



# The Judicial Branch News

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The *Judicial Branch News* is an online newsletter published by the Media Relations and Community Outreach Department. The newsletter is also available on the Court's Intranet site at:  
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If you wish to contribute to this newsletter, please send articles, news items, photos or other correspondence to:  
[karra@superiorcourt.maricopa.gov](mailto:karra@superiorcourt.maricopa.gov).

*"Committed to the Timely, Fair and Impartial Administration of Justice."*



## Employees Offer Input to Management

Superior Court is taking a long, hard look at itself and listening to the work-related issues affecting its employees.



*(Left to right) - Court Administrator Marcus Reinkensmeyer with the Employee Satisfaction Survey Focus Group Spokepersons: Maggie Sommer, Michelle Anderson, Carol Fox, Allison Todd-Shelby and Tina Samartinean*

"As any organization, there are certain things we do well and other areas where we need improvement," Human Resources Director Phillip Hanley said.

"Through the Employee Satisfaction Survey our employees have spoken. They've voiced their concerns and offered some excellent suggestions. Now it's time to see what we can do to implement these ideas."

With the results of the survey as the foundation, the Court created focus groups to examine five areas: *Communication, Recognition, Opportunities for Advancement, How Performance Problems are Dealt With and What is Working.*

"Our focus groups are looking for ideas and suggestions on how to improve the workplace. I've been impressed with the work they've done already and all of the input they have given us," Hanley said. "In the coming months, you will be reading in the newsletter about some of their suggestions as well as some of the changes we have implemented."

Earlier in the year, an invitation was extended for volunteers to participate in ESS focus groups. On March 20, thirty-five employees from every department attended the meeting. The employees were divided into teams and given a topic to discuss. The teams were to identify an issue, suggest ideas for improvement and purpose ways to implement the suggestion.

On August 3, each group appointed a spokesperson to speak on their behalf to the Executive Team. The Employee Satisfaction Survey Focus Group Spokepersons are: Maggie Sommer, Michelle Anderson, Carol Fox, Allison Todd-Shelby and Tina Samartinean

"The spokespersons did a great job of representing and articulating the concerns of their group," Hanley said. "I feel that the Executive Team and the participants are committed to listening to one another and improving the work environment."

# Message From the Presiding Judge



Barbara Rodriguez Mundell  
Presiding Judge

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The newly designed Regional Court Center (RCC) in the basement of the Central Court Building is an innovative, cost-savings project that reflects the future of modern case management.

The RCC is an intermediate step toward the space planning of the new Downtown Criminal Court Tower. Many of its design elements will be incorporated into the construction of the court tower.

When space planning began on the new RCC, the architects took the time to learn case flow, meet with the various stake holders and plan a safe place for staff, victims and the public to conduct business.

As a result of their diligent research, many of the delays the RCC experienced in the past are gone. RCC judicial officers are hearing cases at an amazing pace. In July, the RCC broke a weekly record with more than 180 matters heard, which included 143 in-custody defendants and 37 sentencings.

To limit delays and enhance public safety, the court built a secured area adjacent to courtrooms with more than enough holding cells and interviews rooms for in-custody defendants. This gives defense attorneys quick access to in-custody defendants, and cuts down on inmate movement within the courthouse. Also, the design of the RCC prevents a member of the public from ever crossing paths with an inmate.

This is a stark contrast from the old cramped and dirty quarters of the seventh floor of the East Court Building where inmates were transported through crowded lobbies and hallways next to victims, attorneys and judges. The old RCC lobby was standing room only with court customers sitting on the floor, whereas the new space offers more seating and is a more respectful and dignified approach to treating people.

The design is also more respectful to the rights of victims who now have their own waiting room near the courtrooms where they can listen to proceedings without fear of intimidation.

The remodeling of the RCC has been a huge success. It has not only proven to be an immediate solution for the rapid growth in the number of cases but it has taught us some valuable lessons in case management as we move closer to the opening of the Downtown Criminal Court Tower.

## Newsmakers

# Pelander Appointed to Supreme Court

Arizona Governor Jan Brewer appointed Arizona Court of Appeals Judge John Pelander to the Arizona Supreme Court.

“It is my privilege today to appoint long-time Tucson attorney and judge, John Pelander, to serve as the newest Justice of the Arizona Supreme Court,” stated Governor Brewer. “He has served with distinction throughout his professional career and will make an excellent addition to our already outstanding Supreme Court.”

Justice Pelander was admitted to practice law in Arizona in 1976. He graduated from Wittenberg University in Ohio with a bachelor’s degree in 1973 and received his law degree from the University of Arizona College of Law in 1976 with high honors. He served as a law clerk to the Honorable Judge Richard Chambers of the United States Court of Appeals for the Ninth Circuit from 1976-77, and spent the next eighteen years in private practice with the Tucson law firm now called Slutes, Sakrison & Rogers, practicing primarily in the area of civil litigation where he tried dozens of jury trials. In 1998, he received an LLM degree (Masters of Judicial Process) from the University of Virginia.

He also served on the Judicial Performance Review Commission from 2000-2007, and has been a staunch advocate for reform in this area. Governor Fife Symington appointed Justice Pelander to Division Two of the Arizona Court of Appeals in 1995. He served as Chief Judge of Division Two for five years through June 30, 2009. During that time he oversaw the administration of the Division. During his tenure on the Arizona Court of Appeals, Judge Pelander authored over 160 published opinions and hundreds more unpublished decisions.

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## New Presiding Tax Judge Appointed

Shortly after the announcement of the retirement of Judge Thomas Dunevant III, Presiding Judge Barbara Rodriguez Mundell chose Judge Dean Fink as the new Presiding Tax Judge.

Judge Fink, who was appointed as a judge following a three-year stint as a commissioner, left his family court calendar to begin training with Judge Dunevant on August 17th. He will assume his new tax calendar on September 1.

“Congratulations to Judge Fink on his appointment. He will serve the Court well in his new role,” Presiding Judge Rodriguez Mundell said. “Many thanks to Judge Dunevant, he has been in our court for over 20 years and has served in many leadership positions. He is an intelligent, hard-working, soft spoken gentleman with a peaceful nature. His contributions to our court have been significant and the court, as well as the community, are lucky to have had him sitting as a judge.”

Commissioner Casey Newcomb, just back from active duty with the military, is covering Judge Fink’s family court calendar until a new judge is appointed for the vacancy created by Judge Dunevant’s retirement.



*Dean Fink*



*Thomas Dunevant III*

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## News And Notes

### Probation Chief Named President of APPA

Adult Probation Chief Barbara Broderick has been selected to serve a two-year term as president of the American Probation and Parole Association.

The APPA is an international organization who are actively involved in the disciplines of probation, parole and community corrections.

Chief Broderick has been active in the APPA since 1980.

### Adult Probation Helps Community with Crime Prevention

Clients under the supervision of the Adult Probation Department's Community Restitution Program are working closely with volunteers across the Canyon Corridor area to clean up and beautify the neighborhood.

Alley cleanups were completed throughout the area, bounded by I-17, 35<sup>th</sup> Ave., Camelback and Missouri Ave., using tools provided by Adult Probation and the City of Phoenix. Crews trimmed back dense plants and bushes, cut down and pruned trees, raked up trimmings, and manually hauled or trucked them to dumpsters provided by the City of Phoenix. Staff and community members provided cold water and treats to support the work crews.

As of February, 34 projects were completed, totaling 2,419 hours of project labor. The projects allow probationers to give back to the community, meet their court-ordered obligations and develop the sense of teamwork and accomplishment that is important to their future success. Citizens have been gracious to our probationers, making it clear to everyone how much their hard work is appreciated.

**Submitted by David Newman  
Adult Probation**

### Administrator Published in Scholarly Legal Journal

The work of Deputy Court Administrator Phil Knox and Marylou Strehle, a former court employee, was published in a recent edition of Family Court Review. Below is the abstract and citation to the article:

#### Abstract

Using evidence-based methods to help divorcing families requires the combined best efforts of legal professionals, courts, judges and administrators, mental health oriented service providers, and university researchers. Collaborative program development, implementation, and evaluation involve a complicated process of negotiation between professionals, yet this process is hardly ever described. The current article describes the processes we underwent in forging an alliance of researchers from Arizona State University's Prevention Research Center with professionals from the Maricopa County (Arizona) Family Court, a collaboration that involved a true dialogue and cooperation from the earliest stages and continuing throughout the project. A Community-Based Participatory Research model was the underlying basis for our partnership; its lynchpin device was a Joint Planning Committee.

#### Citation

Liza Cohen Hita, Sanford L. Braver, Irwin N. Sandler, Phillip Knox, Marylou Strehle

Family Court Review  
Volume 47, Issue 3 , Pages436 - 450

### Training Administrator Named Vice President of NASJE

The National Association of State Judicial Educators named Superior Court's Staff Development and Training Administrator Elizabeth Evans as its vice president.

NASJE, founded in 1975, is a non-profit organization that strives to improve the justice system through judicial branch education.

## News and Notes

### Community Outreach: Law Library Provides Valuable Services

In addition to assisting the Bench and bar, the Law Library answers questions from a variety of places. Through either email or by way of phone calls, the Law Library has received a question from every single state in the United States. We've also had requests for assistance from Brazil, France, Germany, Guatemala, India, Indonesia, Israel, Mexico, Morocco, Poland, Syria, and the United Kingdom.

Last fiscal year, the Law Library had 25,396 customer contacts through phone calls or in-house assistance. The Reference Librarians sent out 6,092 emails; we filled 190 requests for material that was either mailed or faxed and we received 216 requests from inmates not only in Arizona but from around the country.

Questions range from requests to enforce child support and/or custody to "how do I expunge a criminal record" to "what was the law in 1985." Some questions can make it difficult to keep a straight face. We've had customers ask how to file "an emotion"; how to get a "change of virtue; where they can get a copy of their "decree of delusion of marriage;" and another who wanted to know if he made his child support payment out to the "Publisher's Clearinghouse." We've had people wonder how they could be fired if Arizona is a right to work state and another who wrote to say a criminal defendant was innocent so "please let her out."

If you are interested in what really goes on in the Law Library, we offer a COJET class called *Take this Book and Shelve It*. The class takes you on a behind-the-scenes walking tour of the library. You'll find out how a book makes it way to the shelf and learn some interesting tidbits about the library.

Submitted by Susan Armstrong  
Law Library

### Supporting Parents of At-Risk Kids

"My teenager is out of control!" "I don't know what to do with my child!" "I have no control over my teen!" "What can I do to be a better parent?"

How many times have you made these statements when our children seem out of your control? It seems to be an growing problem among our society and many parents are truly at a loss as to what they can do. At the same time, money is tight, programs are scarce and help seems farther and farther away.

As a solution to these problems the **S.P.A.R.K. Program** was born.

The 12-week **S.P.A.R.K. Program** was developed by a team of Juvenile Probation Officers with a curriculum that covers topics like: *Effective Listening, Positive Discipline, Mental Health Issues and The Art of Negotiation*.

Also, a **Parent Support Group** meets after each training presentation where parents can form their own alliance of support. Here they can vent frustrations, seek advice and exchange phone numbers. After the program is completed, parents are welcome to keep attending the support group meetings indefinitely.

**S.P.A.R.K.** is also designed to be open-ended, allowing parents to walk in at any stage of the process and complete 12 weeks to cover all areas of the curriculum. Parents do not have to register to attend. The program was created for the community of parents seeking and willing to get help. The best part is that the entire program is **FREE** to all!!!

The team of facilitators running each group are volunteers from Juvenile Probation who want to empower parents.

If you are interested in attending any group or have any questions, contact Cheryl Starky at 602-506-4391 or [chesta@juvenile.maricopa.gov](mailto:chesta@juvenile.maricopa.gov)

Submitted by Cheryl Starky  
Juvenile Probation

# County News

## Pandemic Planning for the School and Flu Season

As you may recall, earlier this year Maricopa County had a bit of a scare when it was announced that the Swine Flu (technically known by its clinical designation as the H1N1 virus) made its way into our community after a severe outbreak in Mexico. Maricopa County responded by activating its emergency network; monitoring clinics and hospitals for signs of viral activity; and closing a few schools where students tested positive for H1N1.

Judging by the news lately, you would think that the H1N1 threat had passed. Unfortunately, that is not the case. The World Health Organization declared the H1N1 virus a pandemic in June 2009 after it was determined that it had touched most countries on the globe. Pandemics can be mild, such as the Asian Flu in the 1960's, or they can be very severe such as the Spanish Flu of 1918. The one constant with a pandemic is they infect a community in several waves over a period of time.

The first wave of the H1N1 virus that recently hit our community started in March and ended in June 2009. As of July 17, 2009, the first wave of H1N1 in Arizona had infected 762 people and of those infected, 11 died from complications from the disease. As pandemics go, the second wave is usually the strongest wave. We know there will be a second wave because Public Health officials are still seeing H1N1 activity in the state. The fear is that H1N1 will flare up again with a second wave sometime after the school season begins. That is because kids are less apt to practice good hygiene and therefore become germ factories. That fact, combined with the close proximity to each other in a school setting, tends to be the perfect incubator for viral infection.

So what can you do when the second wave of H1N1 does hit? First of all, don't panic. It is after all the flu and by keeping ourselves healthy and using common sense techniques, we can protect ourselves from catching it. You should get the seasonal flu shot for yourself and your family members. The seasonal flu shot will not stop the H1N1 virus, but it will allow your doctor to rule out the seasonal flu as the symptoms for both viruses are identical.

Secondly, if you or your loved ones exhibit symptoms of the flu such as fever, headache, nausea, vomiting, chills, or aches and pains, please stay home until 3 to 4 days after feeling better. A person can infect others with the flu 2 to 3 days before symptoms occur, while they are symptomatic, and 3 to 4 days after symptoms subside. If symptoms become severe call your doctor before going to the doctor's office, hospital, or clinic. Your doctor will advise on what to do base upon your symptoms and medical history.

Finally, make sure you and your family practice good hygiene techniques, especially washing your hands frequently and covering your cough with your upper arm to prevent the spread of germs in the air or by touching surfaces.

Short of a state of emergency declared by the Governor, the schools, work places, and public gatherings such as sporting events, religious worship, and shopping malls will not be closed. This means that it will be citizens like you and me that will directly affect the severity of a second wave of H1N1 by the actions that we take or fail to take to slow or stop the spread of the virus. By using common sense approaches to communicable disease we can have a significant impact on how H1N1 will affect our community.

*Submitted by Gary M. Bridget  
Human Resources*

## News and Notes

### JPR to Begin

Before the Judicial Performance Review (JPR) program begins on August 31, Judicial members will have an opportunity to attend business and automation training.

During the business training, staff members will receive instructions from the Administrative Office of the Courts (AOC) JPR Program regarding rules to follow during the JPR session. Court Technology Services (CTS) will provide instruction and hands-on computer training for updating the integrated Court Information System (iCIS). Along with court human resources, CTS will assist in providing customer support throughout the JPR cycle by handling technical issues.

Adult and juvenile court will use the same process to update iCIS this year. Judicial staff will update JPR information to indicate the attorney appearances. Once in iCIS, this information will be directly fed to the AOC. The AOC will use the information to process survey mailings to attorneys.

Please note, the AOC only mails to attorneys and not to self represented litigants. Instructions provided by the AOC will detail procedures that staff are to follow when distributing surveys to litigants, witnesses and jurors. Judicial staff members will update iCIS to track the amount of surveys distributed personally by the staff.

For further information on JPR visit <http://www.azjudges.info>.

**By Stephanie Valenzuela  
Court Technology Services**

### Court Tower Featured in Victim Publication

Recently, The National Crime Victim Law Institute at Lewis and Clark Law School highlighted the new Court Tower in an article called *"Effectuating Crime Victims' Rights Through Courthouse Design: Maricopa County Court Tower."*

The Criminal Court Tower has been receiving national recognition for its innovative design and public access. The article focused on how crime victims play a significant role in the planning of the courthouse and how the court, in its planning sessions, integrated crime victim rights.

Some of the tower's most exciting design innovations for victims include: separate entrances into the courtroom, access to private restrooms and an ability to view a live video feed of courtroom proceedings from an adjacent viewing room.

To read the full article, please visit:

[http://legacy.lclark.edu/org/ncvli/objects/NCVLI\\_Newsletter\\_11th\\_Edition\\_7-21-09.pdf](http://legacy.lclark.edu/org/ncvli/objects/NCVLI_Newsletter_11th_Edition_7-21-09.pdf)

### Security Tips of the Month

A "hard target" is one that couples physical security measures with an aggressive, alert attitude and sense of awareness. We all can "harden" the court by paying attention to what is going around us and enforcing security policies. One of the policies that seems to be violated on a regular basis is "tailgating" or allowing individuals into unauthorized spaces.

We encourage everyone to prevent tailgating and to have the courage to stop people from entering unauthorized spaces, particularly but not limited to, judge's chamber floors and elevators. If you have any questions or concerns, please do not hesitate to contact me.

**Submitted by Karen Westover  
Court Administration**

# Courtside

## Photo Highlights

### Scenes from August's Commissioner Investitures



*Commissioner Susan White robed by her husband Daniel Duxbury.*



*Commissioner Christine Mulleneaux applauds a speech given by Criminal Presiding Judge Gary Donahoe.*



*Presiding Judge Barbara Rodriguez Mundell delivers the oath of office to Commissioner Monica Garfinkel.*



*Commissioner James Rummage robed by his wife Randi.*