

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ESTABLISHMENT OF A GOVERNANCE)
AND ADMINISTRATIVE STRUCTURE)
FOR THE JUSTICE OF THE PEACE)
COURTS IN MARICOPA COUNTY)

Administrative Order
No. 2006- 56

Over the last twelve years, a number of Supreme Court administrative orders have been entered to address administrative and operational problems of the justice courts in Maricopa County.

The earliest of these orders, Administrative Order No. 94-23, assigned the Justice Court Director and all employees of Justice Court Administration to perform their duties under then-Presiding Judge C. Kimball Rose. Other orders of this Court concerning the justice courts in Maricopa County include Administrative Order No. 94-25, appointing a Special Counsel to conduct a review of the Maricopa County Justice Court System, and Administrative Order No. 2002-67, establishing the Judicial Oversight Council of the Limited Jurisdiction Courts of Maricopa County and placing administrative control of Justice Court Administration under then-Presiding Judge Colin Campbell.

Since the issuance of Administrative Order No. 2002-67, much progress has been made in addressing the numerous systemic administrative and operational problems of the justice courts in Maricopa County. This progress occurred under the new governance structure established by Administrative Order No. 2002-67, and includes, to name only a few of the accomplishments, the following:

1. A new case and financial management system has been implemented in the justice courts. The system provides more uniform case processing, standardizes data collection and statistical reporting, strengthens financial controls, and improves overall staff efficiency when processing cases and serving the public.
2. Overall revenue collections for justice courts have increased by approximately \$10 million, a fifty percent increase over the last five years.
3. Court interpreter services allowing for the timely and cost-effective provision of qualified interpreters to justice courts have been centralized.
4. A court facilities plan for justice courts has been approved by the Board of Supervisors.

5. Court security for each justice court location is provided to ensure the safety of judges, court staff, the public, and others who conduct business in the justice courts each day.
6. Administrative support services--technology, court automation and telecommunication, contracting and procurement, human resources support, jury summoning, inventory control, training, and facilities management--common to all departments of the Superior Court, adult probation, juvenile probation, detention and justice courts in Maricopa County have been centralized and standardized to maximize efficiency in the provision of these services.
7. The number of driving under the influence (DUI) cases pending more than 180 days has been reduced substantially.
8. An enhanced educational program designed to provide better training to new justices of the peace and municipal judges has been fully implemented. Two classes of justices of the peace have participated in the new training, and enhanced training in specialty areas of the law has been implemented and is ongoing.

During this period of reengineering, staff of local justice courts has reported directly to central justice court administration. Now that significant progress has been made, it is time to return day-to-day control of the staff of the local justice courts to the individual justices of the peace, and to afford individual justices of peace the opportunity to exercise greater responsibility and authority for the budgets of their respective courts and management of their caseloads.

In recognition of the progress made towards resolving the administrative and operational problems of the past, a revised administrative structure for the justice courts is both appropriate and in the best interest of the administration of justice in Maricopa County.

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the governance and administrative structure of the justice courts in Maricopa County, and the duties of those judicial officers responsible for its operations, shall be as follows:

1. Presiding Judge of the Superior Court: The Presiding Judge of the Superior Court in Maricopa County shall exercise general administrative supervision over the justice courts and continue to carry out the duties prescribed by Supreme Court Administrative Order No. 2005-32 and its successor orders. The Presiding Judge may issue local administrative orders, as necessary, in furtherance of the goals and directives of this Order.
2. Presiding Justice of the Peace: The Presiding Justice of the Peace of Maricopa County shall continue to carry out the general administrative duties prescribed by Supreme Court Administrative Order No. 2005-22. Specifically, the presiding justice of the peace shall exercise the following administrative duties:

- a. Manage the justices of the peace pro tempore budget and the assignment and utilization of justice of peace pro tempores by justices of the peace within the county;
- b. Ensure availability of a justice of the peace at each justice of peace court for purposes of considering petitions for orders of protection and issuing emergency orders, and arrange for another judicial officer to handle calendared or emergency matters in the event of the illness or planned absence of the justice of the peace;
- c. Manage the Cost Center Budgets assigned to justice courts and make recommendations regarding budget, automation, facility needs, juror utilization, training, and interpreter services to Superior Court Administration;
- d. Coordinate with other justices of the peace and the presiding municipal court judges to develop a countywide bond schedule and submit proposed changes to the presiding judge of the superior court if revisions are necessary;
- e. Monitor and evaluate case processing countywide to promote timely processing and disposition of justice court cases;
- f. Convene bench meetings, as necessary, to conduct the administrative business of the justice courts;
- g. Implement standardized procedures that are necessary to utilize the automated case and financial management system provided to justice courts by the technology services staff of the Superior Court in Maricopa County;
- h. Require all justices of the peace and justice court employees to utilize the consolidated administrative services provided to the justice courts by Superior Court administration;
- i. Appoint an administrative assistant for justice courts, a justice of the peace pro tempore for back-up coverage and other administrative duties as assigned, and other positions as may be needed if positions are approved by the Presiding Judge and the Board of Supervisors; and
- j. Ensure that public and litigant access, either by phone or in person, to justice courts located in a regional facility shall be provided through a coordinated, centralized point of contact that minimizes delay and maximizes customer service.

3. Regional Presiding Justice of the Peace: The Office of Regional Presiding Justice of the Peace is established for justice courts located at shared facilities in Maricopa County. The Regional Presiding Justice of the Peace shall be designated by the judges assigned to the shared facility as prescribed by Supreme Court Administrative Order No. 2005-21 and shall serve a term that coincides with the term of the Presiding Justice of the Peace.

The Regional Justice of the Peace shall exercise the following administrative duties:

- a. Manage the utilization of justices of the peace pro tempore by justices of the peace located at the Regional Justice Court, as delegated by the Presiding Justice of the Peace;

- b. Ensure availability of a sufficient number of judicial officers at the Regional Justice Court for purposes of considering petitions for orders of protection, issuing emergency orders, and coordinating the handling of other calendared or emergency matters;
 - c. Coordinate with other justices of the peace, as delegated by the Presiding Justice of the Peace, the Cost Center Budget assigned to each justice court located at the Regional Justice Court;
 - d. Implement standardized procedures that are necessary to utilize the automated case and financial management system provided to staff and judicial officers of the Regional Justice Court;
 - e. Assist the Presiding Justice of the Peace to monitor, evaluate and promote the timely processing and disposition of justice court cases filed at the Regional Justice Court;
 - f. Convene bench meetings with the Regional Court justices of the peace, as necessary, to conduct the administrative business of the Regional Justice Courts;
 - g. Require all justices of the peace and justice court employees to utilize the consolidated administrative services provided to the justice courts by Superior Court administration; and
 - h. Ensure that public and litigant access, either by phone or in person, to justice courts located in a regional facility shall be provided through a coordinated, centralized point of contact that minimizes delay and maximizes customer service.
4. Justice of the Peace: The justice of the peace shall exercise the management duties prescribed by Supreme Court Administrative Order No. 2005-21. Specifically, the justice of peace shall exercise the following administrative duties:
- a. Managerial control over the court clerks and other support personnel assigned to or hired by the justice of peace to handle the caseload of the justice court. Managerial control includes authority for hiring, conducting employee performance reviews, and imposing discipline up to and including termination subject to the personnel policies and procedures of the Maricopa County Judicial Merit System Resolutions and Rules;
 - b. Assign work to court managers, court personnel and other support personnel who are assigned to or hired by the justice of peace;
 - c. Schedule hearings and trials related to cases and other matters filed in the justice precinct over which the justice of the peace has jurisdiction in coordination with other justices of the peace courts, as necessary;
 - d. Delegate these administrative duties to a court manager, court clerk or court administrator, as appropriate;
 - e. Manage cost center budgets and prepare budget requests for the justice court for submission to the presiding justice of the peace;
 - f. Cooperate with developing and implementing standardized procedures that are necessary to utilize the automated case and financial management system

provided to justice courts by technology staff of the Superior Court in Maricopa County;

- g. Utilize and require employees to utilize the consolidated administrative services provided to the justice courts by Superior Court administration; and
- h. Coordinate with the other justices of the peace in the facility if assigned to a regional court facility.

5. Calendar and Scheduling Coordination: Proposed changes to calendaring and scheduling of matters filed in any justice of the peace court in Maricopa County shall take into account the impact such changes may have on other criminal justice system entities and the efficient provision and utilization of consolidated administrative services described in this Order.

Proposed changes shall be documented and submitted to the presiding judge of the superior court, the presiding justice of the peace and, if impacted by the proposed changes, shall be submitted to the regional justice of the peace, county attorney, sheriff, county manager, and chiefs of police. The document shall describe the changes proposed, the reasons for proposing the changes, and an analysis detailing how the changes will make case processing more effective and efficient for the justice court and justice system entities affected by the proposed changes.

IT IS FURTHER ORDERED that the Presiding Judge of the Superior Court, through the Superior Court Administrator or designee(s), shall oversee justice and municipal court administration and continue to provide the following consolidated administrative services to justice courts:

- 1. Jury management;
- 2. Court technology and telecommunications support and management;
- 3. Human resources support, including position vacancy advertising, recruitment, applicant screening, and general application processing;
- 4. Payroll;
- 5. Court facility security;
- 6. Court facility planning, construction oversight, utilization and management;
- 7. Budgeting support, including preparation of budget reports, completion of budget forms, and compilation of other data as required by the county's budgeting procedures and policies;
- 8. Procurement and contracting, including central citations processing;
- 9. Self Service Centers and Family Violence Prevention Centers;
- 10. Alternative dispute resolution programs (ADR);
- 11. E-Courtrooms equipment acquisition, support and maintenance;
- 12. Judicial staff training;
- 13. Statistical reports and research;
- 14. Financial and operational audits of the justice courts;
- 15. Accounts receivable management, including collections enforcement;
- 16. Interpreter services;
- 17. Asset inventory and management;

18. General Counsel;
19. Justice system strategic planning; and
20. Public information and media communications.

IT IS FURTHER ORDERED that the Presiding Judge of the Superior Court shall vacate local Court administrative orders inconsistent with this Order and enter orders necessary to accomplish the directives and goals of this Order.

IT IS FURTHER ORDERED that the Presiding Judge of the Superior Court and Presiding Justice of the Peace shall periodically review the provisions of this Order and, if needed, recommend revisions to ensure the efficient and effective administration of justice in the Justice Courts in Maricopa County.

IT IS FURTHER ORDERED that this Administrative Order shall become effective July 10, 2006.

Dated this 6th day of July, 2006.

RUTH V. MCGREGOR
Chief Justice