



Task Force on Fair Justice for All

Minutes

May 20, 2016

State Courts Building ♦ 1501 West Washington St. ♦ Conference Room 101
Phoenix, Arizona

Present: Dave Byers, Chair, Tom O’Connell, Vice Chair, Judge Maria Elena Cruz, India Davis, Jeffrey Fine, Ryan Glover, Judge John Hudson, Robert James, Paul Julien, Doug Kooi, Judge Dorothy Little, Jeremy Mussman, Lisa Martinez (Proxy for Dianne Post), Judge Antonio Riojas, Judge Lisa Roberts, Judge Thomas Robinson, MaryEllen Sheppard, Alessandra Soler, Rebecca Steele, Judge Don Taylor, Kathy Waters

Absent: Kent Batty, Judge Michael Bluff, Michael Kurtenbach, Tony Penn, Leonardo Ruiz

Presenters/Guests: Judge Lilia Alvarez, Paul Thomas, Madeline Carbaja, Dorrie Wiltberger, Paul Ammes, Jessica Swanson, Karla Rodriguez, Elisabeth Rapaez, Leonard Montanaro, Judge Alice Wright (Ret.), Judge Ron Reinstein, Sandra Mendez, Randy Perez, Don Dutton, Judge J. Matias Tafoya, Heather Murphy, Alec Shaffer

Staff: Theresa Barrett, Kathy Sekardi, Jennifer Greene, Patrick Scott, Susan Pickard, Sabrina Nash, Administrative Office of the Courts (AOC)

Call to Order

Dave Byers called the meeting of the *Task Force on Fair Justice for All* to order at 10:34 a.m.

Welcome and Opening Remarks

After thanking members for their enthusiasm during the April 9 and 10 meeting, Mr. Byers welcomed the members back.

Mr. Byers announced the addition of four members to the Task Force; Judge John Hudson, Gilbert Municipal Court; Leonardo Ruiz, Maricopa County Attorney’s Office; Dianne Post, Legal Advocate; and Alessandra Soler, American Civil Liberties Union of Arizona. Judge Hudson and Ms. Post introduced themselves during the April 28th meeting. Mr. Ruiz was not present. Alessandra Soler, Executive Director, discussed her interest in the Task Force, providing abbreviated background and expertise information.

Mr. Byers noted that Lisa Martinez was attending as Dianne Post’s proxy.

Mr. Byers, Judge Don Taylor and MaryEllen Sheppard provided highlights of the recent Western Summit of States where the topic was pretrial reform which inherently includes cash bail, fines,

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and fees. Fifteen state teams, including Maryland and Missouri, and the U.S. territory of Guam led by supreme court justices met in Santa Fe, New Mexico. The enthusiasm at the summit was much like that exhibited in this Task Force's meetings. The Arizona team did not hear any ideas different from the ones discussed by the Task Force and came away with a strong understanding that the money-for-freedom systems used in most jurisdictions must be eliminated. Mr. Byers noted that 15 law suits have been filed against mainly local city jurisdictions. Nine of the cases have settled. A common thread in most of the settlements is the elimination of bond schedules.

Report on unique problems with municipal court population regarding fines, fees, and bail, and suggestions to alleviate these problems.

Judge Lilia Alvarez, Guadalupe Municipal Court Presiding Judge, presented the court's transition to better serve a highly diverse, low-income, high poverty population. The changes range from treating everyone with dignity and respect to adjusted bond card sanction amounts. Guadalupe Municipal Court has experienced an 84% jail cost reduction and reports a 95 – 100% appearance rate. As the Task Force has, Judge Alvarez questioned the propriety of revenue generation for local and state governments.

Report on Rule 11 pilot project in Mesa City Court

Paul Thomas, Mesa Municipal Court Administrator, presented the preliminary outcomes of the Rule 11 Pilot program, and the positive impacts of not issuing warrants for failure to pay offenses, electronic monitoring in lieu of bond, and hearing and payment reminders via autodialer. Mr. Thomas announced a new initiative in collaboration with Maricopa County Adult Probation regarding pretrial supervision, full implementation of the risk assessment tool, conversion of jail court to an initial appearance only court, and establishment of two dedicated arraignment courts.

Multi-voting: Prioritizing recommendations

Mr. Byers and Mr. O'Connell briefly introduced each of the 35 preliminary recommendations developed during the Task Force's April 7th and 8th meetings. Members were asked to prioritize the recommendations by an informal vote. While the actual results were not announced in the meeting, Mr. Byers noted that the members had coalesced around some topic areas.

Mr. Byers laid out a general understanding of report presentation and recommendation approval beginning with the Court Leadership Conference and the Arizona Judicial Council in October.

The Task Force broke for lunch at 12:30 p.m.

Break-out sessions

At 1:30, Task Force members separated into limited jurisdiction and general jurisdiction workgroups to discuss and develop recommendations regarding each workgroup's remaining topic areas. The Limited Jurisdiction Workgroup convened in Conference Room 330, while the General Jurisdiction Workgroup remained in Conference Room 101.

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Task Force Reconvening

Having completed deliberations, the Task Force reconvened in Conference Room 101 at 3:20 p.m.

Call to the Public

The Call to the Public was made shortly after reconvening. No members of the public were present, therefore no comment was made.

Next Meeting: Thursday and Friday, June 9 and 10, 2016 – State Courts Building – Conference Room 101