

# Arizona Supreme Court Steering Committee on Data-Based Court Performance and Data Standards

**December 7, 2022 Meeting Agenda**  
Teams Meeting  
9:00 a.m. to 10:50 p.m.

## Call to Order

9:00 – 9:05	<b>Welcome/Opening Remarks</b>	Hon. James Beene, Chair
	<ul style="list-style-type: none"> <li>➤ Roll Call</li> <li>➤ Welcome to Mary Bellefeuille, Data Standards Analyst with Court Services Division</li> </ul>	

9:05 – 9:10	<ul style="list-style-type: none"> <li>➤ Motion to Approve September 2022 Minutes* <i>*Action Item</i></li> </ul>	Hon. James Beene, Chair
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## Regular Business

9:10 – 9:12	<ul style="list-style-type: none"> <li>➤ Data Standardization Workgroup</li> </ul>	Mr. Michael Malone
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9:12 – 9:20	<ul style="list-style-type: none"> <li>➤ Codes and Code Tables Standards Requests*               <ul style="list-style-type: none"> <li>○ Order: Appointing Limited Guardian – Voting Rights Not Suspended</li> <li>○ SB1294 - Event Codes, Appearance Reason, Case Type and Sub Case Type in Table</li> <li>○ HB2119 - Event Codes and New Case Type in Table</li> <li>○ Language Code Table</li> </ul> </li> </ul> <p style="text-align: right;"><i>*Action Item</i></p>	Ms. Laura Ritenour
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9:20 – 9:40	<ul style="list-style-type: none"> <li>➤ ACJA § 1-508 Required Data Elements (RDE) Implementation Update               <ul style="list-style-type: none"> <li>○ Administrative Directive 2022-12</li> <li>○ November 17<sup>th</sup> Statewide Memo</li> <li>○ RDE Webpage Review</li> <li>○ FYI - 2022 Checklists available online on December 15<sup>th</sup> – will be announced by statewide memo</li> </ul> </li> </ul>	Ms. Laura Ritenour
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9:40 – 10:30	<ul style="list-style-type: none"> <li>➤ Time Standards               <ul style="list-style-type: none"> <li>○ Draft FY22 Report Review and Discussion on Family Law Temporary Orders and Post-Conviction Relief</li> </ul> </li> </ul>	Ms. Laura Ritenour
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*All times are approximate. The Chair reserves the right to set the order of the agenda. For any item on the agenda, the Committee may vote to go into executive session as permitted by Arizona Code of Judicial Administration §1-202. Please contact Laura Ritenour at (602) 452-3675 with any questions concerning this agenda. Persons with a disability may request a reasonable accommodation by contacting Laura Ritenour at (602) 452-3675. Requests should be made as early as possible to allow time to arrange for the accommodation.*

		<ul style="list-style-type: none"> <li>○ Discussion on GJ Civil Time Standard and Process of Service for Excluded Time</li> <li>○ Information on implementation steps for Protective Order Contested Hearings Time Standards <ul style="list-style-type: none"> <li>▪ First Hearing Set</li> <li>▪ Hearing Held</li> </ul> </li> </ul>	<p>Ms. Shelly Bacon and Ms. Laura Ritenour</p> <p>Ms. Laura Ritenour</p>
10:30 – 10:45		<ul style="list-style-type: none"> <li>➤ Extension of Committee Term through 2025 <ul style="list-style-type: none"> <li>○ Administrative Order to come out soon</li> <li>○ Thank you to Judge Russell and Judge Davis for their service</li> <li>○ Candidates being reviewed and processed</li> </ul> </li> <li>➤ 2023 Committee Meetings, 1:30 – 3:30 p.m.</li> </ul> <p>March 1<sup>st</sup>, June 7<sup>th</sup>, September 6<sup>th</sup>, and December 6<sup>th</sup> meeting invites have been sent.</p>	Hon. James Beene, Chair
		➤ Next Meeting: Wednesday, March 1, 2023	Hon. James Beene, Chair
<b><u>Call to Public</u></b>			
10:45 – 10:50			Hon. James Beene, Chair
<b><u>Adjourn</u></b>			
10:50		➤ Adjournment	Hon. James Beene, Chair

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

**September 14, 2022**

9:00 a.m. to 10:45 a.m., Hybrid Meeting

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**Present:** Hon. James Beene, Ms. Shelly Bacon, Hon. Thomas L. Chotena, Mr. Marcos Romero as proxy for Ms. Jennifer Curtiss, Ms. Tina Sweeney-Braniger as proxy for Hon. Jill Davis, Hon. Lori Bustamante as proxy for Hon. Pamela Frasher-Gates, Ms. Shawn Friend, Hon. Ken Lee, Mr. Michael Nimitz as proxy for Mr. Rich McHattie, Ms. Donna McQuality, Hon. Michael Peterson, Ms. Charrise Richards, Mr. Eric Silverberg, and Ester Reeves as proxy for Hon. Don Taylor

**Absent:** Mr. Marcus Reinkensmeyer and Hon. Keith Russell

**Administrative Office of the Courts (AOC):** Mr. Stewart Bruner, Ms. Cathy Clarich, Ms. Melanie Cluff, Ms. Summer Dalton, Ms. Laura Ritenour, Mr. Michael Malone, Ms. Michele Gillich, and Mr. Richard Rivera

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## I. CALL TO ORDER

### A. Welcome and Opening Remarks

The September 14, 2022, meeting of the Steering Committee on Data-Based Court Performance and Data Standards was called to order by the Chair, Justice James Beene, at 9:01 a.m. The Chair conducted member roll call and members and proxies were thanked for their attendance and service. Justice Beene mentioned he had recently visited several limited jurisdiction courts and received positive feedback from court leaders he met with about the Data Standardization workgroup and importance of data standardization.

### B. Approval of the June 1, 2022, Minutes

The draft minutes from the June 1, 2022, meeting of the Steering Committee on Data-Based Court Performance and Data Standards were presented for approval. The Chair called for any omissions or corrections to the minutes, and none were made. A motion was made by the Judge Kenneth Lee and seconded by Judge Michael Peterson to approve the minutes. The motion passed unanimously.

## II. REGULAR BUSINESS

### A. Data Standardization Workgroup Update

Michael Malone, chair of the Data Standardization Workgroup, presented a summary of the workgroup's progress since the last committee meeting. The Data

Standardization Workgroup meets once a month to discuss and recommend standardized docket codes and data element definitions. Over the past three months, the Data Standardization Workgroup has made tremendous progress towards the goal of defining the required data elements. The workgroup has completed the review of every required data element (247 in total) within the seven case types and defined each element. The workgroup has completed the review of ten of the twelve code standardization tables needed for integration projects like AZPOINT and NICS reporting, and they hope to complete the review of the final tables at the next two meetings. The meetings have been filled with important dialog about how the standards will impact each of the eleven different case management systems. It is not an easy task to coordinate the nuances of all the different systems and business practices, but the workgroup works well together, and everyone speaks up. Once they have completed review of the twelve integration project tables, they will begin implementing the collection and reporting of the data elements related to those tables. Members had no questions about the workgroup summary provided.

## **B. Data Translation Software Update**

Ms. Michele Gillich, AOC Technology Integration Manager, provided an overview on data translations software project sponsored by the Commission on Technology's Technical Advisory Council. Ms. Gillich reported the AOC has purchased the licensed data translation software for both the AOC and all non-AJACS courts. Future deliverables include setting up both testing and production environments. She anticipates training and roll-out to the AOC and non-AJACS courts will be this winter (~January 2023). Mr. Michael Malone mentioned that the AOC might be included in a panel at the eCourts Conference in December, as there is interest in how the Required Data Elements Initiative is being implemented, especially around the data translation tool software. Ms. Gillich answered questions about the implementation timeline.

## **C. Code Standards Requests**

Ms. Laura Ritenour, as staff for the committee, presented information on five code standardization requests and six standardized table requests recommended by the Data Standardization Workgroup at its June, July, and August meetings.

First Ms. Laura Ritenour presented all five code requests. There are published at [https://www.azcourts.gov/Portals/74/3 Code and Code Table Standardization Requests to be published.pdf](https://www.azcourts.gov/Portals/74/3_Code_and_Code_Table_Standardization_Requests_to_be_published.pdf) on pages 1 and 2. Discussion was held and a motion was made by Ms. Donna McQuality and seconded by Ms. Charisse Richards to recommend for adoption all codes requests as statewide standards as written in the document linked above. The motion passed unanimously.

Second Ms. Laura Ritenour presented the six standardized table requests recommended by the Data Standardization Workgroup. The workgroup has been working to develop a standard list of disposition, country, court role type, case category, case type and case subtype tables. There are published at

[https://www.azcourts.gov/Portals/74/3 Code and Code Table Standardization Requests to be published.pdf](https://www.azcourts.gov/Portals/74/3_Code_and_Code_Table_Standardization_Requests_to_be_published.pdf) on pages 2-26. Discussion was held and a motion was made by Judge Kenneth Lee and seconded by Ms. Donna McQuality to recommend for adoption the tables listed in the document linked above as the statewide standards. The motion passed unanimously.

#### **D. ACJA § 1-508 Required Data Elements**

Ms. Laura Ritenour reported that the Required Data Elements Initiative will be rolled out soon. This past year the focus has been on creating business definitions for all the required data elements and prioritizing which elements should be implemented first. Ms. Ritenour provided background information on the initiative and then presented the next steps for the roll-out, including the creation of a webpage with resources and an administrative directive outlining the phased implementation. This is a collaborative project and input is sought during regular updates to the Court Automation Coordinating Council (a subcommittee of the Commission on Technology), the Data Standardization Workgroup and this committee. The initiative's goal of all case management systems having a common set of data elements for improved data collection and reporting is at the forefront of the tasks being planned. More details will be shared at the December meeting.

#### **E. Time Standards**

During the months of July and August, courts submitted their Time Standards reports for FY22 (July 1, 2021 – June 30, 2022). These reports were collated into the draft annual report the committee received and reviewed. Ms. Ritenour provided an overview of the results, including which reports general jurisdiction and limited jurisdiction courts were exceeding or meeting the Arizona standards and which reports saw downward trends away from the standards. For the reports with downward trends, research will begin to find out if these issues are caused by data entry, new processes or events not included in the query, or other reasons. The members discussed the possibility of adding case filings to the report to add context to the numbers. Ms. Ritenour will look into that to see if the FY22 case filing data is available to add to this report. Members were advised to send feedback on the report to Laura by early October so edits can be included before the report is shared with the Presiding Judges and Arizona Judicial Council at their October meetings.

The committee then turned to discussing Contested Protective Order Hearings Time Standards. Courts have submitted data for three years on a provisional standard measuring the days from when a defendant requests a hearing until the hearing is held and the order is modified, affirmed, or quashed. Last year, members requested a new protective order hearing time standard be developed and tested based on Rule 38 of the Arizona Rules of Protective Order Procedure. It would measure from the defendant's request for a hearing to the first hearing

date scheduled. Ms. Ritenour conducted some preliminary research into the proposed standard, selecting a sample of limited jurisdiction AJACS courts from all 15 counties. The data showed that not all courts are meeting Rule 38, which states that the first hearing must be set within 10 days of the defendant request. The research data showed that courts are scheduling the first hearing within 10 days 96% of the time on average. Members discussed that data and the reasons for and against the proposed and provisional standards. A motion was made by Mr. Eric Silverberg and seconded by Ms. Shelly Bacon to recommend the adoption of both the proposed and provisional Contested Protective Order Hearing time standards. The motion passed unanimously.

#### **F. Criminal Time Standards and Technical Assistance Project**

Michael Malone presented an update on the Criminal Time Standards and Technical Assistance Project. Staff from National Center for State Courts and Retired Judge Jeff Coker have completed their initial meetings with the eight counties that signed up for this project. The project's next deliverable will be a list of findings and a personalized plan for each county. There will be stakeholder meetings in each county that will include the courts, clerk of court, county attorneys, law enforcement and other justice partners. The report will detail the pinch points for case processing and offer possible solutions and areas of collaboration. Judge Coker and the National Center will also provide technical assistance for 6 months after each report is released so that plan changes can be made as needed. The goal of each plan will be a framework for sustainable change. Judge Michael Peterson presented his court's experience with the project and appreciate the discussions including processes within the court's control (e.g., trial settings and continuances) versus processes outside of the court's control (e.g., backlogs in obtaining discovery like police body camera video).

#### **G. Expansion of Committee Terms through 2025 and Future Meeting Dates**

Administrative Order 2021-171 authorized the extension of the committee's term of service through the end of this calendar year. Court leadership believes this committee should be extended for three more years in order to continue its work on the time standards and provide oversight to the Required Data Elements Initiative. Justice Beene stated he is committed to chairing this committee and asked members that if they do not want to be reappointed for another term to please let Ms. Ritenour or him know in the next two weeks so that candidates for replacement can be contacted.

For the past several years, the committee has met on the first Wednesday in March, June, September, and December in the morning. Mr. Marcus Reinkensmeyer has requested the committee consider moving the meeting to Wednesday afternoon or another day, as the current schedule conflicts with a

weekly meeting he has with the Chief Justice. Ms. Ritenour recommended that the meeting time be shortened from 3.5 hours to 2 hours, as she believes the committee's agenda items can be completed in that time frame. These meetings will likely continue to be held using a hybrid approach, so members can attend virtually if they would like, or they can attend in person. Members discussed this topic, and it appears that members could meet on Wednesday afternoons. Ms. Ritenour will send out a poll to members confirming their calendars for 2023.

#### **H. CALL TO PUBLIC**

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

#### **I. ADJOURNMENT**

The meeting was adjourned at 10:26 a.m. with a motion by Ms. Shelly Bacon.

#### **J. NEXT COMMITTEE MEETING DATE**

December 7, 2022, 9:00 a.m. to 12:30 p.m., Hybrid - State Courts Building Room 331 & Teams

## **Data Standardization Workgroup Summary for December 7, 2022 Steering Committee Meeting**

Michael Malone, Court Services Division Director

Since the September 14, 2022 Steering Committee meeting, the Data Standardization Workgroup has met three times and has completed the following tasks:

- Reviewed and recommended for approval a standardized Language Code table and one new statewide code request. The Language Code table was standardized in order to improve data being imported from the eFiling project.
- Reviewed event codes associated with 2022 Legislation for SB1294 (Sealing of Records) and HB2119 (Restoration of Civil Rights).
- Provided feedback on ACJA § 1-508 Required Data Elements. The Workgroup'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.
- Received updates from AOC Information Technology Division on the Data Translation Data Translation software would be an important tool for both the Required Data Elements Initiative and the Central Case Repository project. The software would convert data sent by the non-AJACAS courts into standard formats to allow easier and more accurate reporting. This would reduce the amount of necessary coding changes by the courts.

In 2023, the Data Standardization Workgroup will continue their work on reviewing and approving standardized tables and new code requests and provide feedback on the implementation of the Required Data Elements Initiative.

Language to add to list

Language to delete from list

Language has typo/other to be corrected

Code	Language
	Achi
1000080	Acholi
	Afrikaans
1000081	Akan
	Akateco
1000082	Albanian
1000011	American Sign Language
1000068	Amharic
1000083	Angloromani
1000027	Apache
1000019	Arabic
1000085	Arabic - Arabian
1000086	Arabic - Egyptian
	Arabic - Iraqi
1000084	Arabic - Juba
1000087	Arabic - Levantine
1000088	Arabic - Maghrebi
1000089	Arabic - Mesopotamian
1000090	Arabic - Sudanese
1000203	Arabic - Syrian
1000091	Aramaic
1000024	Armenian
	Assisted Hearing Equipment
1000078	Assyrian
1000093	Awia Grebo
	Azerbaijani
1000094	Baan
	Baluci - Western
	Bambara
	Bangla
1000095	Bantu
1000096	Bari
	Belarusian
1000098	Bengali
	Bhojpuri
1000074	Bisaya
1000097	Bodo
	Bor
1000020	Bosnian
	Bosnian/Croatian/Serbian
1000231	Bulgarian
1000099	Burmese
	Burmese - Shan
1000100	Bush Grebo
1000101	Cambodian
1000021	Cantonese
1000102	CART
	Catalan
1000077	CDI - Certified Deaf Interpreter
1000103	Cebuano (Visayan)
	Chaldean Neo-Aramaic
	Chamorro
1000104	Chatino
	Cherokee
	Chhattisgarhi
1000105	Chin
	Chin - Falam
	Chin - Haka
	Chin - Matu
	Chin - Tedim
	Chinateco
1000072	Chinese - Cantonese
1000080	Chinese - Hakka
1000106	Chinese - Hunan
1000071	Chinese - Mandarin
	Chittagonian
1000107	Chuj
1000108	Chuukese
1000109	Cocopah
1000110	Creole
1000111	Croatian
1000112	Czech
	Dakota
	Danish
1000069	Dari

Code	Language
	Dhundhari
1000113	Dinka
1000114	Dutch
1000001	English
1000115	Estonian
1000116	Ewe
1000117	Farsi
	Farsi - Afganistan
	Farsi - Iranian
1000118	Farsi - Persian
	Filipino - Phillipines
1000119	Finnish
1000007	French
	French - Canadian
	Fulfulde - Fulani
	Gaelic - Irish
	Gaelic - Scottish
1000092	Gbandi
1000120	Gborbo
	Georgian
1000004	German
1000121	Gio
1000122	Gokana
1000123	Grebo
	Grebo - Awia
	Grebo - Barclayville
	Grebo - Central
	Grebo - Gboloo
	Grebo - Northern
1000124	Greek
1000125	Gujarati
	Gypsy - Romani
1000126	Haitian Creole
1000127	Hakha (Hakka)
	Hausa
	Hawaiian (Pidgin English)
1000128	Hebrew
	Hiligaynon
1000022	Hindi
	Hmong
1000129	Hopi
1000130	Hungarian
	Ibo
	Icelandic
1000131	Igbo
1000132	Ilocano
1000026	Indonesian
1000003	Italian
1000133	Ixil
1000134	Jakalteco
1000135	Jamaican Creole (Patois)
1000006	Japanese
	Javanese
1000137	Kanjobal
1000138	Kannada
1000139	Kaqchiquel
1000140	Karen
1000141	Karenni
1000079	Karundi
	Kashmiri
	Kazakh
	Khana
1000143	Khmer
1000144	Khmer - Cambodian
1000145	Kibembe
1000136	K'iche'
1000075	Kinyarwanda - Rwanda - Rundi
1000064	Kirundi
1000142	Kissi
1000232	Kiswahili
1000023	Korean
1000233	Kosraean
1000234	Krahn
1000146	Krio
1000147	Kunama
1000076	Kurdish
	Kurdish - Central
	Kurdish - Northern/Kurmanji
	Kurdish - Southern

Separate with hyphen instead  
Add Phillipines

Adding alternate name of Hakka

Adding alternate of Patois

Adding countries/regions

Code	Language	
1000149	Laos	
1000150	Laotian	
1000028	Latvian	
1000151	Liberian English (Colocoa)	Adding alternate name of Colocoa
	Lingala	
1000152	Lip Reader	
1000029	Lithuanian	
1000153	Loma	
1000154	Lugandan (Ganda)	Adding alternative name of Ganda
	Ma'di	
1000030	Maay Maay (Mai Mai)	Adding alternative name of Mai Mai
1000156	Macedonian	
1000155	Ma'di	
1000009	Malay	
1000031	Malayalam	
	Maltese	
1000032	Mam	
1000035	Mam - Central	
1000159	Mam - Northern	
1000160	Mam - Southern	
1000157	Mam - Todos Santos Cuchumatán	
1000158	Mam - Tujumulco and Mam	
1000012	Mandarin	
1000161	Mandingo	
1000033	Marshallese	
1000039	Mayan	
	Mende	
1000040	Mina	
1000042	Mixe	
1000034	Mixteco (Mixtec)	Maybe change this onto into Mixteco Bajo (Mixteco Bajo)
1000044	Mixteco Alto (Mixtec Alto)	Remove Bajo
	Mixteco Bajo (Mixtec Bajo)	
1000049	Mongolian, Halh	
1000054	Mongolian, Peripheral	
1000057	Nahuatl	
1000013	Navajo	
1000065	Nepalese	
1000063	Nepali	
	Nigerian	
1000045	Northern Mam	
1000036	Norwegian	
1000037	Nuer	
1000056	O'odham	
1000060	Oral Interpreter/Lip Reading	Lip Reading added
1000067	Oromo	
1000062	Other Language	
	Otomi	
1000162	Otomi - Eastern Highland	
1000163	Otomi - Estado de Mexico	
1000164	Otomi - Ixtenco	
1000165	Otomi - Mezquital	
1000166	Otomi - Querétaro	
1000167	Otomi - Temoaya	
1000168	Otomi - Tenango	
1000169	Otomi - Texcatepec	
1000170	Otomi - Tilapa	
	Palauan (Palau)	
1000070	Pashto	
1000038	Persian	
1000171	Philippino	Filipino above is correct lanaguage name and spelling
1000172	Pima	
	Pima - Papago	
1000173	Pima Bajo	
1000174	Pohnpeian	
1000010	Polish	
	Poqomchi	
1000014	Portuguese	
1000175	Portuguese - Andorran	
1000176	Portuguese - Angolan	
1000177	Portuguese - Brazilian	
1000178	Portuguese - Cape Verde	
1000179	Portuguese - Continental	
1000180	Portuguese - East Timor	
1000181	Portuguese - Guinea-Bissauan	
1000182	Portuguese - Mozambican	
1000183	Portuguese -Sao Tomé and Príncipe	
	Pulaar	
1000184	Punjabi	
1000185	Purepecha	

Code	Language
	Qanjobal
	Q'eqchi' (Kekchi')
	Quechua
1000186	Rohingya
1000187	Romani - Balkan
1000188	Romani - Baltic
1000189	Romani - Carpathian
1000190	Romani - East Slovakian
1000191	Romani - Kalo Finnish
1000192	Romani - Moravian
1000193	Romani - Sinte
1000194	Romani - Vlax
1000195	Romani - West Slovakian
1000041	Rumanian
1000196	Rundi
1000008	Russian
1000043	Samoan
1000197	Sango
1000025	Serbian
1000198	Serbocroatian
	Sicilian
1000199	Signed English
1000200	Sinhala (Sinhalese)
	Slovak
1000047	Slovenian
1000048	Somali
1000002	Spanish
1000073	Spanish Sign Language
1000202	Sudanese
1000050	Swahili
1000051	Swedish
1000052	Tagalog
1000204	Taiwanese
1000053	Tamil
1000205	Tarahumara
1000206	Telugu
1000015	Thai
	Tibetan
	Tigre
1000055	Tigrinya
	Tonga - Mozambique
1000066	Tongan - Tonga
1000207	Triqui Alta
1000208	Triqui Baja
1000209	Triqui Media
1000016	Turkish
1000210	Tzeltal
1000211	Tzotzil
	Uduk - Ethiopian Sudan
1000058	Ukrainian
1000018	Unknown
1000059	Urdu
1000212	Uzbek
1000017	Vietnamese
	Waray-Waray
	Welsh
1000061	Yaqui
	Yiddish
1000235	Yoruba
	Yucatec Maya
1000213	Yugoslavian
1000214	Zapoteco
1000215	Zapoteco de Asuncion Mixtepec
1000216	Zapoteco de Choapan
1000217	Zapoteco de Lapaguila-Guivini
1000218	Zapoteco de Quiavicuzas
1000219	Zapoteco de San Baltazar Loxicha
1000220	Zapoteco de San Cristobal Amatlan
1000221	Zapoteco de San Felipe Tejalpan
1000222	Zapoteco de San Miguel Tilquiapan
1000223	Zapoteco de San Pablo Guila
1000224	Zapoteco de San Pedro el Alto
1000225	Zapoteco de Santa Ana
1000226	Zapoteco de Santa Ines Yatzechi
1000227	Zapoteco de Santa Maria Petapa
1000228	Zapoteco de Santo Domingo Albarradas
1000229	Zapoteco de Sierra de Juarez
1000230	Zapoteco de Yatee

Adding alternative name of Sinhalese

Adding country name of Tonga

Needs "L" added at end

## Data Standardization Workgroup – Code Request

### **Code Request and Requestor**

Event Code: Order: Appointing Limited Guardian – Voting Rights Not Suspended

Requested by: AOC Automation Services Unit

### **Background and Issue**

This code would be for Probate cases only (general jurisdiction courts). The issue was raised by Coconino County Clerk of Court staff.

Defendants newly ordered as Incapacitated Persons by A.R.S. § 14-5101 in a Probate case are reported monthly to the Arizona Secretary of State and their voting rights are suspended. AJACS automation places defendants on this report based on specific criteria from cases and the Order: Appointing Limited Guardian event.

However, there are situations when a judge orders that the defendant in a limited guardianship retain their voting rights. When that occurs, then court staff would enter the requested event instead and this would ensure defendants do not appear on this report.

This request was recommended by the GJ User Group in August 2022.

### **Motion**

Move to approve the code request of “Order: Appointing Limited Guardian – Voting Rights Not Suspended” to be a statewide standard.

## Data Standardization Workgroup – Legislative Codes

### Code Request and Requestor

SB1294 - Event Codes, Appearance Reason, Case Type and Sub Case Type: See list below

Requested by: AOC Automation Services Unit

### Background and Issue

SB1294: Sealing Arrest, Conviction and Sentencing Records was passed by the Arizona Legislature during the 2021 session with a delayed effective date of 1/1/2023. It is now part of A.R.S. §13-911. The AOC is mirroring the automation for this bill based on last year's Prop 207 Expungement automation and the event codes listed below are similar to Prop 207 Expungement processing as well.

These codes and new appearance reason would be for both general and limited jurisdiction courts (except where indicated) and would be available in both civil and criminal case types.

A new Case Type and Sub Case Type would be created to capture petitions for seal records (per A.R.S. §13-911) when the court has no available criminal case because the case has been purged or the petition is to seal the records of an arrest record only. As a result, a civil case will need to be created.

This request was reviewed by the GJ User Group at their October 2022 meeting.

### Motion

Move to approve the codes and case type listed in the table below to be statewide standards.

New Event Code Descriptions	Jurisdiction	Authority
PETITION TO SEAL RECORDS ARS §13-911	LJ, GJ	13-911A, Rule 36.2(C)
REQUEST CRIMINAL HISTORY REPORT-DPS	LJ, GJ	13-911H
CRIMINAL HISTORY REPORT RETURNED-DPS	LJ, GJ	13-911H
NOTICE SEAL RECORDS - INSUFFICIENT INFO	LJ, GJ	Rule 36.2(D)(1)- Within 10 days of filing of the petition the court needs to determine if they have sufficient information and if not dismiss
NOTICE SEAL RECORDS - SUFFICIENT INFO	LJ, GJ	Rule 36.2(D)(1)- Within 10 days of filing of the petition the court needs to determine if they have sufficient information and if not dismiss
AMENDED PETITION TO SEAL RECORDS	LJ, GJ	Rule 36.2(D)(1)

RESPONSE TO PETITION SEAL RECORDS	LJ, GJ	Within 30 days of the petition filing date, the prosecutor or victim may file a response per Rule 36.2(D)(3)
REPLY TO SEAL TO PETITION SEAL RECORDS	LJ, GJ	Petitioner may file a reply no later than 15 days after the response is filed per Rule 36.2(D)(4)
REQUEST FOR HEARING TO SEAL RECORDS	LJ, GJ	Court has 90 days of request to set hearing per Rule 36.2(E)
MINUTE ENTRY: SEAL RECORDS HEARING	GJ	13-911D, Rule 36.2(E)
ORDER SEAL RECORDS- GRANTED ARS §13-911	LJ, GJ	13-911D, 13-911I
ORDER SEAL RECORDS - DENIED ARS §13-911	LJ, GJ	13-911D
ORDER SEAL RECORDS - DISMISSED ARS §13-911	LJ, GJ	13-911D, Rule 36.2(D)(1)
<b>Calendar Appearance Reason</b>	<b>Jurisdiction</b>	
Seal Records Hearing	GJ	
<b>Case Type</b>	<b>Jurisdiction</b>	
Seal Records	GJ, LJ	
<b>Case Sub Type</b>	<b>Jurisdiction</b>	
13-911	GJ, LJ	

## Data Standardization Workgroup – Legislative Codes

### Code Request and Requestor

HB2119 - Event Codes and New Case Type - see list below

Requested by: AOC Automation Services Unit

### Background and Issue

HB2119: Automatic Restoration of Civil Rights and Firearm Rights legislation was passed by the Arizona Legislature during the 2022 session with an effective date of 9/24/2022. The AOC has updated the AJACS codes in order to conform with the new Form 32(a) and 32(b) of the Criminal Rules of Procedure. The Court issued an [order on September 15, 2022](#) amending various rules of criminal procedures on an emergency basis and will consider whether to adopt the rule amendments on a permanent basis during its December 2022 Rules Agenda.

These codes would be for both general jurisdiction courts and would be available in both civil and criminal case types.

A new Case Type would be created to capture petitions for automation restoration of civil rights, firearm rights or both when the petition is to restore their right/s from an out of state conviction. As a result, a civil case will need to be created.

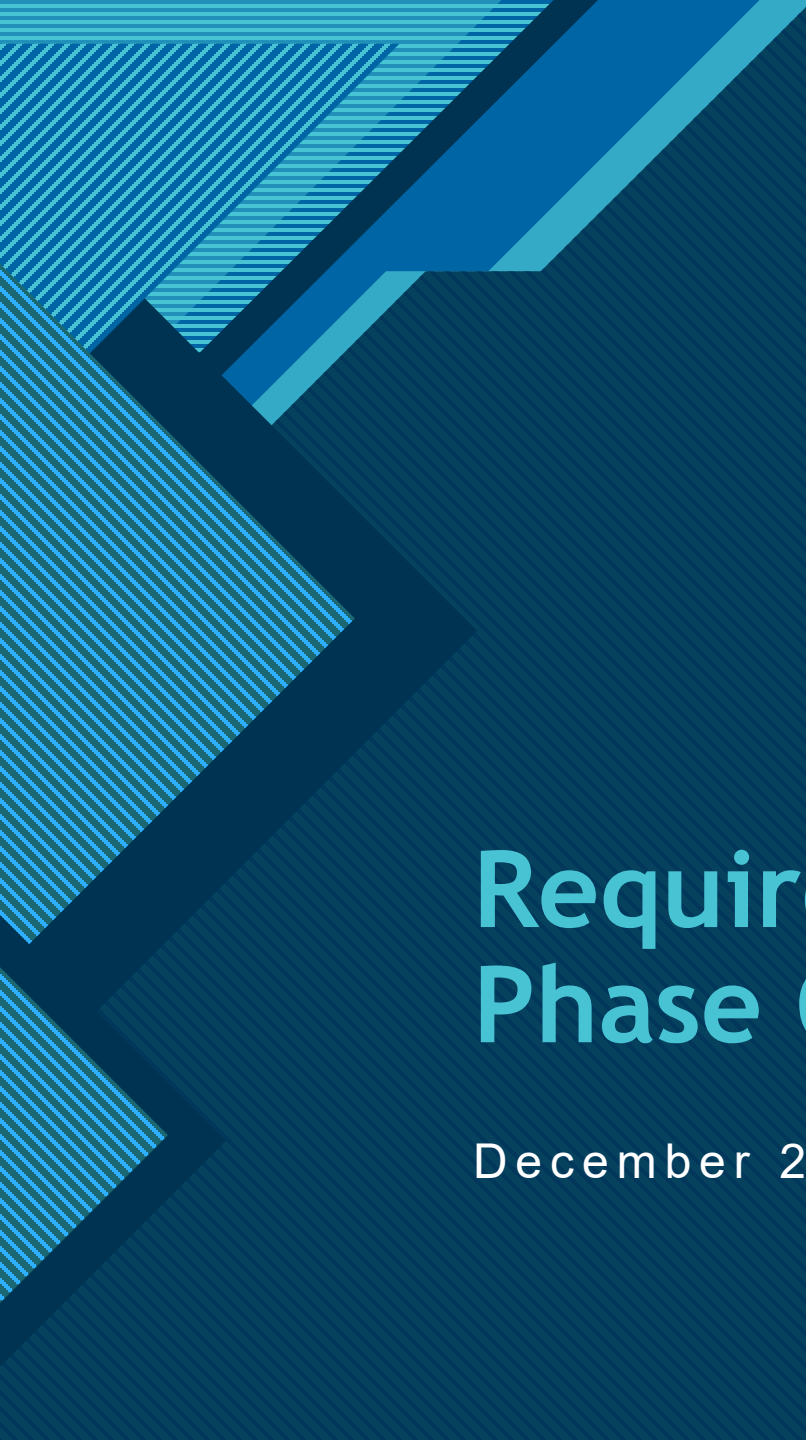
This request was reviewed by the GJ User Group at their September 2022 meeting.

### Motion

Move to approve the codes and case type listed in the table below to be statewide standards.

Event Category	New Event Code Descriptions
Application	APPLICATION RESTORE CIVIL RIGHTS
Application	APPLICATION RESTORE FIREARM RIGHTS
Application	APPL RESTORE CIVIL/FIREARM RIGHTS
Application	CERTIFY AUTO RESTORE CIVIL RIGHTS
Application	RECONSIDER CIVIL RIGHTS
Application	RECONSIDER FIREARM RIGHTS
Application	RECONSIDER CIVIL/FIREARM RIGHTS
Order	CERTIFY AUTO RESTORE CIVIL/FIREARM RIGHTS
Order	CERTIFY AUTO RESTORE CIVIL RIGHTS EXCLUDE FIREARM
Order	DENY APPL CERTIFY AUTO RESTORE CIVIL RIGHTS
Order	GRANT TO RESTORE CIVIL/FIREARM RIGHTS

Order	GRANT APPL RESTORE CIVIL RIGHTS EXCLUDE FIREARM
Order	GRANT APPL RESTORE FIREARM RIGHTS
Order	DENY APPL RESTORE CIVIL/FIREARM RIGHTS
<b>Case Type</b>	
Out of State Restoration of Rights	



# Required Data Elements Initiative Phase One Implementation

December 2022

# NODS -> Required Data Elements

- Data Standards Steering Committee developed a list of ~250 RDE for Arizona courts
- ACJA § 1-508 adopted by AJC in April 2022
- Goal - Work towards all case management systems having a common set of data elements for improved data collection and reporting



# Required Data Elements and Code Standardization Webpage



The screenshot shows the homepage of Azcourts.gov, the Arizona Judicial Branch. The header features the logo and a search bar. A navigation menu includes links for Home, AZ Courts, AZ Supreme Court, Court Admin/AOC, Self-Service, and Licensing & Regulation. The main content area is titled 'Data Elements and Code Standardization Hub' and contains a section for 'Data Elements Resources and Tools' with a list of links to various documents and tools.

**Azcourts.gov**  
Arizona Judicial Branch

Search

Home | AZ Courts | AZ Supreme Court | Court Admin/AOC | Self-Service | Licensing & Regulation

## Data Elements and Code Standardization Hub

### Data Elements Resources and Tools

- [Sample Checklist for Courts and Clerks](#) - separate tabs for LJ and GJ courts
- [Source Definitions for Checklists](#) - separate tables for LJ and GJ courts
- [Administrative Directive 2022-12: Arizona Required Data Elements - Phase One](#)
- [ACJA §1-508 Required Data Elements](#)
- [Administrative Order 2022-35](#)
- Data Translation Tool documentation (to be updated soon)
- [Data Standardization Workgroup Roster](#)
- [Required Data Elements November 10, 2022 Presentation](#)

- November 18<sup>th</sup> Statewide Memo announcing AD 2022-12
- Phased Implementation – 20 RDE “due” for 2022 Checklists
- Working with Court and Clerk’s office leadership to designate contact persons

# Administrative Directive 2022-12

Therefore,

**IT IS DIRECTED** that courts shall begin collecting in their case management systems the required data elements listed in Appendix A no later than December 31, 2022.

## Appendix A

### Phase One Required Data Elements to be Collected by December 31, 2022

Data Element	Civil	Family	Probate	Dependency	Juvenile	Criminal	Traffic
Case Closed Date	X	X	X	X	X	X	X
Case Initial Filing Date	X	X	X	X	X	X	X
CMV Indicator							X
Fatality Indicator							X
Interpreter Flag	X	X	X	X	X	X	X
Judicial Officer Identifier (Case)	X	X	X	X	X	X	X
Law Enforcement Agency						X	X
Traffic Accident Indicator							X
Alias	X	X	X	X	X	X	X
Date of Birth	X	X	X	X	X	X	X
Driver License/ID State					X	X	X
Driver License/State ID Number					X	X	X
Party Name	X	X	X	X	X	X	X
Special Needs/ADA Flag	X	X	X	X	X	X	X
Zip Code	X	X	X	X	X	X	X
Attorney/Advocate E-mail Address	X	X	X	X	X	X	X
Attorney/Advocate Name	X	X	X	X	X	X	X
Attorney/Advocate Phone Number	X	X	X	X	X	X	X
Firm Name	X	X	X	X	X	X	X
Fee waiver date	X	X	X				

## Online checklists to be available by December 15<sup>th</sup>

- Different checklists for GJ and LJ Courts
- GJ Courts – Traffic, Criminal, Civil, Probate and Family
- Juvenile and Dependency not due at this time
- AOC will complete the checklists for all LJ AJACS courts

## Civil Case Required Data Elements

Please select all responses that identify the entry source of this required data element in your CMS

\* Civil: Case Initial Filing Date



Clerk Staff



Judicial/Court Staff



System Generated



Interface



Not in System

\* Civil - Case Closure Date



Clerk Staff



Judicial/Court Staff



System Generated



Interface



Not in System

\* Civil - Alias



Clerk Staff



Judicial/Court Staff



System Generated



Interface



Not in System

If Not in System selected, please enter the approximate date (Month and Year) the data element is expected to exist in the CMS.

Scheduled for February 2023 AJACS Release

# Next Steps for Courts and Presiding Judges

# 2022 Checklist Completion

## December 2022 and January 2023

1. Designated courts receive 2022 checklist link, GJ Courts collaborate with Clerks on source identification and submit completed checklist to AOC
2. Courts receive confirmation email with report and approval memo to forward to presiding judge
3. Presiding judge review report and submit approval letter to AOC

# Last Steps - County-wide Level

## February 2023

4. AOC compile reports for all courts in a county into a summary county-wide report for the presiding judge for the superior court in each county for review.
5. Presiding Judge submit their acknowledgement by March 1, 2023.

# Questions and Feedback?

Laura Ritenour, [lritenou@courts.az.gov](mailto:lritenou@courts.az.gov), 602-452-3675, AOC Court Services Division



## Appendix A

### Phase One Required Data Elements to be Collected by December 31, 2022

Data Element	Civil	Family	Probate	Dependency	Juvenile	Criminal	Traffic
Case Closed Date	x	x	x	x	x	x	x
Case Initial Filing Date	x	x	x	x	x	x	x
CMV Indicator							x
Fatality Indicator							x
Interpreter Flag	x	x	x	x	x	x	x
Judicial Officer Identifier (Case)	x	x	x	x	x	x	x
Law Enforcement Agency						x	x
Traffic Accident Indicator							x
Alias	x	x	x	x	x	x	x
Date of Birth	x	x	x	x	x	x	x
Driver License/ID State					x	x	x
Driver License/State ID Number					x	x	x
Party Name	x	x	x	x	x	x	x
Special Needs/ADA Flag	x	x	x	x	x	x	x
Zip Code	x	x	x	x	x	x	x
Attorney/Advocate E-mail Address	x	x	x	x	x	x	x
Attorney/Advocate Name	x	x	x	x	x	x	x
Attorney/Advocate Phone Number	x	x	x	x	x	x	x
Firm Name	x	x	x	x	x	x	x
Fee waiver date	x	x	x				

## Appendix B

### Phase One Required Data Elements to be Collected by March 31, 2023

Data Element	Civil	Family	Probate	Dependency	Juvenile	Criminal	Traffic
Judgment Date	x	x	x				
Monetary Penalty Amount	x				x	x	x
Monetary Penalty Amount Balance to Date					x	x	x
Monetary Penalty Type	x				x	x	x
Restitution Amount					x	x	x
Restitution Amount Balance to Date					x	x	x
Sentence Length						x	x
Sentence Type(s)						x	x
Time Served Credit Length						x	x
Unit of Sentence Length						x	x
Plan Implementation Date				x			
Probation Violation File Date						x	x
Date Filed	x	x	x	x	x	x	x
Civil Hearing Type	x						
Criminal and Traffic Hearing Type						x	x
Judicial Officer (Hearing/Event)	x	x	x	x	x	x	x
Scheduled Event Date	x	x	x	x	x	x	x
Order Date	x	x	x	x	x	x	x
Order Title	x	x	x	x	x	x	x
Warrant Issued		x	x		x	x	x
Warrant Reason		x	x		x	x	x
Warrant Disposed		x	x		x	x	x
Agency ID					x	x	x
Arrest Date					x	x	x
Charge Disposition Date					x	x	x
Charge Identifier					x	x	x
Charge Manner of Disposition					x	x	x
Charge Sentencing Date					x	x	x

Data Element	Civil	Family	Probate	Dependency	Juvenile	Criminal	Traffic
Citation date							X
Disposition Charge Degree					X	X	X
Disposition Charge Statute/Ordinance Number					X	X	X
Filing Charge Degree					X	X	X
Filing Charge Degree Detailed					X	X	X
Filing Charge Description					X	X	X
Filing Charge Statute/Ordinance Number					X	X	X
Legal Speed Rate					X		X
Offense Date					X	X	X
Offense location					X	X	X
Plea Date					X	X	X
Plea Type					X	X	X
Recorded Speed Rate					X		X
Ticket Number					X	X	X

**Appendix C**  
**Phase One Required Data Elements to be Collected**  
**by June 30, 2023**

Data Element	Civil	Family	Probate	Dependency	Juvenile	Criminal	Traffic
Appeal filed	x	x	x	x	x	x	x
Case Disposition Category	x	x	x	x	x	x	x
Civil Case Category	x						
Civil Case Type	x						
Court	x	x	x	x	x	x	x
Court Case Identifier	x	x	x	x	x	x	x
Criminal Case Type						x	
Current Case Status	x	x	x	x	x	x	x
Dependency case type				x			
Disposition Date	x	x	x	x	x		
Family Case Type		x					
Initiating Instrument					x	x	x
Primary Case Category	x	x	x	x	x	x	x
Probate Case Type			x				
Traffic Case Type							x
Grand Jury Indictment						x	
Plan Implementation Type				x			
Country					x	x	x
Advocate type		x	x	x	x	x	
Attorney Type	x	x	x	x	x	x	x
Attorney/Advocate Address	x	x	x	x	x	x	x
Case Status	x	x	x	x	x	x	x
Case Status Date	x	x	x	x	x	x	x
Complaint	x					x	x
Filing Party (Pleadings)	x	x	x	x	x	x	x
Initial Probate Pleading Type			x				
Pleading Date	x	x	x	x	x	x	x
Filing Party (Motions/Filings)	x	x	x	x	x	x	x
Adjudicated Delinquent					x		
Charge Disposition					x	x	x
Charge Filed by					x	x	x
Charge Filing Date					x	x	x
Disposition Charge Description					x	x	x
Disposition NCIC Code					x	x	x



# Model Time Standards

## FOR STATE TRIAL COURTS



**Overall Time Standards.** Many petitions for post-conviction relief may be decided by a court without need for an evidentiary hearing. The time standard offered here recognizes that, while allowing time for prosecution and petitioner to prepare for hearing if one is required.

**Intermediate Time Standards.** Given the nature of a petition for collateral review, it is important that the prosecution respond with reasonable expedition. Statutes in some states indicate a time within which a prosecutor must file a response to a post-conviction petition.

In 98% of cases, responses with affidavits should be filed by the prosecution within 120 days.

## GENERAL CIVIL CASES

### Model Standard

75 percent within 180 days

90 percent within 365 days

98 percent within 540 days

**Definition.** Civil cases are a broad category of cases in which “a plaintiff requests the enforcement or protection of a right or the redress or prevention of a wrong.”<sup>21</sup> They include automobile torts and other personal injuries, contract disputes, product liability issues, malpractice matters, infringements of intellectual property, and requests for injunctions among other types of cases. As with capital felony cases, consideration was given to whether complex civil cases should be designated as a separate civil case category with different time standards. Because some complex civil cases are settled relatively quickly, however, no specific category for complex civil cases is required. Those complex cases that proceed to trial or settle late in the process can be accommodated simply as a “top tier” of two percent of all general civil cases that require more time to reach disposition.

In these standards, foreclosure cases are included in the category of general civil cases. This is because the new procedures required by the mortgage crisis commencing in 2007 have substantially increased the time needed to dispose of these cases.

<sup>21</sup> Guide to Statistical Reporting, *supra*, note 3, at 6.

In fact, foreclosure cases are not the only civil matters that may be considered neither “major” cases nor “summary” cases. Several state-level court systems have separate time standards for a broad category of “limited” civil cases that they distinguish from “summary” civil cases. Such “limited” cases typically include tort and contract cases that may be tried by a jury but involve claims below a certain dollar threshold but above that for small claims cases. In the time standards offered here, these “limited” civil cases are included in the category of “general” civil cases.

**Earlier National Time Standards.** The 1983 COSCA time standards for general civil matters provided that all non-jury cases should be tried or otherwise disposed within 12 months after initial filing, and that all jury cases should be tried or otherwise disposed within 18 months after filing. The ABA time standards did not distinguish between jury and non-jury cases, providing instead that 90 percent of all general civil cases should be tried or disposed within 12 months after filing; 98 percent within 18 months; and 100 percent within 24 months. Neither the COSCA standards nor the ABA standards distinguished “major” civil cases from “limited” non-summary civil cases.

**State Judicial Branch Time Standards for Major Civil Cases.**<sup>22</sup> There are statewide time standards for major civil cases in at least 35 states and the District of Columbia. As with the standards for criminal cases, there are substantial differences among them:

- Only two states have adopted the COSCA time standards, and they are the only states that provide different time expectations for jury cases and non-jury cases.
- Only six states have exactly copied the ABA time standards.
- Nine states have a single standard of time within which all general civil matters must be disposed, while five others have a single standard of time within which a percentage lower than 100 percent (from 75 percent to 98 percent) must be disposed.
- In addition to the six states that have exactly copied the ABA time standards, there are eight other states with three “tiers.” Each of these eight states has a slightly different tier configuration, however.
- Two states and the District of Columbia distinguish among different case types within the category of general civil cases; another three states distinguish among differentiated case management (DCM) tracks.
- In 11 states, the maximum time standard is for fewer than 100 percent of all general civil cases.
- The most common maximum duration (which may be fewer than 100 percent of all cases) is 24 months or its equivalent in days (15 states). The next most common maximum is 18 months or its equivalent in days (9 states). One state provides that all cases should be disposed within 180 days. At the other end of the continuum, two states provide that all cases should be disposed within 36 months.
- Two states have a separate time standard for what they define as complex cases.
- Seven states have time standards for one or more intermediate stages of case progress to disposition.

**State Judicial Branch Time Standards for “Limited Non-Summary” Civil Cases.**<sup>23</sup> In addition to “general civil” time standards, courts in six states and the District of Columbia have “limited civil” time standards that do not distinguish between summary and non-summary matters.

<sup>22</sup> See CPTB, *supra*, note 4.

<sup>23</sup> *Id.*

In addition, there are ten states that have three categories of civil time standards, generally calling them “general,” “limited,” and “summary.” Regarding the time standards for non-summary civil cases in these 17 jurisdictions, the following distinctions can be noted:

- The most common upper time limit is 180 days (six states), although only four of those states require that all such cases be disposed within that time period.
- The upper time limit in the other 11 jurisdictions ranges from 250 days to 730 days.
- In two states, the time standards run not from filing, but from service or return of service.
- In 12 states, the upper time limit is the time within which 100 percent of the cases must be disposed. In the remaining five states, the upper time limit is for fewer than 100 percent.
- As in the ABA time standards, there are four states providing time limits within which 90 percent, 98 percent and 100 percent of all cases must be disposed. Three other states have three tiers at a different percentage level, and one state has only two tiers. Eight states have just one tier – the time within which all or a specified percentage of cases must be disposed.

**Overall General Civil Time Standards.** Although the COSCA time standards urge that all civil cases should be disposed within 18 months, the ABA time standards suggest that one should expect only 98 percent of all general civil cases to be disposed that quickly, while the remaining two percent should require no more than an additional six months.

Studies of civil case processing times in large urban trial courts have shown how difficult it is to meet either time standard. In a 1991 study of the pace of civil litigation in 37 urban trial courts, researchers found one court that was able in 1987 to dispose of 99 percent of all civil cases within 24 months and another that was able to do so for 97 percent of all civil cases. For all civil cases in all 37 courts, only 78 percent were disposed within 24 months. Only two of the 37 courts were able to dispose as many as 90 percent of all civil cases in less than 18 months.<sup>24</sup>

In 1995, a similar study was done of tort and contract litigation in the 45 largest counties in the U.S. For tort cases, in 1992 the five fastest courts were able to dispose of 92-95 percent within 24 months; for contract cases, the five fastest courts were able to dispose of 96-99 percent within 24 months; and only one court disposed of more than 80 percent of its jury trial cases within 24 months.<sup>25</sup> Only 63 percent of all tort cases and 79 percent of all contract cases were disposed within 18 months; in fact, eight percent of all tort cases and four percent of all contract cases took longer than four years to be disposed.<sup>26</sup> More recent data confirms these findings. Utah is able to dispose of 95 percent of its civil cases within 24 months and 87 percent of general civil cases within 12 months. Minnesota disposes of 92.3 percent of its major civil cases within 12 months and 97 percent within 18 months.

<sup>24</sup> See *Reexamining the Pace of Litigation*, *supra* note 5, at Table 3.2.

<sup>25</sup> J. Goerdt, B. Ostrom, D. Rotman, N. LaFountain, and N. Kauder, “Litigation Dimensions: Torts and Contracts in Large Urban Courts,” *State Court Journal* (Vol. 19, No. 1, 1995) 1, Appendices 7 and 8.

<sup>26</sup> *Id.*, Figure 2.9 and Figure 2.17.



Every state requires its courts to give priority to the processing of criminal cases over civil cases. This clearly has an effect on speedy disposition of civil cases. However, the 1991 study showed that courts that were able to dispose of felony cases more expeditiously were typically able to dispose of civil cases more promptly as well.<sup>27</sup> This likely reflects a court culture favoring timely case dispositions for all types of cases.

The time standards offered here do not make a distinction between jury and non-jury cases, and reflect a continuing effort to balance the litigants' desire for prompt case disposition with the reality of current court case processing experience. Thus, the upper time limit follows the COSCA time standards at 18 months/540 days, while expressing agreement with position in the ABA time standards that not all cases can be justly disposed within that time period. In recognition of the time justifiably needed to resolve such matters as contract fraud and toxic torts, however, it does away with the expectation that all cases should properly be expected to reach disposition within 24 months.

**Intermediate Time Standards.** The time standards offered here for intermediate stages of general civil proceedings reflect the key points in case processing that should be monitored by a court and addressed to assure that litigation proceeds to conclusion at a suitable pace.

In 98% of cases, service of process should be completed within 60 days.

In 98% of cases, responsive pleadings should be filed or default judgments entered within 90 days.

In 98% of cases, discovery should be completed within 300 days.

In 98% of cases, trials should be initiated within 480 days.

A threshold consideration is whether the defendants have been served. A key feature of due process in civil litigation is that there can be no case resolution unless actual or constructive notice has been given to a defendant. Service of a summons and a copy of the complaint start the clock running for the filing of a responsive pleading that will join the issues in the case. Failure to complete service leaves a civil case in limbo. Service of process is a particularly daunting step for plaintiffs who are representing themselves. Setting an interim time standard for completion of service of process encourages courts to monitor the performance of this critical procedural step and to take action – such as setting an early hearing for self-represented litigants who have not filed a return of service or sending the plaintiff's attorney a notice that the case will be dismissed for failure to prosecute – when it has not been completed timely. There are exceptional cases in which defendants evade service or service by publication becomes necessary; service in these cases will often not be completed within 45 days.



<sup>27</sup> *Reexamining the Pace of Litigation*, *supra*, note 5, Figure 4.1.

The next consideration is whether a defendant has filed a responsive pleading. In their study of civil cases decided in 1992 in 45 large trial courts, researchers found that an answer was filed by a defendant in only 51 percent of all tort cases in one court, and that answers were filed in only 87 percent of all tort cases in the court with the highest percentage of cases with answers filed. For contract cases, the filing of an answer was even less common, ranging from 21 percent of all such cases in one court to 69 percent in the court with the highest portion of defendant responses.<sup>28</sup>

To avoid having cases lay fallow for months or even years without being at issue, the second intermediate time standard thus offers a suggested elapsed time within which there should either be a responsive pleading by a defendant or a plaintiff request for default judgment. This intermediate time standard embodies a suggestion that the trial court should monitor cases to determine whether a responsive pleading has been filed within a reasonable passage of time after case commencement. The exercise of early court control in this fashion has been found to have a statistically significant correlation with shorter times to disposition in civil cases.<sup>29</sup>

Civil cases vary in the amount of discovery they require, with tort cases being more likely to have discovery than contract, real property or other civil cases.<sup>30</sup> Court management of discovery promotes expedition and helps conserve court resources. Research has shown that civil practitioners support direct court involvement and control over discovery through such means as holding an early discovery conference or establishing a discovery plan, through consistent application of the rules, and through the imposition of costs and sanctions for abuse.<sup>31</sup> Having an intermediate time standard like that presented here for completion of discovery can serve as an important tool for the court to exercise ongoing control of case progress.

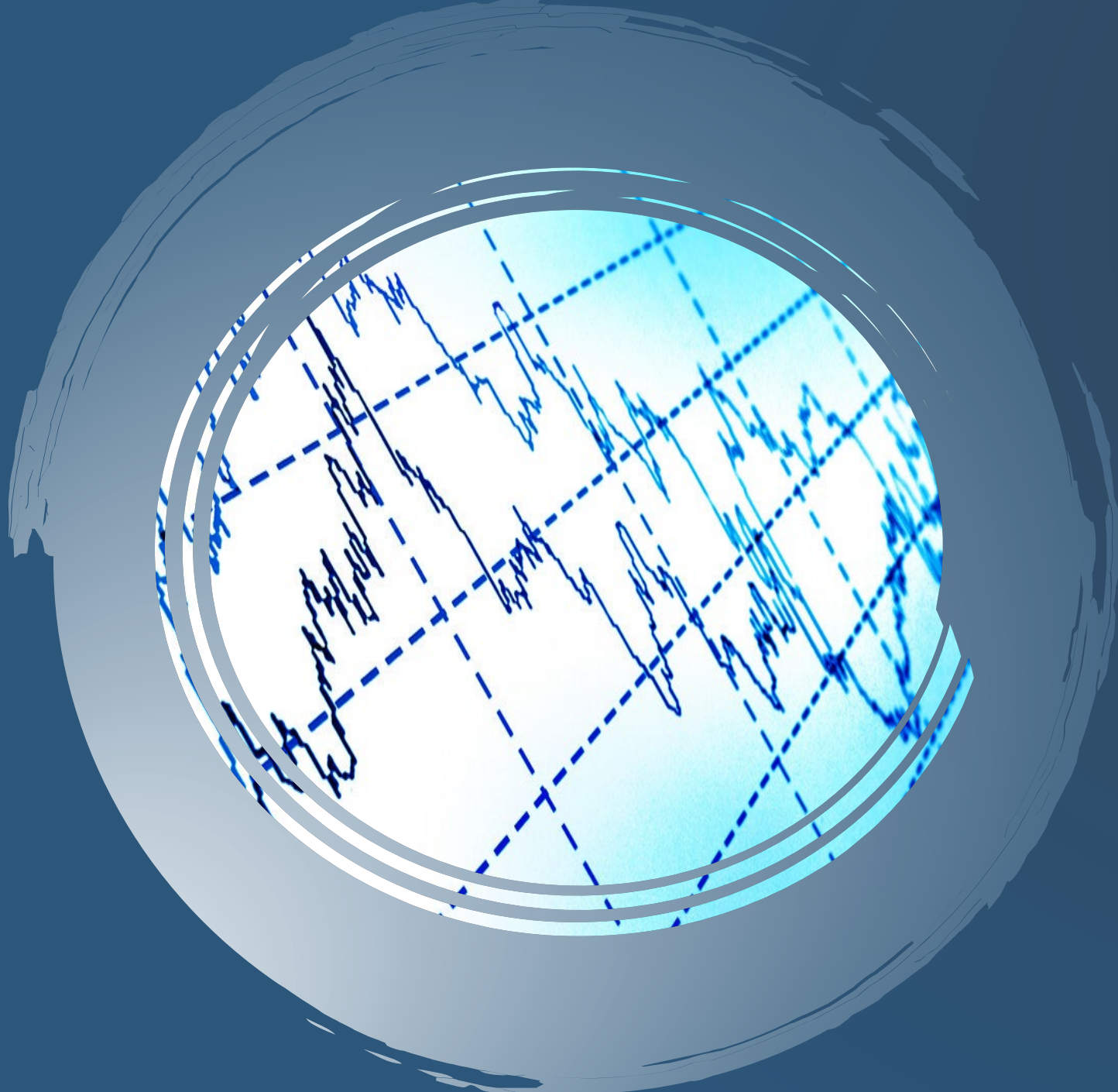
The fourth intermediate stage in these time standards has to do with having timely and credible trial date scheduling. To help make better use of their time, many civil attorneys prefer to have trial date predictability, and having credible trial dates is a means for the court to prompt the attorneys to give early attention to whether a matter can be resolved by negotiation rather than by trial. Having actual trial commencement within 16 months in most cases where it is needed can serve as a helpful means to assure that almost all cases are concluded within 18 months.

<sup>28</sup> "Litigation Dimensions," *supra*, note 25, Appendix 5.

<sup>29</sup> *Reexamining the Pace of Litigation in 39 Urban Trial Courts*, *supra*, note 4, Figure 3.7.

<sup>30</sup> See S. Kellitz, R. Hanson and H. Daley, "Is Civil Discovery in State Courts Out of Control?" *State Court Journal* (Vol. 17, No. 2, Spring 1983) 8.

<sup>31</sup> See S. Kellitz, R. Hanson and R. Semiatin, "Attorneys' Views of Civil Discovery," *Judges' Journal* (Vol. 32, No. 2, Spring 1983) 2, at 38. Institute for the Advancement of the American Legal System (IAALS), *Interim Report & 2008 Litigation Survey of the Fellows of the American College of Trial Lawyers on the Joint Project of the American College of Trial Lawyers Task Force on Discovery and the Institute for the Advancement of the American Legal System* (Denver, CO: IAALS, 2008); [www.du.edu/legalinstitute/pubs/interim%20Report%20Final%20for%20web1.pdf](http://www.du.edu/legalinstitute/pubs/interim%20Report%20Final%20for%20web1.pdf); IAALS, *Survey of the Oregon Bench and Bar on the Oregon Rules of Civil Procedure* (Denver, CO: IAALS, 2010) [www.du.edu/legalinstitute/pdf/IAALSOregonSurvey.pdf](http://www.du.edu/legalinstitute/pdf/IAALSOregonSurvey.pdf); IAALS, *Survey of the Arizona Bench and Bar on the Arizona Rules of Civil Procedure* (Denver, CO: IAALS, 2010) [www.du.edu/legalinstitute/pdf/IAALSArizonaSurveyReport.pdf](http://www.du.edu/legalinstitute/pdf/IAALSArizonaSurveyReport.pdf); IAALS, *Civil Litigation Survey of Chief Legal Officers and General Counsel belonging to the Association of Corporate Counsel* (Denver, CO: IAALS, 2010) [www.du.edu/legalinstitute/pubs/GeneralCounselSurvey.pdf](http://www.du.edu/legalinstitute/pubs/GeneralCounselSurvey.pdf).



# ARIZONA TIME STANDARDS

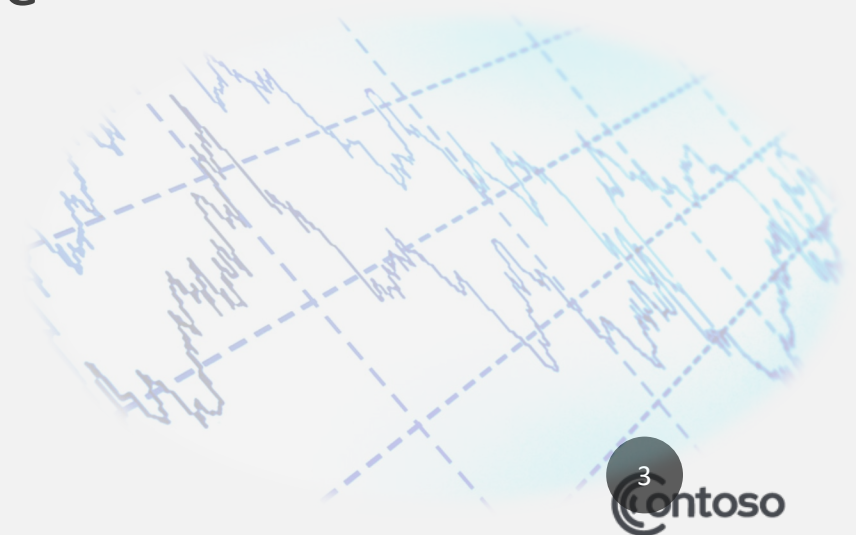
FOLLOW-UP FROM OCTOBER 2022  
PRESIDING JUDGES MEETING

DECEMBER 2022 PRESIDING JUDGES MEETING

# Highlights from FY22 Time Standards Report

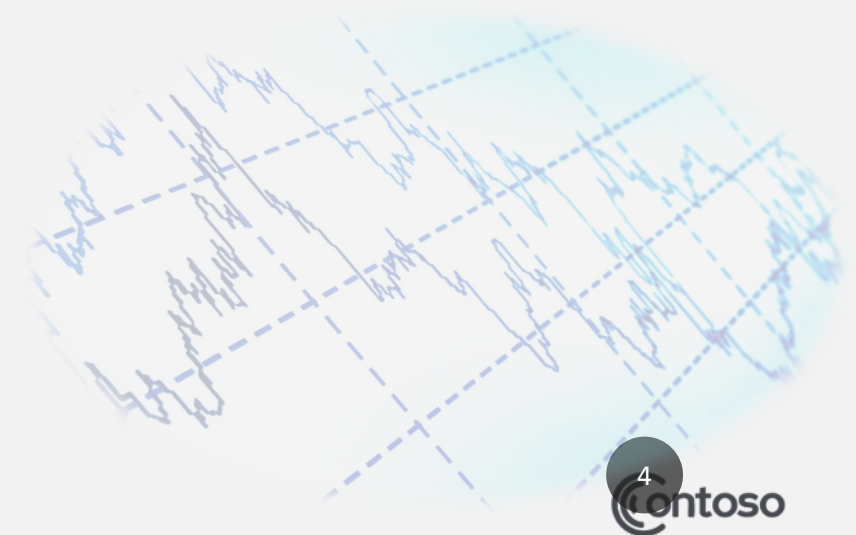
# Standards Met or Exceeded

- Civil Tier One
- Limited Jurisdiction Appeal Tiers One and Two
- Mental Health
- Guardianship/Conservatorship Tier Two
- Family Law Post Judgment Motions Tier One
- Ex Parte Protective Orders



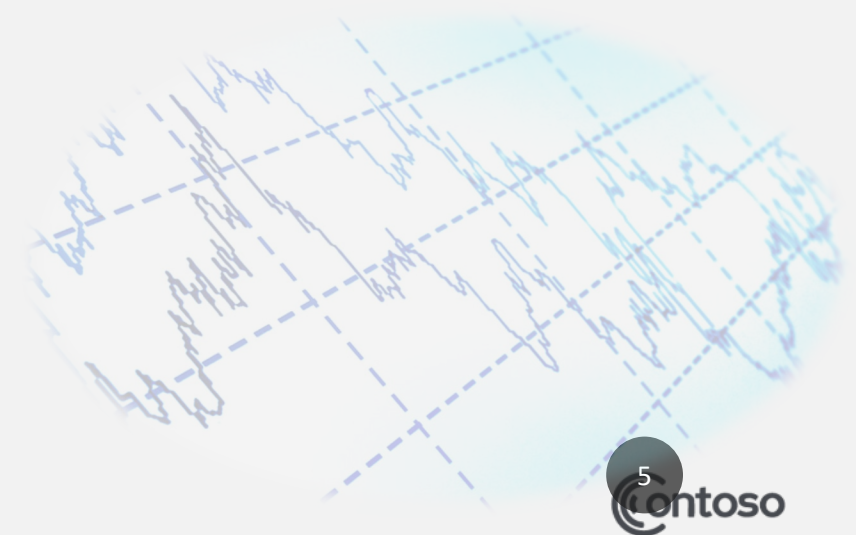
# Within 5% of Standards

- Civil Tiers Two and Three
- Dissolution Tiers Two and Three
- Family Law Post Judgment Motions Tier Three
- Contested PO Hearings Tier Two

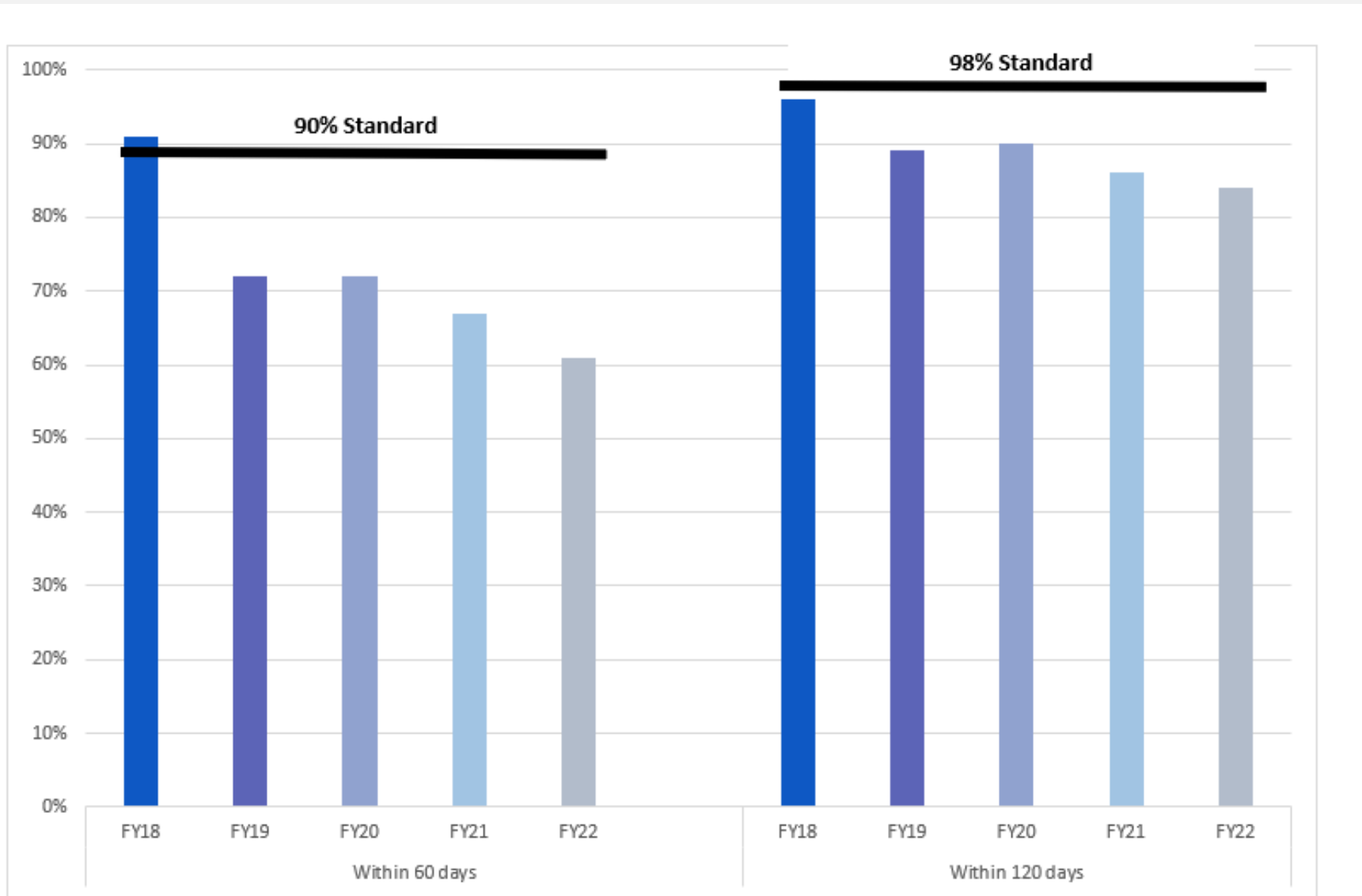


# Trending Down

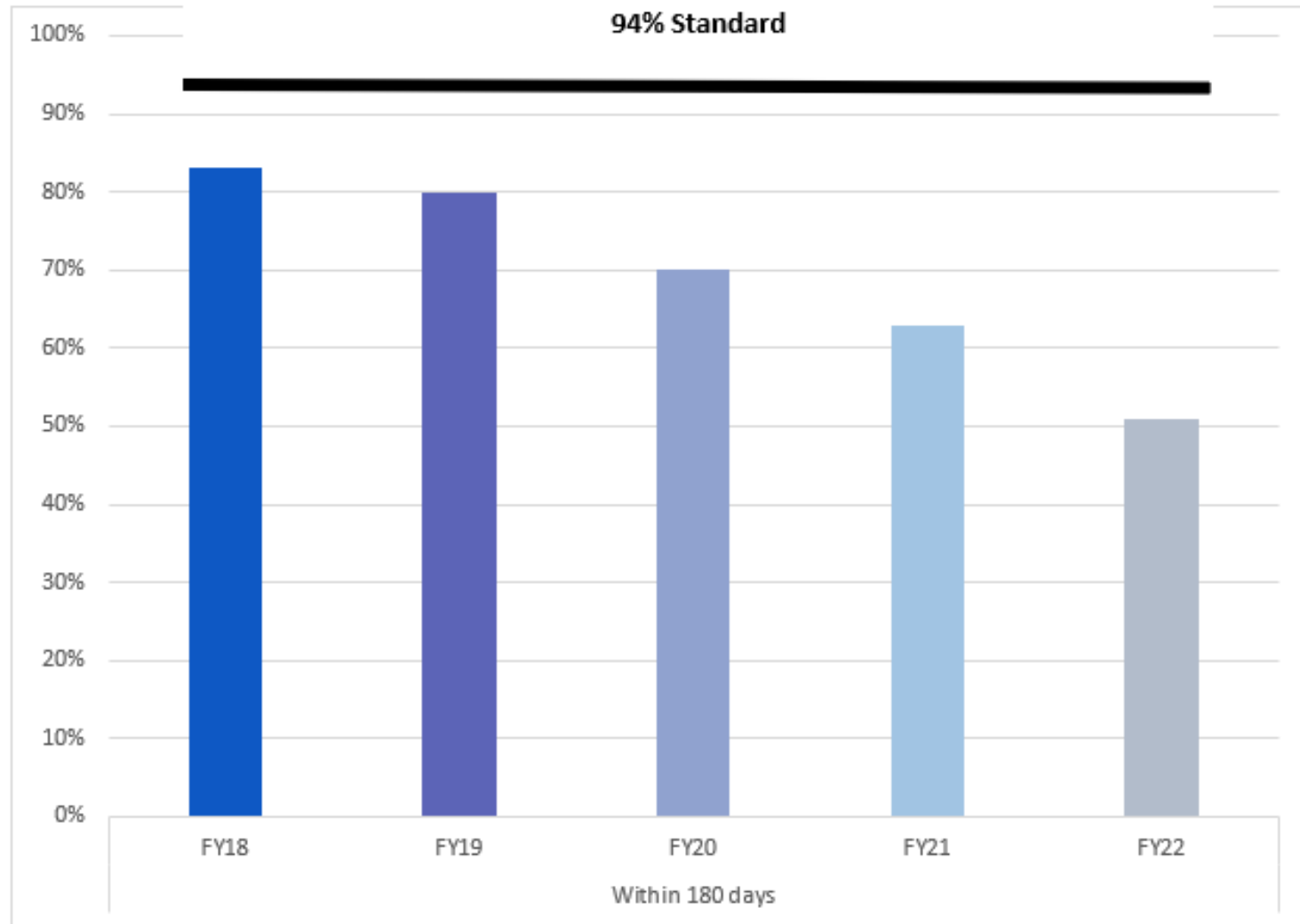
- Family Law Pre Decree Temporary Orders
- Criminal Felony
- Post-Conviction Relief



# Family Law Pre-Decree Temporary Orders



# Post-Conviction Relief



# Follow-up on Family Law Temporary Orders FY 22 Data

# Family Law Pre-Decree Temporary Orders

## AZ Time Standards

- 90% of motions/petitions disposed within 60 days
- 98% of motions/petitions disposed with 120 days
  
- Does include IV-D cases

# Query Parameters

Start Code	Stop Code
Motion: Temporary Orders	ADJUDICATED case status
Petition: Temporary Orders	Order: Temporary Orders
	Order: Temporary Child Support
	Judgment: Judgment for Temporary Order
	Minute Entry: Emergency Temporary Order
	Minute Entry: Temporary Orders
	Minute Entry: Temporary Orders Without Notice
	Minute Entry: Temporary Custody Hearing
	Minute Entry: Temporary Custody (Rule 51) Hearing
	Minute Entry: Temporary Legal Decision Making Hearing
	Minute Entry: Default Dissolution
	Minute Entry: Consent Decree
	Minute Entry: Decree of Dissolution
	Decree: Default
	Decree: Decree
	Decree: of Dissolution

... and the list goes on for more event codes

## Case #1 Example

11/9/2021 Motion for Temporary Orders filed (time starts)

1/3/2022 Hearing Held on Motion

1/10/2022 Judge signs an order and generic Order is entered (so time doesn't stop, would have been 62 days)

4/5/2022 Clerk updates case status to Adjudicated (time stops) and case is now 147 days old, past both tiers

**Appears to be data entry error – generic orders do not stop time**

## Case #2 Example

1/20/21 Motion for Temporary Orders filed (time starts)

1/27/21 Hearing Reset by request of the parties

3/16/21 Parties request matter be converted from a legal separation to a dissolution

Hearing rescheduled several times at the request of the parties and dismissed at hearing held on 9/13/21 (time stops, 236 days)

**Your thoughts?**

## Case #3 Example

7/8/21 Motion for Temporary Orders filed (time starts)

8/23/21 Hearing Reset due to improper service

10/18/21 Hearing held and parties advised an agreement reached. Judge directed counsel to prepare an order for judge to sign

3/1/22 Judge signs Order submitted by parties (time stops, 236 days)

**Your thoughts?**

# Follow-up on Post- Conviction Relief FY22 Data

# Query Parameters

Post-Conviction Relief	
Start Code	Stop Code
Rule 32: Petition for Post Conviction Relief	Rule 32: Granting of Petition for Post Conviction Relief
Rule 33: Petition for Post Conviction Relief	Rule 32: Ruling on Post Conviction Relief
	Rule 32: Dismissal
	Rule 32: Order Granting Withdrawal for Post Conviction Relief
	Minute Entry: Rule 32 Post Conviction Relief Petition
	Rule 33: Granting of Petition for Post Conviction Relief
	Rule 33: Ruling on Post Conviction Relief
	Rule 33: Dismissal
	Rule 33: Order Granting Withdrawal for Post Conviction Relief
	<b>The following events can act as stop codes ONLY when they are "related" to the motion or petition for temporary orders:</b>
	Order: Granting
	Order: Denying

# Case Research

- Reviewed cases over the standard
- Found data entry error about 50% of the time
  - Petition for PCR docketed instead of Notice for Petition for PCR
  - This resulted in number of days between “petition” and disposition to be excessive
- Found multiple continuances the other 50% of the time
  - Judges allowing 2-4 continuances per cases - granting extensions to file the petition

Conclusion - Both conditions appear to have inflated the ages of cases

Next step - Report this issue at upcoming meetings and discuss solutions with stakeholders

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