

STEERING COMMITTEE ON DATA-BASED COURT PERFORMANCE AND DATA STANDARDS

March 6, 2024

1:30 p.m. – 3:30 p.m., Hybrid Meeting

MINUTES

Present: Hon. James Beene, Ms. Shelly Bacon, Hon. Thomas L. Chotena, Ms. Jennifer Curtiss, Hon. Pamela Frasher-Gates, Ms. Shawn Friend (with proxy Ms. Jennifer Ferguson for part of meeting), 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

Absent: Hon. Trevor Ward

Administrative Office of the Courts (AOC) and Guests: Mr. Kip Anderson (Presenter from Mohave County), Ms. Mary Bellefeuille (AOC), Ms. Cathy Clarich (AOC), Ms. Laura Ritenour (AOC), Mr. Michael Malone (AOC), and Mr. Todd Zweig (Presenter from Pinal County)

I. CALL TO ORDER

A. Welcome and Opening Remarks

The March 6, 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 December 6, 2023, Minutes

The draft minutes from the December 6, 2023, 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 Marcus Reinkensmeyer and seconded by Judge Lee to approve the minutes. The motion passed unanimously.

II. REGULAR BUSINESS

A. NCSC Technical Assistance Project – Report-out from Pinal and Mohave Counties

Back in 2021, Judge Gates chaired the Felony Time Standards Workgroup and presented their work and recommendations on the current felony time standards to this committee and the Presiding Judges. As a result of that report, the AOC

entered into a consulting contract with National Center for State Courts and Retired Judge Coker provided technical assistance on criminal case management in seven counties. Judge Coker and his team conducted detailed data analysis, facilitated county stakeholder meetings, and drafted reports and recommendations for system improvement in the counties that participated. Judge Coker presented an overview of the findings to the committee at the June 2023 meeting. For this meeting, Todd Zweig from Pinal County and Kip Anderson from Mohave County gave a report-out on the technical assistance their courts received and what next steps are planned. Pinal County's plan of action included 1) institution of a court continuance policy, including written motions to continue, and a limit on number of continuances, 2) scheduling of quarterly meetings with review of cases over the highest time standard, and 3) involving judicial assistants in the time standard report process. Data is showing these interventions are working as number of cases over the highest time standard are beginning to decrease. A perception exists that the first two tiers of the felony time standard are too aspirational and not achievable. Mohave County reported they are dealing with a decrease in the number of criminal defense attorneys and an increase in the number of trials held. Their court now has a caseflow management plan for felony cases. They are working towards a uniform court continuance policy. The County Attorney's Office is working on developing an early plea process. Defense attorneys are working with their clients earlier to discuss the plea process. Since they instituted changes, they have seen an increase in the percentage of cases meeting all tiers of the felony time standards. Both administrators agreed that having judicial officers pay attention to case age is an important part of their efforts. The members asked questions and Justice Beene thanked both court administrators for their insights and time.

B. Felony Case Processing Time Standards Research Concept

At the December 2023 meeting, Dr. Brian Ostrom presented on the Effective Criminal Caseflow Management project and members discussed various issues pertaining to felony case processing. In February, Judge Gates and Laura Ritenour met and discussed a potential data collection project they would like committee feedback on. 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. The plan for this project is : 1) determine what characteristics are most common in felony cases that are meeting the first tier time standard (65% within 90 days), 2) determine what percentage of cases currently being filed have these characteristics, and 3) bring the results for the steering committee to discuss. All three superior court case management systems will be asked to share their data. Judge Gates discussed the myriad of issues facing felony defendants, courts, and attorneys. The goal of this research would be to discuss the case characteristics, possible changes to the time standards, and advocating for best practices.

C. Family Law Time Standards Workgroup (Collaboration with Family Court Improvement Committee)

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. The proposal was brought to the February Family Court Improvement Committee meeting for their consideration. Justice Beene and Cathy Clarich reported that FCIC voted unanimously to collaborate with this committee. Laura Ritenour and Susan Pickard, AOC staff to the two committees, will begin work on setting up workgroup meetings, agendas, and materials.

D. Data Standardization Advisory Committee

Michael Malone, chair of the Data Standardization Advisory Committee, reported 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. During their January and February meetings, the following tasks were completed: 1) approved the standardized codes for PO Party Role Type and Constable Codes to assist with data integration projects, 2) approved the standardized codes for the Attorney Type to assist with Required Data Elements initiative, and 3) provided feedback on the implementation of the Required Data Elements Initiative. Members had no questions about the committee's report provided.

E. DUI Case Processing Training for Judicial Officers

At the December 2023 committee meeting, members discussed the misdemeanor DUI case processing time standards and possible solutions regarding training of judicial officers. The committee voted unanimously to form a training workgroup. Ms. Clarich updated the committee members on the workgroup's progress. There are fifteen workgroup members, and Jerry Landau is the workgroup chair. The workgroup had their first meeting on February 28, 2024. The goal of the workgroup is to develop training materials that would assist judicial officers on 1) how to assemble a criminal justice committee, 2) how to create a caseflow management plan, 3) how to effectively schedule jury trials and 4) how to deal with case processing delays. The workgroup will review DUI case processes and procedures and review time standards data. The workgroup will meet again in April and there will be report-outs on the workgroup's progress at future steering committee meetings.

F. Draft Post-Conviction Relief Notice and Petition Filings Instructions Update

At the December 2023 meeting, Mary Bellefeuille presented members with draft Post-Conviction Relief Notice and Petition filing instructions for publication on the Self-Service Center website. Mary Bellefeuille reported that the instructions were based on current instructions published by the Maricopa County Law Library. After the December meeting, several members provided feedback that was incorporated into the draft. Mary Bellefeuille and Laura Ritenour then met with two formerly incarcerated members of the public, reviewed the draft, and incorporated their feedback. In order to gather more input, Laura Ritenour will present the draft instructions at the April Committee on Probation and the May Committee on Superior Courts. Mary Bellefeuille will update the committee at the June meeting.

G. Required Data Elements – 2024 Checklist Process and Administrative Directive 2023-10

The Required Data Elements Initiative’s goal is for all court case management systems to have a common set of data elements for improved data collection and reporting. Ms. Ritenour will provide an overview on the project’s implementation, the 2024 Required Data Elements Checklists, and Administrative Directive 2023-10, Phase Two of Required Data Elements.

H. Proposed Wendell Page for Time Standards

In order to raise awareness among judicial officers on the time standards and their reports, AOC staff recommends a Wendell page be created. Wendell is the portal used by AOC Education Services to post educational resources for judicial officers. Laura Ritenour presented ideas for resources for committee member feedback. It was recommended that how to run the reports be added to the page as well in case judges want to run their own reports. Laura Ritenour appreciated the feedback and will update the committee at the June meeting.

I. Call to the Public

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

J. Additional Member Comments

Marcus Reinkensmeyer reported that in June Arizona Supreme Court Vice Chief Justice Ann Scott Timmer will be sworn in as the new Chief Justice and the 2024-2029 Strategic Agenda will be officially presented. An invitation to attend the June steering committee meeting will be extended to Vice Chief Justice Timmer.

K. Adjournment

The meeting was adjourned at 2:57 p.m. with a motion by Judge Peterson.

E. NEXT COMMITTEE MEETING DATE

June 5, 2024, 1:30 – 3:30 p.m., Hybrid - State Courts Building Room 331 & Zoom Webinar