

FILED

FEB 20 1992

NOEL K. DESSAINT
CLERK SUPREME COURT
BY *[Signature]*

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	ADMINISTRATIVE ORDER
Exemption from Rule VI(a),)	
Rules of Procedure in)	No. 92- <u>9</u>
Traffic Cases)	
_____)	

In order to promote development of efficient information processing methods at all levels of the court system and to enhance the cost-saving benefits of computer automation in the courts,

IT IS ORDERED that the City of Phoenix is granted an exemption from the requirements of Rule VI(a), Rules of Procedure in Traffic Cases, to permit use of the Judgment and Sentence Order Form as described in the letter dated July 16, 1991 from the Honorable M. Louis Levin, Presiding Judge, Phoenix Municipal Court, to Bob Wininger, Director of Court Services, Administrative Office of the Courts, attached hereto.

DATED AND ENTERED this 19th day of February, 1992.

~~STANLEY G. FELDMAN~~
Chief Justice



City of Phoenix

MUNICIPAL COURT
OFFICE OF THE PRESIDING JUDGE

1. Louis Levin
Presiding Judge

James R. Scorza
Executive Court Administrator

July 16, 1991

Mr. Bob Winger
Director of Court Services
Administrative Office of the Courts
Arizona Supreme Court
1501 West Washington
Phoenix, Arizona 85007

Dear Mr. Winger:

I am writing to seek your assistance in modifying Rule VI(a) of the Rules of Procedure for traffic cases. The modification, which would be specifically limited to this Court, would eliminate the need to record the court proceedings on the reverse side of the traffic complaint. This modification would permit this Court to be more productive and efficient in the documentation and processing of case files.

After an extensive review of current file documentation practices during the last year, this Court developed uniform file documentation standards to streamline and enhance case file processes. First amongst these improvements is the introduction of a Judgment and Sentence Order (JSO) form. The benefits of the JSO are as follows: 1) it will eliminate the need to record the same information in multiple places; 2) it eliminates the need for completion of four previously used forms; 3) it reduces the time required for subsequent judicial and staff review since all court staff are using uniform documentation standards and 4) it provides a manual introduction to a similar process which will be included in our computer system currently under development. In fact, as more courts become automated, other rules will need to be modified if courts are to fully benefit from automation.

The JSO which is attached for your review contains information which was previously collected on four separate forms. All disposition and sentencing information will now be collected on this readily available form which is permanently included in the case file. This modification request relates to the requirement of the rule stipulating the recording of all court proceedings on the reverse side of the traffic complaint. The language of this rule requires us to record the same information twice -- one of the main reasons that this form was created was to eliminate the inefficient recording of redundant information. A modification of this rule would allow the single recording of the Court proceedings on the JSO which will be part of every file which is adjudicated. The integrity of the information will be the same; only the place where it is recorded will be changed.

Since court proceedings will be recorded in the computer system, it would seem unnecessary to manually record the same information on the reverse side of the traffic citation. Some precedent already exists for using disposition information in the computer system. This Court

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transfers traffic dispositions to the State MVD solely by computer tape. Disposition codes are transmitted rather than the documents which contain the information. The same is true of our current computer system. When we query a record for disposition information, we rely on the same disposition codes as discussed above without consulting the back of the citation.

For all of the above reasons, I would ask that Rule VI (a) of the Rules of Procedure be modified for a specific use in this Court, allowing us to eliminate the need to record court proceedings on the reverse side of the complaint when the recording of the proceeding is included on a standardized-uniform court form. As an alternative, I ask that the Phoenix Municipal Court be allowed to deviate from the rule requiring that the reverse side of the citation be documented when such documentation is included on the JSO.

Bob, if you require more information or I can be of further help to gain approval of this modification, please call me. Thank you for your assistance.

Sincerely,

M. Louis Levin

Attachments

CITY OF PHOENIX MUNICIPAL COURT — MARICOPA COUNTY, ARIZONA

STATE OF ARIZONA	Plaintiff,
v. _____	
(FIRST, MI, LAST)	Defendant.
DOB: _____	(M/F)

COMPLAINT NO(S).
BAIL RECEIPT # _____

JUDGMENT AND SENTENCE ORDER
<input type="checkbox"/> AMENDED

The Court having rendered judgment on the following complaints:

1. COMPLAINT(S)

OC 9C OV OC 9C OV OC 9C OV OC 9C OV OC 9C OV

2. VIOLATION CODE(S)

COLUMN	1	2	3	4	5
Guilty/Responsible					
Plea (guilty/resp.)	<input type="checkbox"/>				
Plea (no Contest/Submission)	<input type="checkbox"/>				
Finding at trial/hearing	<input type="checkbox"/>				
Default Set Aside	<input type="checkbox"/>				
Default Stands	<input type="checkbox"/>				
Not Guilty/Not Resp.	<input type="checkbox"/>				
Dismissal w/o prej.	<input type="checkbox"/>				
Dismissal w/prej.	<input type="checkbox"/>				

IMPORTANT: Only those orders that are marked "X" apply to you.

3. IT IS ORDERED that defendant be placed on probation for a period of 6 mo., 1 yr., 2 yr., 3 yr., other _____, and that all orders contained within this sentence are conditions of probation for the following complaint(s):
- | | | | | | |
|-----------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Probation | 1 | 2 | 3 | 4 | 5 |
| | <input type="checkbox"/> |

In addition to all orders contained within this sentence,

- a. DEFENDANT SHALL at all times be a law-abiding citizen.
- b. DEFENDANT SHALL abide by travel restrictions as indicated on the attached Addendum to these Conditions of Probation.
- c. Probation to terminate upon proof of payment of all ordered restitution, fine and/or jail, or other conditions of probation.
- d. Probation previously ordered is hereby terminated.

4. IT IS FURTHER ORDERED that defendant serve _____ days in jail (w/_____ days time served and/or w/_____ days to be suspended upon successful completion of WAP, Work Furlough, Community Service, DOVE, Counseling, Other _____) to be served concurrently, consecutively, for the following complaint(s) (confinement order attached):
- | | | | | | |
|--|---|---|---|---|---|
| | 1 | 2 | 3 | 4 | 5 |
|--|---|---|---|---|---|

Jail Time: _____ days _____ days _____ days _____ days _____ days

5. IT IS FURTHER ORDERED that defendant pay the following fines/sanctions, fees or restitution amounts:
- | | 1 | 2 | 3 | 4 | 5 |
|--------------------------------|------------|------------|------------|------------|------------|
| A. Restitution | \$ _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| B. Restitution From Fine* | \$ _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| C. SASS Screening Fee | \$ _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| D. Replicate Breath Fee | \$ _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| E. Public Defender Fee | \$ _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| F. Other _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| G. Fine/Sanction w/Surcharge** | \$ _____ | \$ _____ | \$ _____ | \$ _____ | \$ _____ |
| H. Amount Suspended/Concurrent | \$ (_____) | \$ (_____) | \$ (_____) | \$ (_____) | \$ (_____) |

* Surcharge Waived ** This amount is in addition to any "Restitution from Fine" listed on line B.

THERE WILL BE AN ADDITIONAL \$8 FEE PER CASE IF PAYMENT IN FULL IS NOT MADE TODAY.

NAME: _____ DOB: _____ COMPLAINT #: _____

6. IT IS FURTHER ORDERED that restitution shall be paid to the victim(s) through the Court. The Court shall forward payment to the victim(s) in the following amounts:

Victim No. 1 \$ _____ Victim No. 2 \$ _____ Victim No. 3 \$ _____

NAME _____	NAME _____	NAME _____
ADDRESS _____	ADDRESS _____	ADDRESS _____
CITY, STATE, ZIP PHONE _____	CITY, STATE, ZIP PHONE _____	CITY, STATE, ZIP PHONE _____

Defendant to provide proof of all restitution payments made by insurance company(ies) by the sentence review date in Section No. 13 below.

7. IT IS FURTHER ORDERED that the amounts ordered shall be paid in the following manner:

- a. The full sum ordered is due and payable today at Public Service Windows 11 and 12.
- b. Defendant is hereby ordered to appear at Public Service Windows 14 through 17 and comply with specific payment terms established by the Court Financial Representative and as approved by the Court.
- c. Defendant shall make monthly payments of \$ _____, with the first payment due on _____ until the entire amount is paid in full or payable in full by _____. Report to Public Service Windows 14 through 17.
- d. Bond/bail in the amount of \$ _____ to be applied towards payment.

8. IT IS FURTHER ORDERED that the defendant report to Public Service Window 11 to arrange for Work Alternative Program completion to satisfy fines, fees, jail time (Assignment to Work Alternative Attached).

9. IT IS FURTHER ORDERED that the defendant report immediately to the Substance Abuse Screening Room LL22 (Lower Level) and participate and fully cooperate in any program(s) of assistance and/or counseling and/or rehabilitation, whether vocational, psychological, medical, or involving alcohol/drug abuse, as directed by the Substance Abuse Screening Service (Order for alcohol/drug abuse screening attached).

10. IT IS FURTHER ORDERED that defendant's:

- Driving privileges/registration/plates be suspended for _____ days/month(s) (abstract attached).
- Driving privileges be suspended/revoked pursuant to A.R.S. § 28-692.01 for _____
- B - for 90 days D - for 30 days with another 60 days restricted F - for 1 year

ILLEGAL DRUGS
 YES NO
 UNKNOWN

IT IS FURTHER ORDERED that the defendant arrange for participation at a Community Service organization for _____ hours.

- At the following organization: _____
- At a community service organization of the defendant's choice.

12. IT IS FURTHER ORDERED that _____

13. IT IS FURTHER ORDERED that the defendant must appear at a sentence review hearing on _____ in courtroom _____ at _____ a.m./p.m. to provide proof of _____

Payments made pursuant to this ORDER shall be made to the Phoenix Municipal Court, 455 North Fifth Street, Phoenix, Arizona 85004. The defendant shall notify the Court immediately, in writing, of any change of address or phone at the above address, attention Room 120. In the event that any payment is required as a condition of probation and is not paid or is paid after the scheduled payment date, defendant is ordered to submit to the supervision of the Court by reporting in person no later than 10 days after the scheduled payment date and report every 30 days thereafter until any delinquent payments are paid in full.

Failure to comply with all sentence requirements may result in an order of contempt of court and/or a warrant being issued for your arrest and/or revocation of probation and/or an entry of default on any civil complaints.

DATED _____

JUDGE OF THE PHOENIX MUNICIPAL COURT

I hereby acknowledge receipt of a copy of the foregoing judgment and sentence and order. If placed on probation, I hereby acknowledge receipt of a copy of the foregoing Conditions of Probation as ordered by the Court. I understand that, if I violate any of said conditions, the Court may issue a warrant for my arrest and direct my confinement in jail pending further proceedings, and further, may revoke and terminate my probation and impose sentence upon me in accordance with the law. I understand that my right to appeal from this judgment will end 10 calendar days after TODAY's date.

I hereby affirm that the address listed below is accurate and I acknowledge that all correspondence regarding this JUDGMENT AND SENTENCE ORDER will be mailed to the address below.

Defendant's Signature _____ Address _____ City, _____ State _____ Zip _____ Phone _____

Driver's License Number/State _____ Employer's Name and Address _____ City, _____ State _____ Zip _____ Phone _____