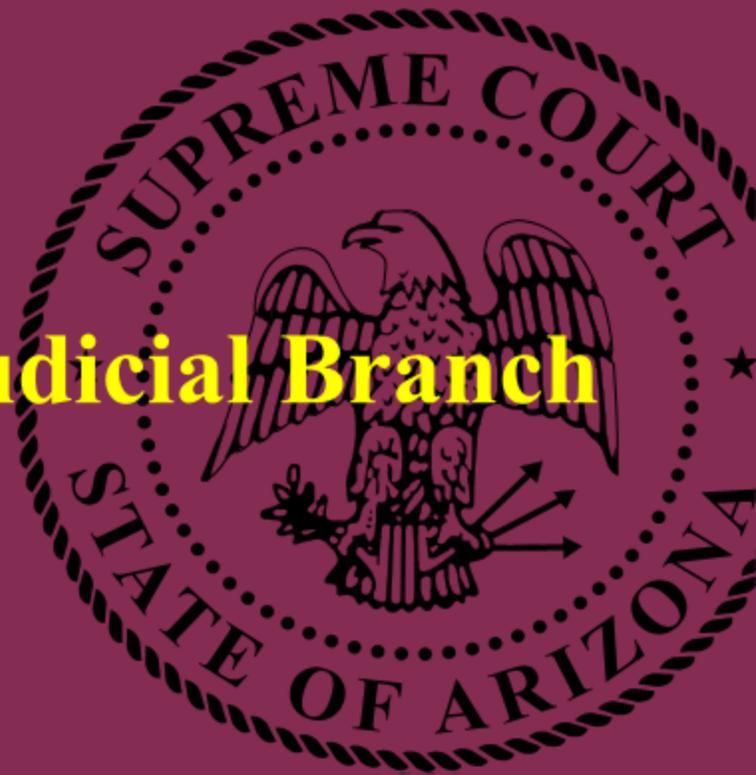


Arizona Judicial Branch



A Time of Challenges

2002 Report

PROTECTING CHILDREN, FAMILIES AND COMMUNITIES

Commitment to Safety, Keeping the Public and Probation Officers Safe	4
New Risk-Needs Assessment Tool for Juvenile Offenders	5
Arizona Building Blocks Initiative: Promoting Fair and Effective Justice Policies	5
Equitable Treatment of Minority Youth Report	6
Protecting Vulnerable Arizonans through Improved Fiduciary Oversight	7
Court Protective Order Repository Created	7

PROVIDING ACCESS TO SWIFT, FAIR JUSTICE

Domestic Relations Committee Suggests an Integrated Family Court Plan for Arizona	8
Roll Out the AZTEC	9
Improving Limited Jurisdiction Courts	9
Orientation for a New Millennium	10
Recommendations for Interpreter Certification	11

CONNECTING WITH THE COMMUNITY

Improving the Jury Experience	11
Public Access to Court Information	12

BEING ACCOUNTABLE

Chief Justice Jones Delivers Annual State of the Judiciary Address	12
Penalty Enforcement Plan Announced	13

SERVING THE PUBLIC BY IMPROVING THE LEGAL PROFESSION

Speeding Up Responses to Complaints: Restructuring Attorney Discipline	14
Complex Litigation Court Created	14

COURT STATISTICS BY FISCAL YEAR [JULY 1, 2001 - JUNE 30, 2002]

STATEWIDE REVENUE AND EXPENDITURE SUMMARY

A Time of Challenges

2002 Report

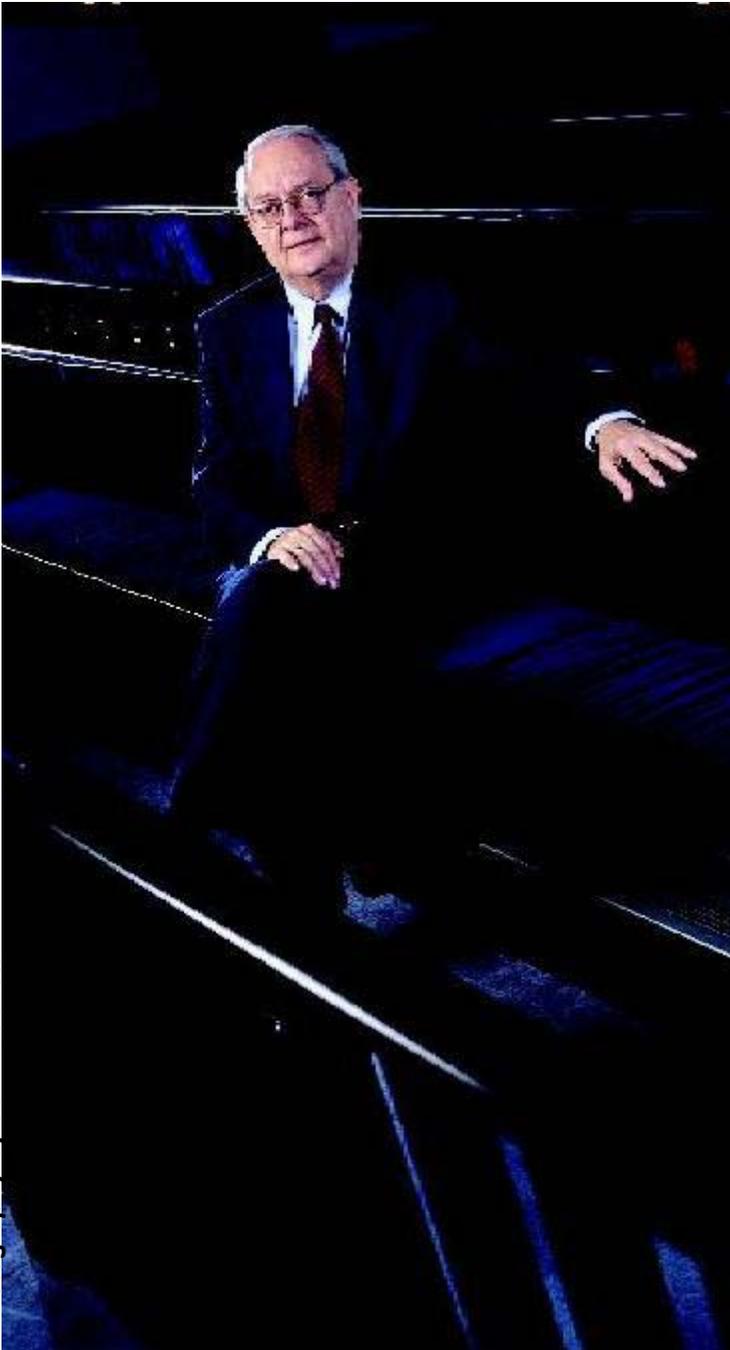
On behalf of the Judicial Branch, it is my pleasure to present our 2002 Annual Report. It is a summary of some, but not all, of the achievements of this branch of government, thanks in large part to the hard work and commitment of thousands of dedicated employees in every court within the boundaries of this great state. Each day, employees working in courts at all levels of the judicial system make "justice for all" a reality for the citizens of Arizona.

While the report is not about budget deficits and their impact on the Arizona Judicial Branch, the significance of budget reductions is too great not to mention. My first year as Chief Justice has been extraordinarily difficult for the leaders of all three branches of state and local government. Unprecedented state budget deficits have challenged everyone to be creative in budget-cutting solutions, to revisit and reaffirm the judiciary's core values and, at the same time, to maintain full performance of our branch's constitutional and statutory mandates.

The immediate future will present added challenge. As a participant in balancing the state's current budget, difficult choices have been made. Certain choices resulted in the loss of valued employees, the elimination of programs and services offered to the public, and a reduction in the resources provided to local probation departments whose purpose is to protect the public through the supervision of more than 64,000 convicted felons who live and work in our communities. Good employees, good programs and public safety were, I believe, casualties of the first round of budget cuts.

Through good times and bad it is essential for the institutions of government to remain committed to the fulfillment of all constitutional mandates. *Justice for a Better Arizona, A Strategic Agenda for Arizona's Courts*, embodies the priorities of the Judicial Branch. My commitment to this agenda will not diminish during "bad times." With the help of many, and as resources permit, we will pursue our agenda vigorously and continue to provide better justice throughout Arizona.

We can be proud of our judicial system. It is one of the best in the nation thanks to our employees and leadership over the years. We are grateful to all employees and judicial officers who are committed to the core principle of our branch: providing impartial justice for all who appear before us regardless of circumstance.



THIS ANNUAL REPORT IS A SUMMARY OF THE ACCOMPLISHMENTS OF THE JUDICIAL BRANCH DURING THE PAST YEAR. THIS REPORT IS ORGANIZED TO REFLECT THE ARIZONA JUDICIAL BRANCH'S STRATEGIC AGENDA, "JUSTICE FOR A BETTER ARIZONA." THE AGENDA IS COMPRISED OF FIVE OVERALL GOALS: PROTECTING CHILDREN, FAMILIES AND COMMUNITIES; PROVIDING ACCESS TO SWIFT, FAIR JUSTICE; CONNECTING WITH THE COMMUNITY; BEING ACCOUNTABLE; AND, SERVING THE PUBLIC BY IMPROVING THE LEGAL PROFESSION.

PROTECTING CHILDREN, FAMILIES AND COMMUNITIES

Courts provide a fair and impartial forum for the resolution of disputes. They ensure that those who violate laws are held accountable and serve to limit the arbitrary use of governmental power. They protect against physical or financial harm to those in need due to age or infirmity. Arizona courts are an essential component of a justice system that exists, in substantial part, to protect children, families, and the communities in which we live.

Commitment to Safety, Keeping the Public and Probation Officers Safe

Chief Justice Charles Jones has established the following initiatives as part of the Judicial Branch's strategic agenda:

- to establish, implement, and monitor statewide policies concerning officer safety, utilizing the continuum of force model, up to and including the provision of firearms to officers;
- to ensure that ongoing safety training and equipment is provided to probation personnel; and,
- to advocate for resources necessary to provide training and safety equipment to probation personnel.

Officer Safety Academy in progress.



To advance these initiatives, a committee composed of probation officers, surveillance officers, probation management, judges, legislators, public members and Administrative Offices of the Court (AOC) staff developed a statewide, comprehensive officer safety program for Arizona's probation system. The Arizona Judicial Council (AJC) approved the recommendations of the committee to proceed with the development of a standardized officer safety program for the state.

These recommendations address the full range of safety options, including equipment, training needs, and the arming of officers. Officer qualifications, equipment and training standards have been adopted by the Arizona Judicial Council (AJC) in the following areas: powers and duties of officers, safety training, and use of force and firearm stan-

dards. Code sections dealing with personnel practices and incident reporting are currently being developed.

A mandatory 40-hour Officer Safety Academy and an optional 40-hour firearms training program are in the final stages of approval. Both are required prior to an officer receiving authorization to carry a firearm.

Faculty development and trainer classes have begun and are anticipated to be complete by February 2003 for defensive tactics. Firearm instructor courses will begin before the end of fiscal year 2003.

Both the Juvenile Justice Services Division (JJSD) and the Adult Probation Services Division (APSD) of the Administrative Office of the Courts have made the initial purchase of safety equipment. These purchases, based on needs identified by probation departments, include: ballistic vests, flashlights, handcuffs, pepper spray, and equipment for carrying these items.

The development and implementation of this program will be an ongoing and evolving process. Judicial Branch leadership remains committed to creating a program that will improve officer safety statewide and continuing to build on progress made.

New Risk-Needs Assessment Tool for Juvenile Offenders

Juvenile probation officers may now make more in-depth assessments of juvenile offenders with the expanded version of the Risk-Needs Assessment Tool. This tool will assist the officer in the development of

a case plan that addresses the needs of juveniles under the supervision of the juvenile court while ensuring juvenile offender accountability to victims and communities.

Using this tool, probation officers will be able to prioritize potential needs and assess parenting issues, health issues, alcohol and over-the-counter drug abuse, illegal or prescription drug abuse, school issues, education functioning, truancy, behavior and mental health issues, severity of runaway behavior, and relationship with family. The tool also includes a “strengths” assessment that identifies and reinforces positive behavior in juveniles and their families.

The assessments of the Risk-Needs Tool were implemented on the Juvenile On-Line Tracking System (JOLTS), further expanding JOLTS’ utility as a case management tool.

Arizona Building Blocks Initiative: Promoting Fair and Effective Justice Policies

The Commission on Minorities’ Equitable Treatment of Minority Youth in the Arizona Juvenile Justice System report states that, “Nearly one in every 12 Hispanic youth, nearly one in every six African American youth, and nearly one in every nine Native American youth in Maricopa County are referred to the juvenile justice system.” The Building Blocks Initiative is part of a multi-state effort to address overrepresentation of young people of color in the justice system. Policies and practices that may indirectly--and unintentionally--contribute to overrepresentation of minority youth in the juvenile justice system are being





studied. Staff at the Administrative Office of the Courts (AOC) is working with community leaders, school officials, law enforcement, judges, prosecutors, public defenders, and probation and juvenile corrections officers to understand why and how minority youth are overrepresented in Arizona’s juvenile justice system. Their goal is to promote rational and effective juvenile justice policies.

The first phase of the initiative has begun. It involves mapping selected neighborhoods to identify community resources and assessing the perceptions and attitudes of its residents and juvenile justice system professionals. The pilot site for this phase is Maryvale, a community within the city of Phoenix. Oversight and direction is being provided by a governing board composed of community members and representatives from law enforcement, the Maricopa County Juvenile Court, the Arizona Juvenile Justice Advisory Commission, State Corrections, the Maricopa County Attorney’s Office, the Maricopa County Public Defender’s Office, juvenile justice agencies, and youth treatment providers.

The final phase of this multi-year project will provide recommendations for change and funding strategies for implementation. An informational packet explaining the project is available in English and Spanish.

Equitable Treatment of Minority Youth Report

In 1993, the Arizona Juvenile Justice Advisory Council published, *The Equitable Treatment of Minority Youth: A Report on the Overrepresentation of Minority Youth in*

Arizona’s Juvenile Justice System. This landmark study used 1990 census data to examine the extent to which race and ethnicity influence decision-making within the juvenile justice system. It concluded that minorities were overrepresented at various stages within the system when compared to their proportion in the general population. Since these findings were published, a number of activities have been initiated to address this issue, which are sponsored by the Commission on Minorities in the Judiciary (COM).

Ten years later, with the 1993 report as its basis, the COM has conducted a comprehensive follow-up study to evaluate progress made from 1990 to 2000 in the area of minority overrepresentation in Arizona’s juvenile justice system. These updated findings provide comparative data that are particularly relevant for policy makers and those who can impact juvenile justice policy.

The report finds that while conditions are improving, minority youth are still overrepresented in the criminal justice system. The report data and recommendations will be used by COM and the Juvenile Justice Services Division to explore solutions to the overrepresentation issue and to improve coordination among

“Studies come and go, attentions shift from crisis to crisis from fiscal year to the next, but underlying these changes appears to be a constancy that overrepresentation is considered a problem across agencies and positive progress is being made.”

Jon T. Perez, Ph.D.,
Committee Chair,
Juvenile Services
Subcommittee of the
Supreme Court’s
Commission on
Minorities and Ad Hoc
Committee

private and public agencies in the state that work with juveniles.

Protecting Vulnerable Arizonans through Improved Fiduciary Oversight

Arizona enacted the first program in the nation designed to protect seniors and incapacitated persons who rely on public fiduciaries to manage their finances.

The Arizona Fiduciary Program was first implemented in 1998, following authorization and funding by Arizona's Legislature. The establishment of the program came after some highly publicized cases of mismanagement and financial exploitation of incapacitated and protected persons by fiduciaries. The Arizona Fiduciary Program protects the public by training and certifying individuals who manage the financial and personal affairs of incapacitated and vulnerable individuals, and by taking appropriate disciplinary action when a fiduciary fails to perform their duties competently or abuses their position of authority and trust.

Although the vast majority of fiduciaries perform their duties competently and ethically, there have been cases of fiduciaries and attorneys being convicted of financial exploitation involving millions of dollars. These cases of abuse led to the appointment of a Fiduciary Advisory Committee in June 2000 to review the accounting and case management practices of fiduciaries and to provide recommendations on improvements.

The committee developed a comprehensive set of recommendations including a number of statutory changes. These changes, which were

enacted into law during 2002, provide superior court judges with additional enforcement powers when a fiduciary fails to obey a court order, allow enhanced sentencing when a fiduciary commits a crime against an incapacitated or vulnerable person, and provides a funding source to implement a statewide audit system of fiduciaries and the cases they manage.

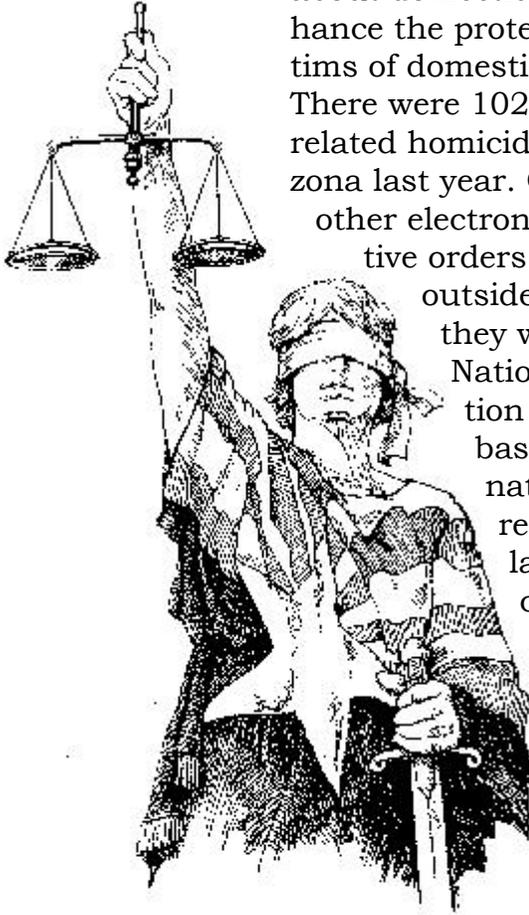
Progress has also been made on another recommendation of the Fiduciary Advisory Commission: statewide implementation of an automated system to give judges and court staff better case management and information accumulation abilities. This automated system has been successfully implemented in several counties and soon will be used in 14 of the 15 counties in the state.

The Judicial Branch has worked closely with members of the fiduciary and legal communities to improve oversight and training of fiduciaries statewide.

Protection of Arizona's incapacitated and vulnerable population is a key component of the judicial department's strategic plan. Chief Justice Jones has appointed a standing Fiduciary Advisory Commission to assist the judicial department in an ongoing assessment of the management of fiduciary cases.

Court Protective Order Repository Created

Using Federal and state grants, the Administrative Office of the Courts (AOC) has developed a statewide database of protective orders, known as the Court Protective Order Repository (CPOR). This database is intended to increase knowledge



about domestic violence and enhance the protection afforded victims of domestic violence in Arizona. There were 102 domestic violence related homicides committed in Arizona last year. Currently, the only other electronic record of protective orders issued in Arizona outside the county in which they were issued, is the National Crime Information Center's (NCIC) database, which provides nationwide criminal records information to law enforcement agencies.

Unfortunately, the NCIC's data requirements are so stringent that less than 14 percent of all orders issued in Arizona are accepted by NCIC. The new registry is greatly expanding the number of protection orders available electronically to law enforcement in Arizona. The absence of easily accessible and up-to-date protective order information can cause difficulties for law enforcement agencies, including the courts, and domestic violence victims. To avoid their abusers, victims often move out of the county or state in which they originally obtained their protective orders. They may later encounter problems when local law enforcement is unable to verify the existence of the protection order. The CPOR will provide a single, readily accessible source of information for determining whether a protective order is in effect.

A total of 149 courts are presently providing protection order data to the repository. Through December 16, 2002, more than 26,000 protection orders have been recorded in the repository. Courts not currently participating in the program are in the process of developing data extraction programs necessary to identify and transmit this data to the CPOR.

PROVIDING ACCESS TO SWIFT, FAIR JUSTICE

Our judicial system is predicated on the belief that all citizens coming before the courts are entitled to equal justice, regardless of race, ethnicity, gender, age, or economic circumstance. Courts must resolve cases swiftly and fairly. Courts must ensure that litigants and victims fully understand their rights and that those rights are protected. Courts must provide meaningful access to all, ensuring that no litigant is denied justice due to the lack of counsel or the inability to understand legal proceedings.

Domestic Relations Committee Suggests an Integrated Family Court Plan for Arizona

The Domestic Relations Committee, a joint legislative committee staffed by the Supreme Court, established the Integrated Family Court Workgroup (IFCW). The workgroup's purpose was to develop an exemplary model "family court plan" for our state.

Early in its deliberations, the workgroup decided on the mission of the Integrated Family Court Plan for Arizona, which is, "To protect and

safeguard family life in general, and family units in particular, by affording to family members all possible help in resolving their legal problems and conflicts arising from their interpersonal relationships....”

The IFCW developed a statewide plan for an Integrated Family Court that incorporates current trends in family law for an ideal family court.

At the December meeting of the Arizona Judicial Council, a pilot program for testing the recommended components of an integrated family court was approved. IFCW’s Integrated Family Court proposal will commence in Maricopa, Coconino and Pinal Counties.

The complete proposed plan and an executive summary are available on the Internet at: http://www.supreme.state.az.us/courtserv/IFC/IFC_Plan.asp.

Roll Out the AZTEC

The Judicial Branch is continuing to promote the goal of providing access to swift, fair justice by utilizing technology.

Toward that end, the Arizona Court Automation Project (ACAP) provides 143 courts with AZTEC, a case processing and financial management system. The winter 2002 release of AZTEC provided key enhancements including: high volume citation entry and scheduling; a probate and arbitration module; an enhanced Windows compliant interface; a warrant reconciliation module; quick receipting enhancements; a protective order module; imaging system integration; and, Motor Vehicle Division and criminal history reporting integration.

By the end of 2003, the Maricopa County Clerk’s Office, the Superior Court in Pima County and the Maricopa County justice courts are expected to join more than 1,400 court employees in 143 locations currently using AZTEC.

Improving Limited Jurisdiction Courts

“Maricopa County has some of the best functioning limited jurisdiction courts in Arizona; it also has some of the most problematic.” With these words, Chief Justice Jones commenced dramatic reform in the administration of municipal and justice of the peace courts in Maricopa County.

A foundation for improvement and reform is being pursued through a comprehensive set of administrative directives. Implementation of these directives will fall to the presiding superior court judge who will be assisted by the newly created Judicial Oversight Council for Maricopa County Limited Jurisdiction Courts. The new council, which consists of judges, justices of the peace, lawyers, court administrators and public members, is intended to provide a forum for the exchange of ideas and an opportunity for broader participation in policy setting by the presiding judge.

These new administrative directives include:

- *Restructuring of justice court administration.*
- *The replacement of the legacy computer information system used by the justice of the peace courts with the state’s standard system, AZTEC,*

which will allow for the timely and efficient transfer of vital information to the Department of Public Safety, the Motor Vehicle Division, the Department of Economic Services, and the Protection Order Central Repository maintained by the Administrative Office of the Courts.

- *To review and recommend a bond and deposit schedule that is uniform and countywide in regard to fines and the application of surcharges, taking into account local fees imposed by individual cities.*
- *The creation of a “Courts of Distinction Program” to recognize the best of Maricopa County’s limited jurisdiction courts.*

Making these changes will require strong judicial leadership and continuing commitment to improve our limited jurisdiction courts ensuring that the hundreds of thousands of Arizonans who depend on these courts have access to swift, fair justice.

Orientation exercise



Orientation for a New Millennium

Limited Jurisdiction Courts process more than a million cases annually and handle millions of dollars in revenue every year. New laws and expanded jurisdiction have resulted in more complex cases being heard in municipal and justice of the peace courts. In response to these increasing challenges facing limited jurisdiction courts, Chief Justice Jones directed that existing training for new limited jurisdiction judges be expanded and the curriculum revised to provide new judges with every opportunity to acquire the information and skills needed to perform their jobs.

The Limited Jurisdiction Court New Judge Orientation program has been developed and was presented for the first time during the January 6-17 orientation program. The program provides training on relevant laws, procedures, and rules for limited jurisdiction judges. Teaching methods were revised to focus on participatory learning and giving new judges the opportunity to practice what they are learning. In addition, an assessment component was developed to measure the participants’ comprehension of the material.

A Limited Jurisdiction New Judge Orientation Planning Committee was established as a standing subcommittee of the Judicial College Board of Arizona to oversee the project. The committee’s members include limited jurisdiction court judges, administrators and attorneys.

Recommendations for Interpreter Certification

Each day, Arizona's population becomes more diverse. In addition to the growing Spanish-speaking population, the number of people whose primary language is other than English is increasing. People with limited English skills often appear in our courts. The courts must be accessible and responsive to everyone; there can be no language barriers to justice.

Chief Justice Jones formed an advisory committee to study interpreter issues in Arizona's courts. The committee's charge included considering methods for improving the number and the quality of interpreters who are available for Arizona's courts so that all individuals are provided access to justice. This committee proposed four inter-related recommendations designed to enhance the quality of language interpreters.

First, the committee recommended that a statewide court interpreter certification program be established. From existing reports, the committee recognized that the demanding job of interpreting requires skills above a normal fluency in English and another language.

A second committee recommendation was that extensive training be made available and promoted by the courts so that prospective interpreters are afforded opportunities to effectively prepare for certification. The expected result is an improvement in the number of individuals earning acceptable test scores.

The committee also recognizes that changes to statute and court

rules are required to implement a certification program. As such, the committee presented proposals for changes to laws and court rules.

Finally the committee recommended that a board be established to advise the court on policy issues relating to interpreter concerns.

CONNECTING WITH THE COMMUNITY

Courts exist to serve the public and cannot serve effectively if meaningful communication with the community does not exist. This strategic initiative, "CONNECTING WITH THE COMMUNITY," focuses on enhancing judicial communication with the public and the other branches of government, as well as fostering public understanding of the important role of the judiciary in our democracy.

Improving the Jury Experience

Juries play a fundamental role in our judicial process. Often, jury service is a citizen's first or only encounter with the judiciary. It can be an experience that shapes a person's perception of the judiciary for better or worse. In fiscal year 2002, 29,481 individuals in Maricopa County and 13, 539 in Pima County failed to respond to their summonses for jury duty. This is a concern to the judicial branch because public participation in the justice system is essential to the administration of justice and to maintaining trust and confidence in our courts.

In keeping with prior Supreme Court efforts to improve the jury experience, the Arizona Judicial Council recommended that a committee be established to explore ways to promote and encourage jury service.

The committee worked diligently during the past year to develop 15 specific recommendations to improve jury management and administration. When developing its recommendations, the committee paid particular attention to how jurors are managed by the court, how courts enforce summonses, the efficacy of the current source lists for summoning jurors, excuse/postponement policies, and citizen education campaigns. Another significant action taken by the committee was revising the 1994 Juror Bill of Rights originally proposed by the Arizona Supreme Court Committee on the more effective use of juries.



The Arizona Judicial Council, at its October 2002 meeting approved the concept of the committee's report. However, the committee continues to discuss juror anonymity practices and whether to amend the juror anonymity provision of the proposed jury management administrative code provision. The committee's report is published at <http://www.supreme.state.az.us/jury>.

Public Access to Court Information

During the past several years the Supreme Court's Commission on Technology and the Administrative Office of the Courts (AOC) have made it a priority to develop web-based access to the millions of court records that are stored in the AOC's data warehouse. In early FY 2002, this vision became a reality when the Public Access to Court Information web-based search feature was added to the Judicial Branch's Internet home page.

This public response to this new Internet-based service has been astonishing. To date more than 100,000 citizens have accessed this site generating more than 17 million "hits." During the month of November 2002, the site was visited by almost 24,000 visitors who initiated more than 1.2 million hits, or approximately 50 pages viewed per visitor.

The AOC will continue to expand the data warehouse as funding permits, making access to court information easier and more comprehensive.

BEING ACCOUNTABLE

The judiciary, like the executive and legislative branches of government, must be accountable to the public. This strategic initiative, "BEING ACCOUNTABLE," focuses on the obligation of the judiciary to ensure staff at all levels are competent, professional, and customer service oriented.

Chief Justice Jones Delivers Annual State of the Judiciary Address

At a moment when our Nation's peace was shattered by terrorists and during a record-breaking state budget deficit, Chief Justice Jones presented the second State of the Judiciary address to the Arizona Legislature on January 30, 2002.

Chief Justice Jones acknowledged the challenges, but his speech focused on the future and lauded the accomplishments made in the state's courts during the tenure of former Chief Justice Thomas Zlaket.

Chief Justice Jones reiterated that he will continue to, "Administer justice under the rule of law, equally and independently."

He also promised to focus on improving limited jurisdiction courts, advancing technology, reforming family court procedures and creating a complex litigation court.

In his State of the Judiciary speech, Chief Justice Jones reminded the Legislature that the three branches of government must work together and that the objectives he has placed before them are important to maintaining the trust and confidence of the people of Arizona.

Penalty Enforcement Plan Announced

As the condition of the state's general revenue collections continued to worsen and deeper budget cuts were being contemplated by the Legislature and Governor, Chief Justice Charles Jones announced a Judicial Branch initiative to step up court ordered sanction enforcement. The new initiative, known as the Penalty Enforcement Plan (PEP), proposed a collaborative solution to increasing state and local revenue through a four phase strategy designed to improve the enforcement of court ordered penalties.

Phase I would expand to all courts the Administrative Office of the Court's Debt Setoff Program. This program certifies delinquent court ordered debt to the Arizona Department of Revenue for the intercept of state tax refunds or lottery winnings otherwise payable to those who owe the debt. This program collected more than \$2 million in calendar year 2002.

Phase II proposed to expand the tax intercept program to Federal income taxes, and will require Congressional approval.

Phase III would implement existing law that permits the suspension of vehicle registrations for nonpayment of court ordered penalties. Implementation of this phase, which is now possible for the Judicial Branch because of its own statewide automation initiatives, will require computer system programming changes for the state's Division of Motor Vehicles.

Phase IV proposed the establishment of a "centralized collections bureau" similar to those that have

been established in jurisdictions in other states around the country. The bureau, as now envisioned, would handle penalty enforcement activity such as sending payment notices, skip-tracing and address verification. Additionally, a centralized Internet- or phone-based system for making payments would be offered to make it more convenient for citizens to comply with court orders.

If all four phases are fully implemented, it is estimated that \$51 million to \$114 million in new revenue could be generated. This new revenue would go to victims for restitution owed and other state and local funds earmarked by the Legislature. In his transmittal letter announcing the Penalty Enforcement Plan, Chief Justice Jones warned that further cuts to the judicial and local level could delay or, worse, prevent the implementation of this important initiative.

SERVING THE PUBLIC BY IMPROVING THE LEGAL PROFESSION

The judiciary has long recognized the indispensable role of the legal profession in protecting individual rights and liberties in a free society. We continue in that tradition. Because the Supreme Court regulates the practice of law, however, the judiciary must determine how the legal profession can best serve the public. While the traditional adversarial system for resolving disputes may be applicable in the majority of legal disputes, that system may not be desirable in all cases.

"The rule of law is the bulwark of a free society, the leavening that affords essential balance among all of society's interests, both public and private.

It is the immutable principle that guarantees a judicial branch free from the maelstrom of partisan politics. It is our foundation, and the Supreme Court of Arizona remains firmly committed to it."

Chief Justice Charles
E. Jones, Arizona
Supreme Court



Speeding Up Responses to Complaints: Restructuring Attorney Discipline

In cooperation with the State Bar of Arizona, the judicial branch's efforts to restructure the processing of attorney discipline cases continues. When the project was

first initiated, processing of serious complaints against attorneys was taking three to four years to resolve. However, adoption of new court rules and procedures have resulted in significant and ongoing improvements to the case processing times, moving closer toward the goal of processing 98 percent of all cases within 22 months.

With that goal in mind, Chief Justice Jones appointed the Ad Hoc Committee on Attorney Discipline with representatives from the legal community, State Bar, Disciplinary Commission, and Administrative Office of the Courts. The committee has reviewed the disciplinary process, rules and policy, and suggested procedural improvements. A major focus involves ensuring that the process provides complainants with notice and reasonable opportunity to be heard in discipline proceedings, and that restitution is being investigated and provided where appropriate.

Much of the improvements realized to date result from the work of the volunteers who support the attorney discipline process. Attorney hearing officers, attorneys and public members of the Disciplinary Commission contribute thousands of hours each year, bringing their valuable time, expertise and insights to the process.

Complex Litigation Court Created

A committee established by Chief Justice Jones recently examined ways to improve the manner in which complex litigation cases are handled in Arizona courts. The committee concluded that establishing a separate complex civil litigation department governed by rules of procedure crafted to handle these cases is a more efficient and effective way to adjudicate complex cases. Additionally, the committee concluded that removing complex cases from the overall mix will allow the civil

bench to devote more resources to the large volume of civil cases.

Active hands-on management by the judge is the foundation for successful processing of complex litigation. To develop this skill, judges selected for this program will receive special training in case management techniques as well as substantive law areas common to complex cases. One judge will oversee all aspects of a case, and will stay with the case until resolution. Case management will be aimed at encouraging early resolution of cases or parts of cases. Program judges also will be available on short notice to resolve pretrial disputes. Program participants will be encouraged to utilize electronic communication and storage and transmission of evidence in each case. Appearance at pretrial hearings by remote electronic means could become routine. Periodic case management conferences will be the norm.

The program will be pilot tested in the Superior Court in Maricopa County and primarily will rely on the reallocation of existing resources in Maricopa County. To the extent extra funds are needed to implement this program, new funds may be generated through imposition of extra filing fees on complex case litigants. The pilot program will be evaluated and the results submitted to the Supreme Court.

Judicial Organization Summary 2002*

Supreme Court
5 Justices, 6 Year Terms
Chief Justice, Vice Chief Justice
3 Associate Justices

Court of Appeals
22 Judges, 6 Year Terms

Division I, Phoenix
Chief Judge & 15 Associate Judges
5 Departments (A, B, C, D & E)
Presiding Judge & 2 Judges Each
Counties: Apache, Coconino, La Paz, Maricopa, Mohave,
Navajo, Yavapai, Yuma

Division II, Tucson
Chief Judge & 5 Associate Judges
2 Departments (A & B)
Presiding Judge & 2 Judges Each
Counties: Cochise, Gila, Graham, Greenlee, Pima, Pinal,
Santa Cruz

Superior Court
160 Judges, 4 Year Terms
Presiding Judge in Each County

Apache	1	Greenlee	1	Pima	28
Cochise	4	La Paz	1	Pinal	6
Coconino	4	Maricopa	91	Santa Cruz	2
Gila	2	Mohave	5	Yavapai	6
Graham	1	Navajo	3	Yuma	5

Justices of the Peace
83 Judges, 83 Precincts, 4 Year Terms

Apache	4	Greenlee	2	Pima	8
Cochise	6	La Paz	3	Pinal	8
Coconino	4	Maricopa	23	Santa Cruz	2
Gila	2	Mohave	5	Yavapai	5
Graham	2	Navajo	6	Yuma	3

Municipal Courts
153 Full- & Part-Time Judgeships, 2 Year Terms, 84 Cities/Towns

	Judges	Courts		Judges	Courts
Apache	3	3	Mohave	3	3
Cochise	5	5	Navajo	4	4
Coconino	13	4	Pima	16	5
Gila	5	5	Pinal	8	8
Graham	3	3	Santa Cruz	2	2
Greenlee	2	2	Yavapai	7	8
La Paz	2	2	Yuma	4	4
Maricopa	61	23			

*Numbers may change throughout 2003. In addition to the judges listed above, there are a number of paid full- and part-time judges pro tempore, commissioners and hearing officers, as well as hundreds of volunteer judges pro tempore who handle cases.

COURT STATISTICS BY FISCAL YEAR [JULY 1, 2001 - JUNE 30, 2002]

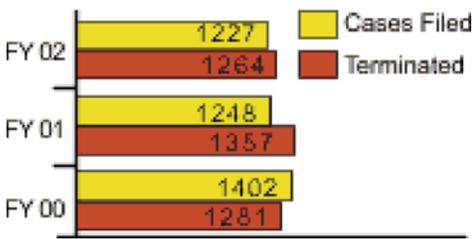
FY 2002 Case Filings by Court Level

Supreme Court.....	1,227		
Court of Appeals	3,619		
Division One	2,596		
Division Two	1,023		
Tax Court.....	1,007		
County	Superior	Justice	Municipal
Apache	750	9,858	1,747
Cochise	3,706	51,596	11,390
Coconino	3,415	31,951	26,502
Gila	2,267	18,603	6,285
Graham	1,392	6,748	3,154
Greenlee	318	2,502	691
La Paz	802	15,557	3,132
Maricopa	113,235	351,278	851,712
Mohave	5,645	39,903	23,995
Navajo	2,754	25,282	9,938
Pima	26,262	208,794	317,367
Pinal	7,306	42,282	28,622
Santa Cruz	1,690	11,212	14,615
Yavapai	6,727	40,629	36,102
Yuma	5,411	20,660	25,047
TOTALS	181,680	876,855	1,360,299
	FY 2001	FY 2002	Difference
Total Filings:	2,442,112	2,424,687	(17,425)
			-0.7%

Statistical Trends/Highlights

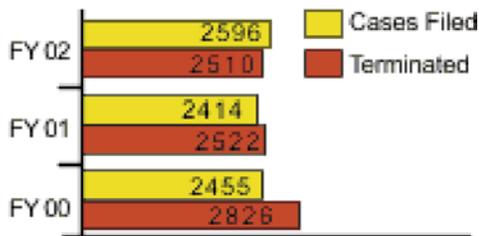
- More than 2.4 million cases were filed in Arizona courts in FY 2002.
- Total case filings decreased 0.7%, but total court revenue increased 9.1%.
- The cost to process a case in 2002 was \$125.87 compared to \$118.84 in FY 2001.
- Since the benchmark year of 1988, Arizona courts have collected more than \$1 billion in additional revenue.
- A total of 64,564 individuals were under the jurisdiction of Arizona adult probation at the end of FY 2002, up 6.2% from FY 2001.
- DUI case filings are up 15.2% in justice of the peace courts and 19.5% in municipal courts.
- Commitments to the Arizona Department of Corrections increased by 1,037 or 12% over FY 2001 commitments.
- Civil filings in the superior court increased by 8.1%.
- Domestic violence cases increased by 24.5% in the superior court; 13.3% in justice of the peace courts; and, 16.5% in municipal courts.

Arizona Supreme Court



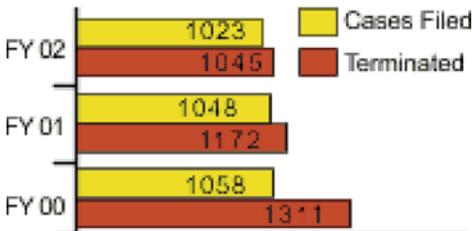
- Supreme Court FY 2002 case filings decreased 1.7% from cases filed in FY 2001.
- Cases terminated by the court in FY 2002 decreased by 6.9% over case terminations in FY 2001.
- Pending caseloads decreased 13.0%, down from 454 on July 1, 2001, to 395 cases on June 30, 2002.

Court of Appeals, Div. One



- Filings in FY 2002 represented a 7.5% increase from FY 2001. Total criminal filings, the largest category, decreased 5.0% from 1,110 in FY 2001 to 1,054 in FY 2002.
- FY 2002 case terminations decreased by 0.5%.
- Total cases pending increased 5.9% from 1,823 on July 1, 2001, to 1,931 on June 30, 2002.

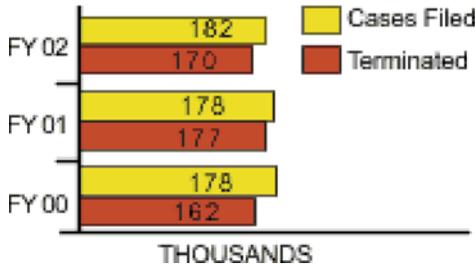
Court of Appeals, Div. Two



- Total filings in FY 2002 decreased by 2.4% from FY 2001. Total criminal filings, the largest category, decreased 1.7% from 544 in FY 2001 to 535 in FY 2002.

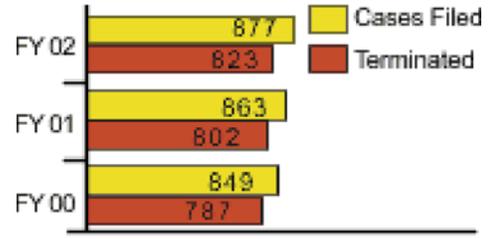
- FY 2002 case terminations decreased by 10.8%.
- Total cases pending increased 2.8% from 1,041 on July 1, 2001, to 1,060 on June 30, 2002.

Superior Court



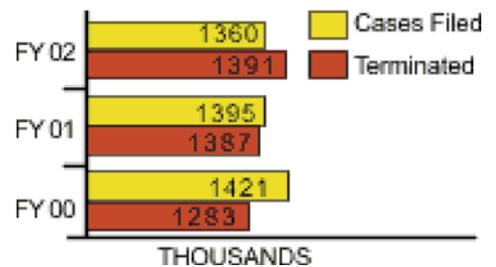
- Total case filings in FY 2002 increased by 1.8% from FY 2001.
- Total case terminations decreased 3.9% in the same period.
- Civil case filings increased 8.1% from 41,025 in FY 2001 to 44,335 in FY 2002. In the same period, civil case terminations decreased 11.7% from 50,565 to 44,647.
- Criminal case filings increased 0.9% from 47,380 in FY 2001 to 47,804 in FY 2002. Criminal case terminations increased 1.8% from 45,111 to 45,931.
- Domestic relations cases decreased 0.9% from 49,388 in FY 2001 to 48,938 in FY 2002, and domestic relations case terminations decreased 2.8% from 50,668 to 49,225. Domestic violence petition filings increased 24.5% in superior court from 5,007 to 6,236 in FY 2002.
- There were 186,104 total cases pending in July 1, 2001, compared with 181,680 cases pending on June 30, 2002, a decrease of 2.4%.
- Juveniles with direct filings to adult court decreased by 18.2% from 583 in FY 2001 to 477 in FY 2002. Juvenile cases transferred to adult court increased by 15.3% from 85 in FY 2001 to 98 in FY 2002. A total of 575 juvenile cases were either transferred or directly filed in adult court in FY 2002 compared to 668 in FY 2001, a decrease of 13.9%.

Justice of the Peace Courts



- Total filings in FY 2002 increased by 1.6% from FY 2001. Total case terminations increased by 2.7%.
- Civil and criminal traffic filings, which comprise almost two-thirds of all justice court filings, decreased 0.8% from 552,876 in FY 2001 to 548,583 this year.
- Criminal (misdemeanor and felony) case filings increased 2.7% from 156,223 in FY 2001 to 160,464 in FY 2002. Criminal case terminations increased 2.0% from 138,818 in FY 2001 to 141,629 in FY 2002.
- Domestic violence petition filings increased 13.3% in justice courts from 8,506 to 9,638. Petitions for Injunction Against Harassment increased 10.9% from 8,143 to 9,034.
- Total cases pending increased 4.5% from 594,401 in July 1, 2001, to 621,023 on June 30, 2002.

Municipal Courts

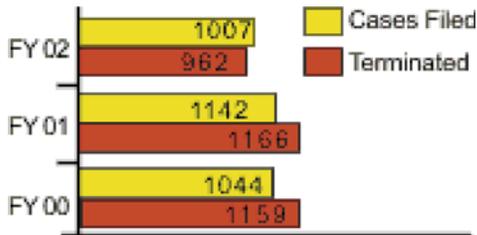


- Case filings in FY 2002 decreased 2.5% from FY 2001. Total case terminations increased 0.3% in the same period.
- Civil and criminal traffic filings, which comprise about three-fourths of all municipal court cases, decreased 1.2% from 1,019,574 in FY 2001 to 1,007,480 in FY 2002.
- Criminal misdemeanor case filings decreased 2.5% from 224,703 in FY

2001 to 219,164 in FY 2002. Criminal case terminations decreased 6.2% from 221,885 in FY 2001 to 208,185 in FY 2002.

- Domestic violence petitions increased 16.5% from 11,442 in FY 2001 to 13,330 in FY 2002. Petitions for Injunction Against Harassment increased 12.8% from 8,533 to 9,629.
- Total cases pending decreased 2.6% from 874,261 on July 1, 2001, to 851,119 on June 30, 2002.

Arizona Tax Court



The Arizona Tax Court serves as the statewide venue for all civil actions involving a tax, impost or assessment.

- A total of 1,007 original cases were filed in the court during FY 2002, a decrease of 11.8% from the 1,142 cases filed in FY 2001.
- Of the FY 2002 cases filed, 609 were property tax actions, accounting for 60.5% of the total.
- A total of 962 cases were terminated, 407 by judgment.
- As of June 30, 2002, there were 779 cases pending in the tax court.

Commission on Judicial Conduct
Caseload Summary 2002 (calendar year)

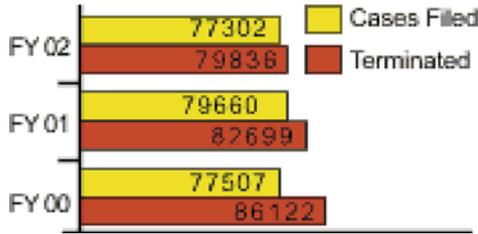
- Inquiries—891
- Complaints—352
- Informal Actions—20
- Advisory Letters Sent—24
- Formal Actions—9

Adult Probation

- The number of individuals under the jurisdiction of Arizona adult probation departments at the end of FY 2002 increased 6.2% from 60,800 on July 1, 2001, to 64,564 on June 30, 2002.

- Of the 64,564 under the jurisdiction of adult probation, 58,949 were on standard probation, 4,295 on intensive probation, and 1,320 were interstate compact cases.

Juvenile Court Referrals

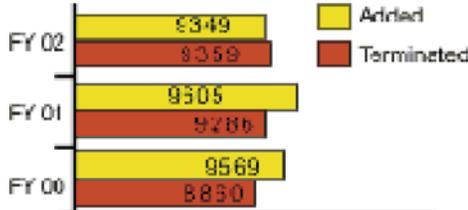


- There were 77,302 referrals to juvenile court in FY 2002, a 3.0% decrease compared to 79,660 in the previous year.
- 79,836 referrals were terminated in FY 2002, a 7.9% decrease compared to the 86,699 referrals terminated in FY 2001.

Juvenile Court Petitions

- A total of 31,443 petitions were filed in FY 2002, a 4.4% decrease from the 32,881 petitions filed in FY 2001.
- A total of 30,895 petitions were terminated in FY 2002, a 5.2% decrease from the 32,574 terminated in FY 2001.

Juvenile Probation/Corrections

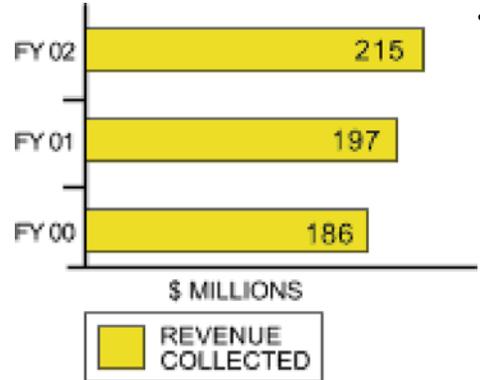


- The number of juveniles on probation at the end of FY 2002 decreased 0.1% from 9,625 on July 1, 2001, to 9,618 on June 30, 2002.
- A total of 9,349 adjudicated juveniles were placed on probation in FY 2002, a 2.7% decrease from the 9,605 youths placed on probation in FY 2001.
- 9,359 juveniles were released from probation, an increase of 0.8% from the 9,286 terminated last year.
- 1,018 juveniles were committed to the Arizona Department of Juvenile Corrections during FY 2002, a decrease

of 5.8% from the 1,081 committed last year.

STATEWIDE REVENUE AND EXPENDITURE SUMMARY

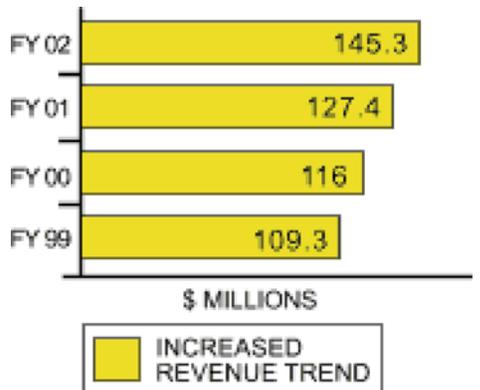
Revenue Summary



Total statewide court revenue increased 9.1% from \$197.4 million in FY 2001 to \$215.3 million in FY 2002, reflecting the continuing efforts of courts statewide to collect court ordered fines, fees, and surcharges.

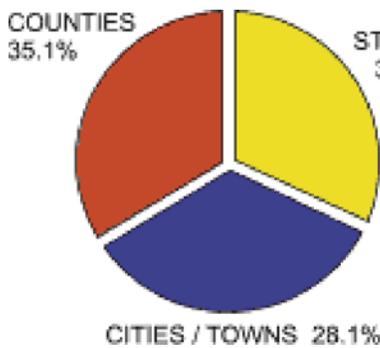
Revenue in Excess of 1988 Benchmark

Increased Revenue Trend



- This graph represents the trend in increased court revenue above the \$70 million benchmark established in FY 1988. Since that time, courts have collected approximately \$1 billion in additional revenue.

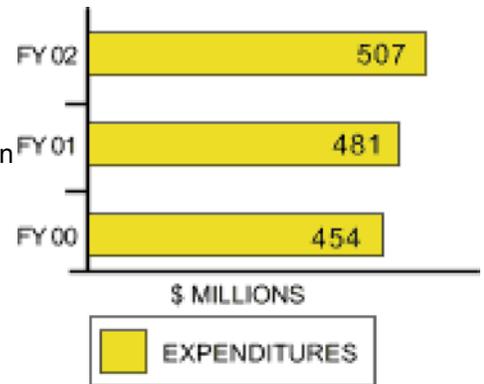
Revenue Received



• Of the total court system revenue, the state received 36.8%, counties received 35.1% and cities and towns 28.1%.

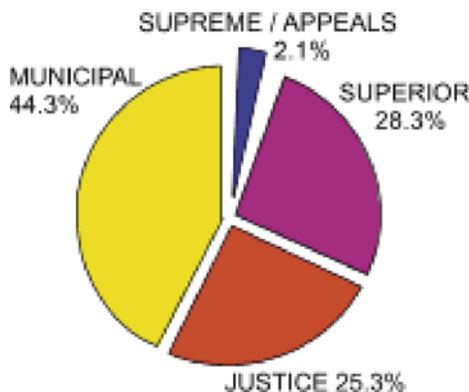
Expenditure Summary

• Total statewide court expenditures increased 5.4% from \$480.5 million in FY 2001 to \$506.5 million in FY 2002.



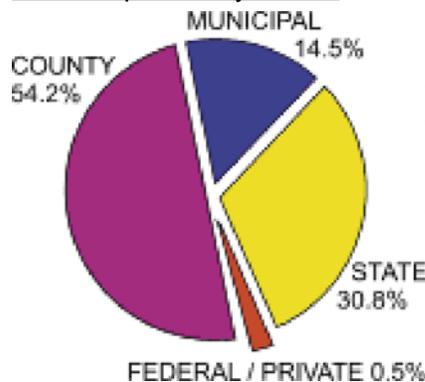
Revenue Generated

• 44.3% of total court revenue was generated by municipal courts, 25.3% by justice courts, 28.3% by the superior court and 2.1% by appellate courts.

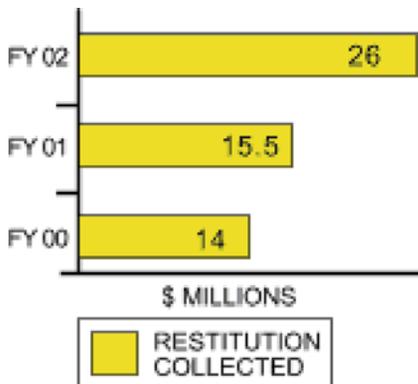


Funds Expended by Source

• 54.2% of the total funds spent by the court system were from the counties, 30.8% from the state, 14.5% from cities and towns, and 0.5% from Federal and private sources.



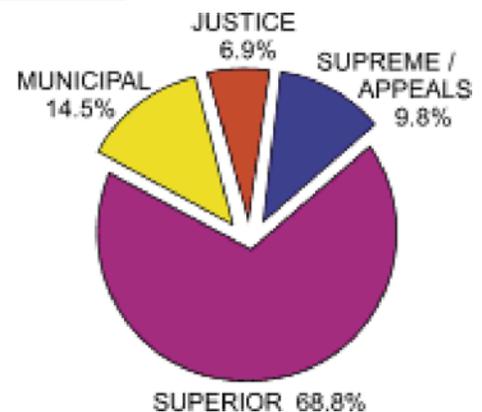
Restitution



• Total restitution payments for victims collected by courts increased 67.0% from \$15.6 million in FY 2001 to \$26.0 million in FY 2002.*
*Increase due to TRW fine payment.

Funds Expended by Court Level

• 68.8% of total court expenditures were in superior court (including probation), 14.5% in municipal courts, 9.8% at the appellate level (including statewide administration) and 6.9% in the justice courts.



The data contained in this report was compiled from Supreme Court financial records, caseload reports from courts and responses to the unaudited Supreme Court survey of expenditures and revenues for fiscal year 2002 (July 1, 2001-June 30, 2002). All data received by the publication deadline is included, but some information is preliminary. Final counts will be published in the 2002 Arizona Courts Data Report early in 2003.

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