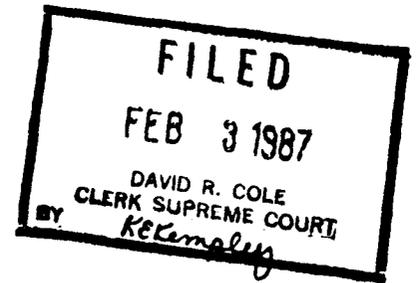


SUPREME COURT OF ARIZONA

EDUCATIONAL POLICIES AND STANDARDS

Administrative Order No. 87-4



In order to provide a comprehensive education and training program for the integrated judicial department of the State of Arizona and in accordance with the administrative authority vested in the Supreme Court by Article VI, Section 3 of the Arizona Constitution,

IT IS ORDERED THAT:

1. The attached policies and standards governing the creation and administration of an education and training program for judges and court personnel throughout the state are adopted.
2. The new policies and standards hereby adopted shall take effect on July 1, 1987, and shall supersede Administrative Orders 83-10, 85-2, 85-29, and 85-30.
3. The standards previously adopted by the Court shall remain in effect until June 30, 1987. Any credit earned for an educational program during the first six months of 1987 may be used to meet the educational requirements of the new standards. Credits earned under the new standards shall be reported on a fiscal year basis starting in 1988.

4. A copy of the policies and standards shall be distributed to all judges, court administrators, clerks of the superior court, chief probation officers, presidents of court-related professional associations, and to all persons who request copies no later than ninety days after the effective date of this order.

5. The Education Services Division of the Administrative Office of the Courts shall distribute materials and conduct seminars to assist courts in designing and implementing education programs prior to the effective date of the new standards.

DATED AND ENTERED this 27th day of January, 1987, at the State Capitol in Phoenix, Arizona.

FOR THE COURT

FRANK X. GORDON, JR.  
Chief Justice

Supreme Court of Arizona

**EDUCATIONAL POLICIES AND STANDARDS**

Effective July 1, 1987

**Section A  
Introduction**

The protection of the rights of free citizens depends upon the existence of an independent and competent judiciary. Although independence and competence are closely interrelated, the task of maintaining judicial independence depends to a large extent upon public understanding of the judicial system and the role of judges in applying a constantly changing body of law to the resolution of everyday problems in a complex society. The danger of failing to measure up to this critical task is the loss of public confidence and respect for the judiciary.

The task of maintaining judicial competence, on the other hand, depends more on the willingness of the judiciary itself to assure that its members are knowledgeable and skilled in the study of the law and its development, and that judges are trained in the application of legal principles and the art of judging. The personnel employed within the judicial system must also maintain a high level of competence to assist judges in carrying out their responsibilities and to provide accurate and timely services to the public.

To the end that judicial independence and competence might be preserved and reinforced as essential elements of our system of government, the Supreme Court of Arizona established an educational system for all judges and employees of the Arizona judicial department in November, 1983 (Administrative Order 83-10). The Supreme Court also created the Council on Judicial Education and Training to assist it in developing and implementing educational policies, and, in a series of orders recommended by the Council, adopted educational standards for judges, probation officers, and court personnel in all levels of the judicial system (Administrative Orders 85-2, 85-29 and 85-30).

In late 1986, the Council recommended several major changes in the Court's educational policies and standards in order to improve the quality of educational programs being conducted throughout the state. The Court approved these changes in January, 1987, and adopted a single administrative order changing and consolidating all previous orders as of July 1, 1987 (Administrative Order 87-4).

All of the Court's educational policies and standards are contained in this document. As part of the Court's order, copies of these policies and standards shall be distributed to all judges, court administrators, clerks of the court, chief probation officers, and other interested persons.

## **Section B Organization and Administration**

### **1. Supreme Court**

The Supreme Court is the administrative authority for the integrated judicial department in Arizona. In this capacity, the Court is responsible for providing the leadership and guidance needed to maintain judicial competence throughout the state court system.

### **2. Council on Judicial Education and Training**

a. Purpose. The Council on Judicial Education and Training assists the Supreme Court in developing educational policies and standards for the court system, and is responsible for monitoring the quality of educational programs, recommending changes in policies and standards and for approving guidelines for accrediting training programs.

b. Membership. The Council is composed of the following members: a supreme court justice; a court of appeals judge; two judges from the superior court, one representing urban areas, the other representing rural areas; one justice court judge and one municipal court judge, one to be a lawyer, the other to be a non-lawyer; the administrative director of the court or the deputy director; a trial court administrator; two chief probation officers, one representing adult probation and the other juvenile probation, one of which must be from an urban court and the other from a rural court; a superior court clerk; a lower court clerk; the deans of the state's two law schools or their designees; the chairperson of the continuing legal education committee of the Arizona State Bar; and such other members as may be appointed at the discretion of the Chief Justice.

c. Terms of Members. Council members shall be appointed by the Chief Justice for three-year terms. Terms shall be staggered so that approximately one-third of the Council shall rotate each year. Members of the Council as it exists just prior to the effective date of these policies and standards may be reappointed as members of the enlarged Council.

d. Responsibilities of Members. Council members shall participate in at least two educational programs a year, once as a faculty member and once as an evaluator, for the purpose of monitoring the effectiveness of educational policies and standards. Council members shall also participate in faculty development programs and shall be advocates for continuing education for judges and members of the judicial community.

e. Organization. The Chief Justice may appoint a chairperson and any additional officers as needed to organize the Council. The chairperson may appoint committees to help the Council carry out its responsibilities.

f. Council Meetings. The Council shall meet no less than twice a year. Additional meetings may be called at the discretion of the chairperson or upon majority vote of the Council.

### 3. Administrative Office of the Courts

a. Administrative Director. Under the direction of the Supreme Court, the Administrative Director of the Courts shall prepare guidelines for the implementation of the standards, and shall develop, administer and coordinate judicial education programs throughout the state. The director shall be assisted in this effort by the staff of the Education Services Division of the Administrative Office of the Courts. The director shall inform all judges and court employees of the Court's educational policies and standards and shall notify judges that orientation before or as soon as practicable after appointment or election and continuing judicial education is necessary in order to obtain and maintain professional competence. The director shall also provide state and local governments and courts with information concerning judicial education in order to bring about recognition of the need to support judicial education.

b. Education Services Division. The Education Services Division shall prepare and implement an annual judicial education plan, coordinate all judicial education programs, staff the Council on Judicial Education and Training, conduct faculty development programs, evaluate educational programs, provide guidance to judges and judicial employees in the selection of appropriate educational opportunities, develop a network of trainers throughout the courts, and prepare an annual report on educational activities in the courts.

### 4. Faculty

a. Basic Approach. Education and training programs shall emphasize the use of modern adult education principles that focus on participative learning. Faculty members should be familiar with and evidence a strong desire to learn effective teaching techniques based on these principles.

b. Faculty Development. To the extent permitted by available resources, faculty members should receive instruction in adult education methods and assistance in preparing presentations and materials prior to teaching in a court-sponsored program.

c. Qualifications. The court-related education faculty should consist primarily of judges, members of the legal community, and court personnel who have expertise in the curriculum, knowledge of adult education principles, and the ability to prepare and present educational material effectively. Authorities from other disciplines should be used when their expertise will contribute to the goals of a specific program.

### **Section C Standards for Appellate Court Judges**

#### 1. Program Requirements

Appellate court judges shall receive orientation, if applicable, and shall complete sixteen hours of approved coursework each year.

#### 2. Participant's Responsibilities

Appellate court judges should obtain and maintain professional competence through judicial education, spend such time as may reasonably be required to accomplish that purpose, support and assist other judges who may be attending judicial education programs as participants or as faculty, and, when reasonably able to do so, teach in judicial or legal education programs. In addition, appellate judges shall report compliance with the standards by completing the reporting requirements described in Section J.

#### 3. Curriculum Standards

a. Judicial education should address the areas of judicial competence, performance, case management, and administration.

b. Judicial education programs should impart knowledge and improve skills and techniques, increase the understanding of judges regarding their responsibilities and their impact on the judicial process, the people involved, and society, and attempt to meet the educational needs of judges at various stages of their careers.

c. Judicial education programs should include:

- (1) Orientation before or as soon as practicable after a judge takes office.
- (2) Education for new judges on major legal subjects and practical skills needed by them and appropriate to the jurisdiction of the court in which they serve.
- (3) Periodic educational offerings for all judges on the substantive, procedural, and evidentiary laws of Arizona, the ethics of the profession, U.S. constitutional law, and applicable federal law.
- (4) Continuing education programs emphasizing new developments in the law and judicial administration, procedural and technological developments in the judicial system, and other programs to enhance the efficiency, abilities and knowledge of each judge.
- (5) Advanced and specialized programs.
- (6) Independent learning opportunities for judges including bench books, outlines, checklists, video and audio tapes, and other aids.

4. Orientation

Before assuming office, or as soon as practicable thereafter, an experienced judge of the court in which a new appellate judge will sit shall provide an orientation on procedures and functions of that court and procedural and substantive law applicable to it. Within twelve months after appointment, a new appellate judge shall attend a regional or national course in appellate opinion writing.

5. Continuing Education

Appellate judges may attend a combination of approved local, regional or national programs; however, attendance at an annual judicial conference is mandatory. At least every three years, in satisfaction of these requirements, a judge should attend a program of regional or national scope. At least every second year, the chief judges of the Court of Appeals, in satisfaction of these requirements, should attend the annual seminar or meeting of the Council of Chief Judges of Courts of Appeals.

**Section D**  
**Standards for Superior Court Judges**

1. Program Requirements

Superior court judges shall receive orientation, if applicable, and shall complete sixteen hours of approved coursework each year.

2. Participant's Responsibilities

Superior Court judges should obtain and maintain professional competence through judicial education, spend such time as may reasonably be required to accomplish that purpose, and support and assist other judges who may be attending judicial education programs as participants or faculty, and, when reasonably able to do so, teach in judicial or legal education programs. In addition, superior court judges shall report compliance with the standards by completing the reporting requirements described in Section J.

3. Curriculum Standards

a. Judicial education should address the areas of judicial competence, performance, case management, and administration.

b. Judicial education programs should impart knowledge and improve skills and techniques, increase the understanding of judges regarding their responsibilities and their impact on the judicial process, the people involved, and society, and attempt to meet the educational needs of judges at various stages of their careers.

c. Judicial education programs should include:

- (1) Orientation before or as soon as practicable after a judge takes office.
- (2) Education for new judges on major legal subjects and practical skills appropriate to the jurisdiction of the court in which they serve.
- (3) Periodic educational offerings for all judges on the substantive, procedural, and evidentiary laws of Arizona, the ethics of the profession, United States constitutional law, and applicable federal law.

- (4) Continuing education programs emphasizing new developments in the law and judicial administration, procedural and technological developments in the judicial system, and other programs to enhance the efficiency, abilities and knowledge of each judge.
- (5) Advanced and specialized programs.
- (6) Independent learning opportunities for judges including bench books, outlines, checklists, video and audio tapes, and other aids.

#### 4. Orientation

Before assuming office, or as soon as practicable thereafter, a new superior court judge shall receive orientation from an experienced judge of the county in which the court is located or an adjacent county and shall attend the orientation program for new judges designated by the Supreme Court. Such orientations shall include procedures and functions of the court and procedural and substantive law applicable to it. Within twelve months of assuming office, a judge shall attend a general jurisdiction course at an approved residential program, such as the National Judicial College. Whenever a superior court judge assumes a new assignment in a specialized division, the presiding judge shall determine if the judge needs to attend an approved program before assuming the new assignment.

#### 5. Continuing Education

Superior Court judges may attend a combination of approved local, regional or national programs; however, attendance at an annual judicial conference is mandatory.

### Section E Standards for Judges of Courts of Limited Jurisdiction

#### 1. Program Requirements

Judges of courts of limited jurisdiction shall receive orientation, if applicable, and shall complete sixteen hours of approved coursework each year.

2. Participant's Responsibilities

Judges should obtain and maintain professional competence through judicial education, spend such time as may reasonably be required to accomplish that purpose, and support and assist other judges who may be attending judicial education programs as participants or faculty, and, when reasonably able to do so, teach in judicial or legal education programs. In addition, judges of courts of limited jurisdiction shall report compliance with the standards by completing the reporting requirements described in Section J.

3. Curriculum Standards

a. Judicial education should address the areas of judicial competence, performance, case management, and administration.

b. Judicial education programs should impart knowledge and improve skills and techniques, increase the understanding of judges regarding their responsibilities and their impact on the judicial process, the people involved, and society, and attempt to meet the educational needs of judges at various stages of their careers.

c. Judicial education programs should include:

- (1) Orientation before or as soon as practicable after a judge takes office.
- (2) Education for new judges on major legal subjects and practical skills appropriate to the jurisdiction of the court in which they serve.
- (3) Periodic educational offerings for all judges on the substantive, procedural, and evidentiary laws of Arizona, the ethics of the profession, United States constitutional law, and applicable federal law.
- (4) Continuing education programs emphasizing new developments in the law and judicial administration, procedural and technological developments in the judicial system, and other programs to enhance the efficiency, abilities and knowledge of each judge.
- (5) Advanced and specialized programs.
- (6) Independent learning opportunities for judges including bench books, outlines, checklists, video and audio tapes, and other aids.

4. Orientation

Before assuming office, or as soon as practicable thereafter, a judge shall receive orientation from an experienced judge of that court system and shall attend the orientation program for judges of courts of limited jurisdiction offered by the Arizona Supreme Court. Such orientations shall include procedures and functions of the court and procedural and substantive law applicable to it. Within twelve months of assuming office, a judge shall attend a limited jurisdiction course at an approved residential program, such as the National Judicial College.

5. Continuing Education

Judges may attend a combination of approved local, regional or national programs; however, attendance at an annual judicial conference is mandatory.

**Section F**  
**Standards for Administrators, Clerks and**  
**Court Personnel**

1. Program Requirements

Administrators, clerks and court personnel shall receive orientation, where applicable, and shall complete sixteen hours of approved coursework each year.

2. Participant's Responsibilities

Administrators, clerks and court personnel should obtain and maintain professional competence through court-related education programs and shall report compliance with the standards by completing the reporting requirements described in Section J.

3. Curriculum Standards

a. Court-related education should address the areas of proficiency, competency, and performance.

b. Court-related education and training programs should impart knowledge and understanding of the Arizona judiciary and the legal process, and increase the understanding of the responsibilities of the position and the impact on the judicial process.

c. Court-related education and training programs should include:

- (1) Local orientation as soon as practicable.
- (2) Attendance at local and regional seminars for clerks of each court.
- (3) Advanced and specialized programs, if available and appropriate.
- (4) Independent learning opportunities including procedure manuals, bulletins, video and audio tapes, and computer technology.

4. Orientation. Orientation for administrators, clerks and court personnel should include, as a minimum, an overview of the Arizona judiciary and the structure and function of each court and an explanation of the specific responsibilities of the office involved and familiarization with court surroundings and procedures.

5. Continuing Education

a. Administrators, clerks and court personnel may take a combination of courses in such areas as:

- Familiarization with rules, statutes, and constitutional provisions applicable to the requirements of each position;
- Recording and filing procedures and records management;
- Courtroom procedures and court clerk training;
- Jury management;
- Uniformity of forms and procedures at each level of the court system;
- Use of the Arizona Revised Statutes;
- Financial, personnel, and time management; and
- Public Relations.

b. Administrators and clerks of the court who are in management positions should attend one national or regional conference annually.

c. Court personnel should attend periodic local training programs and a state or regional training program at least once every three years.

**Section G**  
**Standards for Probation Officers**

1. Program Requirements

Each probation officer shall complete forty hours of approved coursework each year. New probation officers shall complete an additional forty hours of orientation training within the first thirty days of employment.

2. Participant's Responsibilities

Probation officers should obtain and maintain professional competence through court-related education programs and shall report compliance with the standards by completing the reporting requirements described in Section J.

3. Curriculum Standards

a. Training and staff development is defined as the human resource area that focuses on identifying, assessing and helping, through planned learning techniques, staff to develop the key competencies needed to perform their current or future jobs.

b. Training and staff development programs should impart knowledge, improve skills and techniques, and increase probation officers' understanding of their responsibilities, and their impact on the judicial system, clients, and society. Programs should be offered to meet the educational needs of probation officers at various stages of their careers.

c. Training and staff development programs should include:

- (1) Orientation prior to assumption of caseload and casework responsibilities.
- (2) Education for new probation officers on major probation subjects and practical skills needed by them and appropriate to the agency in which they work.
- (3) Continuing education for probation staff emphasizing new developments in the probation field, procedural developments in the judicial system, and training needed to enhance individual efficiency and abilities.

- (4) Periodic educational offerings for management staff in organizational development and supervisory skills.
- (5) Advanced and specialized programs for chief probation officers.
- (6) Independent learning opportunities for probation staff including checklists, video and audio tapes, and other aids.

#### 4. Standards for New Probation Officers

a. Prior to assumption of caseload and casework responsibilities, all new adult and juvenile probation officers shall have a minimum of forty hours orientation. The forty hours shall be completed within the first thirty days of employment. Specific subject areas may include, but are not limited to, the following:

- Agency mission, goals, and objectives;
- Agency policies and procedures;
- Utilizing agency resources;
- Court philosophy, judicial system roles, responsibilities and inter-relationships;
- Role of the professional probation officer;
- Rules of criminal procedure, the criminal code, and sentencing alternatives (adult);
- Privacy, security, and confidentiality of records;
- Personnel procedures, performance appraisal, affirmative action, grievance procedures; and
- Philosophy of staff development, training requirements, and specific job responsibilities.

b. Orientation should be provided by the individual agencies. Credit toward the forty-hour orientation requirement may be given for training previously received.

c. In the first twelve months of employment following the thirty-day orientation period, all new adult and juvenile probation officers shall complete a minimum of an additional forty hours of approved training. Specific subject areas may include, but are not limited to, the following:

- Courtroom testimony, responsibilities, and behavior;
- Legal liabilities and issues in probation;
- Understanding and managing probationer behavior;
- Role of alcohol abuse in delinquent and criminal behavior;
- Role of substance abuse in delinquent and criminal behavior;

- Role of lack of employment in delinquent and criminal behavior;
- Utilizing community resources;
- Listening and communication skills;
- Effective writing skills;
- Interviewing techniques;
- Stress management;
- Time management; and
- Interpersonal skills.

d. Training may be provided in-house or outside the agency. Credit toward the forty-hour requirement may be given for training previously received.

#### 5. Standards for Probation Officers

a. After successful completion of orientation and initial training and in every calendar year thereafter, all adult and juvenile probation officers shall complete a minimum of forty hours of approved training. Approved, job-related college credit may, upon successful completion of a course, be applied to no more than ten of the forty-hour requirement. Subject areas are at the discretion of the individual agency. Topics may include, but are not limited to the following:

- Case classification, risk and needs assessment;
- Officer safety and discretion in the field;
- Cultural awareness, e.g., working with minority offenders;
- Caseload management and case planning;
- Creative problem-solving and decision-making;
- Role awareness, judgment, and situational leadership;
- Specialized caseloads (alcohol, drugs, mental illness, white collar crime, gangs, sexual abusers);
- Dictation skills;
- Introduction to intensive probation; and
- Personnel practices and procedures.

b. Training may be obtained in-house or outside the agency.

#### 6. Standards for Probation Management Staff

a. All adult and juvenile probation management staff shall complete a minimum of forty hours of approved ongoing training each year. Pre-approved, job-related college credit may, upon successful completion of a course, be applied to no more than ten of the forty-hour requirement. Subject areas

are at the discretion of the individual agency. Topics may include, but are not limited to:

- Organizational development, planning and evaluation;
- Management development, career options, and productivity;
- Supervisory training, case review, performance; appraisal (interviewing, feedback, conducting meetings, disciplinary action);
- Team building, motivation, and job design;
- Case flow and information management;
- Space, facilities, equipment, and materials management;
- Court, community, and agency relations;
- In-service training, planning, and evaluation; and
- Budgeting, fiscal management, and quality control.

b. Training may be obtained in-house or outside the agency.

#### 7. Standards for Probation Training Staff

a. Adult and juvenile probation agencies in counties of over 500,000 population should have a full-time training department supervised by a qualified employee at the supervisor or higher management level. The training staff should dedicate all of their time to training and training-related activities. Every training officer should complete a minimum of forty hours of planned training, including train-the-trainer activities each year.

b. Adult and juvenile probation agencies in counties of less than 500,000 population may have a full-time training department. They may also send their employees to training programs offered by larger counties or to other available training programs. Every agency without a full-time training department should appoint a training coordinator, who may have duties other than training.

c. Any staff member, other than the full-time training staff, who conducts an approved, planned training program may receive up to ten hours of training credit per calendar year for serving in a trainer or faculty capacity.

d. All probation agencies shall establish and maintain an accurate set of training records. The training supervisor or coordinator should be responsible for those records.

8. Standards for Chief Probation Officers

Every chief probation officer or director of Court Services shall complete a minimum of forty hours ongoing training each year. Within each three-year time period, they shall attend at least one out-of-state or in-state program conducted by an established, nationally recognized training organization such as any of the following:

- National Institute of Corrections
- Institute of Court Management
- National Council of Juvenile Court Judges
- American Corrections Association
- National Judicial College
- National College of Juvenile Justice
- National Center for State Courts
- Institute of Judicial Administration
- Western Corrections Association

**Section H**  
**Annual Judicial Conference**

All judges are required to attend an annual judicial conference designated by the Supreme Court. Absence from the conference is permitted only upon written request to and written approval from the Chief Justice.

**Section I**  
**Funding and Financial Assistance**

1. Funding Sources

a. State Funds. The State of Arizona, through the Supreme Court, should make funding available, whenever possible, for attendance of judges and court personnel at local, state and national judicial education programs.

b. Local Funds. Increased state appropriations will be requested by the Supreme Court, when necessary, to meet the educational standards and to enhance the quality of educational programs; however, counties and cities should continue to make funds available to support educational efforts of judges and court personnel.

2. Financial Assistance

a. Programs Within the State. Supreme Court education funds set aside for direct financial assistance will first be

used to support mandatory in-state orientation programs for new judges and other education priorities established by the Chief Justice.

b. Programs Outside the State. Supreme Court education funds available for direct financial assistance to attend national programs will be used according to the following priorities.

- (1) Newly elected or appointed judges seeking to attend a suitable comprehensive resident national judicial education program or school.
- (2) Judges who have complied with the education standards but have been unable to attend a suitable comprehensive resident national judicial education program or school within the first two years of their taking office.
- (3) Judges who have complied with the education standards and who last attended a resident national judicial education program or school three or more years prior to seeking financial assistance from the Supreme Court.
- (4) Judges and court personnel wishing to attend non-resident seminars and educational conferences applicable to their judicial responsibilities and jurisdictional level who are in compliance with these standards.
- (5) Where an urgent or critical need exists, a judge can be considered for direct financial assistance more than once during the same year, assuming the availability of funds and taking into account the needs of other judges in the categories listed above.

d. Tuition and Conference Fees. State funds may be available on a limited basis to pay tuition or registration fees for approved programs. These funds, when available, can be requested through the Administrative Office. State funds cannot be used to pay conference fees or program charges that are incidental to the educational portion of a conference or program, such as fees for sporting events, excursions, plays or social activities. When meals are included in conference fees, individual participants can request reimbursement of meal-related expenditures at the approved state rate.

### 3. Social Programs

Social events held in conjunction with education programs should not interfere with education sessions. When appro-

priate, social programs can be initiated and developed by professional associations. All programs should be coordinated with the Education Services staff.

## **Section J Individual Certification**

### **1. Compliance**

All judges and court personnel governed by these standards shall report compliance or non-compliance with the standards on forms provided by the Administrative Office. Judges who fail to comply with the standards and are not exempt shall be subject to disciplinary action in accordance with any applicable canons of the Code of Judicial Conduct. Court personnel who fail to comply and are not exempt shall be subject to disciplinary action by their respective administrative authorities.

### **2. Exemptions**

Judges, law clerks and other court personnel holding temporary positions are exempt from compliance with the standards unless ordered to participate in educational programs by their respective chief judges or presiding judges. Exemptions for medical or other physical conditions preventing active participation in educational programs may be obtained from chief or presiding judges. Exemptions needed to facilitate the implementation of the standards and the administration of educational programs may be provided in the administrative guidelines prepared by the Administrative Office.

### **3. Certification and Reporting Procedures**

Compliance forms shall be filed with designated training coordinators at the appropriate court or county level. Chief and presiding judges shall certify compliance, non-compliance and exemptions by filing consolidated compliance reports for their respective courts or counties each year for the academic period or fiscal year beginning July 1 and ending on June 30. Reporting guidelines, annual schedules and lists of designated training coordinators shall be provided by the Administrative Office.

**Section K**  
**Program Accreditation**

Only accredited programs shall meet the requirements of these standards. Programs shall be accredited pursuant to guidelines approved by the Council on Judicial Education and Training.