

Steering Committee on Arizona Case Processing

Thursday, April 24, 2014

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

State Courts Building

1501 W. Washington, Phoenix, Arizona 85007

Conference Room 230

APPROVED 9/24/14

Present: Justice Robert Brutinel-*Chair*, Mr. Kent Batty-*telephonically*, Judge Jill Davis, Judge Pamela Frasher-Gates-*telephonically*, Judge Charles Gurtler-*telephonically*, Mr. Don Jacobson-*telephonically*, Judge Eric L. Jeffery-*telephonically*, Judge Andrew Klein, Ms. Michelle Matiski-*telephonically*, Judge Steven McMurry, Judge John Rea, Mr. John W. Rogers, and Judge Sally Simmons-*telephonically*.

Absent/Excused: Judge Peter Cahill, Judge Richard Fields, Mr. James Haas, Ms. Sandra Markham, Judge Mark Moran, Ms. Jane Nicoletti-Jones, Judge Anthony Riojas, and Mr. William Verdini.

Presenters/Guests: Michelle Dunivan, AOC; David Redpath, AOC; Robert Shelly, AOC; Cassandra Urias, Pima Superior Court-*telephonically*, Dan Sanders, Pima Superior Court-*telephonically*, Amy Wood, AOC.

Staff: Cindy Cook, AOC; Kelly Gray, AOC

I. Regular Business

A. Welcome and Opening Remarks

The April 24, 2014 meeting of the Steering Committee on Arizona Case Processing Standards was called to order by the Chair, the Honorable Robert Brutinel, at 1:30 p.m.

Committee members and staff introduced themselves. The Chair thanked the outgoing committee members, Judge Kenton Jones and Judge Rosa Mroz. He introduced the new committee members, Judge Charles Gurtler and Judge Andrew Klein.

Judge Charles Gurtler comes to this committee as the Presiding Judge in the Superior Court of Mohave County. Judge Andrew Klein comes to this committee as the Presiding Judge in the Superior Court of Maricopa County. Welcome new members!

B. Approval of September 12, 2013 Minutes

The chairperson called for any omissions or corrections to the minutes from the September 12, 2013 meeting; none were submitted.

- Motion was made by Judge John Rea to approve the draft minutes from the September 12, 2013 meeting of the Steering Committee on Arizona Case Processing Standards. Seconded by Judge Andrew Klein. Motion passed unanimously.

C. Administrative Order 2013-95

Administrative Order (AO) 2013-95 was signed by the Chief Justice on November 14, 2013. The order extends the term of this Committee so that reports can be developed to measure the case processing standards. The Committee will review the reports and recommend final case processing time standards for approval and adoption. A copy of the AO can be found on the website at <http://www.azcourts.gov/Portals/22/admorder/Orders13/2013-95.pdf>.

The Administrative Order noted several challenges to implementing case processing time standards, and as a result the standards were provisionally adopted. The first challenge was the lack of statistical data. Courts could not compare current case processing times with the proposed provisional standards to properly evaluate the achievability of the standards. The second challenge was there were no reports available to gather the required data. Many of the courts could not run reports to identify problems in their business processes and make improvements.

The AOC has been working to address these two issues. Significant progress has been made in the development of reports and statistical data is now available for several case types. For those standards approved, the AOC will recommend to the Chief Justice that the standards be adopted with a delayed effective date of January 1, 2015. This will give the courts enough lead time to review their data and compare it to the case processing time standards. Modifications to the standards can still be made if deemed necessary.

II. Report Development Updates

A. Juvenile

1. Delinquency (JOLTS)

Business requirements and reports have been developed in JOLTS for the Delinquency and Status Offense case type. There are separate sets of

reports for Youth in Detention and Youth Not in Detention, totaling eight (8) reports. The reports currently developed for both of these delinquency status types are Time to Disposition Summary, Time to Disposition Detail, Age of Active Pending Summary, and Age of Active Pending Detail Reports. It should be noted that time has been excluded for warrants and pre-adjudication diversion. However, the AOC is still working on excluding time for mental competency, but hopes to exclude that time in future reports. For Pima and Maricopa the reports can be run from an extract on a quarterly basis by the AOC. If Pima and Maricopa County would like to generate the reports more frequently, Mr. David Redpath can provide the business requirements for development.

The AOC has gathered statistical data for the 15 Arizona counties. The data gathered was for Fiscal Year 2013, July 1, 2012 through June 30, 2013. For more information, please see the statistical charts attached; [Youth NOT in Detention](#) and [Youth in Detention](#).

YOUTH NOT IN DETENTION: As a reminder, the provisional standard for Youth not in Detention is 75% within 60 days, 90% within 90 days and 98% within 135 days. For the 135 day standard, only one (1) county met the standard, six (6) counties were in the 90th percentile, and seven (7) counties were in the 80th percentile.

YOUTH IN DETENTION: As a reminder, the provisional standard for Youth in Detention is 75% within 30 days, 90% within 45 days, and 98% within 75 days. For the 75 day standard, no counties met the standard, one (1) county was in the 90th percentile, and two (2) counties were in the 80th percentile.

Mr. David Redpath showed an example of the how the reports are being formatted and what information is included on the detail reports. He provided further clarification that a youth would appear on the Youth in Detention report if he/she was in detention at the time the petition was filed. Mr. Redpath asked if the committee wanted the report to be written so that a youth only appeared on the Youth in Detention report if the youth was in detention from the date of filing through the date of adjudication.

Justice Brutinel and Judge Simmons stated that it was the intent of the 75 day rule and statute was to prevent a juvenile/youth from being in detention for an extended period of time while the case is adjudicated. If the youth is not being detained, then the youth should appear on the Youth Not in Detention report, and the rule and standard which states the case should be disposed within 135 days will apply. Mr. Redpath committed to changing the report so that the report for youth in detention would only include juveniles that are in custody from the filing of the petition to the date of disposition. It is believed that more counties will meet the standard with this change. It was pointed out that judges may release offenders earlier to

meet the standard or “look good on the report.” In response, it was discussed that each case and offender is different, and typically judges do not make decisions thinking about how the reports will look.

The Chair requested that Mr. Redpath send draft report samples to each presiding judge and to the committee. These reports will not be shared publicly or between the counties.

2. Dependency (JOLTS)

Reports have been developed in JOLTS for Neglect and Abuse (Dependency) and Termination of Parental Rights case types. There are separate sets of reports for Adjudication Hearing, Permanency Hearing, and Termination of Parental Rights. The reports currently developed for these dependency status types are Time to Disposition Summary, Time to Disposition Detail, Age of Active Pending Summary, and Age of Active Pending Detail Reports. For the Permanency Hearing reports, the reports are broken out by children under three (3) years and children three (3) years and older. For Pima and Maricopa the reports can be run on a semi-monthly basis.

The AOC has gathered statistical data for the 15 Arizona counties. The data gathered was for Fiscal Year 2013, July 1, 2012 through June 30, 2013. For more information, please see the statistical charts attached; [Adjudication Hearing](#), [Permanency Hearing \(>3 yrs.\)](#), [Permanency Hearing \(<3 yrs.\)](#), and [Termination of Parental Rights](#).

ADJUDICATION HEARING: As a reminder, the provisional standard for the Adjudication Hearing is 98% within 90 days of service. The data shows that four (4) counties met the standard. The report however is not capable of calculating from the *date of service*; it can only be generated from the date of *filing*. This issue cannot be corrected in JOLTS without a change in JOLTS input fields, and a change in court procedures for all courts in Arizona. Additional training and resources would be required to generate this report based on the date of service. On May 15, 2014 a meeting has been scheduled with the Juvenile Workgroup and other juvenile users to discuss adjusting the standard so service time is included. The AOC will update the committee on this issue at the next meeting.

PERMANENCY HEARING: As a reminder, the provisional standard for the Permanency Hearing is 98% of children under 3 years of age within 180 days/6 months of removal and 98% of children 3 years of age and older within 360 days of removal. The report developed for permanency hearings has been based on a 365 day cycle. For the children under 3 years of age the data shows that three (3) counties are meeting the standard, two (2) counties are in the 90th percentile, and one (1) county is in the 80th

percentile. For the children 3 years of age and older the data shows that seven (7) counties are meeting the standard, three (3) counties are in the 90th percentile, and five (5) counties are in the 80th percentile.

Recently both the Adjudication Hearing and Permanency hearing reports were sent to the Dependency Users Group (data entry staff) for feedback on format, fields to include, accuracy of data, etc. It was pointed out that the reports were not sent to the judges or court administrative staff in the courts. In response, a member pointed out that it went to the staff using the report in this preliminary stage of the report drafting; this was a technical review by the users of the reports. The Chair indicated that these reports can be sent to other court staff as requested. These two (2) reports are ready for county use, barring any approved changes.

TERMINATION OF PARENTAL RIGHTS: As a reminder, the provisional standard for Termination of Parental Rights is 90% within 120 days and 98% within 180 days. Ms. Michelle Dunivan presented some draft reports and elaborated on the data in the report. It was pointed out that the report presented was incomplete due to a lack of reporting from each of the 15 counties. Only six (6) counties entered the required data to generate a full report. The AOC has been working with each of the counties recently to improve reporting on this required data, and has seen some improvement. In the coming months additional training will be provided to the courts to assist in the collection of this data. One (1) of the six (6) reporting counties met the standard.

- Motion was made by Judge Sally Simmons to approve the juvenile Delinquency and Status offense, Neglect and Abuse (Dependency) Permanency Hearing only, and the Termination of Parental Rights Case Processing Standards. Seconded by Judge Charles Gurtler. Motion passed unanimously.

B. Superior Court Case Type: Civil (AJACS)

Reports have been developed in AJACS for the civil case type. The reports currently developed are Time to Disposition Summary, Time to Disposition Detail, Age of Active Pending Summary, and Age of Active Pending Detail Reports. The existing CourTools reports will not be used to measure the time standards. New reports have been developed in AJACS based on the business requirements for the standards. These four (4) reports are written, developed, and tested, but not deployed in Production (AJACS). The AOC is currently working on a deployment schedule with the technical team and hopes to have the reports in Production in June 2014. In the interim, these reports can be executed and sent to each presiding judge from AOC.

The AOC has gathered statistical data for the 15 Arizona counties. The data gathered was for calendar year 2013. For more information, please see the [civil statistical chart](#) attached.

CIVIL: The provisional standard for civil cases is 60% within 180, 90% within 365, and 96% within 540 days. The spreadsheet presented at the meeting incorrectly stated that the last standard was 98% within 540 days. The documents will be corrected. Ms. Cindy Cook presented the reports and elaborated on the data. 14 counties met the 180 day standard, six (6) counties met the 365 day standard, and five (5) counties met the 540 day standard of 96% within 540 days. Ms. Cook pointed out that these numbers may improve as the courts enter data into AJACS more accurately. Excluded time is not being calculated correctly because the appropriate case statuses have not been entered in AJACS. This issue can be resolved by providing more training to the courts. The AOC will be working with the courts to schedule trainings. In these trainings the AOC will stress the importance of data entry in relation to these standards. The reports are only as accurate as the data entered in the case management systems and in some counties vital data may be missing prior to 2013.

The measurement for civil cases starts at the time of filing and not at the time of service. Service is hard to track in the case management systems so the workgroups, and this Committee, built extra time into the standard for service.

- Motion was made by Judge Andrew Klein to approve the Superior Court Civil Case Processing Standards with an effective date of January 1, 2015. Seconded by Judge John Rea. Motion passed unanimously.

C. Superior Court Case Type: Criminal Felony (AJACS)

Reports have been developed in AJACS for the criminal felony case type. The reports currently developed are Time to Disposition Summary, Time to Disposition Detail, Age of Active Pending Summary, and Age of Active Pending Detail Reports. These reports are not the existing CourTools reports in AJACS. It was determined that new reports needed to be written based on the business requirements for the standards. These four (4) reports are written, developed, and tested, but not deployed in Production (AJACS). The AOC is currently working on a deployment schedule with the technical team and hopes to have the reports in Production in June 2014. In the interim, these reports can be executed and sent to each presiding judge and court administrator from the AOC.

The AOC has gathered statistical data for the 15 Arizona counties. The data gathered was for calendar year 2013. For more information, please see the [felony statistical chart](#) attached.

CRIMINAL FELONY: The provisional standard for criminal cases is 65% within 90 days, 85% within 180 days, and 96% within 365 days. Ms. Cindy Cook presented the reports and elaborated on the data. Ms. Cook discussed the accuracy of this report in relation to data entered at the court. It is believed that currently this report does not reflect accurately the amount of cases disposed for the time period. This is related to statuses not being entered correctly at the court level, therefore AJACS is not calculating the excluded time properly. To resolve this issue additional training will be provided to the courts. The AOC will be working with the courts in the future to schedule trainings, as well as stress the importance of the data entry in relation to these standards.

- Motion was made by Judge Sally Simmons to approve the criminal felony case type Case Processing Standards with an effective date of January 1, 2015. Seconded by Mr. Kent Batty. Motion passed unanimously.

D. Limited Jurisdiction Case Type: Civil Traffic (AZTEC)

In a previous meetings of this Committee, it was discussed that the civil traffic case type would be generated through the existing Central Case Index (CCI) database. After further review by the AOC technical team, it was decided that this was not the most expedient way to produce the required reports based on the various case management systems and CCI.

Recently the AOC has been investigating the option of using Crystal Reports to generate these reports. The AOC is currently exploring two options to deploy these. The first option is using Crystal Enterprise. The second option is to deploy the report in an executable format outside of the various case management systems. The AOC will update this committee in future meetings on the progress of these reports and format utilized.

The AOC has developed some preliminary Crystal Reports, which have allowed some initial evaluation of data. Ms. Cindy Cook presented the draft report of 30 limited jurisdiction courts using AZTEC. For more information, please see the [traffic statistical chart](#) attached. It was discussed that the provisional standard for civil traffic cases of 75% within 30 days, 90% within 60 days, and 98% within 90 days was too high based on the initial data. A committee member suggested further discussion on the standard before finalizing.

- Motion was made by Judge Eric L. Jeffery to refer the matter back to the Civil Traffic Workgroup for further evaluation. Seconded by Judge Steven McMurry. Motion passed unanimously.

E. Limited Jurisdiction Case Type: Misdemeanor DUI (AZTEC/ICIS)

Many limited jurisdiction courts in Arizona have had access to reports since approximately 2008, and provide data to the AOC periodically regarding DUI cases. AOC has developed business requirements reports in AJACS in the event that any new courts start using AJACS in the future. Barring the addition of a new court to AJACS, no new reports are required.

The AOC has gathered statistical data for the 99 courts in Arizona. The data gathered was for calendar year 2012. For more information, please see the statistical charts attached; [DUI 120 days](#) and [DUI 180 days](#).

MISDEMEANOR DUI: The provisional standard for misdemeanor DUI cases is 85% within 120 days, and 93% within 180 days. Ms. Cindy Cook presented the reports and elaborated on the data. 17 of the 99 courts included in the data met the 120 day standard, nine (9) courts were in the 80th percentile, and 20 courts were in the 70th percentile. 22 of the 99 courts included in the data set met the 180 day standard, 15 courts were in the 90th percentile, and 38 courts were in the 80th percentile. It was mentioned that there are longer delays in lab testing and analysis from DPS. Some courts may not be meeting the standards due to this unavoidable delay. Overall when the courts focus their resources on meeting the standards the standards are achievable.

- Motion was made by Judge Steven McMurry to approve the misdemeanor DUI case type Case Processing Standards with an effective date of January 1, 2015. Motion seconded by Judge Sally Simmons. Motion passed unanimously.

F. General Jurisdiction (GJ) Case Types Development Plan

Ms. Cook discussed the remaining General Jurisdiction case types that require report development.

CRIMINAL POST CONVICTION RELIEF: These reports will be developed in AJACS. The business requirements will soon be in development for this case type. After the business requirements are approved, the technical team will write, develop, test, and deploy the required reports. These are post-judgment reports, but the fields are readily identifiable in the case management systems. Ms. Cook is still working with the AOC IT department to develop a reports schedule.

FAMILY LAW DISSOLUTION AND PARENTAL ALLOCATION OF RESPONSIBILITY: Currently Maricopa and Pima Counties have reports that monitor this case type. However, these reports do not exclude time. The AOC has completed the business requirements for all the case types and is hoping that

family law dissolution and parental allocation of responsibility reports will be the next report developed in AJACS. It is anticipated that the family law dissolution reports will be similar to the criminal and civil reports that have already been created. Ms. Cook is working with the AOC IT Department to create a reports schedule for the remaining case types.

There was a question raised by one of the Committee members regarding 4D cases. Did AOC intend to make a distinction between 4D cases and others in the reports? In response, it was pointed out that there is not a separate standard for these cases, so these cases will be included in the family law dissolution and parental allocation of responsibility reports in AJACS.

FAMILY LAW PRE-DECREE TEMPORARY ORDERS (INTERMEDIATE STANDARD): Currently Maricopa County has reports that will monitor temporary orders. Pima County and the AJACS courts will need to develop reports that will measure the intermediate standard for this case type.

FAMILY LAW POST-JUDGMENT MOTIONS: Currently Maricopa County executes reports that monitor post-judgment motions. Ms. Cook and representatives from Pima County (who are also looking to develop their own reports) recently attended a demonstration of these reports. Maricopa has simplified the creation of reports by not making a distinction between pre and post adjudication petitions. The same report can be run for pre-adjudication temporary orders and post-judgment motions. Maricopa only tracks substantive petitions (custody modifications, changing child support, temporary orders, etc.). The AOC will investigate this approach further when developing a report for pre and post judgment motions. Ms. Cook is still working with the technical team to create a reports schedule, it is believed that these reports will be developed toward the end of the process due to the more complicated nature of post-judgment orders.

PROBATE ADMINISTRATION OF ESTATES, PROBATE GUARDIANSHIP/ CONSERVATORSHIP, and PROBATE MENTAL HEALTH CASES: The business requirements have been written and distributed to the AOC staff that supports the statewide case management systems. Upon request, The AOC will share the requirements with any other counties that support their own case management systems. For the statewide case management systems, the technical team will write, develop, test, and deploy the required reports. Though Ms. Cook is still working with the AOC IT Department to create a reports schedule, it is believed that at least one of the probate reports will be developed next.

G. Limited Jurisdiction (LJ) Case Types Development Plan

Ms. Cook and Ms. Wood discussed the remaining Limited Jurisdiction case types that require report development.

JUSTICE COURT CIVIL CASES and JUSTICE COURT-SMALL CLAIMS: These reports will be developed using Crystal Reports in AZTEC, similar to the Civil Traffic case type reports that have already been developed. The business requirements will soon be in development for this case type. The challenge will be developing a report that can exclude time. For the statewide case management systems, the technical team will write, develop, test, and deploy the required reports. Ms. Cook is still working with the AOC IT Department to create a reports schedule, it is believed that at least one of these case types will be developed next.

JUSTICE COURT EVICTION ACTIONS and CIVIL LOCAL ORDINANCES: These reports will be developed using Crystal Reports in AZTEC, similar to the reports being developed for Civil Traffic. The business requirements have been completed. These reports may be difficult to develop because these case types may not be distinctly identified in the AZTEC case management system. Amy Wood and Cindy Cook are still working with the technical team to create a reports schedule. It is believed that these reports will be developed toward the end of the process.

PROTECTION ORDERS EX PARTE HEARING (INTERMEDIATE STANDARD) and PROTECTION ORDERS CONTESTED HEARING: Currently Maricopa County executes a report that monitors Protective Orders. Pima County has been working with Maricopa County to develop a report for their case management system. For the statewide case management systems, these reports will be developed in AJACS. The business requirements will soon be in development for this case type. After the business requirements are approved, the technical team will write, develop, test, and deploy the required reports. Ms. Cook is still working with the AOC IT department to develop a reports schedule.

MISDEMEANOR: These reports will be developed using Crystal Reports in AZTEC. Crystal Reports has been previously written for this case type but time has never been excluded. The exclusion of time may add some complexity to this report. Once a schedule is created for the development of reports in the Justice and Municipal courts the misdemeanor case type should appear at the top of the development schedule.

Ms. Cook indicated that she would discuss each of the remaining LJ case types with the workgroup(s) as necessary when creating the development plan.

III. New Business

The committee discussed the proposed date of the next meeting in September 2014. There were no objections to the September 8, 2014 date suggested.

IV. Adjourn

A. Meeting was adjourned at 3:24 p.m.

B. Next Committee Meeting Date:

Monday, September 8, 1:30 p.m. – 3:30 p.m.

State Courts Building, Room 230

1501 W. Washington St., Phoenix, AZ 85007