

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ESTABLISHMENT OF THE JUDICIAL) Administrative Order
OVERSIGHT COUNCIL OF THE) No. 2002- 67
LIMITED JURISDICTION COURTS)
OF MARICOPA COUNTY)
_____)

The Supreme Court, having administrative supervision over all courts of the state pursuant to the Constitution of Arizona, Article VI, has over the past decade conducted numerous audits, operational reviews and special studies of the limited jurisdiction courts in Maricopa County.

These audits, reviews and studies have revealed serious operational, administrative and misconduct problems. Over the past thirty months, three judges have been removed from office for misconduct, three courts have been placed under the administrative control of the superior court presiding judge, two clerks from two courts have been charged or sentenced for theft of funds and an investigation is underway regarding possible theft of funds in a third court. In all, during the thirty month period, at least eight of forty-six limited jurisdiction courts in Maricopa County have faced serious problems in the areas indicated.

The existing governance structure is not adequate to manage effectively twenty-three justice of the peace courts and twenty-three municipal courts. The decentralization of authority has led to poor communication, little or no coordination among courts, and policies and practices that are inconsistent from court to court and, in some instances, contrary to the strategic objectives of the Arizona Judicial Council (AJC) and the Arizona Supreme Court. Additionally, the operation of many of these courts is inconsistent with the requirement of Article 6, Section 1, of the Arizona constitution that the state have an “integrated judicial department.” Therefore,

IT IS ORDERED that the Judicial Oversight Council of the Limited Jurisdiction Courts of Maricopa County, hereafter referred to as the “Council,” is established. The Presiding Judge of the Superior Court in Maricopa County shall Chair the Council. The membership of the Council shall be appointed by the Chief Justice and is attached to this Order as Appendix A. The Chief Justice may appoint additional members as may be advisable.

IT IS FURTHER ORDERED that the Council shall assist the superior court presiding judge of Maricopa County as follows:

1. Develop and implement policies and procedures consistent with the direction set by the AJC that promote fair and equitable justice, uniformity, and effective case and financial management in limited jurisdiction court operations.

2. Assist the Administrative Office of the Courts (AOC) and Commission on Technology in implementing the state standard automation application (the AZTEC system) in the Maricopa justice courts as quickly as feasible, linking local systems to the state data warehouse and putting into place data entry policies and procedures that ensure data quality.
3. Assist with the implementation of a statewide Centralized Traffic Tickets and Collections Bureau. Prior to implementation, the AOC shall complete a feasibility study to determine if such a bureau would result in improved efficiency in processing these cases, public service, and compliance with courts orders. All justice of the peace courts and municipal courts in Maricopa County shall participate in the centralized traffic bureau unless specifically exempted by the Chief Justice for good cause.
4. Review and recommend to the presiding judge of Maricopa County a uniform bond/deposit schedule for use in all justice of the peace and municipal courts. Such schedule may take into account differences due to local fees authorized by the board of supervisors, city council or law.
5. Review and monitor the corrective action plan prepared by a local court which addresses deficiencies identified in an operational review. Any local court subject to such a review shall submit a corrective action plan to the Council.
6. Report on the overall physical condition of court facilities relative to suitability and the adequacy of space provided and security of employees and the public.
7. Assist the AOC in developing a "Courts of Distinction" program to recognize those courts meeting or exceeding standards to be developed by the AOC and the AJC. The proposed standards shall be submitted to the AJC for its approval.

IT IS FURTHER ORDERED that the provisions of Administrative Order No. 96-32, VI-A, Section 2, relating to presiding justice of the peace, are suspended for Maricopa County. All other provisions of Administrative Order No. 96-32 that are not otherwise in conflict with this Order shall remain in effect.

IT IS FURTHER ORDERED that administrative control of Justice Court Administration shall be assumed by Presiding Judge Colin Campbell, and the Justice Court Administrator and subordinate staff are to report to Presiding Judge Campbell or his designee. Presiding Judge Campbell is authorized to enter orders to make personnel, management or organizational changes to Justice Court Administration as he deems necessary to accomplish the directives and goals of this administrative order.

IT IS FURTHER ORDERED that the Oversight Council shall submit a progress report to the AJC not later than October 1, 2002, and each six months thereafter, or as otherwise requested by the AJC or this Court.

Dated this 21st day of June, 2002.

CHARLES E. JONES
Chief Justice

**JUDICIAL OVERSIGHT COUNCIL
OF THE LIMITED JURISDICTION COURTS
OF MARICOPA COUNTY**

MEMBERS

Colin Campbell, Presiding Judge (Chair)
Superior Court in Maricopa County

B. Robert Dorfman, Chief Presiding Judge (Vice Chair)
Phoenix Municipal Court

Louraine Arkfeld, Presiding Judge
Tempe Municipal Court

Walter Switzer, Presiding Magistrate
Mesa Municipal Court

Brenda Way, Court Administrator
Glendale Municipal Court

Jim Scorza, Court Administrator
Phoenix Municipal Court

Janet Cornell, Court Administrator
Scottsdale Municipal Court

Martin Schultz (Public Member)
Arizona Public Service

Shirley Agnos, President (Public Member)
Arizona Town Hall

Michael Jeanes, Clerk of Court
Superior Court in Maricopa County

Tom Freestone, Justice of the Peace
South Mesa/Gilbert Justice Court

Lex Anderson, Justice of the Peace
Peoria Justice Court

Jerrald Porter, Justice of the Peace
Scottsdale Justice Court

C. Steven McMurry, Justice of the Peace
Central Phoenix Justice Court

Cecil Patterson, Jr., Judge
Court of Appeals, Division One

John MacDonald (Public Member)
Jamieson and Gutierrez

David F. Gomez, Attorney
State Bar Board Representative

Thomas Irvine, Attorney
Irvine Van Riper PA

Mike Baumstark, Deputy Director
Administrative Office of the Courts