

# STEERING COMMITTEE ON DATA-BASED COURT PERFORMANCE AND DATA STANDARDS

June 5, 2024

1:30 p.m. – 3:30 p.m., Hybrid Meeting

MINUTES

---

**Members Present:** Hon. James Beene, Ms. Shelly Bacon, Hon. Thomas L. Chotena, Ms. Jennifer Curtiss, Hon. Pamela Frasher-Gates, Ms. Shawn Friend, Hon. Ken Lee, Ms. Tina Mattison, Ms. Donna McQuality, Hon. Heidi Owens, Hon. Michael Peterson, Mr. Marcus Reinkensmeyer, Ms. Nancy Rodriguez, and Hon. Don Taylor

**Members Absent:** Hon. Trevor Ward

**Presenters and Guests:** Hon. Vice Chief Justice Ann A. Scott Timmer (Arizona Supreme Court); Hon. Anna Young (Yavapai County), and Hon. Kellie Johnson (Pima County), Mr. Gil Bensinger (Pima County); Hon. Lori Bustamante (Maricopa County); Ms. Jennifer Ferguson (Maricopa County),

**Administrative Office of the Courts (AOC) Staff:** Ms. Mary Bellefeuille (AOC), Mr. Stewart Bruner (AOC), Mr. James Cerasia (AOC), Ms. Cathy Clarich (AOC), Ms. Mira Eissa (AOC); Ms. Caroline Lutt-Owens (AOC), Mr. Michael Malone (AOC), Ms. Shelby Respicio (AOC), Ms. Laura Ritenour (AOC), Robert Shelley (AOC)

---

## I. CALL TO ORDER

### A. Welcome and Opening Remarks

The June 5, 2024, meeting of the Steering Committee on Data-Based Court Performance and Data Standards was called to order by the Chair, Justice James Beene, at 1:30 p.m. The Chair conducted member roll call and members were thanked for their attendance and service.

### B. Approval of the March 6, 2024, Minutes

The draft minutes from the March 6, 2024, meeting of the Steering Committee on Data-Based Court Performance and Data Standards were presented for approval. Justice Beene called for any omissions or corrections to the minutes, and none were made. A motion was made by Nancy Rodriguez and seconded by Marcus Reinkensmeyer to approve the minutes. The motion passed unanimously.

## II. REGULAR BUSINESS

### **A. 2024 – 2029 Strategic Agenda**

Justice Beene welcomed Vice Chief Justice Ann A. Scott Timmer to the meeting. As part of her Vice Chief role, she collaborated with numerous committees and workgroups on the creation of the draft 2024-2029 Strategic Agenda. Members of the Court elected Vice Chief Justice Ann A. Scott Timmer as incoming Chief Justice and her five-year term begins July 1, 2024. Her presentation focused on the draft Agenda's data and technology sections. Vice Chief Justice Timmer stressed the importance of data standards for statewide projects and the need for the judicial branch to be proactive when developing guidelines for the practice of law and artificial intelligence (AI). Marcus Reinkensmeyer added that 90% of the items in the current 2019-2024 Strategic Agenda have been completed. Judge Michael Peterson added some background information on a current initiative being discussed for the triage of family court cases and highlighted the increased need for regional coordination for family court case mediation.

### **B. Request for Collaborative Workgroup with Committee on Juvenile Courts**

Justice Beene welcomed Judge Anna Young, chair of the Committee on Juvenile Courts. Judge Young reported that at its April meeting, the Committee on Juvenile Courts reviewed a memorandum regarding Juvenile Time Standards authored by the Mohave County Superior Court Juvenile Bench. The memorandum outlined issues the Bench was facing in meeting the time standards and recommendations for modifications to the time standards. Judge Anna Young presented recommendations for modifications and requested the creation of a collaborative workgroup. The workgroup would consider statutory requirements, court rules, court data, and any other relevant factors in developing their recommendations. The members discussed the topic. Shelly Bacon mentioned the need to consider the current programming available in the various case management systems. Cathy Clarich mentioned that if the workgroup discovers there are needs for more data elements to support the recommended changes, the workgroup can recommend them. Justice Beene asked for a motion to support the creation of a collaborative workgroup, comprising of Committee on Juvenile Court and Steering Committee on Data-Based Court Performance and Data Standards members, or their designees, to develop recommendations for juvenile time standards modifications. A motion was made by Judge Pamela Gates and seconded by Shelly Bacon. The motion passed unanimously. After the vote, Judge Gates mentioned that recommendations from this workgroup for the delinquency time standards might be helpful to be reviewed for other criminal case types.

### **C. Criminal Case Time Standards - Request to add "Remand to Grand Jury (Rule 12.9)" as an Excluded Time Reason for Felony Case Time Standards**

Justice Beene welcomed Judge Kellie Johnson and invited her to present on this request. For the felony time standards, there are currently five reasons in which

time is excluded, or subtracted, from the total case age. Judge Kellie Johnson presented a proposal to add a new reason for excluded time for the felony time standards reports. Laura Ritenour mentioned that the AJACS court case management systems already subtracts days from the case after the Order to Remand to Grand Jury is entered based on automaton developed that pre-dates the time standards. The members discussed this request and Justice Beene asked courts if the changes could be made prior to January 2025. Judge Johnson said that the Pima County staff told her the change was possible by then. Jennifer Ferguson, an attendee from Maricopa County, believed it would be possible for them as well. After discussion, Justice Beene asked for a motion to support the recommendation to add Rule 12.9 Remand to Grand Jury as an excluded time reason for the felony case processing time standard reports statewide and to require all superior court case management systems to add start and stop codes for this excluded time reason before January 1, 2025, to their felony time standards queries. A motion was made by Marcus Reinkensmeyer and seconded by Judge Pamela Gates. The motion passed unanimously.

#### **D. Juror Availability and Time Standards**

Judge Trevor Ward was not present and therefore this agenda item will be postponed to a future date.

#### **E. Proposal re: Local Presiding Judges Notification of Time Standards Reports Submitted to AOC for FY24 and Ideas for Future Reports**

Justice Beene called on Laura Ritenour to present on this agenda item. She recounted that every July, courts submit their time to disposition reports for the previous fiscal year. On the Time Standards Resources webpage are the report submission instructions. At the May Coconino County Limited Jurisdiction Judge and Administrators Workshop, attendees suggested to Laura Ritenour that local presiding judges are copied when courts submit their yearly time standards reports to the AOC. When the courts submit their reports, some copy the local presiding judge, and some don't. After working on this project for 2 1/12 years it appears that some local presiding judges are surprised by the data that is being sent. Laura Ritenour suggested that if this data is going to eventually be publicly published, having local presiding judges sign off might also bring more interest and possibly accountability for the time standards. Shelly Bacon mentioned that judges have been blindsided by the results and sending them copies during this process would reduce this. Shawn Friend mentioned that at Maricopa County the reports are already shared with judges. After discussion, Justice Beene asked for a motion that language be added to the current submission instructions that the committee recommends local presiding judges be sent copies of the court's time standards reports. A motion was made by Shelly Bacon and seconded by Jennifer Curtiss. The motion passed unanimously. Also, it was recommended (but not voted on) that AOC staff talk with the county superior court presiding judges about the possible need for an administrative order requiring signatures in future years.

**F. Draft Administrative Order regarding Submission of Standardized Case-Related Data to the Central Case Repository**

Justice Beene had Laura Ritenour present an overview of the updated Required Data Elements (RDE) implementation plan and a draft administrative order regarding data submission. Laura Ritenour reported that the same plan was presented last week to the Data Standardization Advisory Committee and their input is included in the draft administrative order. This draft administrative order will also be discussed at tomorrow's Commission on Technology meeting. When the RDE program was first designed, the AOC thought that courts would keep sending some data to the Central Case Repository (CCR), and that for other RDEs, the AOC would tell courts when they needed the court's data, and the courts would send it to the AOC on an ad hoc basis. But the decision was made a couple of months ago to request that all courts send to the CCR both the data that is needed for integration and the RDE data as well. The updated implementation plan outlines the new process for approving and implementing data transmissions. The members reviewed the draft administrative order. Jennifer Curtiss asked if under this new direction courts would have to submit transactions "real-time" and Laura Ritenour responded that transactions and their timelines would be created based on business need and the advice of the Data Standardization Advisory Committee. The members had no further questions.

**G. Update on Felony Case Processing Time Standards Research Concept**

Justice Beene provided some background on the past presentations given and research done regarding criminal case processing standards. At the March 2024 committee meeting, Judge Gates and Laura Ritenour presented on a new idea for felony case data collection that would focus on what cases are meeting the 90 and 180 day time standards for felonies. All three superior court case management systems have shared their initial data. In May, AOC staff met with the county caseflow managers and other data points were added including charges, dispositions, priors listed on plea agreements, victims, attorney type, number of continuances, custody status at time of plea, attorney changes, trial settings, and in county/state defendant. Another update will be presented at the September meeting. The members had no questions.

**H. Update on Committee on Family Court and Data Standards Steering Committee Workgroup**

Justice Beene reminded members that at its December meeting, the Steering Committee voted unanimously for the creation of a collaborative FCIC-DSSC workgroup to develop recommendations for process improvements and potential Family Law time standard changes. The workgroup would consider statutory requirements, court rules, court data, and any other relevant factors in developing their recommendations. Judge Peterson is the chair of this workgroup and provided a brief update. Judge Peterson remarked on the work of a similar workgroup (the Committee on Family Court Research and Innovation Workgroup) and a meeting he had with that workgroup's chair, Judge Sklar, to

ensure there is no overlap between the two workgroups. Another update will be presented at the September meeting.

#### **I. Data Standardization Advisory Committee**

Justice Beene asked Michael Malone, chair of the Data Standardization Advisory Committee, to report on the committee's progress. The Data Standardization Advisory Committee meets monthly to discuss and recommend standardized docket codes and data element definitions. The goal of their work is to improve court data, by making data more consistent and accurate, for court leadership decision-making and for sharing with our justice system partners. Since the March 6, 2024, Steering Committee meeting, the Data Standardization Advisory Committee has been reviewing and approving standardized tables and new code requests and providing feedback on the implementation of the Required Data Elements Initiative. The following tasks have been completed:

- a) Reviewed and approved standardized codes for Protective Order Conditions, Protective Order Reinstated on Dismissal Error, and Court Jurisdiction to assist with Integration and Required Data Elements projects.
- b) Began discussing warrant and bond codes needed for new Public Safety Assessment project for limited jurisdiction courts.
- c) Provided feedback to AOC staff on the implementation of required data elements project and a draft administrative order for court case data submission to the AOC Central Case Repository. The Advisory Committee's ongoing support of the Required Data Elements Initiative is essential, and staff will continue to use their expertise to gain feedback while designing and implementing various aspects of the initiative.

#### **J. DUI Case Processing Training for Judicial Officers Workgroup**

Justice Beene asked Cathy Clarich to provide an update on this workgroup. Cathy reported that the workgroup has met several times and Jerry Landau was going to attend an upcoming meeting the Arizona Law Enforcement Legal Advisory Group to learn more about redaction of body camera footage and updates on timeliness of lab results. The workgroup is also reviewing the National Center for State Court's guidance on caseflow management plans to decide which concepts would work best for documentation for Arizona judges. The workgroup hopes to finish their work this fall for presentations at the December Governor's Office of Highway Safety conference and other events. The members had no questions.

#### **K. Draft Post-Conviction Relief Notice and Petition Filings Instructions Update**

Justice Beene asked Laura Ritenour to provide an update on this project. Laura Ritenour reported that the draft instructions are in their final phase of review before being translated into Spanish, and the English and Spanish versions being published on the AOC Self Service Center. She has received input from a variety of committee members, public defense attorneys, formerly incarcerated

individuals, staff from Maricopa County's PCR unit, and AOC staff. The members had no questions.

**L. Call to the Public**

Justice Beene made a call to the public for comments. There was no answer.

**M. Adjournment**

The meeting was adjourned at 3:11 p.m. with a motion by Marcus Reinkensmeyer.

**E. NEXT COMMITTEE MEETING DATE**

Justice Beene stated that the next meeting will be the committee's annual meeting and he hopes as many members can make this meeting in person as possible. If not, there will be a Zoom webinar link for those who must attend remotely. The meeting will be Wednesday, September 4<sup>th</sup>, 2024 from noon – 3:30 p.m. at the Arizona Connected Workspaces building, 1400 W Washington Street, Phoenix. It's diagonal from the State Court Building and has plenty of free parking. Lunch will be provided for \$5 for members and start at 11:30 a.m. in the same building.