

ARIZONA JUDICIAL COUNCIL

Request for Council Action

**Date Action
Requested:**

June 20, 2016

**Type of Action
Requested:**

Formal Action/Request
 Information Only
 Other

Subject:

Appellate Case
Processing Standards

FROM:

Justice Ann A. Scott Timmer, Chairperson, Steering Committee on Arizona Appellate Case Processing Standards

DISCUSSION:

Whether to recommend approval of time standards to Supreme Court

RECOMMENDED COUNCIL ACTION:

Recommend standards

Appellate Case Processing Standards

National Model Courts of Last Resort

Same Standard for Both Civil and Criminal Case Types

Review by Permission

(Initial Filing to Discretionary Review Decision)

- 75% within 150 days
- 95% within 180 days

Review Granted

(Case Accepted to Disposition)

- 75% within 180 days
- 95% within 240 days

Supreme Court Recommended Standards

Criminal, Civil and Industrial Commission

Initial Filing to Discretionary Review Decision

- 75% within 150 days
- 95% within 180 days

Review Granted to Disposition

- 75% within 180 days
- 95% within 240 days

Family and Juvenile

Initial Filing to Discretionary Review Decision

- 75% within 125 days
- 95% within 150 days

Review Granted to Disposition

- 75% within 120 days
- 95% within 180 days

Special Actions

Initial Filing to Discretionary Review Decision

- 75% within 70 days
- 95% within 120 days

Review Granted to Disposition

- 75% within 40 days
- 95% within 80 days

How do we measure up?

Supreme Court



Civil	Filing to Discretionary Review		Number of Cases	Review Granted to Disposition		Number of Cases
	75% within 150 days	95% within 180 days		75% within 180 days	95% within 240 days	
FY 2013	83%	95%	292	65%	90%	20
FY 2014	69%	94%	264	79%	86%	14
FY 2015	51%	80%	250	88%	94%	17
Criminal	Filing to Discretionary Review		Number of Cases	Review Granted to Disposition		Number of Cases
	75% within 150 days	95% within 180 days		75% with 180 days	95% within 240 days	
FY 2013	78%	94%	360	50%	75%	4
FY 2014	75%	92%	291	100%	100%	4
FY 2015	49%	80%	310	89%	89%	9
Special Action	Filing to Discretionary Review		Number of Cases	Review Accepted to Disposition		Number of Cases
	75% within 70 days	95% within 120 days		75% within 40 days	95% within 80 days	
FY 2013	70%	89%	27	0	0	1
FY 2014	67%	93%	15	50%	50%	2
FY 2015	81%	100%	16	n/a	n/a	0

How do we measure up?

Supreme Court



Juvenile	Filing to Discretionary Review			Review Granted to Disposition		
	75% within 125 days	95% within 150 days	Number of Cases ²	75% within 120 days	95% within 180 days	Number of Cases
FY 2013	68%	82%	34	n/a	n/a	0
FY 2014	79%	92%	24	n/a	n/a	0
FY 2015	77%	92%	26	n/a	n/a	0
Ind. Commission	Filing to Discretionary Review			Review Granted to Disposition		
	75% within 150 days	95% within 180 days	Number of Cases	75% within 180 days	95% within 240 days	Number of Cases
FY 2013	55%	91%	11	n/a	n/a	0
FY 2014	73%	91%	11	n/a	n/a	0
FY 2015	46%	77%	13	100%	100%	1
Family	Filing to Discretionary Review			Review Granted to Disposition		
	75% within 125 days	95% within 150 days	Number of Cases	75% within 120 days	95% within 180 days	Number of Cases
FY 2013	40%	75%	20	n/a	n/a	0
FY 2014	80%	80%	10	100%	100%	1
FY 2015	15%	69%	13	n/a	n/a	0

Court of Appeals

Criminal

National Model

Initial Filing (Trial Court) to Disposition

- 75% within 450 days
- 95% within 600 days

Recommended Standard

Filing (COA) to Disposition

- 75% within 450 days
- 95% within 600 days

Court of Appeals Civil

National Model

Initial Filing (Trial Court) to Disposition

- 75% within 390 days
- 95% within 450 days

Recommended Standard

Filing (COA) to Disposition

- 75% within 390 days
- 95% within 500 days

Court of Appeals

Additional Case Types

National Model Does Not Set Standards

Filing (COA) to Disposition

Family

- 75% within 345 days
- 95% within 425 days

Juvenile

- 75% within 190 days
- 95% within 220 days

Industrial Commission

- 75% within 285 days
- 95% within 365 days

Special Actions

- 75% within 40 days
- 95% within 80 days

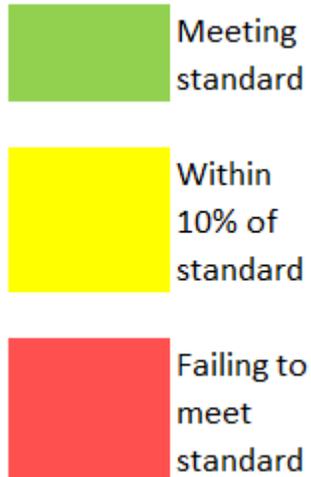
Court of Appeals Recommendations

- Recommending one overall standard of **Filing to Disposition**
- Dissent
 - Member did not agree with having only one over standard and believed there should also be a standard set for At Issue to Disposition. Committee could not agree on standards for this measure.
- Different than the *National Model Standards*
 - *National Model Standards* counts time from the filing of the notice of appeal in the trial court to the disposition of the case. The Committee is recommending the **Filing to Disposition** measure be begin counting time at the notice of filing in the Court of Appeals to the disposition of the case.

How do we measure up?

Court of Appeals

Division One



Juvenile	Filing to Disposition	
	75% within 190 Days	95% within 220 Days
FY 2013	84%	92%
FY 2014	89%	94%
FY 2015	83%	92%
Ind. Commission	Filing to Disposition	
	75% within 285 days	95% within 365 days
FY 2013	74%	83%
FY 2014	69%	95%
FY 2015	72%	92%
Family	Filing to Disposition	
	75% within 345 Days	95% within 425 Days
FY 2013	78%	92%
FY 2014	75%	88%
FY 2015	73%	86%

Division Two

Juvenile	Filing to Disposition	
	75% within 190 days	95% within 220 days
FY 2013	96%	99%
FY 2014	96%	98%
FY 2015	96%	98%
Ind. Commission	Filing to Disposition	
	75% within 285 days	95% within 365 days
FY 2013	80%	93%
FY 2014	85%	95%
FY 2015	76%	90%
Family ¹	Filing to Disposition	
	75% within 365 days	95% within 450 days
FY 2013		
FY 2014		
FY 2015		

How do we measure up?

Court of Appeals

Division One

	Civil	Filing to Disposition	
			75% within 390 days
Meeting standard	FY 2013	81%	93%
	FY 2014	74%	92%
	FY 2015	70%	88%
	Criminal	Filing to Disposition	
			75% within 450 days
Within 10% of standard	FY 2013	71%	93%
	FY 2014	79%	94%
	FY 2015	81%	97%
	Special Action	Filing to Disposition	
			75% within 40 days
Failing to meet standard	FY 2013	93%	98%
	FY 2014	86%	94%
	FY 2015	91%	95%

Division Two

	Civil	Filing to Disposition	
			75% within 390 days
Meeting standard	FY 2013	97%	99%
	FY 2014	97%	99%
	FY 2015	95%	98%
	Criminal	Filing to Disposition	
			75% within 450 days
Within 10% of standard	FY 2013	86%	98%
	FY 2014	77%	94%
	FY 2015	87%	95%
	Special Action	Filing to Disposition	
			75% within 40 days
Failing to meet standard	FY 2013	73%	97%
	FY 2014	80%	94%
	FY 2015	77%	94%



The End
