

# GJ Code Standardization Meeting

## Agenda

Wednesday, April 15, 2020

1:30 – 3:30

(602) 452-3533 Meeting ID: 997629597

### 4/15/2020 Agenda:

**\*There were no new requests for this agenda.**

#### **Yuma**

- o **Tabled from 3/18/2020** - Request to add new appearance reason – **Arraignment/ Early Disposition Change of Plea:**

*At this time I have to schedule two events under each case so that our calendar reflects only one case. I currently schedule as follows: Arraignment then enter on the next line Early Disposition Change of Plea. I am requesting a single code to show as follows Arraignment/ Early Disposition Change of Plea.*

- **Below are the existing events for EDC court:**

DESCRIPTION
EARLY DISPOSITION COURT
EARLY DISPOSITION COURT HEARING
EARLY DISPOSITION COURT-CHANGE OF PLEA
EARLY DISPOSITION COURT-CHANGE OF PLEA AND SENTENCING
IA IN EDC - SET PRELIMINARY HEARING AND REMOVE FROM EDC
IA IN EDC - SET PRETRIAL CONFERENCE AND REMOVE FROM EDC

- **I sent an email to the courts requesting information on their EDC processes. Below are the responses**
  - **Pinal** County has an EDC process.  
*When scheduling hearings for the EDC court calendar, we use the appearance reason most applicable and then if there are any other appearance reasons that need to be included, we will add them in the comments. We do not schedule multiple hearings for the same case.*
  - **Yuma** County Process for EDC:  
*When the county attorney processes each grand jury case they do research to see if the case would qualify for early disposition. Once a decision is made the grand jury cases are heard and either assigned an arraignment hearing or an arraignment/early disposition change of plea hearing. Once I am given the cases to process and add to the system I*

then proceed to schedule them. Due to the notices of supervening indictment state arraignment/early disposition change of plea and the court states the same type of hearing on record. I had to come up with a scheduling event that would match what was stated on record.

After discussion with the County Attorney's Office, my lead clerk, and supervisor this is how I schedule the hearings:

- First box: Arraignment
- Second box: Early Disposition Change of Plea

It would easier to schedule these cases if there was one set event showing arraignment/early disposition change of plea

- In **Cochise** we don't use EDC but do indeed utilize ERC, which may be the same thing, so I asked our specialist down here for our ERC process and she responded with the following:

"A sentencing date will be scheduled if the case is going straight to sentencing. Sometimes a Review Hearing will be scheduled depending upon the situation. After I open the case, I will forward it on to the court room clerk who then creates an MEO summarizing the proceedings. It is at that time the arraignment/hearing will be scheduled. I hope this helps."

It is my understanding that we do not schedule multiple ERC hearings for the same case.

The code situation doesn't happen too often here in Cochise if at all, so we take no position on adding it or not.

- In **Yavapai** County we do not open criminal cases until after EDC has occurred. For this reason, nothing is calendared.
- **Navajo** County essentially absorbed ERC/EDC into our Monday preliminary hearings held in Superior Court. If a defendant waives their preliminary hearing, they can go right into change of plea and sentencing on the felony charges or set it out for 1 week. If they do not waive, the case proceeds as a standard 100-day case.

## Yavapai

- **Tabled from 3/18/2020 - Request modify event: Statement: Findings of Fact and Conclusions of Law**
  - Yavapai County would like to modify the existing code of "Statement: Findings of Fact and Conclusions of Law" to "**Order: Findings of Fact and Conclusions of Law**". The document is an order of the court, which would best fit under the "Order" category, rather than the "Statement" category.
  - To properly docket the order titled "Findings of Fact and Conclusions of Law and Order" in juvenile dependency cases.
- **Tabled from 3/18/2020 - Request for new event: Motion for Termination of Parental Rights**

- Yavapai County would like to add a docket code for Motion for Termination of Parental Rights to correspond with the Arizona Rules of Procedure for the Juvenile Court, Rule 64A.
- To docket the Motion for Termination of Parental Rights in juvenile dependency cases.
- Currently using "Petition: Terminate Parent / Child Relationship", which conforms to Arizona Rules of Procedure for the Juvenile Court, Rule 64B, but not Rule 64A.

## **AOC**

- **Tabled from 3/18/2020** - Sarah Baker has been working on the eWarrants Project and asked if the GJ courts ever assess the following fee. Please be prepared to discuss:
  - **28-1525. Assessment; failure to pay fine**  
*In addition to any fine, fee, penalty or assessment authorized by law, a person who is convicted in the superior court or a justice court for a violation of this title shall pay an assessment of one hundred twenty-five dollars if a warrant for failure to pay a fine, fee, penalty or assessment imposed as a result of the conviction is issued for the arrest of the defendant. The court shall transmit the assessed monies to the county treasurer for deposit in the county general fund. The assessment is not subject to any surcharge.*
- **In the future, if we do not have a minimum of 8 courts on the court, all items will be tabled until the next meeting. If you know you will not be able to participate, please let me know so that I can determine if I need to cancel the meeting.**

# GJ Code Standardization Meeting

## Minutes

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### 4/15/2020 Agenda:

#### Jurisdictions Represented:

Coconino – Val Wyant

Gila – Esther Canez, Anita Escobedo

Graham – Stephanie Newton

Maricopa – Chris Driscoll

Mohave – Della Hiser

Pinal – Nikki Felix

Santa Cruz – Valeria Fuentes

Yavapai – Rachel Roehe, Donna McQuality, Charlotte VanLandingham, Kelly Gregorio

Yuma – Robert Wilson, Teasha Gunderman

AOC – Marisa Shaffery, Pat McGrath, April Smith

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After discussion with the County Attorney's Office, my lead clerk, and supervisor this is how I schedule the hearings:

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- In **Yavapai** County we do not open criminal cases until after EDC has occurred. For this reason, nothing is calendared.
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- Court asked if it would be possible to just change the description on an existing appearance reason and there was no objection. Request was granted. The following appearance reason will be modified from:
  - EARLY DISPOSITION COURT-CHANGE OF PLEA
  - To: EARLY DISPOSITION COURT- CHANGE OF PLEA/ARRAIGNMENT

## Yavapai

- Tabled from 3/18/2020 - Request modify event: **Statement: Findings of Fact and Conclusions of Law**
  - Yavapai County would like to modify the existing code of "Statement: Findings of Fact and Conclusions of Law" to "**Order: Findings of Fact and Conclusions of Law**". The document is an order of the court, which would best fit under the "Order" category, rather than the "Statement" category.
  - To properly docket the order titled "Findings of Fact and Conclusions of Law and Order" in juvenile dependency cases.
  - Some courts use Statement: Findings of Fact and Conclusions of Law in court types other than Juvenile so recommendation was to add a new event for use in only Juvenile cases. **Order: Findings of Fact and Conclusions of Law will be added.**
- Tabled from 3/18/2020 - Request for new event: **Motion for Termination of Parental Rights**
  - Yavapai County would like to add a docket code for Motion for Termination of Parental Rights to correspond with the Arizona Rules of Procedure for the Juvenile Court, Rule 64A.
  - To docket the Motion for Termination of Parental Rights in juvenile dependency cases.
  - Currently using "Petition: Terminate Parent / Child Relationship", which conforms to Arizona Rules of Procedure for the Juvenile Court, Rule 64B, but not Rule 64A.
  - **Granted. Motion for Termination of Parental Rights will be used in existing cases only. Petition: Terminate Parent / Child Relationship is used to initiate a case.**

## AOC

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I forgot to copy Sarah when I sent out the agenda so she was not at the meeting. **Tabling this for next meeting.**
- In the future, if we do not have a minimum of 8 courts on the court, all items will be tabled until the next meeting. If you know you will not be able to participate, please let me know so that I can determine if I need to cancel the meeting.

