



# The Judicial Branch News

Volume 2, Issue 4

April 2007

## In this Issue

Message From the  
Presiding Judge.....2

In Memory: Judge John  
Gaylord .....3

Newsmakers.....4

Focus On: Mental Health  
Court.....7

Court Photo Highlights.....8

The *Judicial Branch News* is an online newsletter published by the Media Relations and Community Outreach Department.

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."*



Maricopa County Superior Court Remembers  
**Judge John M. Gaylord**  
**1956 - 2007**

**Judge Gaylord Obituary - Page 3**

# Message From the Presiding Judge



**Barbara Rodriguez Mundell**  
Presiding Judge

A great deal of publicity has been circulating about enforcement of Proposition 100 in the case of Ruben Rivera.

Unfortunately, Mr. Rivera was released from jail because of a lack of communication between the prosecutors, judicial officers, the court clerk and the sheriff – not because anyone “refused” to enforce Proposition 100.

Mr. Rivera was arrested on March 5<sup>th</sup> and booked in the county jail.

His initial appearance was the same day. While the forms the commissioner reviewed indicated the defendant was not a U.S. citizen, they did not state he was in the country illegally, so a \$10,000 bond was set. Mr. Rivera never posted bond and was never released on bond.

On March 15<sup>th</sup>, the prosecutor asked to vacate the preliminary hearing, which meant the defendant could not be held in jail unless an indictment was obtained later that day. The prosecutor did not object when the commissioner issued a conditional release order that would be effective “unless a notice of supervening indictment has been filed.”

An indictment was not filed with the Clerk of the Court until 4:47 p.m. on March 15<sup>th</sup>. The prosecutor did not ask the clerk to expedite delivery of the indictment to the jail. The prosecutor did not inform the commissioner handling the Grand Jury returns that Mr. Rivera was in the country unlawfully or object to a \$10,000 bond. The Clerk of Court, which is a separate and distinct elected governmental entity from the court and has its own policies and procedures, did not deliver the indictment to jail personnel until the next day, March 16<sup>th</sup>. Mr. Rivera had been released to ICE for deportation earlier that day.

Last week, I met with all of the elected and appointed officials in Maricopa County’s criminal justice system to address this communication breakdown. Sheriff Joe Arpaio sat at the head table with me, as did County Attorney Andrew Thomas. Participants included officials from ICE, the state Attorney General’s Office, indigent defense agencies, Adult Probation, Clerk of the Superior Court and others. Nearly 30 experts sat together to discuss how each segment of the criminal justice system can effectively communicate critical information.

By the end of the day, details of new initiatives were revealed, promising that steps have already been taken to improve the efficiency of each participant’s piece of the process. We accomplished the following:

- Indictments – including those returned late in the day – will be reported to the Sheriff’s jail staff before Clerk of Court staff leaves for the day.
- Sheriff’s detention officers certified by ICE will have access to the federal Homeland Security database and will check defendants’ immigration status as soon as they are booked into jail. The Sheriff’s officers will give this information to Initial Appearance Court Commissioners.
- New Supreme Court policy and guidelines issued by Chief Justice Ruth McGregor the afternoon of the meeting set new standards for determining probable cause that a non-citizen is in the country illegally. I conducted a training session on the new guidelines with the Initial Appearance Commissioners that evening to implement the policy immediately.
- Starting next week, deputy county attorneys will attend Initial Appearance Court sessions around the clock, seven days a week, to provide information that will help commissioners decide release issues.
- Defense lawyers also will begin attending Initial Appearances.
- To comply with Proposition 100, Chief Justice McGregor authorized pre-trial services staff to ask defendants in Initial Appearance Court about their citizenship and immigration status. I issued a directive to staff to implement this policy immediately. Staff members will acknowledge that they have received a copy of the policy and will comply with it.

We each have a role to play in assuring safety in our community. We need to stop the divisive, unproductive finger-pointing and blame-placing that has not served our community or criminal justice system well.

We all have a common goal to assure public safety and enforce the law. It’s time to act like professionals and get it done.

# *In Memory*

## Judge John M. Gaylord

### 1956 - 2007



**John M. Gaylord** was born September 25, 1956 in San Antonio, Texas to his loving parents, John and Clara Gaylord. He was the oldest of four children. His parents served proudly in the U.S. Air

Force, and in his early years they moved often. John broke his neck playing football for Glendale High School. After a miraculous recovery, he graduated in 1974 as Student Body President and went on to work his way through a Bachelor's degree at Northern Arizona University as the night manager for a local grocery store. He attended law school at Arizona State University, where he met his wife Karen. They spent their early married years traveling in the U.S. Marine Corps.

Shortly after the birth of their first child, John joined the Marine Reserves, and they moved to their home in Chandler. John worked in private practice for the next several years, excluding a voluntary activation for Operation Desert Storm. He ran for the State Legislature in 1992, but lost in a hand of poker after a dead-tie primary. Never bitter, he framed the cards, and the election became one of his favorite stories. He left private practice to work for the Arizona State Attorney General. He was appointed to the Maricopa County Superior Court in 2000, where he served on the Family, Criminal, and Juvenile court benches. He retired from the Corps at the rank of Lieutenant Colonel, but remained a Marine to his death.

Early in his career, he served on the planning and zoning commission for the City of Chandler. More recently, he was a District Commissioner for the Boy Scouts, and active in the Knights of Columbus. He was on the advisory boards for St. Mary-Basha School and Seton Catholic High School, both in Chandler. He served on Academy

selection committees for Senator Kyl and Representative Flake. He was also very active in his Parish - St. Mary's - and a faithful supporter of many charities.

Three weeks before his death he became the proud owner of a Harley Davidson Road King motorcycle. He was killed in the desert he loved on the motorcycle he'd wanted all his life. He was preceded in death by his father John.

He is survived by Karen, his wife of twenty-four years, his children Austin, Andrew, and Alexandra, and his faithful canine companion Hobbes. He is mourned by his mother, Clara, and his siblings and their spouses – Mark Gaylord (Joy), Michael Gaylord (Pam), and Terri Moore (Jerry). He was blessed with many wonderful in-laws and a very close extended family, all of whom will miss him dearly. He loved his family, his many friends, America, and the Marine Corps - not necessarily in that order. He loved the desert, almost as much as he loved the mountains of Taos, New Mexico. His favorite actor was John Wayne, his favorite singer was Chris LeDoux, and his favorite movie was *She Wore a Yellow Ribbon*. His favorite books were Lion of Ireland and Man in the Iron Mask, but his favorite author was Louis L'Amour. He was a miserable cook, but the world's best father. He valued faith and family, and believed in truth and justice. A fair and honorable man, he will be missed by all who knew him.

A prayer service was held on Wednesday, April 11 at Seton Catholic High School in Chandler. A visitation was held at St. Mary's Catholic Church in Chandler on Thursday, April 12. A funeral mass was celebrated at St. Timothy's Catholic Church in Mesa on Friday, April 13, and an internment followed at 12:30 p.m. at National Memorial Cemetery in Cave Creek. In lieu of flowers, donations may be sent to The Judge John M. Gaylord Charitable Foundation, c/o John Sinodis 2800 N. Central Ave., Suite 1800, Phoenix, AZ 85004.

# Judicial Branch Newsmakers

## New Judges Preside Over the Criminal Bench

On April 10, **Judge Anna Baca** became the criminal presiding judge, and **Judge Timothy Ryan** began his duties as the associate criminal presiding judge.



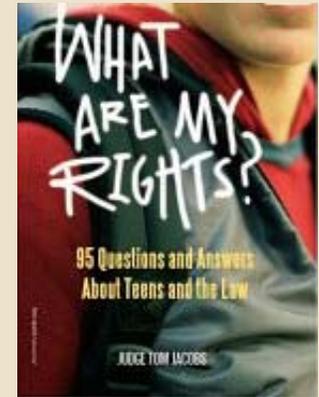
(Left to right ) Bailiff Susanne Asztalos, Criminal Presiding Judge Anna Baca and Judicial Assistant Nita Billingsley.

Judges Baca and Ryan are in training with former **Criminal Presiding Judge James Keppel** and former **Associate Criminal Presiding Judge Brian Ishikawa**.



(From left to right ) Associate Criminal Presiding Judge Timothy Ryan, Judicial Assistant Stephenie Ball, Courtroom Clerk Barbara Navarro and Bailiff Ronnie Browner.

“Congratulations to Judges Baca and Ryan. Sincere thanks to Judges Keppel and Ishikawa for their dedication and leadership,” Presiding Judge Barbara Rodriguez Mundell said.



**What Are My Rights? 95 Questions & Answers about Teens and the Law**, written by former Superior Court Commissioner **Thomas Jacobs**, was selected as a pick of the year of the New York Public Library's Books for the Teen Age list.

The library's list, now in its 78th year, selects the best of the previous year's published works for readers, 12 to 18 years old.

His book has been sold and distributed local libraries, schools, community-based organizations and the public.

Jacobs continues to write about teens and the law. His latest articles include “When Can I Get a Tattoo?” for the New York Parent Guide - Tweens and Teens Magazine; “Do I Have to Go to School?” for the Duke University Talent Identification Program; and “Ten U.S. Supreme Court Cases That All Teens Should Know About” for the New York Times/Scholastic magazine Upfront.

Commissioner Jacobs retired in 2002, and then returned to the bench part-time in Mesa six months later.

## Supreme Court Recognizes Juvenile Probation Staff

**Karyn Hart** and **Shawn Hughes** received certificates from the Arizona Supreme Court for their “significant contributions to local and statewide training as a Defensive Tactics Instructor.” Only five awards were given statewide and Juvenile Probation received two of them. Congratulations to both Karyn and Shawn and thank you for the work you do for the Defensive Tactics Program and for representing our department in the highest degree.

**Submitted by Leslie Anderson, Juvenile Probation**

## New Commissioner Veronica Brame Appointed



Commissioner Brame

The Judicial Branch of Arizona in Maricopa County hired former Deputy Maricopa County Attorney **Veronica Brame** as a Court Commissioner. She is assigned to Family Court at the Southeast Regional Court Facility in Mesa.

# Court Briefs

News from around the Court

## Judicial Photo Day 2007



**Wednesday, May 2**

What: Judges Photo - 12:45 PM  
Where: Front Steps of Old Courthouse

What: Commissioner Photo - 1:00 PM  
Where: Front Steps of Old Courthouse

## Juvenile Court

### Dependency Orientation: Kids Enjoy Opening Night



(From left to right) - **Juvenile Presiding Judge Eileen Willett** holding *Lula Bell*; *Shanon Clayton*, an alumni foster child; and **Commissioner Peter Thompson**, the chairman of the dependency orientation program. The above pictures were taken opening night of Juvenile Court's Dependency Orientation program. *Lula Bell* is *Shanon Clayton's* adopted pet.

On March 27, more than 20 youths attended Juvenile Court's dependency orientation program. The program helps familiarize the 6,000 kids in foster care with the dependency process. After the session, many of the youths told court staff how much they enjoyed the new program.

## Law Day

The Judicial Branch of Arizona in Maricopa County celebrates Law Week by presenting *Liberty Under Law: Empowering Youth, Assuring Democracy*.

**Wednesday, May 2, 2007**  
**Noon to 1pm**  
**ASU Downtown, Mercado**  
**502 E. Monroe St., Building C**  
**Phoenix, AZ 85004**

Law Day will feature a lecture along with a question and answer period.

Speakers for the event include: **Judge Eileen S. Willett**, Presiding Juvenile Court Judge for Maricopa County, **Karen E. Osborne**, Director of Elections for Maricopa County and **Sheila Tickle**, Juvenile Court Administrator for Maricopa County.

One hour of COJET credit is available to court employees.

# Court Briefs

## News from around the Court

### Law Library

Tip of the Month: Top 10 Things to Know about Your Law Library

10. **Online suggestion box**  
Go to our website ([www.superiorcourt.maricopa.gov/lawlibrary](http://www.superiorcourt.maricopa.gov/lawlibrary)) and use our online suggestion box.
9. **Envelopes, CDs and Disks**  
We sell stamped envelopes, CD-roms and floppy disks.
8. **Faxes**  
For a fee, the Law Library can send and receive faxes for our patrons.
7. **Links**  
Visit the Law Library's Arizona Research and More Links section.
6. **Classes and Tours**  
Please see the Law Library website for more information regarding other continuing education courses for the bar and public.
5. **Research Guides and Bibliographies**  
The Law Library provides compiled legal research information in the form of research guides and bibliographies.
4. **Current Awareness Services**  
The Court Informer offers a list of recent court-related articles from pertinent periodicals.
3. **Interlibrary loan**  
As long as you have a citation, we can request it on your behalf.
2. **Databases**  
We offer a wide variety of research databases for use in conducting legal research.
1. **Reference Librarians**  
Our Reference and Information Services librarians and library staff take great pride in offering a high level of service.

For more information on any of these services, please contact the Law Library at X63461, or [services@scll.maricopa.gov](mailto:services@scll.maricopa.gov).

Story submitted by Jennifer Murray

### CTS

#### Saves Tree with Online Display

CTS and the Arbitration area of the Civil Department have successfully redirected users from printed reports to online and interactive report displays.

The Civil Administration Cal-Acti report is now online. No longer will users have to thumb through a thick paper document to get information about a case. The online process saves paper, and allows the user to search cases much faster.

Before online display, CTS was printing three copies of the Cal-Acti report a month. In January, the printed document was 586 pages.

Story submitted by Deb Jackson

### Open Enrollment

**Open Enrollment is from April 16 – May 14.** Open Enrollment materials were mailed to your home. Benefit elections made will be for the period of **07/01/07 – 06/30/08.**

To enroll, go to <http://my.maricopa.gov>. If you are a Juvenile Probation Department employee your UserID is your regular network login followed by @juvntdm. If you are a Justice Court employee, your UserID is your regular network login followed by @mcjc. If you are an Adult Probation or Superior Court employee, your UserID is your regular network login followed by @cts. Please contact a Human Resources at 506-4343 for additional questions.

Story submitted by Andrea Griego

## Focus On

# Mental Health Court

## *Reaching Out to the Community*

Court officials and judicial officers from other counties and jurisdictions are impressed with the efficiency of Maricopa County's Comprehensive Mental Health Court.

During the past several months, CMHC has been reaching out to the community by inviting officials from neighboring jurisdictions to view its daily calendars and witness its best practices.

"I appreciated our Pinal County delegation being included in your fast-paced Thursday morning. The staffing was enlightening and the materials will be extremely helpful as well. I also wanted to let you know that your staff was not only professional but friendly and helpful," Judge Janna Vanderpool of Superior Court of Pinal County said after a visit to CMHC.

Pinal County Superior Court has sought input from CMHC in expanding their mental health court. On average, Superior Court in Pinal County sees six defendants per week, compared to 100 defendants per week seen in Maricopa County Superior Court.

Joining Judge Vanderpool during the visit were Lisa Garcia, assistant county manager for Health and Human Services; Rose Hasseltine of Cenpatico; Ron Harris, a mental health county attorney; and Dianna Kalandros, mental health court liaison.

"The goal of the CMHC is to combine the administrative cases involving the seriously mentally ill, to share information, coordinate oversight and improve compliance with treatment services," said



*Commissioner Michael Hintze presides over a Mental Health Court hearing.*

Presiding Probate and Mental Health Court **Judge Karen O'Connor**.

Since it started its community outreach efforts, CMHC has hosted a variety of officials including Sandy Brulo, deputy director of Forensic Programs from the State of Pennsylvania. It has also presented its findings to the Commission of Justice System Intervention for the Seriously Mentally Ill. Tempe Municipal Court Presiding Judge Louraine Arkfeld hosted Korean delegates to observe mental health proceedings in limited jurisdiction courts. Also, Judge Yoshinori Niwa, Nagoya District Court of Japan and Fumiko Kamagata, Chiba District Court of Japan, visited the CMHC Rule 11 calendar to see how Superior Court handles competency hearings.

"I was not only impressed by the process you have established but by the dedication and passion exhibited

by your staff; the project is both necessary and valuable if offenders with mental health needs are to be stabilized and rehabilitated in our communities," Brulo said in a letter to Commissioner Michael Hintze.

### ***MCSO Works with Mental Health Court***

A Mobile Crisis Response Team (MCRT) is being formed under the Supervision of Chief Mary Ellen Sheppard of the Maricopa County Sheriff's Office (MCSO) in response to the growing numbers of field officers who interact with individuals suspected of being seriously mentally ill. The MCRT will continue to attend hearings at the Comprehensive Mental Health Court to familiarize the MCRT staff with court proceedings.

# Courtside

## *Photo Highlights* **In the News**



**Top** - Court consultant Dan Straub, Ph. D, speaks to a group of Maricopa County leaders regarding the ongoing initiatives surrounding the new Court Criminal Tower.

**Middle Left** - Civil Court Admin Supervisor **Gloria Braskett** was awarded her 15 Year Anniversary Pin on April 5<sup>th</sup> during the monthly Civil court staff meeting.

**Middle Right** - On March 28-29, the court hosted a CourTools Grassroots Seminar to discuss exit surveys and to share ideas of improving the process. Attendees included staff from the National Center for State Courts, Tippecanoe County Court, Illinois Circuit Court, Utah Administrative Office of the Courts and Yuma County Court.



**Bottom Left** - The San Tan Regional Court Center ribbon cutting celebration on April 3rd.

**Bottom Right** - Court Administration's **Bert Binder** introduces a group of attorneys and staff from Snell and Wilmer to Superior Court's latest E-courtroom.

