



2004 Report of the Arizona Judicial Branch



**Final Report for the term of
Chief Justice Charles E. Jones, 2002-2005**



2004 Report of the Arizona Judicial Branch

Charles E. Jones became Chief Justice of the Arizona Supreme Court on January 8, 2002. Prior to being elected by his peers as Chief Justice, he had served a five-year term as Vice Chief Justice.

Chief Justice Jones was appointed to the Arizona Supreme Court in 1996 by Governor J. Fife Symington. He received his undergraduate degree from Brigham Young University in 1959 and his law degree from Stanford Law School in 1962.

In 1963, Chief Justice Jones joined the firm of Jennings, Strouss & Salmon, where he became a partner and for many years served as chairman of the firm's labor and employment division, a position he held until his appointment to the Arizona Supreme Court in 1996.

Chief Justice Jones is a fellow of the American Bar Foundation, Arizona Bar Foundation, and the College of Labor and Employment lawyers.

He is a member of the Conference of Chief Justices, the Committee on Federal-State Jurisdiction of the Judicial Conference of the United States and chair of the National Committee on Public Trust and Confidence in the Judiciary.

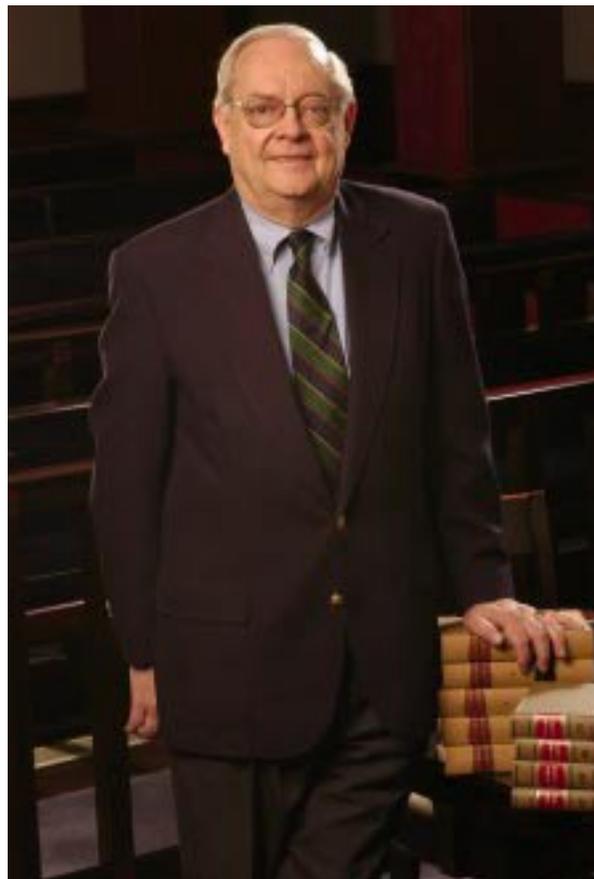
Chief Justice Jones and his wife, Ann, live in Phoenix, Arizona. They have seven children and twenty-five grandchildren.

Message from Chief Justice Charles E. Jones

On behalf of the Arizona Judicial Branch, it is my pleasure to present our 2004 Annual Report. This compendium of accomplishments of the third branch of government is a testimonial to the hard work and professional commitment of the thousands of court officers, employees and citizen volunteers who work assiduously to provide access to equal justice and court service to the people of Arizona.

Each business day, these individuals in all 15 counties and in 93 towns and cities, within all levels of the judicial system, collectively endeavor to make "Justice for All" a reality.

On a personal note, I take this opportunity to mention that this will be my final annual report as Chief Justice of Arizona. In June 2005, I will reach the mandatory retirement age imposed by Arizona's Constitution.



As I reflect on the past 10 years as a member of the Arizona Supreme Court and the last three years as Chief Justice, I am humbled knowing what a privilege it has been to give public service and I am equally pleased at the strides we have made.

Thanks to all of my colleagues and predecessors, our

state judiciary is ranked one of the best in the nation. The citizens of this great state can be very proud of its justice systems.

And I am honored to have been a small part and to have enjoyed the grand opportunity to serve publicly during these final years of a professional career.



2004 Report of the Arizona Judicial Branch

Table of Contents



This annual report is the final summary of the Judicial Branch’s activity under the direction of Chief Justice Charles E. Jones. During his term, the Judiciary has focused on the five goals of “Justice for a Better Arizona.”

This report is organized to reflect those overall goals, which are:

- Protecting Children, Families and Communities;
- Providing Access to Swift, Fair Justice;
- Connecting with the Community;
- Being Accountable; and
- Serving the Public by Improving the Legal Profession.

A MESSAGE FROM THE CHIEF JUSTICE

PROTECTING CHILDREN, FAMILIES AND COMMUNITIES

Arizona drug courts program continues to expand5
 Advances made in fiduciary certification program6
 New tool introduced for assessing risks and needs of juvenile offenders6
 New assessment tool adopted for adult offenders7
 Court protective order repository7
 Probation officer safety program gains national attention8
 Statewide automation system to track adult probationers9
 JOLTS, the next generation10
 Adult probation supervision assignment and case transfers are fine-tuned11

PROVIDING ACCESS TO SWIFT, FAIR JUSTICE

Committee tackles issues in domestic relations and family law rules12
 Enhanced training for limited jurisdiction judges13
 Maricopa County family court gets overall review14
 Court begins review of mandatory arbitration process15
 Complex litigation court aims to streamline calendars16
 Chief Justice reaches out to Arizona business leaders16
 Committee on Keeping the Record is established17
 Defensive driving program provides alternatives18

CONNECTING WITH THE COMMUNITY

Taking the financial hardship out of jury service19
 Court takes oral arguments on the road19
 Public finds the courts through its Web site20

BEING ACCOUNTABLE

Fines/fees and restitution enforcement program has early success21
 Security and emergency planning for the Arizona courts22
 Commission on Minorities report on the horizon23



2004 Report of the
Arizona Judicial Branch

Table of Contents

**SERVING THE PUBLIC BY IMPROVING THE LEGAL
PROFESSION**

Legal document preparer program regulation established24
Ongoing improvements for the attorney discipline system24
Attorneys take laptops into admission examinations24

COURT STATISTICS BY FISCAL YEAR

Statistical Trends/Highlights26
Arizona's Judiciary Organizational Chart27
2004 Case Filings by Court Level28
Arizona Supreme Court29
Court of Appeals, Division One29
Court of Appeals, Division Two29
Superior Court30
Arizona Tax Court30
Justice of the Peace Courts31
Municipal Courts31
Adult Probation32
Juvenile Court Referrals32
Juvenile Court Petitions32
Juvenile Probation/Corrections32

STATEWIDE REVENUE AND EXPENDITURE SUMMARY

Revenue Summary33
Revenue Received33
Revenue Generated33
Restitution33
Expenditure Summary34
Funds Expended by Source34
Funds Expended by Court Level34



2004 Report of the
Arizona Judicial Branch



“We believe that improved methods by which to address family law issues can and should play a role in breaking cycles of violence and providing families with an unbiased venue for the resolution of family controversy.”

-- Chief Justice Jones,
2002 State of the
Judiciary

Protecting Children, Families and Communities

Courts provide a fair and impartial forum for the resolution of disputes. They ensure that those who violate laws are held accountable and serve to limit the arbitrary use of governmental power. They protect those in need due to age or infirmity from physical or financial harm. Arizona courts are an essential component of a justice system that exists, in substantial part, to protect children, families, and the communities in which we live.

Arizona drug courts program continues to expand

Drug Court is a voluntary court-supervised program for nonviolent offenders focused on substance abuse rehabilitation and community involvement. The target population is felony and misdemeanor offenders with charges involving possession or acquisition of marijuana, narcotics, dangerous drugs or drug paraphernalia. The target population also includes DUI offenders.

The program includes a comprehensive treatment program of counseling, recovery support groups, urinalysis, and a victim impact panel.

The goal of the Drug Court Program, which exists with the aid of Federal funding, is to help participants achieve total abstinence from drugs and alcohol. Arizona has 26 drug court teams (8 adult, 12 juvenile, 3 family and 3 DUI). The counties where the drug courts exist include: Cochise, Coconino, Gila, Maricopa, Pima, Yavapai and Yuma.

Court professionals gathered in September for the 4th Annual Arizona Drug Court Conference where they discussed the state of the programs in Arizona and heard presentations from national speakers who shared information about drug court programs around the country.

The conference was presented by The Administrative Office of the Courts (AOC), The Governor's Division for Substance Abuse Policy, The University of Arizona, Applied Behavioral Health, Pacific Southwest Addiction Technology Transfer Center, and The Parents Commission on Drug Education and Prevention in cooperation with the Arizona Association of Drug Court Professionals (AADCP). Other collaborators for the 2004 conference included The National Association of Drug Court Professionals (NADCP) and National Drug Court Institute (NDCI).

In addition to providing a venue for drug court professionals to share and discuss issues affecting their jobs, the fourth annual conference also



Juvenile Probation: Counting on Success

From 1998 to 2003:

- Juveniles arrested declined by 18%
- Juveniles arrested for violent crimes declined by 24%
- Juveniles committed to the Department of Juvenile Corrections declined by 45%
- Juveniles processed in the Adult Courts declined by 49%

In 2004:

- 74% of juveniles placed on probation successfully completed their terms
- 88% of on probation were enrolled and attended school, involved in vocational programs or were employed

represented a key forum for updates and discussions on the status of Arizona's Drug and DUI Courts as well as diversion programs. It focused on increasing the awareness of the drug courts and the positive outcomes being realized both nationally and locally.

Arizona Drug Court/DUI programs boast 2,942 successful graduates as of December 31, 2004, with approximately 1,405 individuals currently participating in programs.

Advances made in fiduciary certification program

Arizona enacted the first program in the nation designed to protect seniors and incapacitated persons who rely on public fiduciaries to manage their finances.

The Arizona Fiduciary Program was first implemented in 1998, following authorization and funding by Arizona's Legislature. The establishment of the program came after some highly publicized cases of mismanagement and financial exploitation of incapacitated and protected persons by fiduciaries. The Arizona Fiduciary Program protects the public by certifying individuals who manage the financial and personal affairs of incapacitated and vulnerable individuals, and by taking appropriate disciplinary action when a fiduciary fails to perform their duties competently or abuses their position of authority and trust.

Although the vast majority of fiduciaries perform their duties competently and ethically, there have been cases of fiduciaries and attorneys being convicted of financial exploitation involving millions of dollars. These cases of abuse led to Chief Justice Jones appointing a Fiduciary Advisory Committee to review the accounting and case management practices of fiduciaries and to provide recommendations on improvements.

The Fiduciary Certification Program has continued moving forward with the implementation of a number of measures designed to ensure the protection of Arizona's elderly, incapacitated and vulnerable persons. The compliance audit review process for all certified fiduciaries was implemented in March 2003, and to date, audits of six fiduciaries, both public offices and private businesses have been completed.

Software to assist the courts in carrying out oversight of fiduciaries has been developed and implemented throughout the state. Specialized training on probate issues have been held at the annual judicial conferences.

New tool introduced for assessing risks and needs of juvenile offenders

Juvenile probation officers may now make more in-depth assessments of juvenile offenders with the expanded version of the Risk-Needs Assessment Tool. This tool assists the officer in the development of an individualized case plan that addresses the needs of juveniles under



“The continuing hard work of our judges and the staffs involved with our Arizona drug courts are leading the way for a transition from the traditional role of courts to a community therapeutic role. Their early impact and successes on offenders and their families show tremendous promise.”

-- Chief Justice Jones,
in a speech to the
Arizona Judicial
Conference

the supervision of the juvenile court while ensuring juvenile offender accountability to victims and communities.

Using this tool, probation officers assess risks and prioritize potential needs. Assessments are made regarding parenting issues, health issues, alcohol and over-the-counter drug abuse, illegal or prescription drug abuse, school issues, education functioning, truancy, behavior and mental health issues, severity of runaway behavior, and relationship with family. The tool, which is used statewide, also includes a “strengths” assessment that identifies and reinforces positive behavior in juveniles and their families.

The assessments of the Risk-Needs Tool were implemented on the Juvenile On-Line Tracking System (JOLTS), further expanding JOLTS’ utility as a case management tool.

New assessment tool adopted for adult offenders

Adult probation officers received a new tool increasing their ability to make more in-depth assessments of adult offenders. Having the information necessary to assess an offender’s risk to re-offend and need for rehabilitative services is the cornerstone of contemporary correctional practice. The Administrative Office of the Courts (AOC), seeking to standardize assessment procedures and create a statewide uniform screening instrument, implemented the Offender Screening Tool (OST).

Using the OST, probation officers are able to identify offenders at greatest risk for re-offending and develop a case plan that addresses the needs of those offenders under the supervision of the superior court. The automated nature of the OST also makes it useful in determining the allocation of resources and services to ensure they are being utilized on the appropriate offenders.

Prior to the adoption of the OST, considerable differences existed across the state in the procedures and tools used by adult probation departments to assess offenders. Research conducted to assess the validity of the OST for statewide application determined that it is an effective tool for assessing adult offenders throughout Arizona. The OST thus became the approved assessment tool for all of Arizona’s adult probation departments. A curriculum was developed and statewide training and OST implementation began in May 2004.

Court Protective Order Repository helps officers in the field

Using Federal and state grants, the Administrative Office of the Courts (AOC) has continued to develop a statewide database of protective orders, known as the Court Protective Order Repository (CPOR). This database is



intended to increase availability of protection order information to the law enforcement community and enhance the protection afforded victims of domestic violence in Arizona.

Currently, the only other electronic record of protective orders issued in Arizona outside the county in which they were issued, is the National Crime Information (NCIC) database, which provides nationwide criminal records information to law enforcement agencies.

Unfortunately, the NCIC's data requirements are so stringent that historically a small of all orders issued in Arizona are accepted by NCIC. The new registry is greatly expanding the number of protection orders available electronically to law enforcement in Arizona. The absence of easily accessible and up-to-date protective order information can cause difficulties for law enforcement agencies, including the courts, and domestic violence victims. To avoid their abusers, victims often move out of the county or state in which they originally obtained their protective orders. They may later encounter problems when local law enforcement is unable to verify the existence of the protection order. The CPOR will provide a single, readily accessible source of information for determining whether a protective order is in effect.

During a 3½-month period at the end of 2004, in Coconino County alone law officers in the field made 36,681 queries for protective orders.

Probation officer safety program gains national attention

In March 2001, then Chief Justice Thomas Zlaket established an ad hoc committee to study Probation Officer Safety and Training issues in the probation departments in Arizona.

That action led to the establishment of an officer safety program in Arizona that has gained national attention and recognition as a model for probation, parole, and community corrections agencies across the country.

In December 2001, the Ad Hoc Committee presented a final report to the AJC, which adopted these six recommendations to:

- (1) clarify the duties of juvenile officers pertaining to peace officer status;
- (2) give all officers the option of requesting authorization to be armed if they satisfactorily complete required training and meet prerequisite criteria;
- (3) authorize chief probation officers and juvenile court directors to require arming of officers in certain positions who are performing specified duties;
- (4) adopt a Use of Force administrative code;
- (5) establish a standardized officer safety program which includes mandatory officer safety and safety equipment training, as well as firearms standards and training; and
- (6) establish statewide hiring standards.



2004 Report of the Arizona Judicial Branch

Protecting Children, Families and Communities

“The experience of 9/11 (and subsequent investigations) demonstrated painfully that information needs to be available to the right people, at the right time, both in the state and federal sectors.”

-- Chief Justice Jones,
2002 State of the
Judiciary

In April 2002, the Committee on Probation Education (COPE) began developing the training curriculum which focused on new officer orientation, the expansion of officer safety training at the certification academy and the development of defensive tactics and firearms training.

Defensive tactics and firearms training programs were implemented using trained volunteer instructors. By the end of 2004, the Administrative Office of the Courts (AOC) had sponsored seven regional defensive tactics instructors' training sessions resulting in the qualification of 131 defensive tactics instructors. Those instructors held 105 defensive tactics training academies and certified 1,547 officers in defensive tactics. Three firearms instructors training sessions were held, and 62 firearms instructors became qualified. Twenty-seven firearms training academies have been held, with 340 officers being qualified to carry a firearm.

Statewide automation system designed to track adult probationers

In an effort to reduce the time probation officers spend on paperwork and enable them to increase their time with offenders, the courts have adopted a automated system that gives adult probation departments a greater ability to share information throughout the state.

The Adult Probation Enterprise Tracking System (APETS) began in 1999 as a collaboration between the adult probation departments in Maricopa and Pima counties and the Administrative Office of the Courts (AOC). By 2004, approximately 135,000 client records and more than 3.6 million contact records have been housed in the production database maintained by the AOC.

The court has a strong commitment to the automation of adult probation despite the lack of a legislatively appropriated dedicated funding source and APETS is expected to be fully implemented statewide by the end of FY 2007.

By the end of FY 2006, it is estimated that approximately 97 percent of the state's probation population will be included in APETS.

The APETS application was fully implemented by the Maricopa County Adult Probation Department (APD) in March 2000. In October 2004, Yuma County APD completed its implementation of APETS. La Paz County APD followed suit with a full department implementation in December 2004. Pima County is currently in a planning phase and expects to implement APETS in the spring of 2005.

Unlike any other existing enterprise court application in Arizona, APETS uses a single database structure. A single database allows adult probation departments to share probationer information throughout the state and has the unique ability to transfer cases electronically between counties with a click of a button. This transfer functionality as well as a pre-trial tracking module, county specific details for table structures and statewide adult assessments were programmed into APETS over the past two years in order to make it ready for multi-county use and rollout.



For the rural counties, APETS replaces their existing case tracking systems, the Probation Information Management System (PIMS). They will be able to maintain important client data from that system, which many counties have been using for more than a decade.

APETS provides Arizona with an automation system that will eventually benefit other public safety professionals in the state and nationwide.

The APETS project team has been working on an integration project with the Department of Public Safety (DPS) called Convicted Persons on Supervised Release (CPSR). When implemented, APETS will capture CPSR data elements in a data warehouse and transmit the information to the Arizona Crime Information Center (ACIC), which will then be promoted to the National Crime Information Center (NCIC). This data feed will help eliminate some redundant data entries by adult probation staff across the state into the current DPS system.

APETS is proving to be a useful tool for probation staff statewide. In addition to assisting probation officers in the field, it helps support staff managing probation case file information and the management of teams in the counties and at the AOC. As APETS continues to be rolled out across the state, the database will allow for improved tracking and oversight of Arizona probationers.

The juvenile tracking system, JOLTS, moves into the next generation

2003 was the 10th anniversary of the full statewide implementation of the Juvenile Online Tracking System. The AOC, juvenile courts, the legislature, executive branch, and community organizations have come to rely on the wealth and quality of the JOLTS data. The annual publication, *Juvenile's Processed in the Arizona Court System* provides the public an opportunity for readily accessible statistical information about the juvenile courts and the juveniles served and held accountable. Over the past three years there has been a significant increase in the quality and quantity of statistical data available on JOLTS.

Although JOLTS has served the state well, it is based on antiquated technology that cannot fully fulfill the data sharing needs of today's juvenile courts.

In 2004, parallel efforts to reengineer and upgrade JOLTS were launched by Maricopa County (eJOLTS) and by a partnership of the AOC, Pima County, and the Rural Counties (JOLTSaz). In April 2004, the JOLTSaz project plan was reviewed and approved, with accolades, by the State's Information Technology Advisory Commission. Both eJOLTS and JOLTSaz are currently in development.



Adult probation supervision assignment, case transfers are fine-tuned

Work has begun on standardizing the process for transferring adult probation cases to other counties within Arizona for courtesy supervision. A statewide workgroup was established in early 2004 and given the task of developing a policy and procedure manual for intercounty transfers.

As the project progressed the workgroup further identified the need to amend the Arizona Rules of Criminal Procedure, Rule 27 Probation and Probation Revocation, regarding the actual case transfer. The workgroup completed the Rule 27 Petition proposal to clarify existing language and expand transfer authority beyond courtesy supervision. Clarification is expected to be addressed in early 2005.



2004 Report of the
Arizona Judicial Branch

Providing Access to Swift, Fair Justice



“Family cases continue to be among the most difficult and emotionally-taxing matter handled in our courts. There is a growing awareness across the country and here in Arizona that a better court focus is one that is sensitive to the needs and circumstances of the whole family.”

-- Chief Justice Jones,
in a speech to the
Arizona Judicial
Conference

Our judicial system is predicated on the belief that all citizens coming before the courts are entitled to equal justice, regardless of race, ethnicity, gender, age, or economic circumstance. Courts must resolve cases swiftly and fairly. Courts must ensure that litigants and victims fully understand their rights and that those rights are protected. 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.

Committee tackles domestic relations and family law rules issues

The Committee on the Rules of Procedure in Domestic Relations Cases was created in 2003 with the mission to establish a comprehensive, statewide set of rules of procedure for domestic relations/family law cases aimed at achieving fair, effective, uniform and timely resolution of family disputes, using non-adversarial, problem-solving means to the extent possible and appropriate.

The committee is nearing completion of the first draft of the Arizona Rules of Family Law Procedure (ARFLP) and is on track to submit a report of its findings and recommendations and the rules for approval to the Committee on Superior Courts (COSC) in February 2005 and the Arizona Judicial Council (AJC) in March 2005. If the Rules are approved by AJC, the Committee will submit the Rules for approval during the Supreme Court's Rules Agenda in June 2005 and circulate them for public comment through August 2005. The domestic relations rules committee hopes to have the rules of procedure effective on January 1, 2006.

The committee is comprised of 16 members who are judges, attorneys, and court personnel from around the state. They have reviewed current statewide and local rules of procedure, evidence, and alternative dispute resolution applicable in family law cases and will propose substitute or additional rules as needed for the Arizona Rules of Family Law Procedure. The committee also has reviewed rules of procedure from other states in its endeavor to identify areas in which current rules impede the fair and efficient disposition of domestic relations cases.

The committee has sought public input and recommendations from stakeholders prior to submitting the ARFLP for approval and has presented the ARFLP to various family law organizations and bar associations. The work is updated on the committee's Web site at <http://www.supreme.state.az.us/drrc>.



“We have implemented a more comprehensive education and training curriculum for new judges and have added a successful testing component. Class members took their studies seriously. Everyone worked and the results showed. My goal is to provide every new judge, law trained or not, with the ability to succeed.”

-- Chief Justice Jones,
2003 State of the
Judiciary

Enhanced training for judges in limited jurisdiction courts

Two years ago, a project began to improve and enhance training for limited jurisdiction judges. The project included revising the Limited Jurisdiction New Judge Orientation, developing computer-based training for limited jurisdiction judges, and developing additional training programs.

In 2002, the Limited Jurisdiction New Judge Orientation (NJO) program was revised, expanding the program and incorporating what had been pre-NJO and a post-NJO legal institute for nonlawyer judges. An administrative order established a standing Limited New Judge Orientation Committee comprised of justices of the peace, municipal court judges, and court administrators.

The program has continuously been improved since then. Lesson plans have been revised, a study guide was created to assist judges in learning the materials, and aspects of the curriculum were adjusted to assess knowledge. New Judge Orientation was expanded to three weeks: two in January and one in April. The program also was divided into educational units: Judicial Foundation; Civil; Criminal and Traffic; and Administrative Skills. Learning labs were added for Civil and Criminal proceedings and the judges now spend half a day on each area, practicing the skills needed to conduct hearings in the courtroom.

A second phase of enhanced training was put into place with the development of computer-based training for the judges. These self-paced lessons, which provide training prior to New Judge Orientation, offer more detailed and enhanced training in some areas. To date computer-based training has been developed to cover Legal Research; Legal Terminology; Initial Appearances, Arraignments and Guilty Pleas; The Arizona Court System and Restitution. Programs are being developed to cover Victims' Rights and Search and Seizure.

The third phase of enhanced training began in December 2004 with the kickoff course for the Judicial Training Academy. The first course, “FED and Beyond,” is an in-depth training program for new and experienced judges covering all aspects of Forcible Entry and Detainer proceedings. Additional courses will be added to cover other civil and criminal proceedings.

Another enhancement created for limited jurisdiction judges was the addition of links in the on-line judicial bench books and reference manuals to citation information. When using the on-line books, judges can click on citations to rules, statutes and cases to see the actual wording. This is a benefit especially for judges who do not have legal research accounts with a legal research provider.

All the enhanced training opportunities have been designed to help new and experienced limited jurisdiction judges gain the skills necessary and have access to the resources needed to ensure quality justice and due process for all who appear in their courts.



Family court in Maricopa County gets overall, independent review

In February 2004, the Supreme Court commissioned an independent study of the overall performance of the Family Court Department of the Superior Court in Maricopa County. The study was designed to identify possible causes and solutions for delays in resolving divorce, child custody, child support, and other family law cases.

A consultant was hired for this project who gathered data for several months and surveyed court staff, judges, lawyers, and litigants before issuing a final report on August 18, 2004. The report is available the Supreme Court's Web site at: <http://www.supreme.state.az.us/nav2/083004FamCourtReport.pdf>

Among its findings, the report acknowledges that the Family Court Department has many strengths and innovative programs in place and recommends several approaches to improve time-to-disposition rates for family law cases.

Recommendations for action by the Supreme Court include:

- Adopt authoritative distinctions between legal information and legal advice for the guidance of court staff.
- Train the Judicial Selection Commission regarding judicial needs of the Family Court Department.
- Review current disposition time standards and impose interim standards for family cases to be in effect for the next two years.
- Amend Civil Rule of Procedure 38.1 to eliminate the practice of maintaining active and inactive civil calendars.

Recommendations for action by the Superior Court in Maricopa County include the following:

- Create a standard procedure for early intervention in all family cases conducted by both staff and judges, focused on resolution of most cases on their first appearance in court, and provide a "single, simple process" for initial processing of all family matters.
- Improve the use of ancillary services by referring litigants to those most appropriate to their cases.
- Aggressively manage all cases not resolved at the first court hearing.
- Create judge/staff teams to replace the ancillary services units.
- Expand the amount of one-on-one service provided to self-represented parties in the Self Service Center, in the new judge/staff teams, and in the department as a whole.
- Create a governance structure for the department.
- Lessen the impact of the judicial rotation period for judges in the department, including, if necessary, extending the rotation period.



- Provide case management training for all newly appointed Family Court Department judges.
- Provide on-going case management training for case managers.
- Eliminate paper case files for family cases filed since 2002.
- Reassess the role of attorney case managers.

Judge Norman Davis, Presiding Judge of the Family Court Department in Maricopa County, presented a Plan of Enhancement in October 2004 to the Arizona Judicial Council, which approved it. The plan includes:

- Early judicial intervention, where the parties meet with a judge early on in the process to settle as many issues as possible.
- A process has been originated in the downtown court which allows litigants to choose their own default hearing date.
- A uniform case management system is being implemented.
- The court is converting the Self Service Center into a Web-based system which offers online dissolution forms.
- Parties will go to post-modification court one day and hopefully reach agreement and enter orders on the same day. If there is dispute on some issues, parties may go right into the courtroom and a judge for a judicial decision on those unresolved issues.
- Judge Davis has formed a committee to research the issue of judge rotation.
- Development of a child support arrearage calculator.
- Data cleanup of old Order of Protection cases has begun; cases requiring no further action were moved off the open, active roster. A similar approach is underway with legal separation cases and paternity cases which have no current issues pending.

Full implementation of the Plan of Enhancement is expected by August 20, 2005; full compliance with the Plan of Enhancement, as well as interim time to disposition standards contained in the Plan, is required by August 20, 2006.

Court begins to review mandatory arbitration process

Recognizing the need to examine the efficiency and effectiveness of Arizona's mandatory arbitration process as an alternative dispute resolution tool, the Supreme Court contracted with researchers from Arizona State University's College of Law Lodestar Dispute Resolution Program to conduct a study which began in 2004.

The current system, which has been in place for over a decade, requires cases under a specific jurisdictional limit to proceed through non-binding arbitration. This court-annexed arbitration system was designed to relieve court congestion and to provide litigants a more efficient mechanism for resolving lawsuits in which the amount in controversy might not justify the costs associated with traditional litigation.



The study will provide a better understanding of whether the current arbitration system expedites the resolution process, reduces costs for litigants and the courts, and provides greater user satisfaction.

At the completion of the study, the researchers will present the findings and recommendations to the Supreme Court, the Arizona Judicial Council, the State Bar Board of Governors as well as other Supreme Court committees.

Complex litigation court aims to streamline calendars

A committee established by Chief Justice Charles E. Jones in 2001 examined ways to improve the manner in which complex civil cases are handled in Arizona courts. The committee concluded that a more efficient and effective way to adjudicate complex cases would be to establish a separate complex civil litigation department governed by rules of procedure crafted to handle these cases.

Additionally, the committee concluded that removing complex cases from the overall mix will allow the civil bench to devote more resources to the large volume of civil cases.

In January 2003, Chief Justice Jones authorized the establishment of a complex civil litigation pilot program in the Superior Court in Maricopa County.

The foundation for successful processing of complex litigation is active hands-on management by the judge. To develop this skill, the three judges selected for the pilot program have received special training in case management techniques as well as substantive law areas common to complex cases. An important feature of the program is that one judge oversees all aspects of a case and stays with the case until its resolution.

Case management is designed to encourage early resolution of cases or parts of cases.

Participants in the program file their pleadings and motions electronically. They are also encouraged to use electronic communication, storage, and transmission of evidence. The electronic documents e-filed and e-served in the pilot program to date are estimated to equal a stack of paper as tall as a 14-story building. An evaluation of the pilot program will be submitted to the Supreme Court in December 2006.

Chief Justice reaches out to Arizona business leaders

In 2003, Chief Justice Charles E. Jones assembled a statewide group of business representatives to serve as a resource and a sounding board.

Chief Justice Jones, who serves on the National Business Roundtable, decided the time was opportune for a similar dialogue within Arizona with



the business leaders. The national group, which is hosted by the National Center for the Courts (NCSC), gathers general counsels from the nation's Fortune 500 companies and the states' chief justices for discussions on how to improve the civil litigation systems.

Established under the auspices of the Supreme Court's Arizona Judicial Council, the Arizona Business Roundtable provides the Court and the Arizona business community an opportunity to discuss current issues affecting the Arizona judicial system and the people it serves.

Membership of the Roundtable, which meets at least once annually, includes the general counsels of companies across the state, representing a broad and diverse cross-section of Arizona's business community and judicial and legal community representatives.

The mission statement for the Roundtable recognizes that "the court and business community share common interests and concerns about the efficient, equitable, and timely administration within the justice system. The Roundtable will provide both the court and the business community a forum in which to identify and discuss improvements to the administration of justice, promote better understanding of problems and opportunities, and facilitate discussion of solutions and strategies."

Although an increasing amount of court time and resources are being devoted to the state's criminal offenders, civil litigation remains a critical part of resolving conflicts within the world of business and commerce.

Committee on Keeping The Record is established

Making and preserving an accurate record of court proceedings is a core function of the court system. The Committee on Keeping the Record was established by Chief Justice Jones to evaluate a comprehensive list of issues relating to how courts should address the chronic shortage of stenographic court reporters without compromising the provision of swift, fair justice.

The Committee has focused on three primary topics: electronic alternatives for creating and preserving the verbatim record, effective utilization of court reporters and transcription services, and evaluating the rules and statutes that prohibit courts from using mechanical recording equipment as a replacement for traditional stenographic reporters.

The Committee is expected to issue its findings and recommendations by December 2005. The Committee's Interim Report is available online at: www.supreme.state.az.us/ktr.



Defensive driving program provides alternatives

Each year, more than 220,000 eligible drivers, those who have received a traffic violation and wish to have it dismissed through completion of a class, choose the option of attending defensive driving school. The Defensive Driving Program of the Administrative Office of the Courts certifies and oversees the defensive driving schools and instructors, regularly monitoring the defensive driving classes and performing operational reviews of the schools. The program is also responsible for handling any complaints alleging misconduct by a defensive driving instructor or school and can take appropriate disciplinary action.

To meet the changing needs of the citizens and courts of Arizona, the Supreme Court in 2003 adopted “alternative delivery methods” (ADM), to allow for delivery of course material in nontraditional formats, including, for example, over the Internet. Historically, the program has required in-class attendance and a live instructor. There are now five schools certified to provide alternative delivery classes to Arizona students. To obtain certification for an alternative delivery method course, a school must demonstrate that it can meet the Defensive Driving Program standards, including verification of students’ identification, participation, and having met the minimum class time and instruction requirements.



2004 Report of the
Arizona Judicial Branch



“We are called upon simply to resolve controversy, to give meaning to the law, calling on the best of our abilities to provide justice, equity, and balance among all the competing interests. To do so, we depend on the trust and confidence of the people — the same people that gave us our Constitution, and the same people that today, offer sustaining hope for the perpetuation of our inspired form of government.”

-- Chief Justice Jones,
Second Annual
State of the Judiciary

Connecting with the Community

Courts exist to serve the public and cannot serve effectively if meaningful communication with the community does not exist. This strategic initiative, Connecting with the Community, focuses on enhancing judicial communication with the public and the other branches of government, as well as fostering public understanding of the important role of the judiciary in our democracy.

Taking the financial hardship out of jury service

Beginning in July 2004, Arizona became the first state in the nation to replace lost wages of jurors who serve on longer trials. The Arizona Lengthy Trial Fund, supported by a \$15 filing fee imposed on certain civil case filings, reimburses jurors who lose their regular income while they serve as jurors.

Eligible jurors must serve more than 10 days to qualify. Compensation is capped at \$100 per day for Day 4 through Day 10, and \$300 per day for Days 11 and up. Unemployed or retired jurors serving on longer trials are also eligible for \$40 per day in jury pay. This is a substantial increase over the \$12 per day which all jurors are paid customarily.

The goal of this program is to eliminate the financial hardship that so often accompanies jury service, and thereby enable a greater cross-section of the community to serve on longer civil and criminal trials.

In the period July through December 2004, the fund paid out over \$37,000 in wage replacement to 41 jurors who served in 10 cases. The average payment from the fund for each juror was \$70 per day. The average length of these longer jury trials was 24 days in criminal cases and 13 days in civil cases.

The Court takes oral arguments on the road, fields questions from the public

Four times a year, the Arizona Supreme Court leaves its chambers and court room on the State Capitol mall and travels around the state to offer students and community residents an opportunity to personally attend an Oral Argument session before the High Court.

In the spring of 2004, the Court traveled to the College of Law at Arizona State University where the Justices heard oral arguments on two pending cases. In the fall, the court traveled to the College of Law at the University of Arizona in Tucson for a similar event in front of an audience of primarily law students.



2004 Report of the Arizona Judicial Branch

Connecting with the Community

“We in Arizona’s judiciary reach into nearly every community, and perform jobs that are essential to the delivery of justice and the protection of our citizens.”

-- Chief Justice Jones,
speaking to the Arizona
Judicial Conference

In addition to visiting the law schools, the Court and its staff complete with a field kit that enables the courtroom to be mobile, travel two other times to small communities in the state.

This program is an opportunity for the Court to reach out to and be seen by the people of the state at the grassroots level. This outreach often becomes more dramatic in the rural areas of the state where neither students nor residents have many opportunities to travel to the state capital or to become familiar with Arizona’s judiciary.

The Court also conducted a “community town hall” following oral arguments to answer general questions from audience members.

Hundreds of people turned out to each event for the unique opportunity to speak directly with the Justices on topics of interest.

The Court also sets aside time to meet with members of the community when they visit and informal briefings and discussions are held with representatives from the business community, elected leadership, church and synagogue clergy and local educators and their students.

Public access drives customers to the courts through the Web site

The Arizona Judicial Branch provided an impressive display of online information for the public and legal community in 2004.

With more than 25 million hits logged by users this past year, the court’s Web site provided valuable information to 489,721 visitors, who viewed an average of 17,212 web pages per day.

A total of 6,299,916 Web pages were viewed/downloaded, with the most popular pages being the courts’ online Public Access to Court Information and online Child Support Calculator. Public Access to Court Information had 1,568,468 visitor sessions conducted by 295,279 visitors who viewed 25,213,592 pages of both civil and criminal case records.

The Child Support Calculator did brisk business as it generated 212,132 calculations for 74,986 visitors which resulted in 6,884,485 hits on Child Support Calculator documents with only 0.01 percent page error. These visits came from 74,986 separate computer users. And visitors were able to perform successful child support calculations nearly 4.8 million times.

Visit the Arizona Judicial Branch Web site at www.supremestate.az.us/ The Public Access to Court Information is at <http://www.supremestate.az.us/publicaccess/default.htm>. And the Arizona Child Support Guidelines Calculator can be found at www.supremestate.az.us/childsup/



“The Arizona Judiciary is attempting to help the state budget shortfall through a heightened enforcement effort to collect unpaid court fines and fees. Known as the F.A.R.E. program, for fines/fees and restitution enforcement builds on the past success of an effort begun in 1988.”

-- Chief Justice Jones,
speaking to members of
the Phoenix Chamber of
Commerce

The judiciary, like the executive and legislative branches of government, must be accountable to the public. This strategic initiative, Being Accountable, focuses on the obligation of the judiciary to ensure staff at all levels are competent, professional, and customer service-oriented.

Fines/Fees and restitution enforcement, (FARE) program, has early success

The Fines/Fees and Restitution Enforcement (FARE) Program is a statewide initiative of the judicial branch with the goals of compliance with and respect for court orders and the law, enhanced customer service, increased revenues, consistency and uniformity in case processing, and efficiencies in the collections process.

The program is a public/private partnership involving the courts, other governmental entities, including the Motor Vehicle Division and Department of Revenue, and a private vendor. Following a competitive procurement process, Affiliated Computer Services, Inc. (ACS) was chosen as the private vendor to work with the courts on this program.

FARE was officially launched by Chief Justice Charles E. Jones on July 9, 2003, at a meeting with the “pioneer courts.” The pioneer courts consist of seven courts that volunteered to pilot the program: Chandler Municipal Court, Phoenix Municipal Court, Tucson Municipal Court, Show Low Municipal Court, Central Phoenix Justice of the Peace Court, East Phoenix #1 Justice of the Peace Court, and West Phoenix Justice of the Peace Court.

Since that kickoff meeting, judges and court administrators from the pioneer courts have met regularly with Administrative Office of the Courts (AOC) and ACS staff to work through the details of implementing the program in their courts.

Collection efforts to date have been on ease of access to pay court orders, fines, and assessments of delinquent cases. In the first 18 months of operation, the backlog cases that have been brought into special collections by Tucson, Show Low, Flagstaff and Wickenburg Municipal Courts, the Maricopa County Justice Courts, Superior Court, Clerk of Court and Juvenile probation and all limited jurisdiction courts in Navajo County have generated over \$4.5 million.

Bilingual Web-based and telephone credit card payment began in 2004. Since inception of these services, more than \$325,000 has been collected over the Web and IVR systems. Out-of-state defendants make approximately 22 percent of the payments.



In mid-August 2004, the Traffic Ticket Enforcement Assistance Program (TTEAP) became available. TTEAP allows the Motor Vehicle Division, on instruction from the court, to place a hold on a vehicle registration renewal when there are more than \$200 in outstanding court obligations for civil or criminal traffic violations or there is a failure to appear on a criminal traffic citation. TTEAP will only be used after the defendant has received several notices and has had opportunity to comply with the court order. This means they can pay in full or they can go to court and request time to pay and establish an installment plan to accommodate their particular situation. Flagstaff and Tucson Municipal Courts (our first opportunity for cross-court name matching) are the first courts to send cases to TTEAP. After four months, over 13,200 registration holds have been placed and 685 holds have been released following payment.

The full FARE model is on track to be implemented in the City of Phoenix Municipal Court in March 2005. This will provide a full range of collection and order enforcement services to the court which include a reminder notice, two delinquency notices, Web and IVR systems, skip tracing, referral to TTEAP and the Tax Intercept Program and credit bureau reporting. Overall the local court will retain responsibility for “front end” and “back end” case processing while the “middle” (order enforcement and collection activities) will be performed by ACS. Most importantly the court retains control over the entire process.

Security and emergency planning for the Arizona court system

The day-to-day safe operation of the courts and their continued operation following a natural or man-made disaster are essential to our democratic society. However, a safe court environment must be provided in a manner that preserves the rights of citizens and guarantees their access to the courts.

Fortunately, the Arizona court system has avoided significant long term disruption of its operations from either natural disasters or intentionally inflicted harm. Nevertheless, it has witnessed the potential for natural disaster from uncontrolled wildfires. In particular, the disastrous Rodeo-Chediski fire during 2002 and some lesser blazes during more recent fire seasons highlighted the vulnerability of Arizona’s courts to possible disruption. The Rodeo-Chediski fire, in particular, provided valuable lessons about what happens when large rural areas and towns are evacuated, courts are closed and court business disrupted. In an effort to leverage the experience of managing through those emergencies, the Arizona Supreme Court has taken steps to prepare for the next emergency.



Chief Justice Charles E. Jones issued Administrative Order 2003-21 creating the Court Security and Emergency Preparedness Committee, which was charged with developing recommendations and guidelines for security, emergency preparedness and contingency planning and an interim emergency plan to deal with summer fire emergencies. The committee submitted its emergency plan as requested and its full report *Preparing for the Unthinkable*. The report recommends that local courts assume responsibility for developing their emergency plans using local resources, and that each local plan meet minimum basic requirements, including:

- a designated chain-of-command/authority,
- a designated emergency response team,
- a communication plan for critical personnel,
- a designated alternative facility,
- a plan for training/testing/disseminating the plan, and
- an evacuation plan.

Most county superior courts and many limited jurisdiction courts have moved ahead and have either completed their emergency planning or are in the process of developing and refining their plans. In some cases, courts have combined efforts as in Maricopa County where the Superior Court and the justice courts recently completed their emergency plans and updated their security operations.

The foundation has been laid for an ongoing process of emergency and security planning and review that will save lives, protect property, and insure the operation of Arizona's courts during any emergency.

Commission on Minorities report is on the horizon

The Commission on Minorities (COM) drafted its First Annual Report Card on Overrepresentation in the Juvenile Justice System. The report, produced by the joint efforts of the Juvenile Justice Services Division and the COM Overrepresentation Workgroup, will be released in early 2005.

This report is a result of recommendations from the 2002 *Equitable Treatment of Minority Youth* report produced by the Arizona Supreme Court Commission on Minorities. One of the commission's recommendations was to create an annual report card to assess progress on the reduction of over-representation of minority youth in the juvenile justice system.

Most previous research on overrepresentation has been point-in-time data, tracking different juveniles at each stage of the juvenile justice system. This report differs from earlier reports in that it tracks one group of juveniles from referral to disposition. This data will serve as a baseline for future report cards. The intent is to illustrate the current situation, provide a basis for future comparison and highlight areas of special concern.



2004 Report of the
Arizona Judicial Branch



“The Court has taken action to make legal services more available to the public and establish a system to deal with abuse perpetrated by some who prepare legal documents. I am proud of what was accomplished ... These new rules provide Arizona’s citizens with needed protection against unscrupulous or incompetent legal assistance, while providing choices for consumers of legal services.”

-- Chief Justice Jones,
speaking to the Arizona
Judicial Conference

Serving the Public by Improving the Legal Profession

The judiciary has long recognized the indispensable role of the legal profession in protecting individual rights and liberties in a free society. We continue in that tradition. Because the Supreme Court regulates the practice of law; however, the judiciary must determine how the legal profession can best serve the public. While the traditional adversarial system for resolving disputes may be applicable in the majority of legal disputes, that system may not be desirable in all cases.

Legal document preparer program establishes regulations for accountability

The Legal Document Preparer Certification Program, one of only a few in the nation, strives to protect the public through the establishment of professional standards and accountability for non-lawyer legal document preparers in Arizona. The program, governed by Arizona Supreme Court Rule 31 and Arizona Code of Judicial Administration §§ 7-208, requires certification for all non-attorney legal document preparers who engage in the practice of preparing legal documents without the supervision of an attorney.

The Board of Legal Document Preparers, appointed by the Chief Justice, is responsible for making all final decisions regarding certification and disciplinary action. To date, the Board has processed over 1,300 applications for initial and/or renewal of certification.

In addition, the Board has considered and taken action on complaints filed against certificate holders and individuals who engage in legal document preparation without certification. Action taken by the Board has included revocation of certification and filing of cease and desist petitions in the Superior Court.

Ongoing improvements for the attorney discipline system

Arizona has seen significant improvements in the amount of time required to process formal complaints against attorneys as a result of ongoing cooperation between the State Bar, which prosecutes complaints against attorneys, and the Administrative Office of the Courts, which is responsible for the adjudication phase of the process.



A series of improvements to the attorney discipline system has been launched, based on initiatives approved by the Supreme Court.

Revisions to court rules approved in 2003 and implementation of new internal procedures has resulted in notable improvements. For example, the average time for processing formal complaints over a two-year period decreased by 42 percent. Integral to this effort is the work of the hearing officers, attorneys who volunteer their time to preside over the administrative hearings, and the members of the Disciplinary Commission.

The commission is made up of attorneys and members of the public who also volunteer their time to consider the disciplinary cases and to make recommendations to the Supreme Court regarding the appropriate resolution.

Attorneys take laptops into admission examinations

In February 2001, Arizona became the fifth jurisdiction in the nation to permit examinees to use laptop computers for the essay portion of the attorney bar examination. Since then, an increasing number of examinees have chosen this option, with 30 percent of the July 2004 bar candidates electing this option. A total of 1,508 applications were processed for the February and July 2004 examinations.



Caseload and Revenue Highlights

- Arizona Courts had a total of 2,498,734 case filings in FY 2004.
- On average, there were 10,076 cases filed in Arizona Courts every working day.
- On average, there were 1,260 cases filed in Arizona Courts every working hour.
- Statewide case filings decreased by 30,600 or 1.2%, while Superior Court case filings increased by 6.5%.
- Superior Court criminal and domestic relations case filings increased by 5.4% and 11.2%, respectively.
- While statewide Justice Court case filings decreased by 1.6% in FY 2004, rural Justice Court case filings increased by 1.7%. The majority of the increase in rural Justice Courts was in the misdemeanor case category. Misdemeanor case filings increased by 8.2% in rural Justice Courts in FY 2004.
- In FY 2004, Municipal Court (statewide) case filings decreased by 2.0%, while the rural Municipal Court case filings increased by 4.5% during the same period.
- In FY 2004, there were 88,207 DUI case filings in Justice and Municipal Courts for an increase of 2.9% from FY 2003.
- Civil traffic case filings accounted for 56% of all case filings in Justice and Municipal Courts. This case category decreased by 52,000 case filings, or 3.9% from FY 2003 to FY 2004.
- While total statewide case filings are down, revenue increased by \$22.4 million or 9.8% in FY 2004, due in part by extensive collection efforts by the courts and AOC's Fines and Restitution Enforcement (FARE) project.
- Arizona courts have collected more than \$1.3 billion in additional revenue over the \$70 million benchmark established in FY 1988.

Arizona's Judiciary Organizational Chart

Supreme Court

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

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

Superior Court

163 Judges, 4-year terms
Presiding Judge in each county

Apache	1	Greenlee	1	Pima	28
Cochise	4	LaPaz	1	Pinal	7
Coconino	4	Maricopa	91	Santa Cruz	2
Gila	2	Mohave	6	Yavapai	6
Graham	1	Navajo	3	Yuma	6

Justice of the Peace Courts

85 Judges, 85 Precincts, 4-year terms

Municipal Courts

129 Full- and Part-time Judges, 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		

Judges Courts			
Apache	3	Navajo	4
Cochise	6	Pima	17
Coconino	6	Pinal	9
Gila	5	Santa Cruz	2
Graham	2	Yavapai	8
Greenlee	1	Yuma	4
LaPaz	2		
Maricopa	60		

FY 2004 Case Filings By Court Level

Supreme Court	1,170
Court of Appeals	3,457
Division One	2,596
Division Two	861
Tax Court	1,253

County	Superior	Justice	Municipal
APACHE	1,065	9,559	1,638
COCHISE	4,448	46,150	8,589
COCONINO	3,851	28,771	27,017
GILA	2,358	15,186	8,680
GRAHAM	1,352	5,819	3,218
GREENLEE	321	1,584	550
LA PAZ	951	16,945	3,293
MARICOPA	128,876	348,040	956,475
MOHAVE	5,113	49,008	29,586
NAVAJO	3,204	24,526	6,071
PIMA	30,165	189,106	281,845
PINAL	7,801	44,475	29,538
SANTA CRUZ	1,728	10,496	17,890
YAVAPAI	7,235	36,914	41,862
YUMA	6,213	22,142	23,200
TOTAL	204,681	848,721	1,439,452
	FY 2003	FY 2004	Difference
Total Filings	2,529,361	2,498,734	(30,627)
			(1.2%)

Arizona Supreme Court



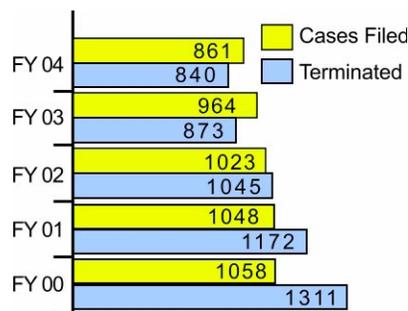
- Supreme Court FY 2004 case filings decreased 1.7% from cases filed in FY 2003.
- Cases terminated by the court in FY 2004 increased 0.8% over case terminations in FY 2003.
- The difference between filings and terminations resulted in a pending caseload decrease of 8.7%, down from 402 on July 1, 2003, to 367 cases on June 30, 2004.

Court of Appeals, Division One

- Filings in FY 2004 represented a 5.6% decrease from FY 2003. Total criminal filings, the largest category, decreased 14.6% from 1,132 in FY 2003 to 967 in FY 2004.
- FY 2004 case terminations increased by 3.8%.
- Total cases pending decreased 0.9%, from 2,133 on July 1, 2003 to 2,114 on June 30, 2004.

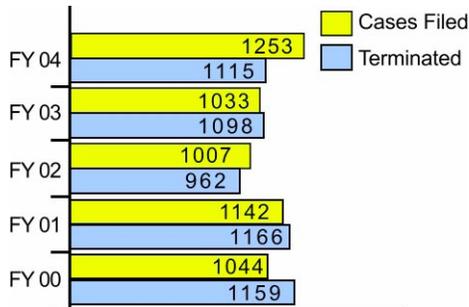


Court of Appeals, Division Two



- Total filings in FY 2004 decreased 10.7% from FY 2003. Total criminal filings, the largest category, decreased 10.9% from 468 in FY 2003 to 417 in FY 2004.
- FY 2004 case terminations decreased by 3.8%.
- Total cases pending increased by 4.1%, from 1,194 on July 1, 2003 to 1,243 on June 30, 2004.

Arizona Tax Court

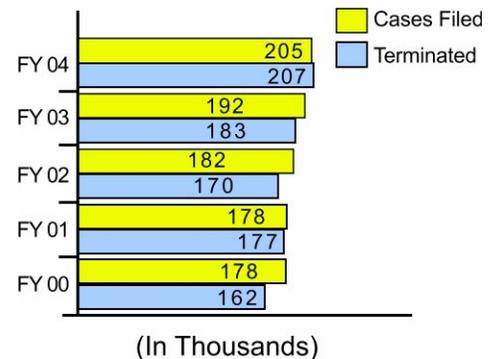


The Arizona Tax Court serves as the Statewide venue for all civil actions involving a tax, impost or assessment.

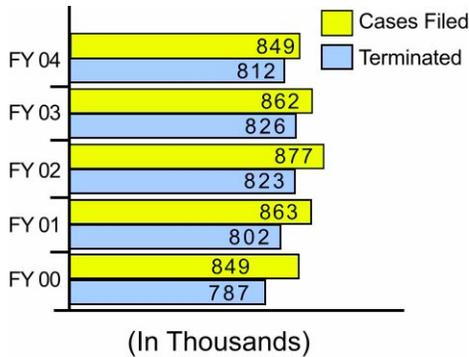
- A total of 1,253 original cases were filed in the court during FY 2004, an increase of 21.3% from the 1,033 cases filed in FY 2003.
- Of the FY 2004 cases filed, 742 were property tax actions, accounting for 59.2% of the total.
- A total of 1,115 cases were terminated, 377 by judgment.
- As of June 30, 2004, there were 979 cases pending in the tax court.

Superior Court

- Total case filings in FY 2004 increased by 6.5% from FY 2003.
- Total case terminations increased by 13.2% in the same period.
- Civil case filings increased 3.6%, from 50,711 in FY 2003 to 52,523 in FY 2004. In the same period, civil case terminations were up 8.9%, from 50,624 to 55,114.
- Criminal case filings increased 5.4%, from 53,198 in FY 2003 to 56,078 in FY 2004. Criminal case terminations increased 7.9% from 45,647 to 49,248.
- Domestic relations cases increased 11.2%, from 48,067 in FY 2003 to 53,434 in FY 2004, and domestic relations case terminations increased 7.1%, from 49,374 to 52,884. Domestic violence petition filings decreased 4.1% in Superior Court, from 7,770 to 7,455 in FY 2004.
- There were 220,197 total cases pending on July 1, 2003, compared with 214,609 cases pending on June 30, 2004, a decrease of 2.5%.
- Juveniles with direct filings to adult court decreased 16.4%, from 470 in FY 2003 to 393 in FY 2004. Juvenile cases transferred to adult court increased 8.2%, from 97 in FY 2003 to 105 in FY 2004. A total of 498 juvenile cases were either transferred or directly filed in adult court in FY 2004 compared to 567 in FY 2003, a decrease of 12.2%.



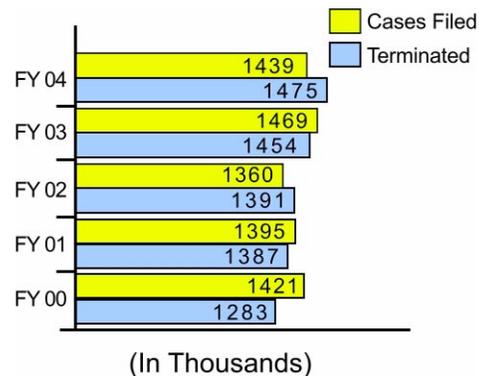
Justice of the Peace Courts



- Total filings in FY 2004 decreased 1.6% from FY 2003. Total case terminations decreased 1.7%.
- Civil and criminal traffic filings, which comprise almost two-thirds of all justice court filings, decreased 3.7%, from 539,145 in FY 2003 to 519,235 this fiscal year.
- Criminal (misdemeanor and felony) case filings decreased 3.7%, from 149,100 in FY 2003 to 143,590 in FY 2004. Criminal case terminations decreased 9.7%, from 147,041 in FY 2003 to 132,717 in FY 2004.
- Domestic violence petition filings increased 1.8% in justice courts, from 10,820 to 11,015. Petitions for Injunctions Against Harassment increased 1.6% from 9,940 to 10,097.
- Total cases pending increased by 0.7% from 635,786 on July 1, 2003 to 640,142 on June 30, 2004.

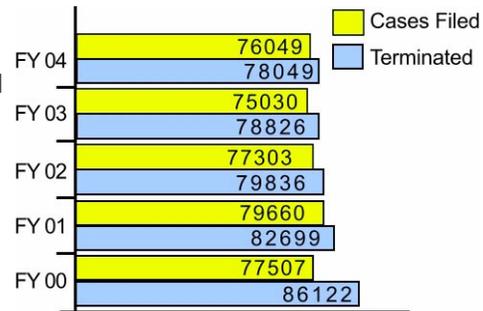
Municipal Courts

- Case filings in FY 2004 decreased 2.0% from FY 2003. Total case terminations increased 1.4% in the same period
- Civil and criminal traffic filings, which comprise about three-fourths of all municipal court cases, decreased 2.5%, from 1,073,947 in FY 2003 to 1,047,172 in FY 2004.
- Criminal misdemeanor case filings increased 0.3% from 233,507 in FY 2003 to 234,139 in FY, 2004. Criminal misdemeanor case terminations increased 6.6%, from 235,046 in FY 2003 to 250,526 in FY 2004.
- Domestic violence petitions increased 3.8%, from 12,920 in FY 2003 to 13,405 in FY 2004. Petitions for Injunction Against Harassment decreased 2.9% from 9,695 to 9,412.
- Total cases pending decreased 1.8%, from 855,309 on July 1, 2003 to 839,507 on June 30, 2004.



Juvenile Court Referrals

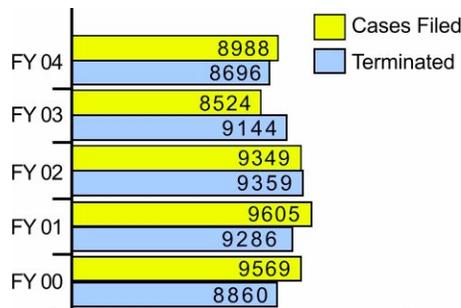
- There were 76,049 referrals to juvenile court in FY 2004, a 1.4% increase compared to 75,030 in the previous fiscal year.
- 78,049 referrals were terminated in FY 2004, a 1.0% decrease compared to the 78,826 referrals terminated in FY 2003.



Juvenile Court Petitions

- A total of 31,008 petitions were filed in FY 2004, a 5.0% increase from the 29,534 petitions filed in FY 2003.
- A total of 29,727 petitions were terminated in FY 2004, a 1.0% increase from the 29,428 terminated in FY 2003.

Juvenile Probation/Corrections



- The number of juveniles on probation at the end of FY 2004 increased 2.7% from 8,876 on July 1, 2003 to 9,115 on June 30, 2004.
- A total of 8,988 adjudicated juveniles were placed on probation in FY 2004, a 5.4% increase from the 8,524 youths placed on probation in FY 2003.
- 8,696 juveniles were released from probation, a decrease of 4.9% from the 9,144 terminated last year.
- 884 juveniles were committed to the Arizona Department of Juvenile Corrections during FY 2004, a decrease of 4.5% from the 926 committed last fiscal year.

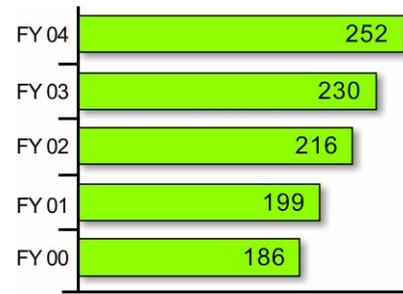
Adult Probation

- The number of individuals under the jurisdiction of Arizona adult probation departments at the end of FY 2004 increased 4.5% from 63,763 on July 1, 2003 to 66,642 on June 30, 2004.
- Of the 66,642 under the jurisdiction of adult probation, 61,280 were on standard probation, 4,164 on intensive probation, and 1,198 were interstate compact cases.

Statewide Revenue and Expenditure Summary

Revenue

- Total statewide court revenue increased 9.8%, from \$229.8 million in FY 2003 to \$252.2 million in FY 2004, reflecting the continuing efforts of the courts statewide to collect court-ordered fines, fees, and surcharges.
- The second graph (Increased Revenue Trend) represents the trend in increased court revenue above the \$70 million benchmark established in FY 1988. Since that time, courts have collected over \$1.3 billion in additional revenue.
- Of the total court system revenue, the state received 36.2%, counties received 33.8% and cities and towns 30.0%.
- 47.8% of total court revenue was generated by municipal courts, 25.7% by justice courts, 24.6% by Superior Court and 1.9% by appellate courts.
- Total restitution payments for victims collected by courts decreased 5.4% from \$17.0 million in FY 2003 to \$16.1 million in FY 2004.



\$ MILLIONS

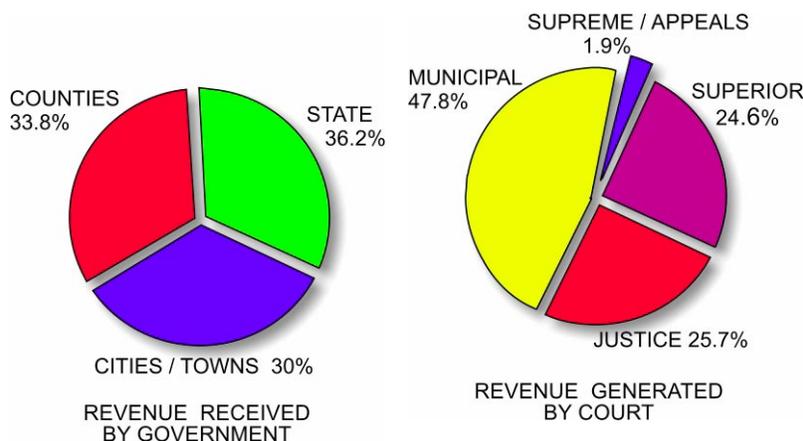
REVENUE BY FISCAL YEAR



\$ MILLIONS

INCREASED REVENUE TREND*

*Revenue in Excess of 1988 Benchmark

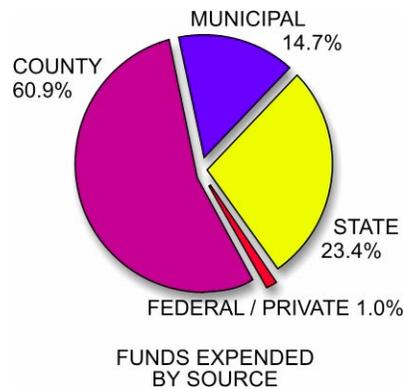
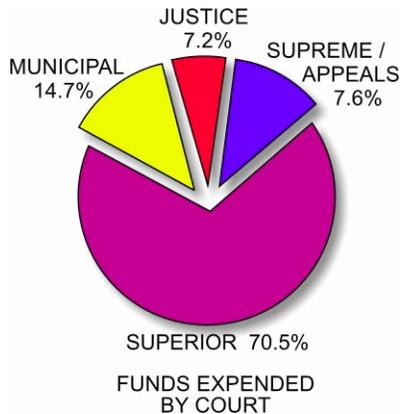
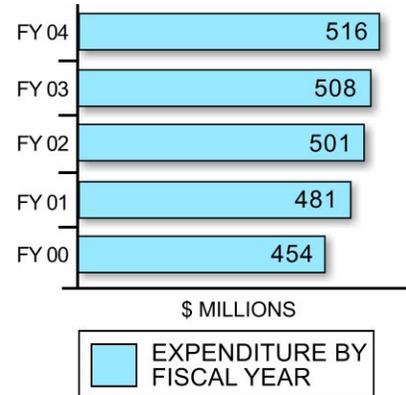


\$ MILLIONS

RESTITUTION COLLECTED

Expenditure Summary

- Total statewide court expenditures increased 1.6% from \$508.2 million in FY 2003 to \$516.3 million in FY 2004.
- 60.9 % of the total funds spent by the court system were from the counties, 23.4% from the state, 14.7% from cities and towns, and 1.0% from federal and private sources.
- 70.5% of total court expenditures were in Superior Court (including probation), 14.7% in municipal courts, 7.6% at the appellate level (including statewide administration) and 7.2% in the justice courts.



The data contained in this report was compiled from Supreme Court financial records, caseload reports from courts, and responses to the unaudited Supreme Court survey of expenditures and revenues for fiscal year 2004 (July 1, 2003 - June 30, 2004). All data received by the publication deadline is included but some information is preliminary. Final counts will be published in the 2004 Arizona Courts Data Report early in 2005.

©2005 Arizona Supreme Court
Published by
Arizona Supreme Court
Administrative Office of the Courts
1501 W. Washington, Ste. 411
Phoenix, Arizona 85007-3231
(602) 542-9300 TDD (602) 542-9545
<http://www.supreme.state.az.us>

This publication may be provided in an alternative format or other assistance may be provided upon request by a qualified individual with a disability under the provisions of The Americans with Disabilities Act.