

Arizona Supreme Court

Steering Committee on Arizona Case Processing Standards

April 13, 2016 Meeting Agenda
 1501 W. Washington St. Phoenix, AZ 85007
 State Courts Building, Conference Room 230
 Conference Phone Number: **602-452-3288 OR 520-388-4330, ID# 8241**

Call to Order

1:30 p.m.	Announcements	Hon. Robert Brutinel, Chair
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	➤ Introductions	
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	➤ Motion to Approve Minutes	Hon. Robert Brutinel, Chair
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Phase 1

1:40 p.m.	➤ Overview of Data Received	Jennifer Mesquita
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1:50 p.m.	➤ Juvenile Delinquency Update	Amy Wood
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Phase 2

2:05 p.m.	➤ Administrative Order and Memorandum	Jennifer Mesquita
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2:10 p.m.	➤ Overview of Data Received	Jennifer Mesquita
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Phase 3

2:20 p.m.	➤ Administrative Order and Memorandum	Jennifer Mesquita
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Phase 4

2:25 p.m.	➤ Administrative Order and Memorandum	Jennifer Mesquita
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Phase 5

2:30 p.m.	➤ Small Claims Update	Jennifer Mesquita
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Phase 6

2:45 pm	➤ Phase 6 Development Plan	Jennifer Mesquita
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New Business

3:00 p.m.	Training Update	Jennifer Mesquita
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3:05 p.m.	LJ AJACS Time Standards Report Update	Jennifer Mesquita
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3:15 p.m.	Committee on Civil Justice Reform	Hon. Robert Brutinel, Chair
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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 Jennifer Mesquita at (602) 452-3168 with any questions concerning this agenda. Persons with a disability may request a reasonable accommodation by contacting Kelly Gray at (602) 452-3647. Requests should be made as early as possible to allow time to arrange for the accommodation.

		➤ New Ad Hoc Committee	
	Next Meeting and Other Items		Hon. Robert Brutinel, Chair
		➤ Proposed Dates	
		Wednesday, October 6, 2016 OR Wednesday, October 13, 2016 OR Wednesday, October 27, 2016	
<u>Call to Public</u>			
<u>Adjourn</u>			
3:30 p.m.		➤ Motion to adjourn meeting	Hon. Robert Brutinel, Chair

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 Jennifer Mesquita at (602) 452-3168 with any questions concerning this agenda. Persons with a disability may request a reasonable accommodation by contacting Kelly Gray at (602) 452-3647. Requests should be made as early as possible to allow time to arrange for the accommodation.

Steering Committee on Arizona Case Processing

Wednesday, October 14, 2015

1:30 p.m. to 3:30 p.m.

State Courts Building

1501 W. Washington, Phoenix, AZ 85007

Conference Room 230

Present: Justice Robert Brutinel; Judge Jill Davis; Judge Eric Jeffery; Mr. John W. Rogers; Mr. Bill Verdini.

Telephonic: Mr. Kent Batty; Judge Kimberly Corsaro; Judge Charles Gurtler; Judge Richard Fields; Mr. Don Jacobson; Judge Andrew Klein; Ms. Donna McQuality; Judge Mark Moran; Ms. Jane Nicoletti-Jones; Judge Antonio Riojas; and Judge Sally Simmons.

Absent/Excused: Judge Pamela Frasher-Gates; Mr. James Haas; Ms. Michelle Matiski; and Judge Steven McMurry; and Judge John Rea.

Presenters/Guests: None

Administrative Office of the Courts: Amy Wood, Michelle Dunivan, and Kelly Gray.

I. Regular Business

A. Welcome and Opening Remarks

The October 14, 2015 meeting of the Steering Committee on Arizona Case Processing Standards was called to order by the Chair, Honorable Robert Brutinel, at 1:30 p.m.

B. Roll Call and Introductions

For the purposes of attendance and establishing a quorum, the Chair took roll call and introduced newly appointed member Steering Committee on Arizona Case Processing Standards. He welcomed Judge Kimberly Corsaro, who is the Presiding Juvenile Court Judge in Santa Cruz County.

C. Approval of April 2015 Minutes

The draft minutes from the April 2015 meeting of the Steering Committee on Arizona Case Processing Standards were presented for approval. The Chair called for any omissions or corrections to the minutes from the April 16, 2015 meeting. There were none.

- Motion was made by Judge Eric Jeffery to approve the draft meeting minutes of the April 16, 2015 meeting of this committee. Seconded by Mr. Bill Verdini. Motion passed unanimously.

II. Report Development and Updates

A. Phase 3

The group discussed the Arizona Judicial Council (AJC) approval of the time standards for Phase 3 on June 15, 2015 and the issuance of [Administrative Order 2015-60](#) on June 24, 2015.

The order adopted final case processing time standards for the following case types:

- Probate Administration of Estates
- Probate Guardianship/Conservatorship
- Probate Mental Health
- Justice Court Civil
- Misdemeanor (the 180 day standard only)

Additionally, Arizona Case Processing Time Standards Statewide Memo #9 was sent to the General Jurisdiction and Limited Jurisdiction Presiding Judges, Court Administrators, and Clerks of Court. The memorandum made the first deadline for report submission July 31, 2016 for the reporting period of April 1, 2016 – June 30, 2016.

B. Phase 4

The committee discussed the Time to Disposition Summary and Detail Reports, as well as the Age of Active Pending Summary and Detail Reports, which were developed for the case types listed below.

i. Limited Jurisdiction Courts: Misdemeanor

In one of the last meetings of this body, more information was requested for the 90 and 60 day limited jurisdiction court standards for misdemeanors in order to determine the viability of 60 and 90 day proposed standards.

Approved Standard:

98% within 180 days (see [Administrative Order 2015-60](#))

Proposed Additional Standards:

75% within 60 days

90% within 90 days

Statistics from a sampling of 31 Arizona courts from Fiscal Years (FY) 2014 and 2015 were presented to the group, as shown below.

FY 2014:

52% within 60 days
66% within 90 days
83% within 180 days

FY 2015:

57% within 60 days
70% within 90 days
86% within 180 days

- For the 60 day standard:
 - Five courts met the standard, and six courts were within 10% of the standard.
- For the 90 day standard
 - Three courts met the standard, and four courts were within 10% of the standard.
- For the 180 day standard:
 - Three courts met the standard and eleven courts were within 10% of the standard

Several issues were discussed related to the feasibility of the 60 and 90 day standard as so few courts met the proposed standard. It was pointed out that there may be many factors contributing to the negative performance of courts for the 60 and 90 day standards including prosecutor availability in rural courts, processing and volume issues related to resources, and other data maintenance issues. It was argued that approving the standard now may prompt action from the courts which could lead to better data and performance by courts. In counterpoint, it was argued that the statistics presented indicate underlying issues that need to be identified and addressed prior to approving the standard. It was suggested that the 60 and 90 day standards go back to the Criminal Misdemeanor Workgroup for further analysis before approving the standard. In rebuttal, it was pointed out that the committee could approve the 60 and 90 day standards as proposed and review them later after the courts have had an opportunity to address possible data quality and other issues that are contributing to the current performance deficiencies.

- Motion was made by Judge Antonio Riojas to recommend the adoption of the 75% within 60 days and 90% within 90 days standards, with a commitment from this body to review the adopted standard one year after implementation. Seconded by Mr. Don Jacobson. Motion passed. 14 yay; 1 nay

It was noted that most of the Limited Jurisdiction courts have not had an opportunity to review any data related to misdemeanors yet, so providing it to the courts may be helpful in explaining the desire for the standards. A member requested that the chart presented in the meeting materials, which includes data from individual courts anonymously, be distributed to the Limited Jurisdiction courts as part of any statewide memo adopting these standards.

ii. General Jurisdiction Courts: Criminal Post-Conviction Relief

In July 2015, an Arizona Case Processing Time Standards Statewide Memo was sent to the Presiding Judges, Court Administrators, and Clerks of Court informing them that the reports for Criminal Post-Conviction Relief and Family Law Temporary Orders case types were available. The time standards for these case types were still provisional.

Proposed Standard:
94% within 180 days

Statistics from a sampling of 15 Arizona courts for Fiscal Year (FY) 2015 were presented to the group, as shown below.

FY 2015
50% within 180 days

- No courts sampled met the provisional standard, but one court was within 10% of the provisional standard.
- Four courts did not have any Post-Conviction Relief cases adjudicated in fiscal year 2015

Discussion centered on possible explanations as to why no courts met the provisional standard. It was pointed out that the time to adjudication for this case type is determined by statute. Some members ventured that there may resource issues, data irregularities, attorney diligence in filing documents, and process/court culture issues that are contributing to the performance deficiencies for this case type.

- Motion was made by Judge Charles Gurtler to recommend the adoption of the standard of 94% within 180 days. Seconded by Judge Sally Simmons. Motion passed unanimously.

iii. General Jurisdiction Courts: Family Law Temporary Orders

In July 2015, an Arizona Case Processing Time Standards Statewide Memo was sent to the Presiding Judges, Court Administrators, and Clerks of Court informing them that the reports for Criminal Post-Conviction Relief and

Family Law Temporary Orders case types were available. The time standards for these case types were still provisional.

Proposed Standard:
90% within 60 days
98% within 120 days

Statistics from a sampling of 13 Arizona courts for Fiscal Year (FY) 2015 were presented to the group, as shown below.

FY 2015

80% within 60 days
90% within 120 days

- For the 60 day standard:
 - Three courts met the standard, and four courts were within 10% of the standard.
- For the 120 day standard
 - Four courts met the standard, and four courts were within 10% of the standard.

The Chair requested commentary from the group and the consensus was that the proposed standard was reasonable. Questions were raised about the data provided in handouts for this meeting. It was determined that there were some minor issues with row/column calculation in a few charts/tables provided. Ms. Dunivan committed to providing the group revised data after the meeting.

- Motion was made by Mr. Kent Batty to recommend the adoption of the standards of 90% within 60 days and 98% within 120 days with a commitment from this body to review the adopted standard one (1) year after implementation. Seconded by Judge Charles Gurtler. Motion passed unanimously.

iv. Limited Jurisdiction Courts: Small Claims

In previous meetings of this body, the group decided to postpone adoption of all the provisional standards for the Justice Court Small Claims case type pending investigation and data clean up by the courts.

In September 2015 the Civil Small Claims and Local Ordinances Workgroup met to discuss the issues with case types. As part of the meeting, the AOC evaluated additional data and provided the results to the group. The data indicated that from a sample of 20 courts, 39% of the Small Claims cases in FY2015 were dismissed by the court. Furthermore, cases dismissed by the court had an average of 721 days to disposition, whereas cases that were not dismissed by the court had an average of 126 days to disposition. Inactive cases may be dismissed after 120 days according to Just. Ct. R.

Civ. P. 113(i). If the assumption is made that most cases dismissed by the court are due to inactivity, then approximately 40% of cases need at least 120 days to disposition. With this new data and information about the rule, Ms. Dunivan asked the committee if it wanted to reevaluate the proposed standard.

Proposed Standard:

75% within 90 days

90% within 120 days

98% within 180 days

Statistics from a sampling of 54 Arizona courts for Fiscal Year (FY) 2015 were presented to the group, as shown below.

FY 2015

35% within 90 days

47% within 120 days

67% within 180 days

- For the 90 day standard:
 - Two courts met the standard, and one court was within 10% of the standard.
- For the 120 day standard
 - One court met the standard, and two courts were within 10% of the standard.
- For the 180 day standard
 - One court met the standard, and five courts were within 10% of the standard.

The committee learned that the Civil Small Claims and Local Ordinances Workgroup discussed possible issues with the data, case processing, and other procedural factors that may be affecting the disposition of these cases. The Civil Small Claims and Local Ordinances Workgroup also discussed best practices.

The committee discussed additional factors that may be contributing to the courts performance issues including the fact that many litigants opt for mediation, most litigants are pro se in small claims cases, and many cases move to the “inactive” calendar. It was suggested that the Civil Small Claims and Local Ordinances Workgroup meet again to formulate a new recommendation for this standard.

- Motion was made by Judge Eric Jeffery to postpone adoption the provisional standards for the Small Claims case type pending further investigation of court data and reevaluation of the proposed standard by the Civil Small Claims and

Local Ordinances Workgroup. Seconded by Judge Jill Davis. Motion passed unanimously.

v. Limited Jurisdiction Courts: Eviction Action

The committee briefly discussed and voted on the Eviction Action case type.

Proposed Standard:
98% within 10 days

Statistics from a sampling of 52 Arizona courts for Fiscal Year (FY) 2015 were presented to the group, as shown below.

FY 2015:
96% within 10 days

- Five courts met the standard
 - Eight courts in addition to the Maricopa County Justice Courts were within 10% of the standard.
- Motion was made by Judge Jill Davis to recommend the adoption of the 98% within 10 days standard. Seconded by Judge Eric Jeffery. Motion passed unanimously.

vi. Limited Jurisdiction Courts: Civil Local Ordinance

The committee discussed the Civil Local Ordinance case type. It was noted that Civil Local Ordinances are not in every case management database. Courts that do not use the AZTEC, or standardized code tables, will be required to develop/provide their own report when the standard becomes effective.

Proposed Standard:
75% within 60 days
90% within 90 days
98% within 180 days

Statistics from a sampling of 42 Arizona courts for Fiscal Year (FY) 2015 were presented to the group, as shown below.

FY 2015:
81% within 60 days
92% within 90 days
98% within 180 days

- For the 60 day standard:

- Eleven courts in addition to the Maricopa County Justice Courts met the standard, and three courts were within 10% of the standard.
- For the 90 day standard
 - Eleven courts in addition to the Maricopa County Justice Courts met the standard and one court was within 10% of the standard.
- For the 180 day standard
 - Eleven courts in addition to the Maricopa County Justice Courts met the standard and two courts were within 10% of the standard.
- Motion was made by Judge Jill Davis to recommend adoption of the standards of 75% within 60 days, 90% within 90 days, and 98% within 180 days. Seconded by Mr. Bill Verdini and Judge Eric Jeffery. Motion passed unanimously.

C. Civil Traffic Case Type

i. Servicemember's Civil Relief Act

In the last meeting of this body, a question was raised about the applicability of the Servicemember's Civil Relief Act (SCRA) related to the approved Civil Traffic Standards ([Administrative Order 2014-108](#)). Ms. Dunivan researched the issue and discovered that 50 U.S.C. § 521-522 (2008) states that protection of service members against default judgments applies to any civil action or proceeding in which the defendant does not make an appearance. Additionally, the Civil Traffic Procedures Manual, Ariz., Chapter 9, Section 9.3 (p. 94, Ariz. Dec. 2011) specifically discusses the application of SCRA to traffic cases.

ii. Modification of Approved Standard: Civil Traffic

In the last meeting of the committee, concerns were raised about the 30 day standard of the Civil Traffic case type. In the April 2015 meeting, it was mentioned that a few committee members had received some objections from court staff regarding the achievability of the first approved standard, 65% within 30 days, which became effective July 1, 2015.

The Civil Traffic Workgroup met to discuss the viability of the 30 day standard in September of 2015. The workgroup identified several issues which may be causing the overwhelming majority of courts not to meet the 30 day standard. These issues include problems with timely filing of citations by law enforcement, too short of a time frame for Defensive Driving School processing, and too short of a time frame for citizens to show just cause for extenuating circumstances before the case is defaulted. It was also pointed out that the courts have very little control over these type issues and there is very little courts can do to speed the case along as these processes often take more than two weeks.

- Motion was made by Judge Antonio Riojas to recommend the elimination of the 65% within 30 day standard and retain the standards of 80% within 60 days and 98% within 90 days. Seconded by Judge Eric Jeffery. Motion passed unanimously.

D. Phase 1

i. General Jurisdiction Courts: Felony

In August 2014, [Administrative Order 2014-81](#) made the Felony case type standards of 65% within 90 days, 85% within 180 days, and 96% within 365 days final. In August 2014, Arizona Case Processing Time Standards Statewide Memo #1 was issued making the first submission date for the summary time to disposition reports July 31, 2015, for the reporting period of March 1, 2015 - June 30, 2015.

Statistics from January 2013 – December 2013 (unknown number of courts) and April 2015 – June 2015 (for 12 courts) were presented and compared.

January 2013 – December 2013:

46% within 90 days
72% within 180 days
91% within 365 days

April 2015 – June 2015:

42% within 90 days
70% within 180 days
90% within 365 days

- For the 90 day standard:
 - In 2013, no courts met the standard, and three courts were within 10% of the standard.
 - In 2015, two courts met the standard, and two courts were within 10% of the standard.
- For the 180 day standard
 - In 2013, no courts met the standard, and five courts were within 10% of the standard.
 - In 2015, three courts met the standard, and two courts were within 10% of the standard.
- For the 365 day standard
 - In 2013, one court met the standard, and twelve courts were within 10% of the standard.
 - In 2015, three courts met the standard, and nine courts were within 10% of the standard.

A committee member commented that there is typically seasonal changes in case processing volume during certain parts of the year. For example, there may be a pick up during the summer months and slow down during the last few months of the year. The Chair commented that it will be interesting to see the fluctuations between quarters in the coming years.

ii. General Jurisdiction Courts: Civil

In August 2014, [Administrative Order 2014-81](#) made the Civil Case Type standards of 60% within 180 days, 90% within 365 days, and 96% within 540 days final. In August 2014, Arizona Case Processing Time Standards Statewide Memo #1 was issued making the first submission date for the summary time to disposition reports July 31, 2015, for the reporting period of March 1, 2015 - June 30, 2015.

Statistics from January 2013 – December 2013 (unknown number of courts) and April 2015 – June 2015 (for 12 courts) were presented and compared.

<u>January 2013 – December 2013:</u>	<u>April 2015 – June 2015:</u>
73% within 180 days	50% within 180 days
88% within 365 days	64% within 365 days
93% within 540 days	72% within 540 days

- For the 180 day standard:
 - In 2013, fourteen courts met the standard, and one court was within 10% of the standard.
 - In 2015, eight courts met the standard, and three courts were within 10% of the standard.
- For the 365 day standard
 - In 2013, six courts met the standard, and six courts were within 10% of the standard.
 - In 2015, seven courts met the standard, and four courts were within 10% of the standard.
- For the 540 day standard
 - In 2013, five court met the standard, and eight courts were within 10% of the standard.
 - In 2015, two courts met the standard, and six courts were within 10% of the standard.

Comments were made about the dramatic difference between data from 2013 and 2015. Ms. Dunivan explained the upcoming judicial leadership

conference has a best practices session that will focus on the processing of civil cases and hopefully address the issues that are contributing to the disparity between the data samples.

iii. Limited Jurisdiction Courts: Misdemeanor DUI

In August 2014, [Administrative Order 2014-81](#) made the Criminal Misdemeanor DUI Case Type standards of 85% within 120 days and 93% within 180 days final. In August 2014, Arizona Case Processing Time Standards Statewide Memo #1 was issued making the first submission date for the summary time to disposition reports July 31, 2015, for the reporting period of March 1, 2015 - June 30, 2015.

Statistics from January 2013 – December 2013 (unknown number of courts) and April 2015 – June 2015 (for 129 courts) were presented and compared.

January 2013 – December 2013:

61% within 120 days
79% within 180 days

April 2015 – June 2015:

64% within 120 days
81% within 180 days

- For the 120 day standard:
 - In 2013, twenty-four courts met the standard, and five courts were within 10% of the standard.
 - In 2015, twenty-five courts met the standard, and twenty-four courts were within 10% of the standard.
- For the 180 day standard
 - In 2013, twenty courts met the standard, and ten courts were within 10% of the standard.
 - In 2015, thirty-six courts met the standard, and thirty-five courts were within 10% of the standard.

iv. General Jurisdiction Courts: Juvenile Neglect and Abuse (Dependency) Permanency Hearing

In August 2014, [Administrative Order 2014-81](#) made final the Juvenile Neglect and Abuse (Dependency) Permanency Hearing Case Type standards of 98% of children under 3 years of age within 180 days of removal, and 98% of all other cases within 365 days of removal. In August 2014, Arizona Case Processing Time Standards Statewide Memo #1 was issued making the first submission date for the summary time to disposition reports July 31, 2015, for the reporting period of March 1, 2015 - June 30, 2015.

Statistics from January 2013 – December 2013 (unknown number of courts) and April 2015 – June 2015 (for 9 courts) were presented and compared.

January 2013 – December 2013:

95% within 180 days
85% within 365 days

April 2015 – June 2015:

96% within 180 days
91% within 365 days

- For the 180 day standard:
 - In 2013, three courts met the standard, and two courts were within 10% of the standard.
 - In 2015, three courts met the standard, and one court was within 10% of the standard.
- For the 365 day standard
 - In 2013, six courts met the standard, and four courts were within 10% of the standard.
 - In 2015, four courts met the standard, and two courts were within 10% of the standard.

v. General Jurisdiction Courts: Juvenile Termination of Parental Rights

In August 2014, [Administrative Order 2014-81](#) made the Juvenile Termination of Parental Rights Case Type standards of 90% within 120 days and 98% within 180 days final. In August 2014, Arizona Case Processing Time Standards Statewide Memo #1 was issued making the first submission date for the summary time to disposition reports July 31, 2015, for the reporting period of March 1, 2015 - June 30, 2015.

Statistics from January 2013 – December 2013 (unknown number of courts) and April 2015 – June 2015 (for nine courts) were presented and compared.

January 2013 – December 2013:

24% within 120 days
32% within 180 days

April 2015 – June 2015:

52% within 120 days
72% within 180 days

- For the 120 day standard:
 - In 2013, no courts met the standard, and one court was within 10% of the standard.
 - In 2015, two courts met the standard, and one court was within 10% of the standard.
- For the 180 day standard

- In 2013, one court met the standard, and no courts were within 10% of the standard.
- In 2015, five courts met the standard, and no courts were within 10% of the standard.

Questions were raised about the data provided for all case types presented in Phase 1. It was determined that additional research and clarification was needed for the data sample size provided for 2013. Ms. Dunivan committed to providing the committee improved and additional information on the data sample provided for the 2013 statistics after the meeting.

vi. General Jurisdiction Courts: Juvenile Delinquency and Status Offense

In August 2014, [Administrative Order 2014-81](#) made final the Juvenile Delinquency and Status Offense case type standards of Youth in Detention, 75% within 30 days, 90% within 45 days, and 98% within 75 days, as well as Youth not in Detention, 75% within 60 days, 90% within 90 days, and 98% within 135 days. In August 2014, Arizona Case Processing Time Standards Statewide Memo #1 was issued making the first submission date for the summary time to disposition reports July 31, 2015, for the reporting period of March 1, 2015 - June 30, 2015.

Ms. Amy Wood articulated the issues hindering the generation of reports by the courts and provided background information about the case management systems involved. She explained that each case management system is structured differently and that data captured in each may vary. She went on to say that differing data entry practices between courts is also affecting the courts ability to generate accurate reports easily.

It was recommended that the Juvenile Delinquency and Status Offense Workgroup reconvene in order to reevaluate the feasibility of the approved standard based on the data available to extract from the various case management systems. A committee member requested that the AOC attend the workgroup meeting(s) to provide guidance on the functionality and data available through each case management system currently. It was suggested that an effort be made to standardize how each court and probation department enters data in order to generate meaningful and accurate data not only for time standard reports, but for other court and probation department purposes. A committee member suggested that this body should connect with the Committee on Juvenile Courts, Committee on Probation Education, and other relevant committees in order develop a comprehensive solution to the issues related to inaccurate and/or inaccessible data in the case management systems.

E. Phase 5

Ms. Dunivan indicated that reports are being developed for the Family Law Post-Judgment Motions, Protection Orders Ex Parte Hearings, and Protection Orders Contested Hearings case types and will be discussed in the next meeting of this body.

III. New Business

A. Rules of Civil Procedure

The Task Force on the Arizona Rules of Civil Procedure was established by [Administrative Order 2014-116](#). The task force's directive is to identify possible changes that conform the rules to modern usage, that clarify and simplify language, and that avoid unintended variation from language in corresponding federal rules. A draft version is available on the [Task Force on the Arizona Rules of Civil Procedure website](#) for comment and the Chair invited the group to review it. A committee member asked how the changes will affect time standards project. It was determined that it will have little effect on this committee's work.

B. 2016 Committee Dates

Ms. Dunivan suggested two dates for the next committee meeting: Wednesday, April 13, 2016 or Wednesday, April 27, 2016. Some committee members indicated conflicts, so it was determined that Ms. Dunivan will email the group to find the best date.

IV. Call to Public

The Chair made a call to the public. There were no members of the public present.

V. Adjournment

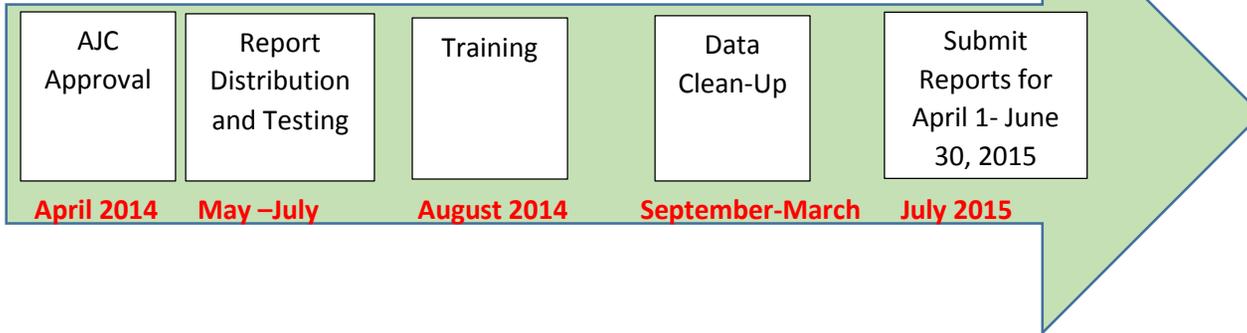
The meeting was adjourned at 2:49 p.m.

VI. Next Committee Meeting Date:

The next meeting is to be determined.

Time Standards Timeline

Phase 1



Phase 1 Case Types:

- Felony
- Civil
- Juvenile Permanency Hearing
- Termination of Parental Rights
- Delinquency
- DUI

Phase 2

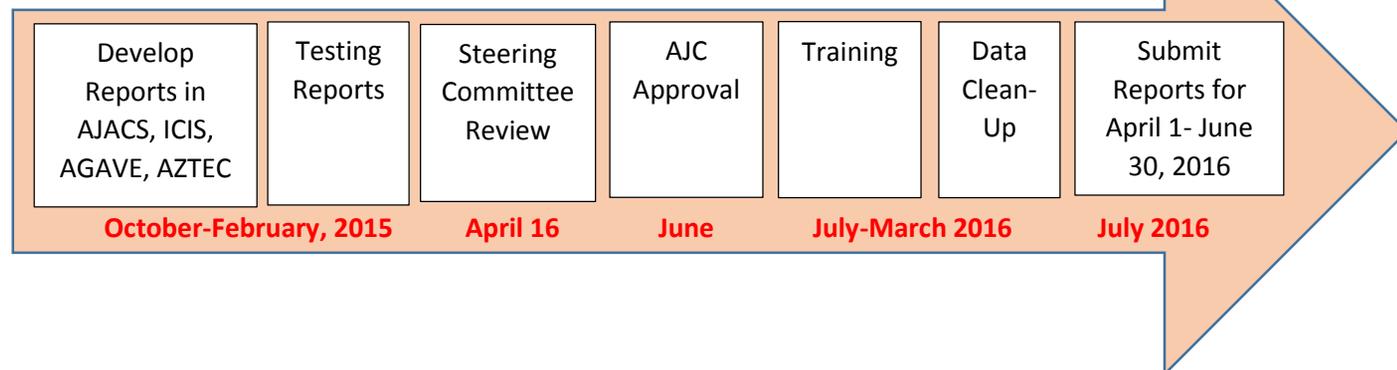
- ### Phase 2 Case Types:
- Juvenile Adjudication Hearings
 - Dissolution
 - Traffic



Phase 3 Case Types:

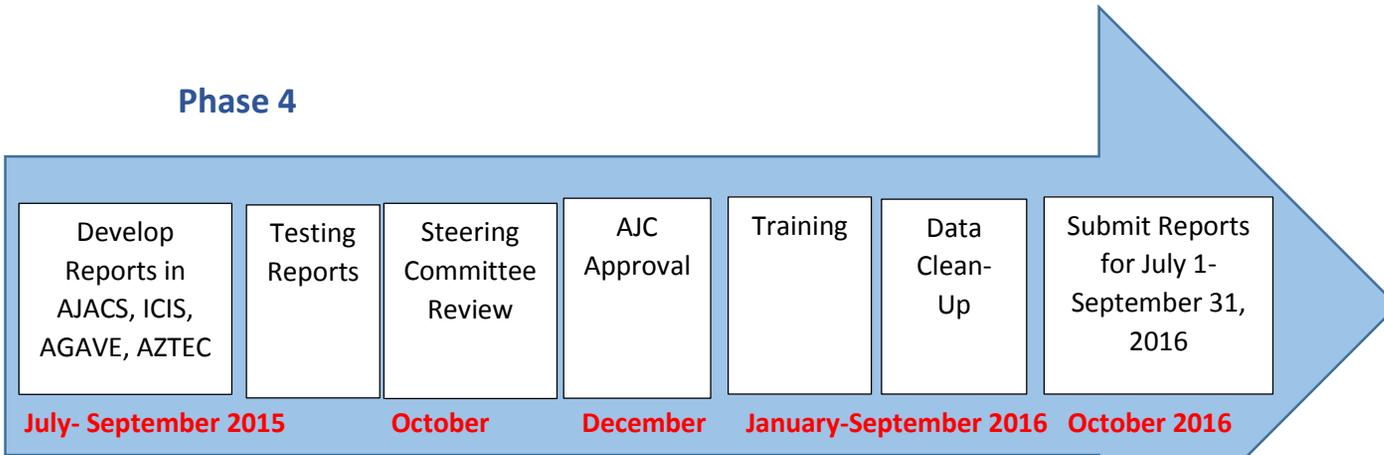
- Probate Estate Administration
- Probate Mental Health Cases
- Probate Guardianship/Conservatorship
- Misdemeanor
- Justice Civil

Phase 3



Time Standards Timeline

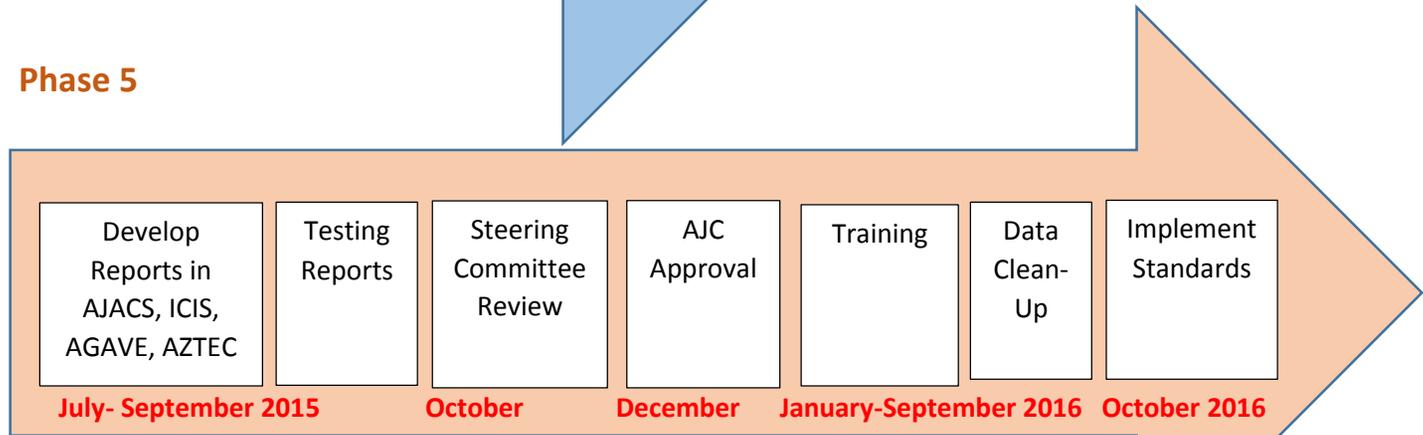
Phase 4



- Phase 4 Case Types:**
- Civil Local Ordinances
 - Evictions
 - Criminal Post-Conviction Relief
 - Family Law Temporary Orders

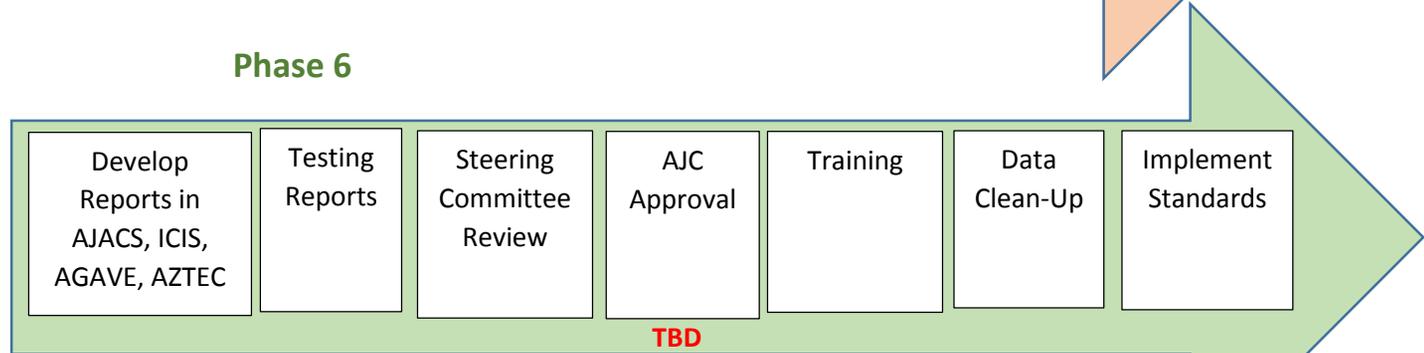
Phase 5

- Phase 5 Case Types:**
- Small Claims



- Phase 6 Case Types:**
- Family Law Post-Judgment Motions
 - Protection Orders (All Courts)
 - Ex parte
 - Contested
 - Pre-issuance

Phase 6



ARIZONA CASE PROCESSING TIME STANDARDS SUMMARY CHART

SUPERIOR COURTS			
CASE TYPE	STANDARD	MEASUREMENT	EXCLUDED TIME
CIVIL CASES (Effective Date January 1, 2015)	60% w/in 180 days 90% w/in 365 days 96% w/in 540 days	Filing of initial complaint through disposition (e.g., dismissal, judgment). Note: Start counting on the day the case number is received/case is opened in Superior court.	<ul style="list-style-type: none"> • Pre-adjudication special actions/appeals • Bankruptcy • Servicemembers Civil Relief Act
FELONY CASES (Effective Date January 1, 2015)	65% w/in 90 days 85% w/in 180 days 96% w/in 365 days	Filing of first charging document (e.g., information, indictment or complaint) through disposition (e.g., dismissal, acquittal or judgment and sentencing). Note: Start counting on the day the case number is received/case is opened in Superior court.	<ul style="list-style-type: none"> • Warrants • Rule 11 mental competency • Pre-adjudication diversions • Pre-adjudication special actions/appeals
CRIMINAL POST-CONVICTION RELIEF (Effective Date July 1, 2016)	94% w/in 180 days ✓ Capital cases are included	Filing of Petition for Post-Conviction Relief through disposition (e.g., dismissed/denied or relief granted).	No excluded time
FAMILY LAW DISSOLUTION AND PARENTAL ALLOCATION OF RESPONSIBILITY (Effective Date July 1, 2015)	75% w/in 180 days 90% w/in 270 days 98% w/in 365 days ✓ All pre-adjudication family law cases such as: establishment of child support, parenting time, and legal decision-making; paternity; annulment; dissolution; legal separation... are included.	The date of filing to the date of disposition by entry of judgment/decreed or order.	<ul style="list-style-type: none"> • Pre-adjudication special actions/appeals • Bankruptcy • Servicemembers Civil Relief Act • Conciliation Court • Pending juvenile

ARIZONA CASE PROCESSING TIME STANDARDS SUMMARY CHART

SUPERIOR COURTS			
CASE TYPE	STANDARD	MEASUREMENT	EXCLUDED TIME
FAMILY LAW PRE-DECREETEMPORARY ORDERS (INTERMEDIATE STANDARD) (Effective Date July 1, 2016)	90% w/in 60 days 98% w/in 120 days	The date the motion for temporary order is filed to the date of disposition by entry of a temporary order.	No excluded time
PROBATE ADMINISTRATION OF ESTATES (Effective Date January 1, 2016)	50% w/in 360 days 75% w/in 540 days 95% w/in 720 days ✓ Formal and informal probate and affidavit of succession to real property cases are included.	Filing of application/petition for appointment of personal representative or probate of a will through closing of decedent's estate (e.g., filing of closing statement , complete settlement or order approving final distribution or accounting).	<ul style="list-style-type: none"> • Pre-adjudication special actions/ appeals • Bankruptcy
PROBATE GUARDIANSHIP/ CONSERVATORSHIP (Effective Date January 1, 2016)	80% w/in 90 days 98% w/in 365 days. ✓ Guardianship/ conservatorship of a minor and elder abuse cases are excluded.	Filing of petition for appointment of guardian/ conservator through denial of the petition or issuance of a court order appointing a fiduciary on a non-temporary basis.	No excluded time
PROBATE MENTAL HEALTH CASES (Effective Date January 1, 2016)	98% w/in 15 days ✓ Petitions for court ordered evaluation are excluded. ✓ Petition for court ordered treatment are included.	Filing of petition through disposition (e.g., patient released or issuance of a court order for treatment).	No excluded time.

ARIZONA CASE PROCESSING TIME STANDARDS SUMMARY CHART

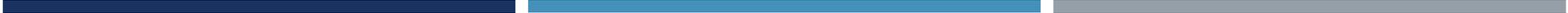
JUVENILE CASES			
CASE TYPE	STANDARD	MEASUREMENT	EXCLUDED TIME
DELINQUENCY AND STATUS OFFENSE (Report created in JOLTS) (Effective Date January 1, 2015)	<u>Youth in detention:</u> 75% within 30 days 90% within 45 days 98% within 75 days <u>Youth not in detention:</u> 75% within 60 days 90% within 90 days 98% within 135 days	Filing of petition through disposition.	<ul style="list-style-type: none"> • Warrants • Rule 11 mental competency • Pre-adjudication diversions
NEGLECT AND ABUSE (DEPENDENCY) (Report created in JOLTS) (Effective Date July 1, 2015)	<u>Adjudication Hearing:</u> 98% within 100 days of filing	<u>Adjudication Hearing:</u> Date of filing through a finding of dependency.	No excluded time
NEGLECT AND ABUSE (DEPENDENCY) (Report created in JOLTS) (Effective Date January 1, 2015)	<u>Permanency Hearing:</u> 98% of children under 3 years of age within 180 days/6 months of removal. 98% of all other cases within 365 days of removal	<u>Permanency Hearing:</u> Date of removal through permanent plan determination.	No excluded time
TERMINATION OF PARENTAL RIGHTS (Report created in JOLTS) (Effective Date January 1, 2015)	90% within 120 days 98% within 180 days ✓ Adoption cases are excluded.	Filing of Motion/Petition for Termination of Parental Rights through entry of dismissal or order of termination.	No excluded time

ARIZONA CASE PROCESSING TIME STANDARDS SUMMARY CHART

JUSTICE COURTS			
CASE TYPE	PROVISIONAL STANDARD	MEASUREMENT	EXCLUDED TIME
JUSTICE COURT CIVIL CASES (Effective Date January 1, 2016)	75% within 180 days 90% within 270 days 98% within 365 days	Filing of initial complaint through disposition (e.g., dismissal, judgment).	<ul style="list-style-type: none"> • Pre-adjudication special actions/appeals • Bankruptcy • Servicemembers Civil Relief Act
EVICITION ACTIONS (Effective Date July 1, 2016)	98% within 10 days ✓ Residential rental of a dwelling unit, Chapter 10: A.R.S. §33-1304; Mobile Home, Chapter 11: A.R.S. §33-1402; Rental of RV in RV Park >180 days Chapter 19: A.R.S. §33-2101; and General Landlord Tenant Chapter 3: A.R.S. §33-381 are included. ✓ Commercial evictions are included.	Filing of initial complaint through disposition (e.g., dismissal, judgment).	<ul style="list-style-type: none"> • Pre-adjudication special actions/appeals • Bankruptcy • Servicemembers Civil Relief Act
CIVIL LOCAL ORDINANCES (Effective Date July 1, 2016)	75% within 60 days 90% within 90 days 98% within 180 days	Filing of initial complaint through disposition (e.g., dismissal, judgment).	<ul style="list-style-type: none"> • Pre-adjudication special actions/appeals • Bankruptcy • Servicemembers Civil Relief Act
CIVIL TRAFFIC (Effective Date January 1, 2015 *Update effective July 1, 2016)	80% within 60 days 95% within 90 days ✓ Civil local ordinance cases are excluded. ✓ Photo-Radar tickets are excluded. ✓ Parking tickets are excluded.	Filing of Arizona Traffic Ticket and Complaint (ATTC) or by long-form complaint through disposition (e.g., dismissal, judgment).	<ul style="list-style-type: none"> • Pre-adjudication special actions/appeals • Pre-adjudication diversions • Servicemembers Civil Relief Act

ARIZONA CASE PROCESSING TIME STANDARDS SUMMARY CHART

JUSTICE AND MUNICIPAL COURTS			
CASE TYPE	PROVISIONAL STANDARD	MEASUREMENT	EXCLUDED TIME
<p>MISDEMEANOR (Effective Date January 1, 2016 <i>*Update effective July 1, 2016</i>)</p>	<p>75% within 60 days* 90% within 90 days* 98% within 180 days</p> <ul style="list-style-type: none"> ✓ Criminal traffic cases are included. ✓ Petty offenses are included. ✓ Criminal local ordinance cases are included. ✓ DUI cases are excluded; these cases have separate case processing goals. 	<p>Filing of complaint through disposition (e.g., dismissal, acquittal or judgment and sentencing).</p>	<ul style="list-style-type: none"> • Warrants • Rule 11 mental competency • Pre-adjudication diversions • Pre-adjudication special actions/appeals
<p>MISDEMEANOR DUI (Effective Date January 1, 2015)</p>	<p>85% within 120 days 93% within 180 days</p> <ul style="list-style-type: none"> ✓ Criminal misdemeanor cases are excluded. ✓ Criminal traffic cases are excluded. ✓ Criminal local ordinance cases are excluded. 	<p>Filing of complaint through disposition (e.g., dismissal, acquittal or judgment and sentencing).</p>	<ul style="list-style-type: none"> • Warrants • Rule 11 mental competency • Pre-adjudication diversions • Pre-adjudication special actions/appeals



PHASE ONE TIME STANDARDS

OVERVIEW OF CIVIL AND FELONY CASE TYPES



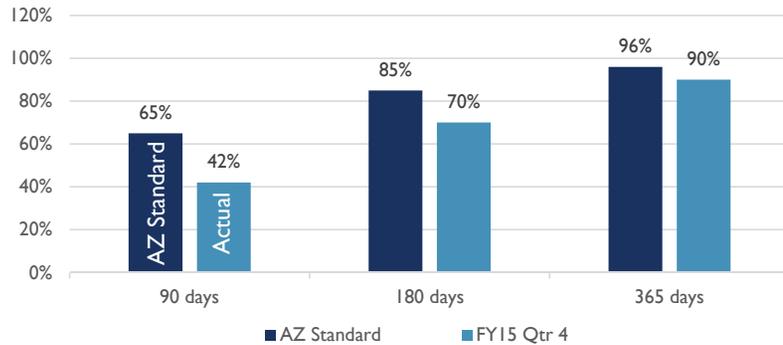
GENERAL JURISDICTION FELONY

65% WITHIN 90 DAYS - 85% WITHIN 180 DAYS - 96% WITHIN 365 DAYS

April – June 2015

12 courts reporting (3,440 cases exc. Maricopa and Pima Counties' cases)

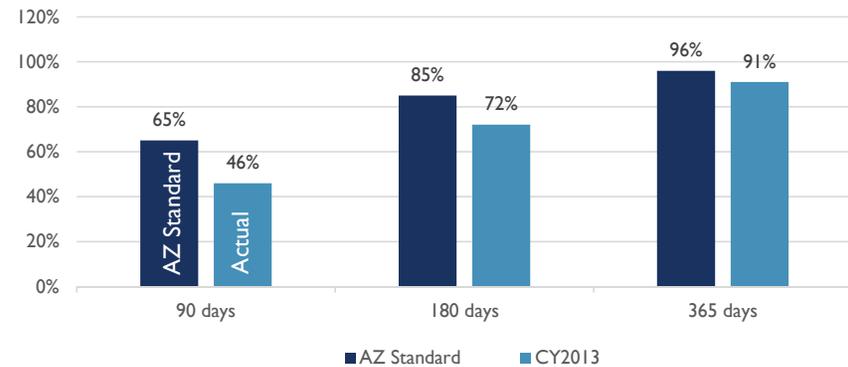
Felony
FY15 Qtr 4



January – December 2013

15 courts reporting (12,177 cases exc. Maricopa and Pima Counties' cases)

Felony
CY2013



GENERAL JURISDICTION FELONY

Time Standard Overview
by Individual Court

Court	0-90 days	91-180 days	181-365 days
1	78%	88%	95%
2	40%	78%	96%
3	17%	59%	91%
4	65%	94%	100%
5	43%	69%	90%
6	27%	56%	89%
7	40%	69%	88%
8	33%	69%	89%
9	8%	27%	86%
10	75%	85%	93%
11	29%	72%	94%
12	61%	87%	96%
Statewide 2015	42%	69%	90%
Statewide 2013	46%	72%	91%

Time Standard Overview
by Court without Maricopa
County

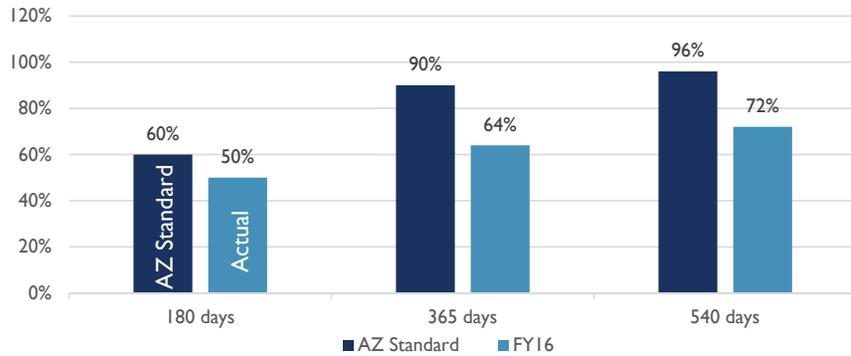
Court	0-90 days	91-180 days	181-365 days
1	78%	88%	95%
2	40%	78%	96%
3	17%	59%	91%
4	65%	94%	100%
5	43%	69%	90%
6	27%	56%	89%
7	40%	69%	88%
8	33%	69%	89%
9	8%	27%	86%
10	75%	85%	93%
11	29%	72%	94%
Statewide 2015	41%	72%	91%
Statewide 2013	46%	72%	91%

GENERAL JURISDICTION CIVIL

60% WITHIN 180 DAYS - 90% WITHIN 365 DAYS - 96% WITHIN 540 DAYS

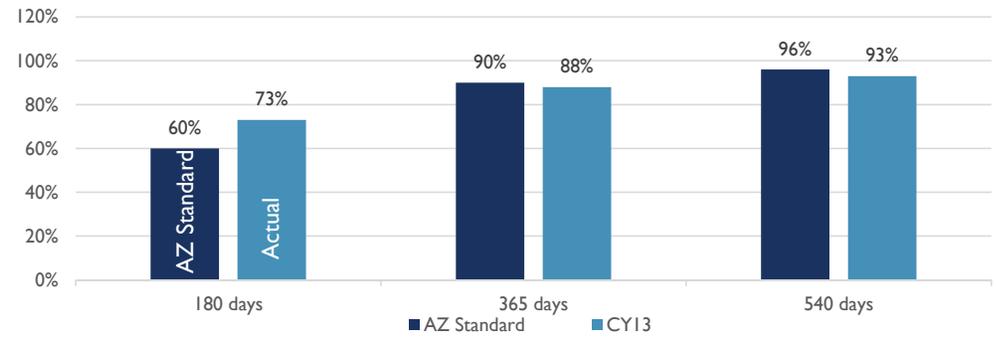
April – June 2015

12 courts reporting (3,402 cases exc. Maricopa and Pima Counties' cases)



January – December 2013

15 courts reporting (11,506 cases exc. Maricopa and Pima Counties' cases)



GENERAL JURISDICTION CIVIL

Time Standard Overview
by Individual Court

Court	0-180	181-365	366-540
1	71%	89%	97%
2	70%	87%	91%
3	64%	81%	81%
4	80%	100%	100%
5	47%	60%	67%
6	65%	86%	96%
7	64%	74%	86%
8	56%	79%	93%
9	66%	84%	90%
10	69%	87%	93%
11	58%	71%	77%
12	59%	76%	89%
Statewide 2015	50%	64%	72%
Statewide 2013	73%	88%	93%

Time Standard Overview
by Court without Maricopa
County

Court	0-180	181-365	366-540
1	71%	89%	97%
2	70%	87%	91%
3	64%	81%	81%
4	80%	100%	100%
5	65%	86%	96%
6	64%	74%	86%
7	56%	79%	93%
8	66%	84%	90%
9	69%	87%	93%
10	58%	71%	77%
11	59%	76%	89%
Statewide 2015	61%	81%	91%
Statewide 2013	73%	88%	93%

JUVENILE DELINQUENCY TIME STANDARDS

REVISION OVERVIEW



CURRENT TIME STANDARD FOR JUVENILE DELINQUENCY CASES

Pursuant to A.O. 2014-81, the current time standard is:

Arizona Juvenile – Delinquency and Status Offense

Youth in detention: Youth not in detention:

75% within 30 days **75% within 60 days**

90% within 45 days **90% within 90 days**

98% within 75 days **98% within 135 days**

Measurement: Filing of petition through disposition.

The following time will be excluded from measurement: diversion, warrant time and competency proceedings.

A juvenile will appear on the youth in detention report if the juvenile is in detention at the time of filing through the disposition.

PROBLEM STATEMENT

The Juvenile Delinquency and Status Offense time standards reports have encountered data accuracy issues because of the following:

- Disparate usage of JOLTS and AJACS results in data inconsistencies in both case management systems
 - Example: Juvenile Register of Actions is entered in JOLTS by 2 counties and AJACS by 11 counties
- Disparate usage of JOLTS and AJACS also creates barriers to tracking excluded time
- JOLTS is person-centric whereas AJACS is case-centric

PROPOSAL TO REVISE TIME STANDARD FOR JUVENILE DELINQUENCY CASES

Arizona Juvenile – Delinquency and Status Offense

Youth (both in and out of detention):

75% within 60 days

90% within 90 days

98% within 135 days

Measurement: Filing of petition through disposition.

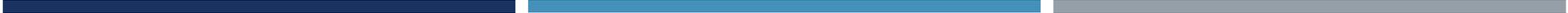
Cases with the following events will be excluded from measurement: diversion, warrant time and competency proceedings.

Cases in detention still have existing statutory timeframes for hearings.

MOTION

Revise the current Juvenile Delinquency and Status Offense time standards by:

- Eliminating the “in detention” standard
- Excluding entirely from calculation cases with the following events: warrants, diversion, or mental competency proceedings



PHASE TWO TIME STANDARDS

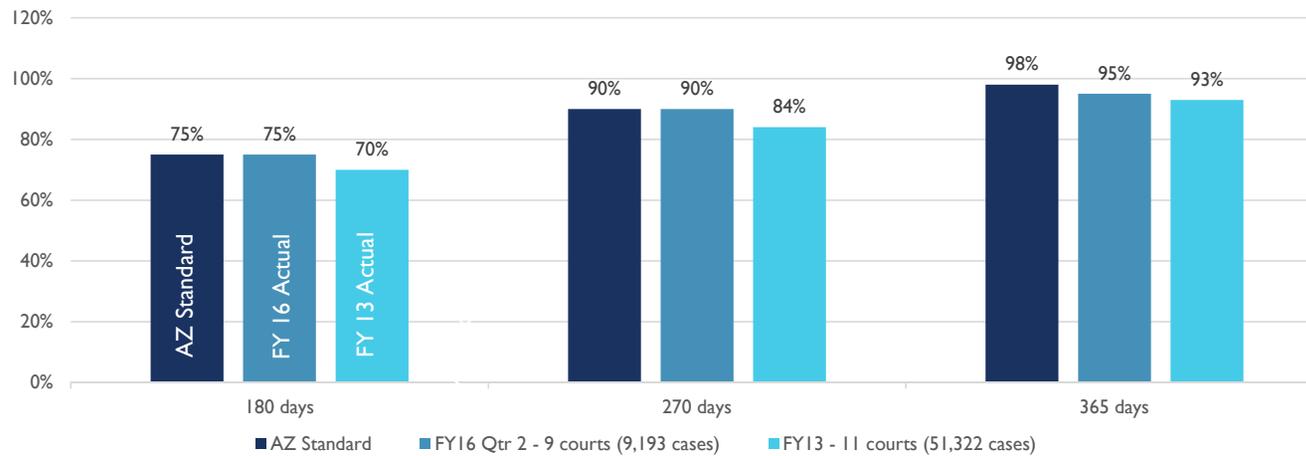
OVERVIEW OF ALL PHASE TWO CASE TYPES



DISSOLUTION AND ALLOCATION OF PARENTAL RESPONSIBILITY

75% WITHIN 180 DAYS - 90% WITHIN 270 DAYS - 98% WITHIN 365 DAYS

Dissolution Time Standards
FY13 and FY16 Comparison



DISSOLUTION AND ALLOCATION OF PARENTAL RESPONSIBILITY

Time Standard Overview
by Individual Court

Court	0-180	181-270	271-365
1	33%	67%	100%
2	0%	0%	0%
3	0%	0%	0%
4	90%	100%	100%
5	76%	91%	96%
6	72%	88%	93%
7	61%	84%	89%
8	58%	81%	89%
9	100%	100%	100%
Statewide 2016	75%	90%	95%
Statewide 2013	70%	84%	93%

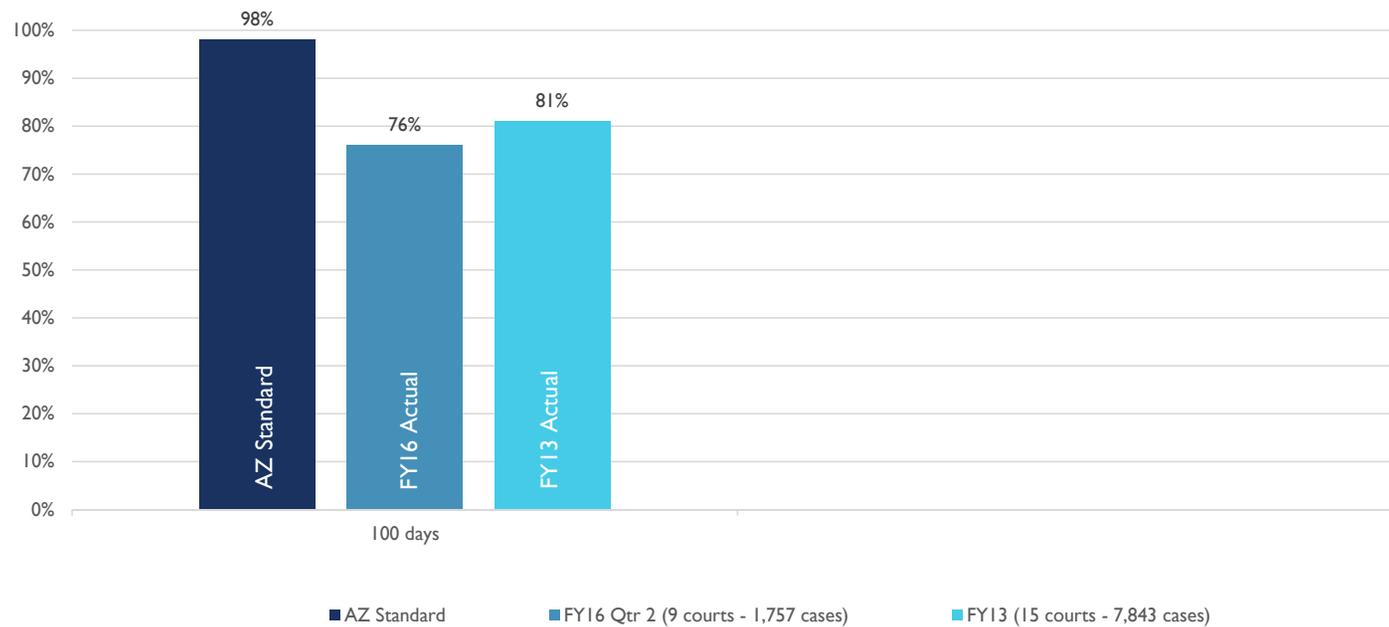
Time Standard Overview
by Court without Maricopa
County

Court	0-180	181-270	271-365
1	33%	67%	100%
2	0%	0%	0%
3	0%	0%	0%
4	90%	100%	100%
5	72%	88%	93%
6	61%	84%	89%
7	58%	81%	89%
8	100%	100%	100%
Statewide 2016	65%	84%	91%
Statewide 2013	70%	84%	93%

JUVENILE DEPENDENCY ADJUDICATION

98% WITHIN 100 DAYS

Dependency Adjudication Hearing Time Standards
FY13 and FY16 Comparison



JUVENILE DEPENDENCY ADJUDICATION

Time Standard Overview
by Individual Court

	100 days	
Court	0-100 days	
1		93%
2		70%
3		100%
4		68%
5		70%
6		92%
7		100%
8		100%
9		98%
Statewide 2016		76%
Statewide 2013		81%

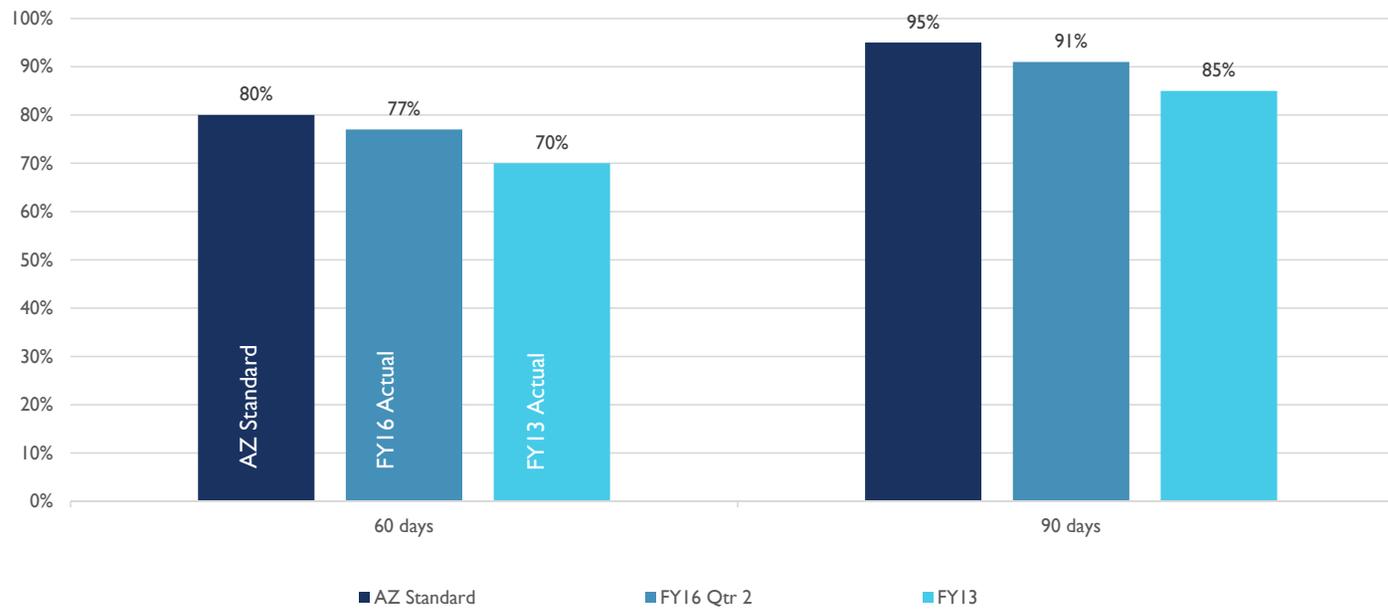
Time Standard Overview
by Court without Maricopa
County

	100 days	
Court	0-100 days	
1		93%
2		70%
3		100%
4		70%
5		92%
6		100%
7		100%
8		98%
Statewide 2016		89%
Statewide 2013		81%

CIVIL TRAFFIC

80% WITHIN 60 DAYS - 95% WITHIN 90 DAYS

Civil Traffic Time Standards
FY13 and FY16 Comparison



CIVIL TRAFFIC

Time Standard Overview by Individual Court

	0-60 days		61-90 days	
	FY2013	FY2016	FY2013	FY2016
Courts Meeting Standard	9	25	4	26
Courts within 10% of Standard	15	27	23	42
Courts more than 10% away from Standard	6	58	3	42



PHASE FIVE TIME STANDARDS

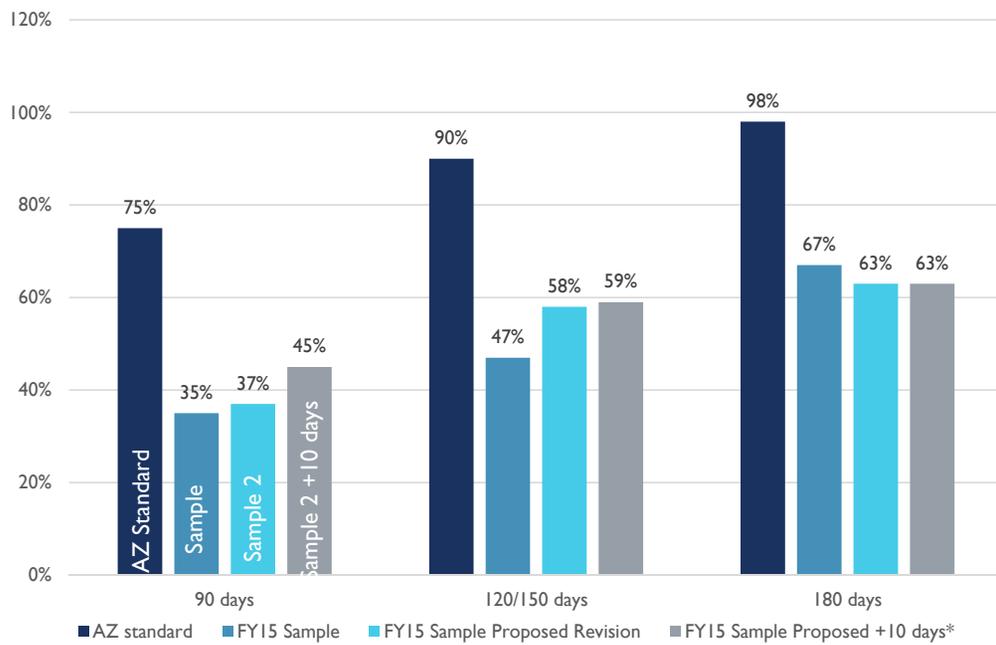
OVERVIEW OF ALL PHASE FIVE CASE TYPES



SMALL CLAIMS

PROPOSED PROVISIONAL STANDARD: 75% WITHIN 100 DAYS - 90% WITHIN 150 DAYS - 98% WITHIN 180 DAYS

Small Claims Revision Analysis



Small Claims Proposed Revision Sample

