

Arizona Supreme Court

Steering Committee on Arizona Case Processing Standards

October 14, 2015 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# 1737**

Call to Order

1:30 p.m.	Announcements	Hon. Robert Brutinel, Chair
	➤ Introductions	
	➤ Motion to Approve Minutes <i>Call for Motion Vote**</i>	Hon. Robert Brutinel, Chair

Phase 3

1:40 p.m.	➤ Administrative Order and Memorandum	Michelle Dunivan, AOC
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Phase 4

1:45 p.m.	➤ Reports Developed: Time to Disposition Summary and Detail Age of Active Pending Summary and Detail	Michelle Dunivan, AOC
	LJ: Misdemeanor <i>Call for Motion Vote**</i>	
	GJ: Criminal Post-Conviction Relief <i>Call for Motion Vote**</i>	
	GJ: Family Law Temporary Orders <i>Call for Motion Vote**</i>	
	LJ: Small Claims <i>Call for Motion Vote**</i>	
	LJ: Eviction Actions <i>Call for Motion Vote**</i>	
	LJ: Civil Local Ordinance <i>Call for Motion Vote**</i>	

Civil Traffic

2:20 p.m.	➤ Servicemember's Civil Relief Act	Michelle Dunivan, AOC
	➤ Modify Civil Traffic Standards <i>Call for Motion Vote**</i>	Hon. Antonio Riojas

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 Michelle Dunivan at (602) 452-3220 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.

Phase 1

2:45 p.m.		➤ Administrative Order and Memorandum	Michelle Dunivan, AOC
		➤ Data Received	
		➤ Juvenile Delinquency	

Phase 5

3:20 pm		➤ Phase 5 Development Plan	Michelle Dunivan, AOC
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New Business

3:25 p.m.	Civil Rules and Procedures		Michelle Dunivan, AOC
		➤ Vetting Draft available for comment through November 16	
	Next Meeting and Other Items		Hon. Robert Brutinel, Chair
		➤ Proposed Dates	
		Wednesday, April 13, 2016 OR Wednesday, April 27, 2016	

Call to Public

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Adjourn

3:30 p.m.		➤ Motion to adjourn meeting	Hon. Robert Brutinel, Chair ** Important Voting Item
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Steering Committee on Arizona Case Processing Standards

Thursday, April 16, 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; Judge Steven McMurry; Mr. John W. Rogers; and Mr. Bill Verdini.

Telephonic: Mr. Kent Batty; Judge Richard Fields; Judge Charles Gurtler; Mr. Don Jacobson; Judge Andrew Klein (*Proxy: Elaina Cano*); Ms. Michelle Matiski; Ms. Donna McQuality; Judge Mark Moran; Ms. Jane Nicoletti-Jones; Judge Tony Riojas; and Judge Sally Simmons.

Absent/Excused: Judge Peter Cahill; Mr. James Haas; Judge Pamela Frasher Gates; and Judge John Rea

Presenters/Guests: None

Administrative Office of the Courts: Ms. Cindy Cook; Ms. Kelly Gray; and Ms. Amy Wood

I. Regular Business

A. Welcome and Opening Remarks

The April 2015 meeting of the Steering Committee on Arizona Case Processing Standards was called to order by the Honorable Robert Brutinel, Chair, at 1:30 p.m. The Chair asked for member roll call and introductions of staff and guests. The Chair welcomed our newest committee member Ms. Donna McQuality and announced that Judge Peter Cahill will be retiring in June. He thanked him for serving on the Steering Committee.

B. Approval of September 24, 2014 Minutes

The draft minutes of the September 2014 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. There were none.

- Motion was made by Judge Steven McMurry to approve the draft minutes of the September 2014 meeting of this committee. Seconded by Mr. Bill Verdini. Motion passed unanimously.

II. Report Development and Updates

A. Administrative Orders, Memorandums, and Training

Ms. Cindy Cook reviewed the Administrative Orders, memorandums, and timeline for the committee.

i. Project Timeline Review and Update

Phase 1, which includes approval of standards for Felony, Civil, Juvenile Permanency Hearing, Termination of Parental Rights, Delinquency, and DUI case types, is nearly complete. Submission of reports for the time period beginning April 1, 2015 through June 30, 2015 is due in July 2015.

Phase 2, which includes approval of standards for Juvenile Adjudication Hearings, Dissolution, and Traffic case types, is proceeding concurrently with Phase 1 and will continue into 2016. Training on reports in AZTEC for the Traffic case type began in January 2015, and will result in the submission of reports to the AOC in January 2016 for the reporting period October 1, 2015 through December 31, 2015.

Phase 3, which includes approval of standards for Probate Estate Administration, Probate Mental Health, Probate Guardianship/Conservatorship, Misdemeanor, Justice Civil, and Small Claims case types, is proceeding concurrently with Phases 1 and 2, and will continue into 2015. This phase is in its beginning stage.

ii. Administrative Orders and Memorandum Review

Ms. Cook summarized the Administrative Orders issued and statewide memorandums released since the last meeting of this body.

Administrative Order 2014-81, issued in August 2014, adopted as final the case processing time standards for Superior Court Civil, Criminal Felony, Criminal DUI Misdemeanor, Juvenile Delinquency and Status Offense, Juvenile Neglect and Abuse, and Juvenile Termination of Parental Rights case types. In addition, a memorandum was sent to the presiding judges, court administrators and clerks of court which explained that in order to allow time to work with the draft reports, the first submission date for the Summary Time to Disposition Reports for the case types listed above will be July 31, 2015, for the reporting period of March 1, 2015 through June 30, 2015. (Note that the reporting period was later revised to *April 1, 2015* through June 30, 2015 in a separate memorandum to the courts). Another memorandum to courts explained that in order to allow time for data clean-up, the 2008 requirement to submit DUI reports on a quarterly basis was

suspended, and the next submission date for the Summary Time to Disposition Reports for the Misdemeanor DUI case type will be July 31, 2015, for the reporting period of April 1, 2015 through June 30, 2015.

Administrative Order 2014-96, issued in October 2014, ordered the term of the members of the Steering Committee on Arizona Case Processing Standards be extended to December 31, 2016.

Administrative Order 2014-108, issued in November 2014 adopted as final the case processing time standards for Family Law Dissolution and Allocation of Parental Responsibility, Juvenile Adjudication Hearings in the Superior Court, and Civil Traffic case types. In addition, a memorandum was sent to the presiding judges, court administrators and clerks of court which explained that in order to allow time to work with the draft reports, the first submission date for the Summary Time to Disposition Reports for the above referenced case types will be January 2016, for the reporting period of October 1, 2015 through December 30, 2015. Another memorandum invited all justice and municipal courts to register for reports training in AZTEC.

B. Superior Court Case Types

i. Probate Administration of Estates Case Type

In the last meeting of this body, the Probate Administration of Estates case type was discussed. Issues were raised about the practice used in Maricopa and Pima counties which holds Affidavit of Succession to Real Property cases open for up to one year after the probate registrar has file stamped the affidavit (whereas the 13 AJACS courts close these cases immediately). In the last meeting, it was moved that the committee delay approval of the Probate Administration of Estates provisional time standard until additional information was provided regarding how this practice affects the standard.

Ms. Cindy Cook conducted an investigation, and with the assistance of stakeholders in Maricopa and Pima counties, a recommendation was made to include the following language in red in the Calculation of Time column on the Arizona Case Processing Time Standard Summary Chart:

SUPERIOR COURTS			
CASE TYPE	STANDARD	CALCULATION OF TIME	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). OR Filing of Affidavit of Succession to Real Property to the date the probate registrar stamps the Affidavit.	<ul style="list-style-type: none"> • Pre-adjudication special actions/ appeals • Bankruptcy

The additional language in the Calculation of Time column would allow the courts to measure from the filing of the affidavit to the date the probate registrar stamps the affidavit instead of measuring to the date the case is closed. This change will allow Pima and Maricopa County to have the same measurement as the other 13 counties on the AJACS case management system, and will allow these two counties to keep their current business practice of leaving the case open for six months to a year for the filing of opposition.

- Motion was made by Mr. Kent Batty to make the following changes to the Arizona Case Processing Time Standards Summary Chart.
 1. Add the language “or Filing of Affidavit of Succession to Real Property to the date the probate registrar stamps the Affidavit” in the Calculation of Time column.

Seconded by Judge Richard Fields. Motion passed unanimously.

Ms. Cindy Cook and the group discussed approving the Probate Administration of Estates Provisional Standard as final.

- Motion was made by Judge Sally Simmons to adopt the Probate Administration of Estates standard of 50% within 360 days, 75% within 540 days, and 95% within 720 days with a delayed effective date of January 1, 2016. Seconded by Judge Richard Fields. Motion passed unanimously.

ii. **Probate Guardianship/Conservatorship Case Type**

The group discussed changes to the Probate Guardianship/Conservatorship time standard language and approval of the provisional standard. Ms. Cindy Cook investigated the case management systems report capabilities regarding the exclusion of elder abuse cases in the provisional standard. She discovered that most of the case management systems do not have the ability to exclude this case type. The statewide average for time to disposition on probate guardianship/conservatorship cases was 80% within 90 days and 97% within 365 days, making the provisional standard of 80% within 90 days and 98% within 365 days an achievable goal.

To ensure that all the counties are measuring the cases the same way, it is being recommended that the following language in red be added to the Standard column on the Arizona Case Processing Time Standard Summary Chart:

SUPERIOR COURTS			
CASE TYPE	STANDARD	CALCULATION OF TIME	EXCLUDED TIME
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. ✓ The appointment of temporary guardian/ conservators and appointment of guardian ad litem are excluded. ✓ Orders appointing limited guardian are included.	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

- Motion was made by Judge Richard Fields to make the following changes to the Arizona Case Processing Time Standards Summary Chart, as well as adopt the Probate Guardianship / Conservatorship standard of 80% within 90 days and 98% within 365 days as final with a delayed effective date of January 1, 2016.
 1. Remove the language “and elder abuse cases” in the Standard column.

2. Add the language “The appointment of temporary guardian/ conservators and appointment of guardian ad litem are excluded” in the Standard column.
3. Add the language “Orders appointing limited guardian are included” in the Standard column.

Seconded by Judge Eric Jeffery. Motion passed unanimously.

iii. Probate Mental Health Case Type

The group discussed approval of the provisional standard for Probate Mental Health Cases. The statewide average for disposing of mental health cases is 90% within 15 days, making the provisional standard of 98% within 15 days achievable.

- Motion was made by Mr. Kent Batty to adopt the Probate Mental Health Cases provisional standard of 98% within 15 days as final with a delayed effective date of January 1, 2016. Seconded by Judge Sally Simmons. Motion passed unanimously.

C. Excluded Time Column in Arizona Case Processing Time Standards Summary Chart.

i. Excluded time for specialty courts/programs

The group recommended that Specialty courts/programs be included in the Excluded Time column as shown in red for the case types listed below. The inclusion of this language will exclude time for those individuals who are sent to drug court, veteran court or any other pre-adjudication specialty court or program where charges may be dismissed once the program is completed.

SUPERIOR COURTS			
CASE TYPE	STANDARD	CALCULATION OF TIME	EXCLUDED TIME
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 • Specialty courts/programs • Pre-adjudication special actions/appeals

JUVENILE CASES			
CASE TYPE	STANDARD	CALCULATION OF TIME	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 • Specialty courts/programs

JUSTICE AND MUNICIPAL COURTS			
CASE TYPE	STANDARD	CALCULATION OF TIME	EXCLUDED TIME
MISDEMEANOR DUI (Effective Date January 1, 2015)	85% within 120 days 93% within 180 days ✓ Criminal misdemeanor cases are excluded. ✓ Criminal traffic cases are excluded. ✓ Criminal local ordinance cases are excluded.	Filing of complaint through disposition (e.g., dismissal, acquittal or judgment and sentencing).	<ul style="list-style-type: none"> • Warrants • Rule 11 mental competency • Pre-adjudication diversions • Specialty courts/programs • Pre-adjudication special actions/appeals
CIVIL TRAFFIC (Effective Date July 1, 2015)	65% within 30 days 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 • Defensive driving school programs • Specialty courts/programs • Servicemembers Civil Relief Act
MISDEMEANOR (Effective Date January 1, 2016)	75% within 60 days 90% within 90 days 98% within 180 days ✓ 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.	Filing of complaint through disposition (e.g., dismissal, acquittal or judgment and sentencing).	<ul style="list-style-type: none"> • Warrants • Rule 11 mental competency • Pre-adjudication diversions • Specialty courts/programs • Pre-adjudication special actions/appeals

- Motion was made by Judge Eric Jeffery to amend the Arizona Case Processing Time Standards Summary Chart Excluded Time column to include the language “Specialty courts/programs” under “Pre-adjudication diversions” in Felony, Delinquency and Status Offense, Misdemeanor DUI, Civil Traffic, and Misdemeanor case types. Seconded by Judge Jill Davis. Motion passed unanimously.

ii. Excluded Time for Defensive Driving School Programs in the Civil Traffic Case Type

The group discussed the exclusion of time for defensive driving school programs in the reports. The time standard reports developed in the AZTEC case management system are excluding the time for defensive driving school programs. The other case management systems around the state are trying to verify that this information is captured in their systems so they can also exclude the time that the defendant is in the defensive driving school program in civil traffic cases. There was no opposition to the inclusion of the following language in red on the Arizona Case Processing Time Standards Summary Chart but a formal vote was not taken.

JUSTICE AND MUNICIPAL COURTS			
CASE TYPE	STANDARD	CALCULATION OF TIME	EXCLUDED TIME
CIVIL TRAFFIC (Effective Date July 1, 2015)	65% within 30 days 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 Specialty courts/programs Defensive driving school programs • Servicemembers Civil Relief Act

Judge Jill Davis mentioned that the Servicemembers Civil Relief Act may not be applicable to Civil Traffic cases. There are some courts in Arizona that are granting a stay pursuant to the Servicemembers Civil Relief Act in civil traffic cases. Ms. Cook agreed to investigate the issue and will report back to this body in the next meeting.

**iii. Excluded Time for Arbitration/Mediation for the Family Law
Dissolution and Allocation of Parental Responsibility Case Type**

The group discussed the possibility of excluding time for mediation and arbitration in the Family Law Dissolution and Allocation of Parental Responsibility case type. Originally the family law workgroup only excluded time if a petition invoking the jurisdiction of conciliation court was filed. The petition is filed for the purpose of preserving the marriage and should not be rushed. The Conciliation Court also provides other services such as evaluations, child interviews, arbitrations and mediations in approximately 16% of the cases. When the family law workgroup developed standards for dissolution cases they originally incorporated three to five weeks into the timeline for evaluations, parenting classes, child interviews, mediations, and arbitrations. The services provided by the Conciliation Court for the dissolution of the marriage can be divided into two groups:

1. Evaluations, parenting classes and child interviews - The three to five weeks incorporated into the timeline for evaluations, parenting classes and child interviews is probably sufficient in most counties.
2. Arbitrations and mediations- In many counties working through these processes takes longer than three to five weeks, and in some counties, can take up to ten weeks. The group discussed the options for the calculation of time if the arbitration and mediations group of services were to be excluded.

The Steering Committee discussed the following three options for the calculation of time when the parties are sent to mediation and arbitration:

1. Keep the current standard for dissolution cases. The provisional standards appear to be achievable based on the statewide averages for Fiscal Year 2013/2014. The standard is 75% within 180 days and the statewide average was 70%, 90% within 270 days and the statewide average was 84%, and 98% with 365 days and the statewide average was 93%.
2. Add additional time to the provisional standard and don't exclude the time for mediations and arbitrations. This information may not be captured in the case management systems and adding additional time in the standard for mediation and arbitration cases may be easier than trying to capture the data.
3. Add the following language in red to the Excluded Time column of the Arizona Case Processing Time Standards Summary Chart.

SUPERIOR COURTS			
CASE TYPE	STANDARD	CALCULATION OF TIME	EXCLUDED TIME
FAMILY LAW DISSOLUTION AND ALLOCATION OF PARENTAL 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/decre or order.	<ul style="list-style-type: none"> • Pre-adjudication special actions/ appeals • Bankruptcy • Servicemembers Civil Relief Act • Conciliation Court this includes mediation and arbitration • Pending juvenile

A committee member recommended collection of additional data to determine how many cases are affected. Ms. Cindy Cook will present additional data to this body in the next meeting.

No action was taken at this time regarding adding language to the Arizona Case Processing Time Standards Summary Chart.

D. Justice and Misdemeanors Court Case Types

i. Misdemeanor Case Type

The group discussed approval of the proposed standard for the Misdemeanor case type. The proposed standard is 75% within 60 days, 90% within 90 days, and 98% within 180 days. Statistics for 2014 were presented for 15 justice courts, 16 municipal courts, as well as 25 Maricopa justice courts. It was noted that the Maricopa case management system does not currently have the ability to exclude warrant time and 26% of the cases in Maricopa County have warrants. In calendar year 2014 the courts averaged 52% within 60 days, 66% within 90 days, and 83% within 180 days. It was noted that the statewide average would show a slight improvement when warrant time is excluded.

Discussion centered on the achievability of all three tiers of the standard. It was pointed out that the standard of 98% within 180 days was attainable, whereas the 60 and 90 day standards may not be. A committee member questioned the viability of the 60 and 90 day standards in relation to jury trials. Arizona is one of the few states that allow jury trials for misdemeanor

offenses, and the 60 and 90 day standards may not be reasonable with this in mind.

Additionally, there were concerns raised about the quality of the data provided as Excluded Time was not factored in the statistics provided to the body. Both of these concerns lead to a consensus that the 180 day standard was attainable, but additional data, that included excluded time, was necessary to approve the other two provisional standards as proposed.

- Motion was made by Judge Steven McMurry to adopt the standard of 98% within 180 days with a delayed effective date of January 1, 2016 and postpone approval of the 60 and 90 day provisional standards until improved data is available for review by this committee. Seconded by Judge Jill Davis. Motion passed unanimously.

ii. Justice Courts Civil Case Type

The group discussed approval of the provisional standard for the Justice Court Civil case type. Ms. Cook presented some Time to Disposition Report results for this case type for 15 justice courts, 15 municipal courts, as well as 25 Maricopa justice courts. It was noted that the Maricopa case management system does not currently have the ability to exclude time and represented a majority of the cases in the study. In calendar year 2014 the courts averaged 60% within 180 days, 78% within 270 days, and 86% within 365 days. It was noted that in some courts exclusionary codes are not being used consistently, and that these numbers will likely improve with better data management and cleanup.

Questions were raised about the necessity of the 270 day standard. The standard of 90% within 270 days seemed illogical in relation to the next standard of 98% within 365 days. The widest gap between current court performance and the provisional standard occurs within 270 days. In rebuttal, it was reasoned that the 270 standard is necessary to encourage courts to work the cases at the six month mark, leaving only the truly challenging 8% of cases to the 365 day standard, thereby adjudicating most cases in a timely manner.

There was consensus among the committee members that in order to better serve the public interest, most civil cases in justice court should be adjudicated within one year.

- Motion was made by Judge Steven McMurry to adopt the standard of 75% within 180 days, 90% within 270 days, and 98% within 365 days with a delayed effective date of January 1, 2016. Seconded by Judge Mark Moran. Motion passed unanimously.

iii. Justice Court Small Claims Case Type

The group discussed approval of the provisional standard for the Justice Court Small Claim case type. Ms. Cook presented some time to disposition report results for this case type for 26 AZTEC courts, and 25 Maricopa justice courts. It was noted that the Maricopa case management system does not currently have the ability to exclude time. In calendar year 2014 the courts averaged 36% within 90 days, 47% within 120 days, and 66% within 180 days.

Questions were raised about the achievability of the provisional standard and the accuracy of the data provided. It was noted that some courts allow small claim cases to go to mediation, and that this may be playing a role in the time to disposition process. There was a consensus that further investigation into the court practices and data accuracy were required to move forward with approval of this standard.

- Motion was made by Judge Steven McMurry 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. Seconded by Judge Jill Davis. Motion passed unanimously.

iv. Reports Developed

Ms. Cook displayed examples of the AZTEC case management reports developed since the last meeting of this committee: Time to Disposition Summary Report, Time to Disposition Detail Report, Age of Active Pending Summary Report, and the Age of Active Pending Detail Report.

E. Civil Traffic Case Type Implementation (Non-Agenda Item)

There was a brief discussion on the Civil Traffic case type to become effective July 1, 2015. A committee member mentioned receiving some objections from court staff regarding the achievability of the first standard, 65% within 30 days. It was pointed out that the cases in the first tier are generally cases where the accused would like to resolve the matter quickly, so achieving the first tier standard of 65% within 30 days isn't a reflection of courts ability to manage cases. It was further noted that new legislation had passed and effective July 3, 2015 an individual will be able to attend defensive driving school every year instead of every two years. This may increase the number of cases disposed in the first tier.

F. Phase 4 and Phase 5 Development Plan

At the next meeting, reports will have been developed for the case types listed in Phase 4. This will include Civil Local Ordinances, Evictions, Criminal Post-Conviction Relief and Family Law Temporary Orders. It is anticipated that Phase 5 will be completed by late 2016.

G. Arizona Case Processing Standards Reporting (Non-Agenda Item)

Concerns were raised about the end results of reporting case processing data after all the standards are adopted. A committee member questioned the Chair regarding the review of the reports by the Arizona Supreme Court, and revealed that she heard feedback from judges who were concerned about negative effects for those courts not meeting the standards. The Chair explained that the purpose of this project is to improve case processing in Arizona to better serve the public. He explained that the Executive Summary clarifies that the resulting reports are not intended to be used in disciplining individual judges or courts. Further he explained that ultimately these reports will be made public, so in that respect, judges will be held accountable. The Chair went on to say that he is not aware of any discussions at the Arizona Supreme Court level regarding how the report review process may occur.

There was discussion regarding periodic review of the standards. It was pointed out that diminishing resources and case load increases may need to be taken into account in future reviews of the standards. In response, it was said that one positive outcome of reporting could be use of the reports to help assure proper funding for case management.

III. New Business

A. Judicial Conference Presentation

Ms. Cook discussed a presentation she is coordinating at the June 2015 Judicial Conference. She solicited the group for suggestions on any “Best Practices” that might be shared with the judiciary. Please send any suggestions or comments to Cindy Cook at (602) 452-3168 or ccook@courts.az.gov.

B. October 2015 Meeting Dates

The group discussed possible meeting dates in October 2015 for the committee. Ms. Cook agreed to send an email with date suggestions as soon as possible.

Editor's Note: Ms. Cook provided the committee with several dates via email on April 21, 2015. The responses tallied indicate that the best date/time was October 14, 2015 from 1:30 p.m. – 3:30 p.m.

IV. Old Business

None

V. Call to Public

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

VI. Adjournment

The meeting was adjourned at 3:13 p.m.

VII. Next Committee Meeting Date:

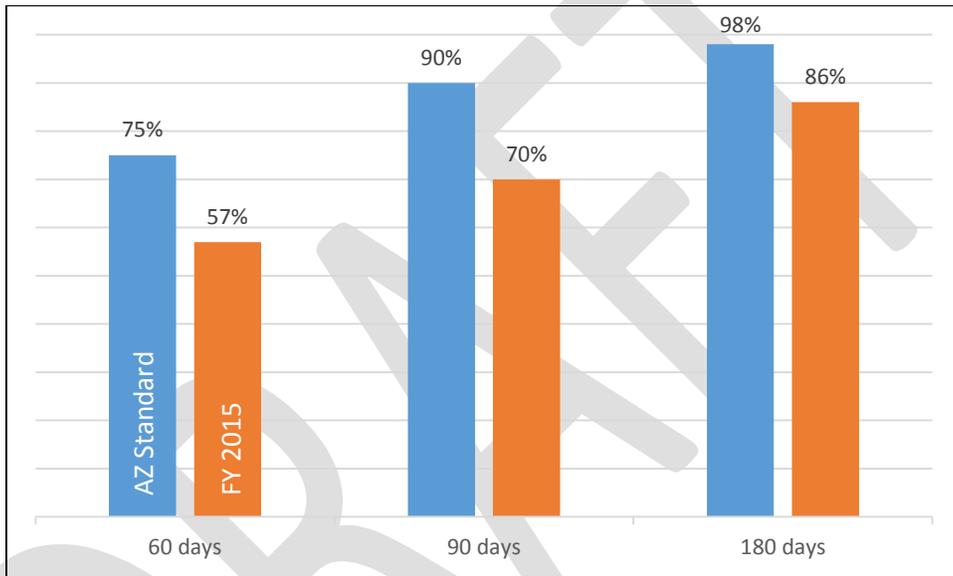
October 14, 2015
1:30 p.m. – 3:30 p.m.
State Courts Building, Room 230
1501 W. Washington St., Phoenix, AZ, 85007

Phase 4 Data

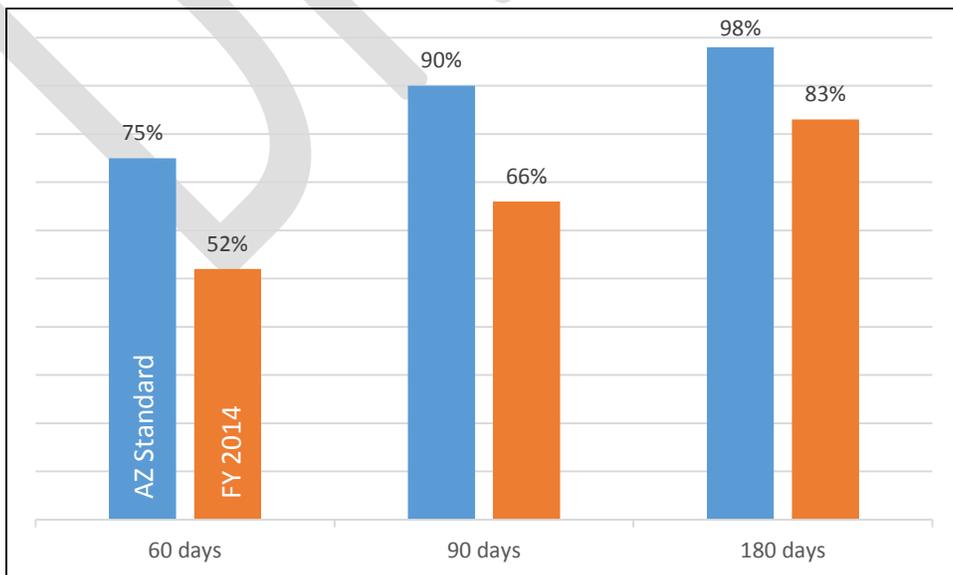
Misdemeanor

31 courts sampled, 14,307 cases
Approved Standard: 98% within 180 days

Proposed Standards: 75% within 60 days, 90% within 90 days



Fiscal Year 14 Data



WARNING: ALL DATA AND CHARTS ARE IN DRAFT FORM, AND INTENDED FOR INTERNAL USE

Misdemeanor

31 courts sampled, 14,307 cases
Approved Standard: 98% within 180 days

Proposed Standard: 75% within 60 days, 90% within 90 days

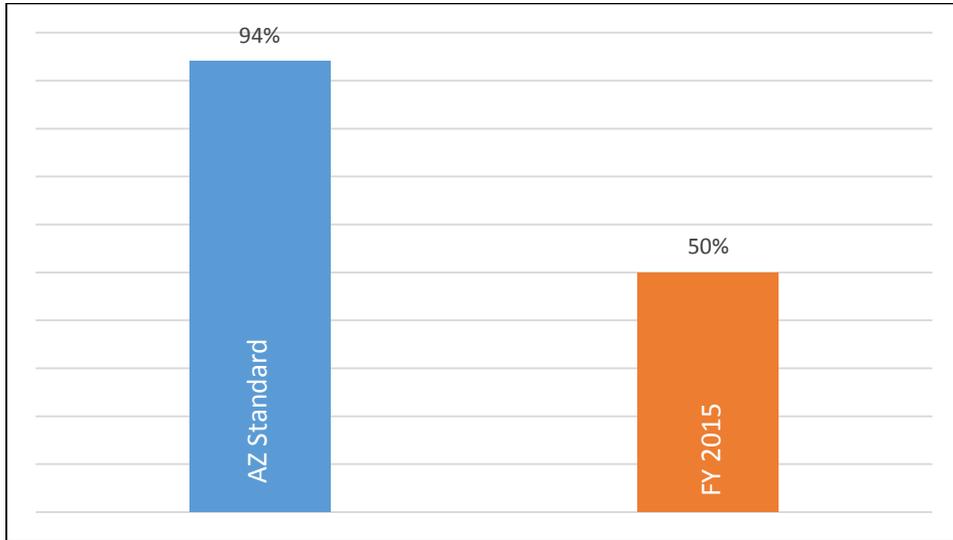
	60 days	90 days	180 days
Courts Meeting Standard	5 (16%)	3 (10%)	3 (10%)
Courts within 10% of Standard	6 (19%)	4 (13%)	11 (35%)
Courts more than 10% away from Standard	20 (65%)	24 (77%)	17 (55%)

Court	0-60	61-90	91-180	181+	0-60	61-90	91-180
	Number of Cases				Cumulative Percentage		
1	433	94	132	62	60%	73%	91%
2	11	5	3	6	44%	64%	76%
3	508	39	32	24	84%	91%	96%
4	24	3	2	7	67%	75%	81%
5	559	95	199	50	62%	72%	94%
6	99	8	4	4	86%	93%	97%
7	128	43	29	18	59%	78%	92%
8	53	14	29	23	45%	56%	81%
9	176	18	21	32	71%	79%	87%
10	64	10	12	4	71%	82%	96%
11	44	9	7	0	73%	88%	100%
12	64	8	8	7	74%	83%	92%
13	24	6	17	10	42%	53%	82%
14	386	58	37	5	79%	91%	99%
15	1159	307	284	160	61%	77%	92%
16	434	92	188	304	43%	52%	70%
17	974	230	196	230	60%	74%	86%
18	251	34	64	73	59%	68%	83%
19	13	1	1	1	81%	88%	94%
20	152	38	59	38	53%	66%	87%
21	259	40	56	30	67%	78%	92%
22	67	12	16	22	57%	68%	81%
23	380	34	37	5	83%	91%	99%
24	411	131	245	215	41%	54%	79%
25	84	79	99	29	29%	56%	90%
26	235	86	118	243	34%	47%	64%
27	189	71	125	107	38%	53%	78%
28	316	111	150	64	49%	67%	90%
29	527	146	181	128	54%	69%	87%
30	99	12	22	30	61%	68%	82%
31	25	6	5	10	54%	67%	78%
Statewide	8148	1840	2378	1941	57%	70%	86%

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Criminal Post-Conviction Relief

Proposed Standard: 94% in 180 days
15 courts sampled, 2 courts had 0 cases, 2033 cases



	180 days
Courts Meeting Standard	0 (0%)
Courts within 10% of Standard	1 (8%)
Courts more than 10% away from Standard	12 (92%)

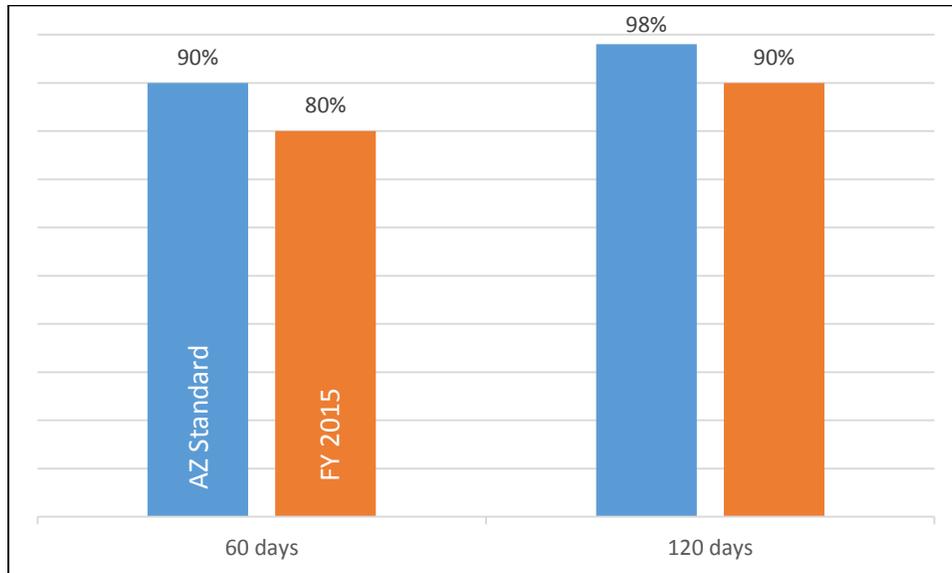
County	0-180 days	181+ days	0-180 days
	Number of Cases		Percentage
1	1	1	50%
2	34	58	37%
3	11	21	34%
4	2	4	33%
5	1	2	33%
6	1	2	33%
7	4	9	31%
8	13	37	26%
9	1	5	17%
10	0	4	0%
11	0	3	0%
12	0	0	na
13	0	0	na
14	413	30	93%
15	526	850	38%
Statewide	68	146	73%

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Family Law Temporary Orders

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

13 courts sampled, 604 cases



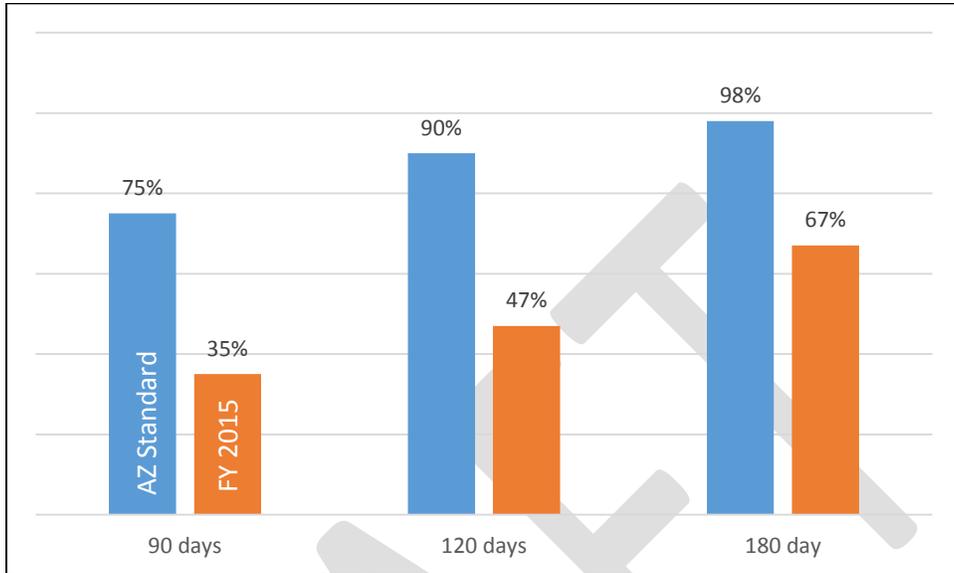
	60 days	120 days
Courts Meeting Standard	3 (21%)	4 (29%)
Courts within 10% of Standard	4 (29%)	4 (29%)
Courts more than 10% away from Standard	7 (50%)	6 (43%)

County	0-60 days	61-120 days	121+ days	0-60 days	61-120 days
	Number of Cases			Cumulative Percent	
1	8	0	0	100%	100%
2	30	2	0	94%	100%
3	114	5	7	90%	94%
4	108	8	10	86%	92%
5	87	8	7	85%	93%
6	13	3	0	81%	100%
7	29	12	5	63%	89%
8	1	0	1	50%	50%
9	1	0	1	50%	50%
10	22	5	31	38%	47%
11	22	7	29	38%	50%
12	9	2	15	35%	42%
13	0	0	2	0%	0%
14	443	63	1	87%	100%
Statewide	444	52	108	80%	90%

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Small Claims

Proposed Standard: 75% within 90 days, 90% within 120 days, 98% within 180 days
 54 courts sampled, 10,996 cases (includes Maricopa)



	90 days	120 days	180 days
Courts Meeting Standard	2	1	1
Courts within 10% of Standard	1	2	5

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Small Claims

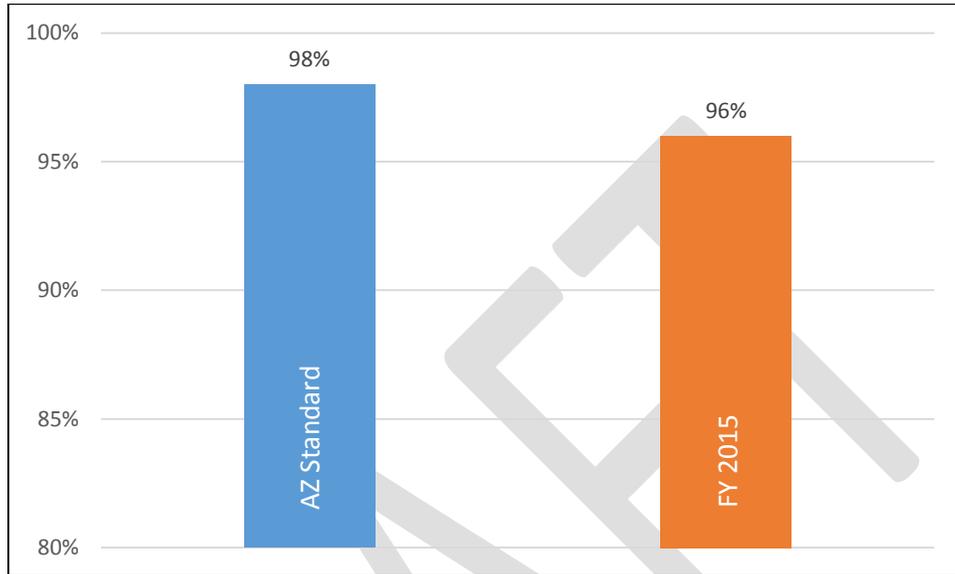
Proposed Standard: 75% within 90 days, 90% within 120 days, 98% within 180 days
54 courts sampled, 10,996 cases (includes Maricopa)

Court	0-90	91-120	121-180	180+	0-90	91-120	121-180
	Number of Cases				Cumulative Percentage		
1	1	0	0	0	100%	100%	100%
2	0	0	0	1	0%	0%	0%
3	19	7	15	24	29%	40%	63%
4	25	10	30	48	22%	31%	58%
5	41	12	10	142	20%	26%	31%
6	6	0	3	1	60%	60%	90%
7	6	3	7	16	19%	28%	50%
8	16	6	10	23	29%	40%	58%
9	11	5	5	1	50%	73%	95%
10	5	0	0	10	33%	33%	33%
11	1	1	1	1	25%	50%	75%
12	0	0	0	1	0%	0%	0%
13	8	2	4	36	16%	20%	28%
14	2	1	2	9	14%	21%	36%
15	5	1	1	12	26%	32%	37%
16	17	7	10	5	44%	62%	87%
17	0	0	0	1	0%	0%	0%
18	20	5	8	3	56%	69%	92%
19	74	26	17	18	55%	74%	87%
20	21	11	9	15	38%	57%	73%
21	58	7	8	29	57%	64%	72%
22	1	0	0	3	25%	25%	25%
23	20	1	4	4	69%	72%	86%
24	40	11	39	8	41%	52%	92%
25	144	68	26	157	36%	54%	60%
26	14	6	6	9	40%	57%	74%
27	5	0	0	1	83%	83%	83%
28	6	3	1	1	55%	82%	91%
MCJC	3238	1123	2002	3079	34%	46%	67%
Statewide	3804	1316	2218	3658	35%	47%	67%

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Eviction Actions

Standard: 98% within 10 days
52 courts sampled, 66,175 cases (includes Maricopa)



	10 days
Courts Meeting Standard	5
Courts within 10% of Standard	8+ MCJC

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Eviction Actions

Standard: 98% within 10 days

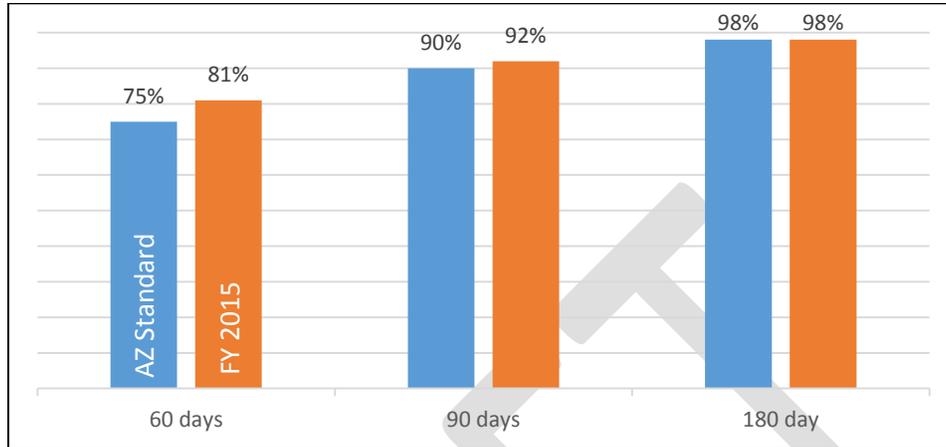
52 courts sampled, 63,844 cases (includes Maricopa)

Court	0-10	11-20	21-30	31+	0-10
	Number of Cases				Cumulative Percent
1	15	10	2	1	54%
2	188	49	5	5	76%
3	347	13	4	3	95%
4	8	0	0	0	100%
5	89	6	1	1	92%
6	88	5	1	2	92%
7	43	3	0	3	88%
8	19	5	0	0	79%
9	2	0	0	0	100%
10	2	0	0	0	100%
11	31	3	1	1	86%
12	18	0	0	0	100%
13	3	2	0	0	60%
14	54	0	0	1	98%
15	1	2	0	0	33%
16	20	9	1	2	63%
17	470	11	0	1	98%
18	0	17	4	0	0%
19	232	9	0	1	96%
20	1	0	0	1	50%
21	47	1	0	0	98%
22	187	5	0	2	96%
23	397	137	15	3	72%
24	46	4	1	3	85%
25	18	2	0	0	90%
26	15	5	1	0	71%
MCJC	61139	2331			96%
Total	63480	298	36	2361	96%

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Civil Local Ordinances

Standard: 75% within 60 days, 90% within 90 days, 98% within 180 days
42 courts sampled, 6,680 cases (includes Maricopa)



	60 days	90 days	180 days
Courts Meeting Standard	11+ MCJC	11+MCJC	11+ MCJC
Courts within 10% of Standard	3	1	2

Court	0-60	61-90	91-180	181+	0-60	61-90	91-180
	Number of Cases				Cumulative Percentage		
1	12	0	2	4	67%	67%	78%
2	4	1	0	0	80%	100%	100%
3	70	0	3	0	96%	96%	100%
4	1	0	0	0	100%	100%	100%
5	4	2	0	0	67%	100%	100%
6	9	0	0	0	100%	100%	100%
7	13	2	3	1	68%	79%	95%
8	412	123	8	1	76%	98%	100%
9	2978	370	18	1	88%	99%	100%
10	3	0	0	2	60%	60%	60%
11	9	1	0	0	90%	100%	100%
12	72	19	11	84	39%	49%	55%
13	1618	160	369	8	75%	83%	100%
14	6	0	0	0	100%	100%	100%
15	146	28	4	4	80%	96%	98%
16	9	0	0	0	100%	100%	100%
MCJC	73	8	3	1	86%	95%	99%
Statewide	5439	714	421	106	81%	92%	98%

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Phase 1 Data

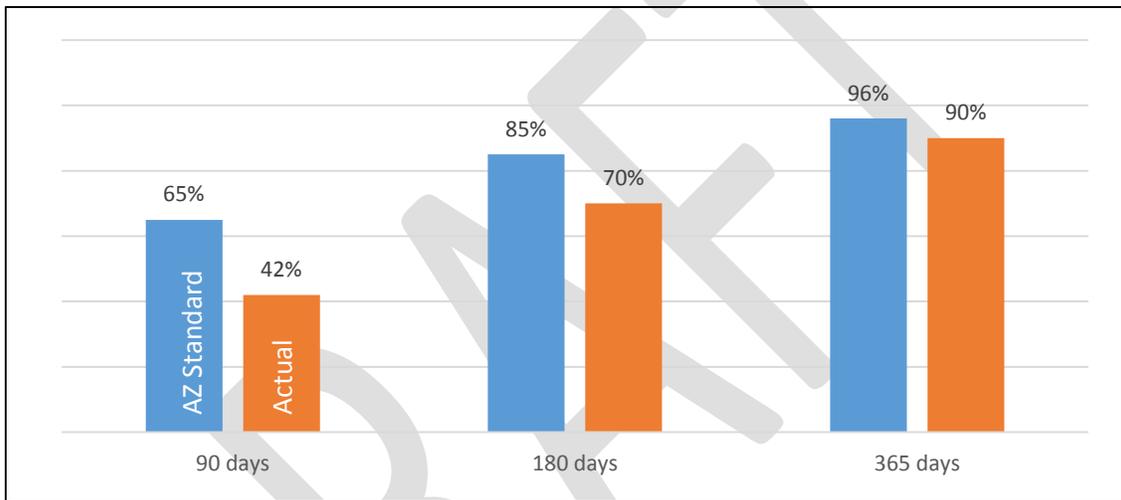
General Jurisdiction Felony

Standard:

65% within 180 days - 85% within 365 days - 96% within 540 days

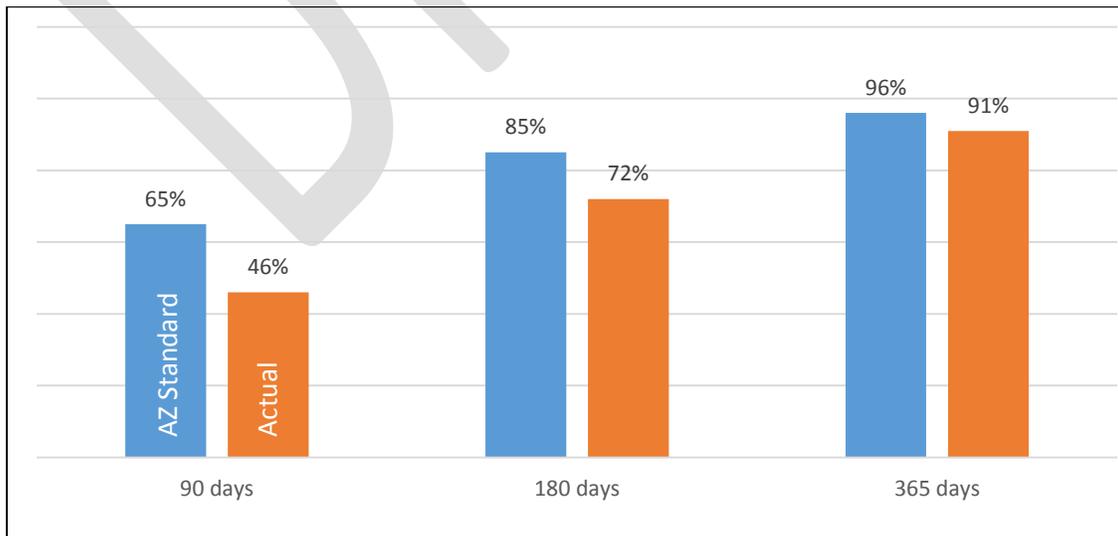
April – June 2015

12 Courts (80%) reporting, 11,119 cases



January-December 2013

15 courts reporting, 12,177 cases



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General Jurisdiction Felony

Standard:

60% within 180 days - 90% within 365 days - 96% within 540 days

12 Courts (80%) reporting, 11,119 cases

	0-90 days		91-180 days		181-365days	
	FY2013	FY2015	FY2013	FY2015	FY2013	FY2015
Courts Meeting Standard	0	2 (17%)	0	3 (25%)	1 (3%)	3 (25%)
Courts within 10% of Standard	3 (20%)	2 (17%)	5 (33%)	2 (17%)	12 (80%)	9 (75%)
Courts more than 10% away from Standard	12 (80%)	8 (67%)	10 (67%)	7 (58%)	2 (17%)	0

Courts Meeting Standards

Court	0-90 days	91-180 days	181-365days
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 FY2015	↓ 42%	↓ 69%	→ 90%
Statewide FY2013	↓ 46%	↓ 72%	→ 91%

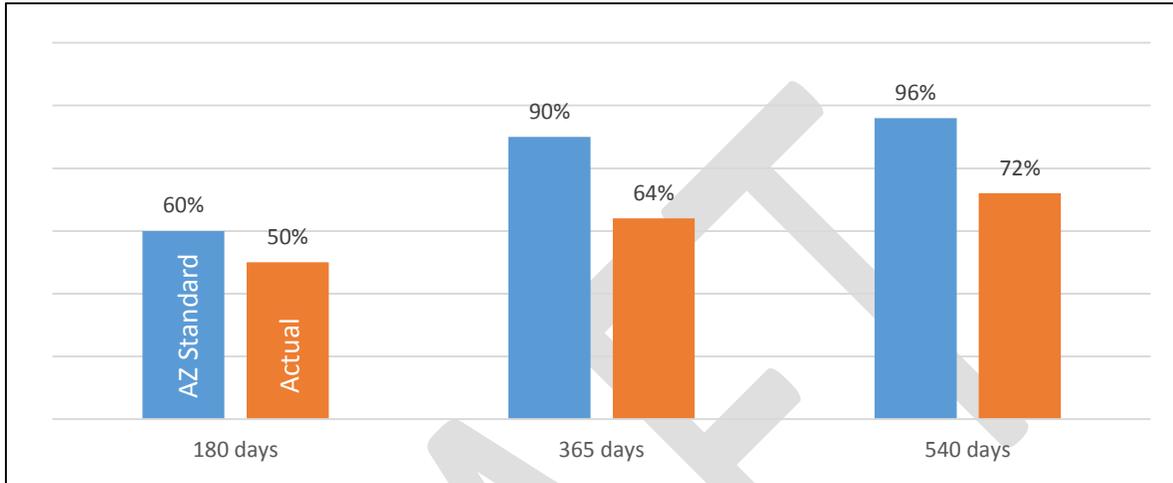
General Jurisdiction Civil

Standard:

60% within 180 days - 90% within 365 days - 96% within 540 days

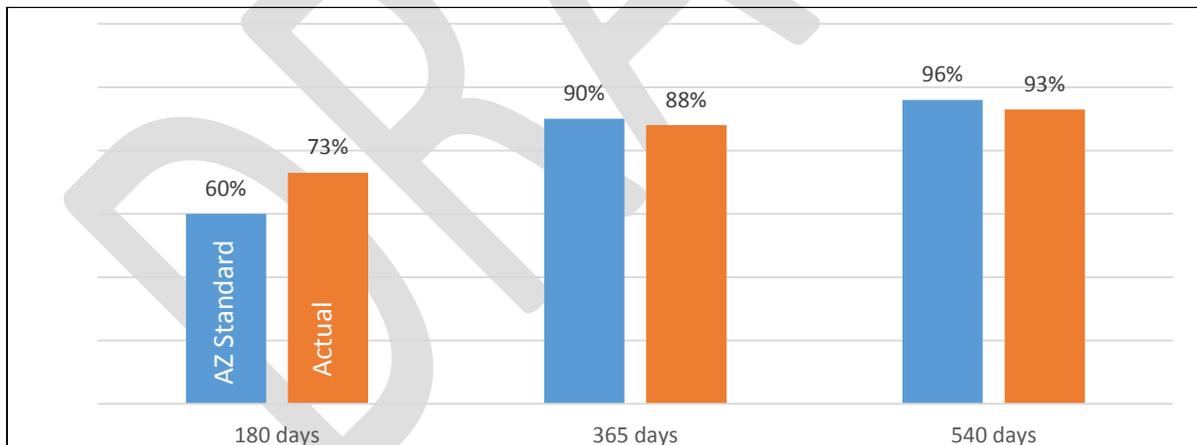
April – June 2015

12 courts (80%) reporting, 18,020 cases



January – December 2013

15 courts reporting, 11,506 cases



General Jurisdiction Civil

Standard:

60% within 180 days - 90% within 365 days - 96% within 540 days
12 courts (73%) reporting, 18,020 cases

	0- 180 days		181- 365 days		366-540 days	
	FY2013	FY2015	FY2013	FY2015	FY2013	FY2015
Courts Meeting Standard	14 (93%)	8 (67%)	6 (43%)	7 (58%)	5 (33%)	2 (17%)
Courts within 10% of Standard	1 (7%)	3 (25%)	6 (43%)	4 (33%)	8 (53%)	6 (50%)
Courts more than 10% away from Standard	0	1 (8%)	2 (14%)	1 (8%)	2 (13%)	4 (33%)

Courts Meeting Standard

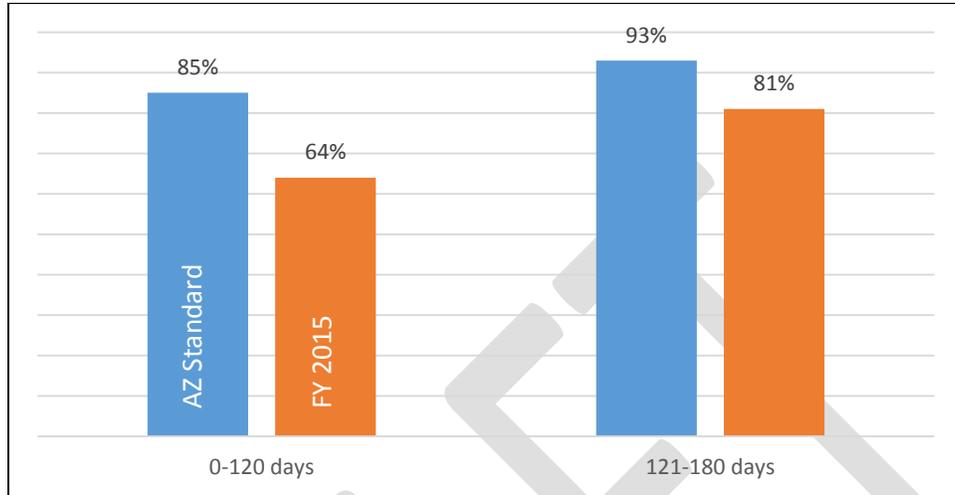
Court	0-180	181-365	366-540
1	↑ 71%	↑ 89%	↑ 97%
2	↑ 70%	↑ 87%	→ 91%
3	↑ 64%	↑ 81%	↓ 81%
4	↑ 80%	↑ 100%	↑ 100%
5	↓ 47%	↓ 60%	↓ 67%
6	↑ 65%	↑ 86%	→ 96%
7	↑ 64%	→ 74%	→ 86%
8	→ 56%	→ 79%	→ 93%
9	↑ 66%	↑ 84%	→ 90%
10	↑ 69%	↑ 87%	→ 93%
11	→ 58%	→ 71%	↓ 77%
12	→ 59%	→ 76%	→ 89%
Statewide 2015	↓ 50%	↓ 64%	↓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

Misdemeanor DUI

Standard:

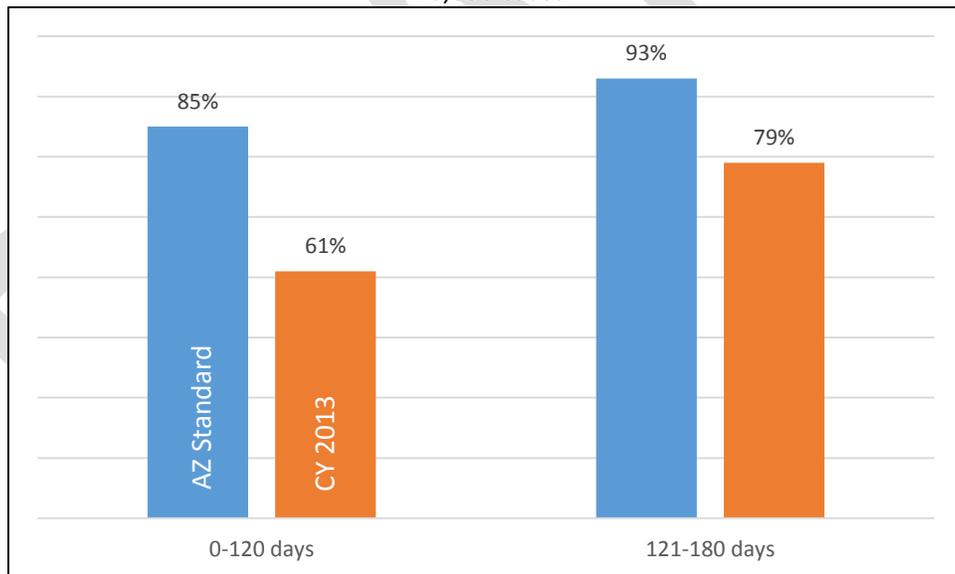
85% within 120 days, 93% within 180 days

129 Courts (79%) reporting, 6,486 cases



January – December 2013

20,636 cases



	0-120 days		121-180 days	
	FY2013	FY2015	FY2013	FY2015
Courts Meeting Standard	24 (80%)	25 (21%)	20 (67%)	36 (31%)
Courts within 10% of Standard	5 (17%)	24 (20%)	10 (33%)	35 (29%)
Courts more than 10% away from Standard	1 (3%)	69 (58%)	0	47 (40%)

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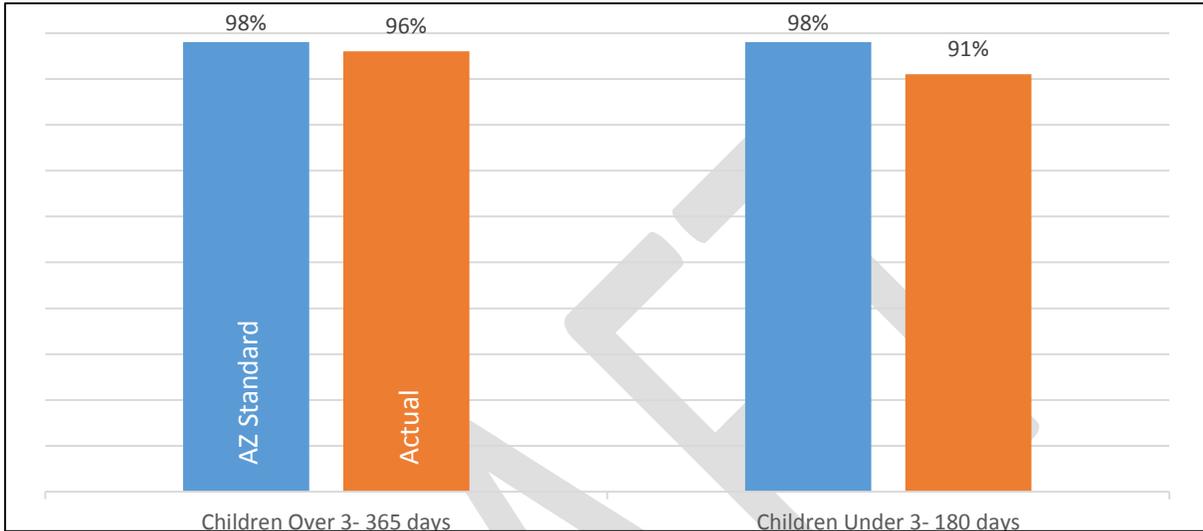
Juvenile Dependency Permanency Hearing

Standard:

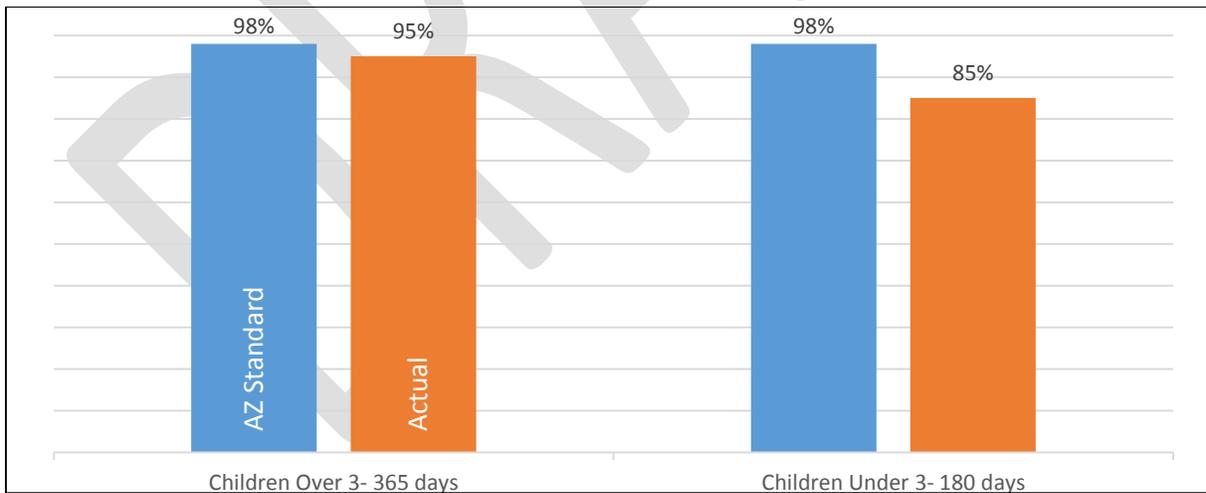
Children under 3, 98% within 180 days – Children over 3, 98% within 365 days

April – June 2015

9 courts (60%) reporting, 1992 children



January – December 2013
15 courts reporting, 6,789 children



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Juvenile Dependency Permanency Hearing

Standard:

Children under 3, 98% within 180 days – Children over 3, 98% within 365 days
9 courts (60%) reporting, 1992 children

	Children Under 3		Children Over 3	
	FY2013	FY2015	FY2013	FY2015
Courts Meeting Standard	3 (20%)	3 (43%)	6 (40%)	4 (50%)
Courts within 10% of Standard	2 (13%)	1 (14%)	4 (27%)	2 (25%)
Courts more than 10% away from Standard	10 (67%)	3 (43%)	5 (33%)	2 (25%)

Courts Meeting Standard

Court	Children under 3		Children over 3	
	0-180 days	180-365 days	0-180 days	180-365 days
1	na	↑	100%	
2	→	98%	↑	99%
3	↓	65%	→	89%
4	↓	77%	↓	86%
5	↓	69%	↓	88%
6	↑	100%	↑	100%
7	↑	100%	↑	100%
8	↑	100%	→	92%
Statewide 2015	→	91%	→	96%
Statewide 2013	↓	85%	→	95%

Note: One court reported 0 cases for this reporting period; court 1 reported no cases of children under 3 holding a permanency hearing during this reporting period.

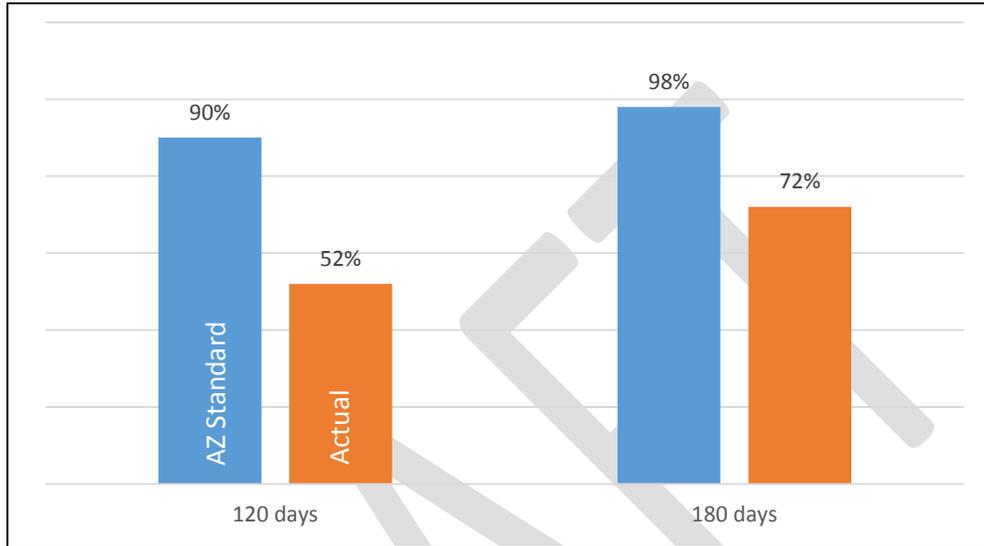
Juvenile Dependency Termination of Parental Rights

Standard:

90% within 120 days – 98% within 180 days

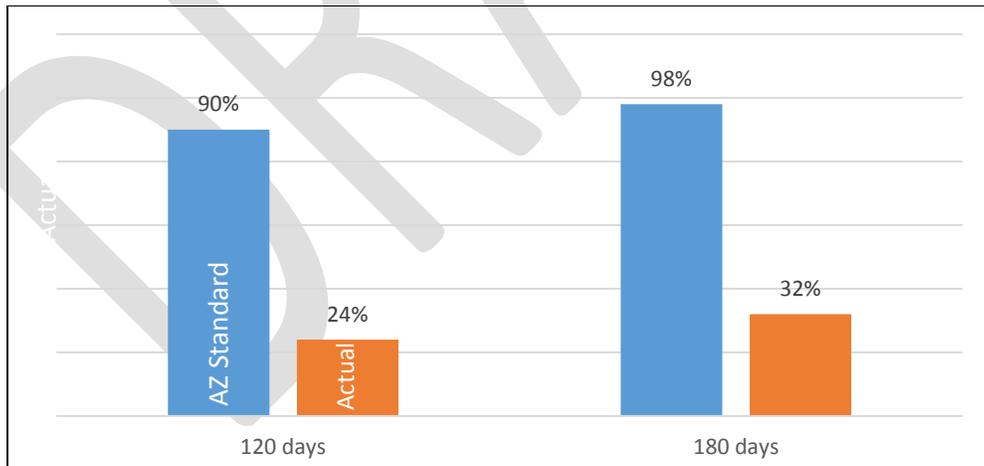
April – June 2015

9 courts (60%) reporting, 994 cases



January – December 2013

15 courts reporting, 1270 children



Juvenile Dependency Termination of Parental Rights

Standard:

90% within 120 days – 98% within 180 days
9 courts (60%) reporting, 994 cases

	0-120 days		121-180 days	
	FY2013	FY2015	FY2013	FY2015
Courts Meeting Standard	0	2 (25%)	1 (17%)	5 (63%)
Courts within 10% of Standard	1 (17%)	1 (13%)	0	0
Courts more than 10% away from Standard	5 (83%)	5 (63%)	5 (83%)	3 (37%)

Courts Meeting Standard

Court	0-120 days		121-180 days	
1	↑	100%	↑	100%
2	↓	48%	↓	65%
3	↓	0%	↑	100%
4	↓	53%	↓	76%
5	↓	60%	↑	100%
6	↓	50%	↑	100%
7	↑	100%	↑	100%
8	→	85%	↓	85%
Statewide FY2015	↓	52%	↓	72%
Statewide FY2013	↓	24%	↓	32%

Note: One court reported 0 cases for this reporting period.