FY 2005.
- 8,548 juveniles were released from probation, a decrease of 2.2% from the 8,740 terminated last year.
- 832 juveniles were committed to the Arizona Department of Juvenile Corrections during FY 2006, a decrease of 3.6% from the 863 committed last year.



## Adult Probation

- The number of individuals under the jurisdiction of Arizona adult probation departments at the end of FY 2006 increased 6.3% from 68,336 on July 1, 2005 to 72,661 on June 30, 2006.
- Of the 72,661 under the jurisdiction of adult probation, 67,134 were on standard probation, 4,120 on intensive probation, and 1,407 were interstate compact cases.

## Juvenile Court Petitions

- A total of 29,010 petitions were filed in FY 2006, a 3.6% decrease from the 30,082 petitions filed in FY 2005.
- A total of 27,992 petitions were terminated in FY 2006, a 2.9% decrease from the 28,821 terminated in FY 2005.



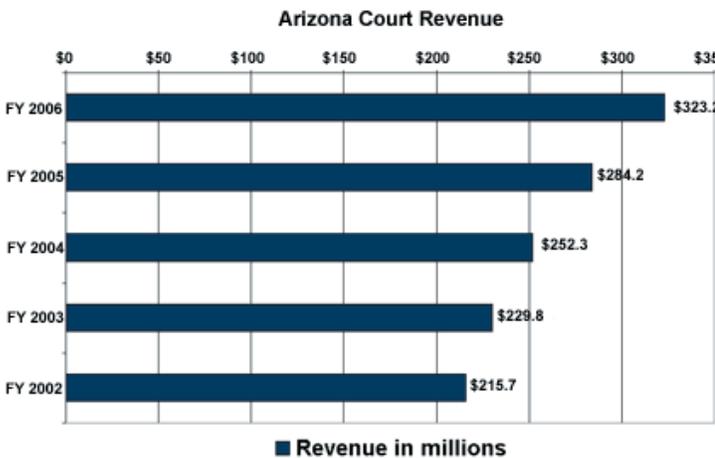
# Statewide Revenue and Expenditure Summary

## Revenue

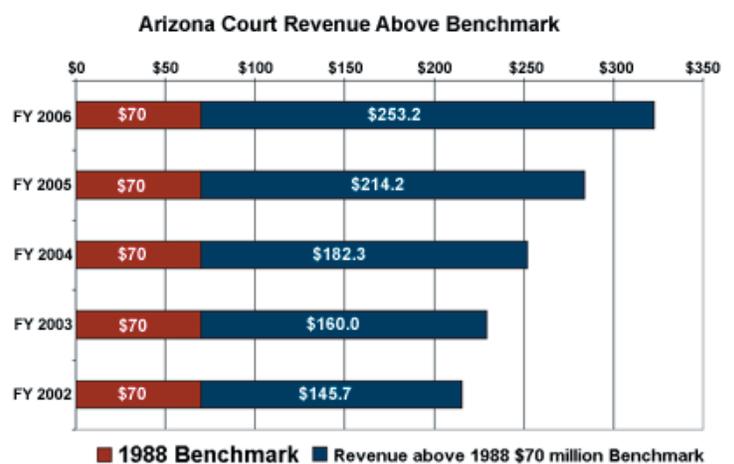
- Total statewide court revenue increased 13.7% from \$284.2 million in FY 2005 to \$323.2 million in FY 2006, reflecting the continuing efforts of the courts statewide to collect court-ordered fines, fees, and surcharges. *See Graph A.*
- Graph B represents the trend in increased court revenue above the \$70 million benchmark established in FY 1988. Since that time, courts have collected approximately \$1.85 billion in additional revenue.

- Of the total court system revenue, the state received 39.0%, counties received 32.6% and cities and towns 28.4%. *See Graph C.*
- 49.6% of total court revenue was generated by municipal courts, 25.1% by justice courts, 23.8% by Superior Court and 1.5% by appellate courts. *See Graph D.*
- Total restitution payments for victims collected by courts increased 13.7% from \$18.0 million in FY 2005 to \$20.5 million in FY 2006.

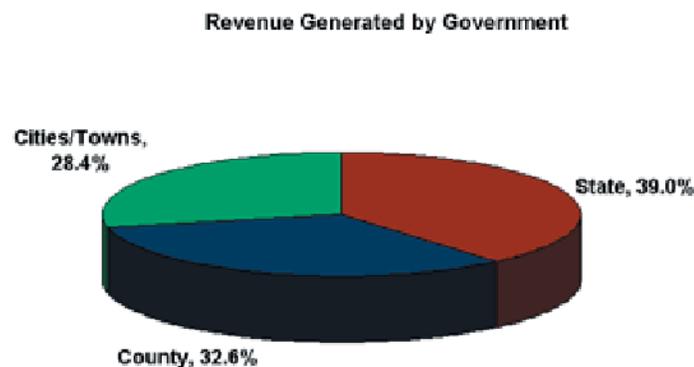
Graph A



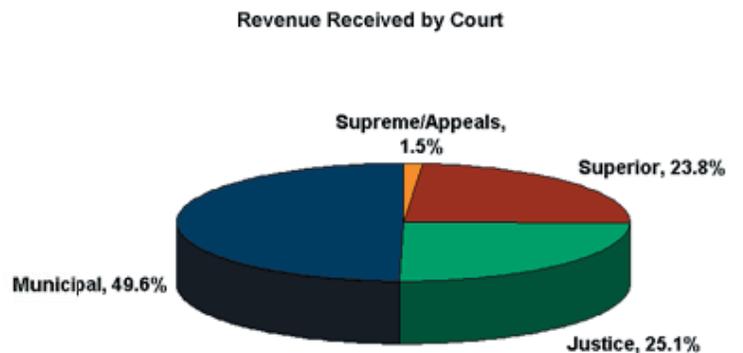
Graph B



Graph C



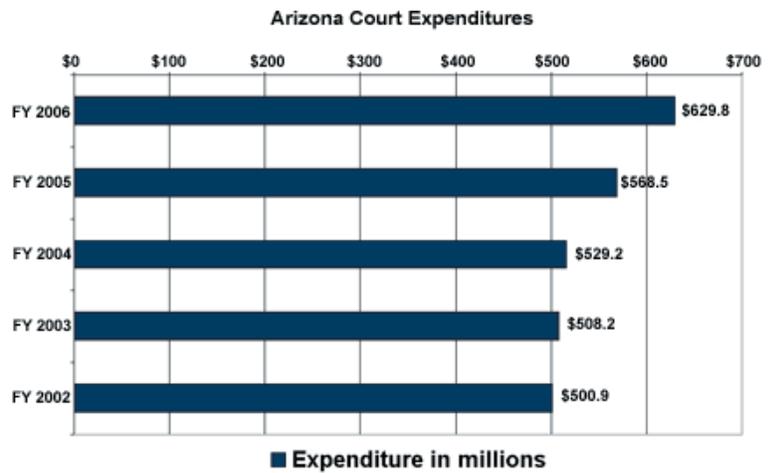
Graph D



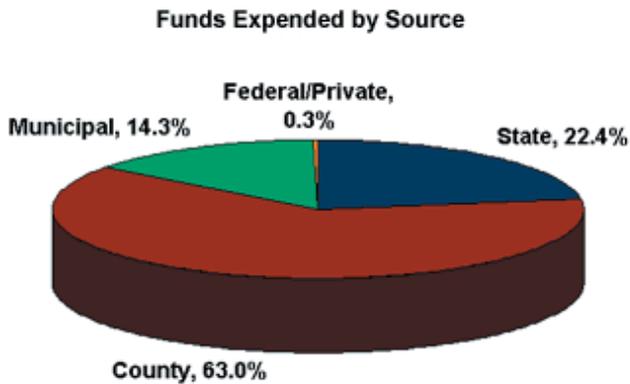
## Expenditures

- Total statewide court expenditures increased 10.8% from \$568.5 million in FY 2005 to \$629.8 million in FY 2006. *See Graph A.*
- 63.0 % of the total funds spent by the court system were from the counties, 22.4% from the state, 14.3% from cities and towns, and 0.3% from federal and private sources. *See Graph B.*
- 70.9 of total court expenditures were in Superior Court (including probation), 14.4% in municipal courts, 8.3% at the appellate level (including statewide administration) and 6.4% in the justice courts. *See Graph C.*

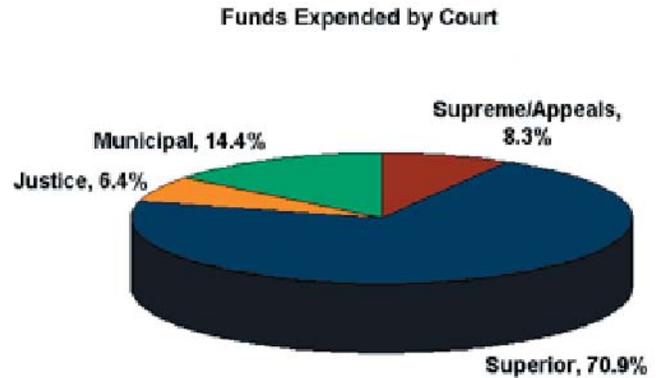
Graph A



Graph B



Graph C



The data contained in this report was compiled from the Supreme Court financial records, caseload reports from courts, and responses to the unaudited Supreme Court survey of expenditures and revenues for fiscal year 2006 (July 1, 2005 - June 30, 2006). All data received by the publication deadline is included, but some information is preliminary. Final counts will be published in the 2006 Arizona Courts Data Report in early 2007.

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