

## GLENDALE RULE 11 PROCESS

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**ALL HANDLED BY ONE PUBLIC DEFENDER**

- ▶ Other public defenders have cases reset for pretrial to one public defender who meets with defendants
- ▶ If defendant has diagnosis of seriously mentally ill, defendant decides if they want to voluntarily enter Mental Health Court
  - ▶ Pre adjudicated sex offenses and DUI's are not eligible for MHC
- ▶ If case proceeds into MHC, case transferred to MHC with one of the two MHC public defenders
- ▶ If case proceeds to Rule 11, one public defender handles the case through conclusion

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**Rule 11 Process**

- ▶ Glendale has identified doctors who will travel to Glendale and
- ▶ Will submit complete reports
  - ▶ Our preference is doctors utilizing recognized assessments to determine competency
- ▶ Public defender schedules doctors and defendants and identifies the date for the Rule 11 hearing
- ▶ Public defender advises Court Program Coordinator of doctors' dates and hearing date
- ▶ Court Program Coordinator creates and files minute entry

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### Rule 11 process "continued"

- ▶ Public defender sends departmental reports and any other relevant information to the doctors
- ▶ Court Program Coordinator searches iCIS, retrieves any sealed doctors' reports from prior Rule 11's and sends the information to doctors
- ▶ Doctors report Glendale's process has resulted in them receiving more complete information on defendants than they have ever received on Rule 11 defendants in the past

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### Process

- ▶ All reports and invoices are sent to an email: [Rule11@glendaleaz.com](mailto:Rule11@glendaleaz.com)
- ▶ This email automatically distributes information to two judges, Court Program Coordinator and Lead Clerk
- ▶ Doctors' reports sent to single public defender for redaction and then sent to prosecutors
- ▶ Court Program Coordinator prepares minute entry based on the doctors' report
- ▶ Judge uses the minute entry as a script to preside over the Rule 11 hearing

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### PILOT STATISTICS TO DATE

Cases completed	44
Competent	4
Not Competent	39
Second evaluations conducted	41
Second evaluations consistent with the first	30
Third evaluations needed or granted	11
Average time from initial motion to conclusion	48 Days

- ▶ One case was withdrawn for Felony Prosecution
- ▶ One case had a stipulation for one doctor

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