



Division 95 Approved

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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.

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



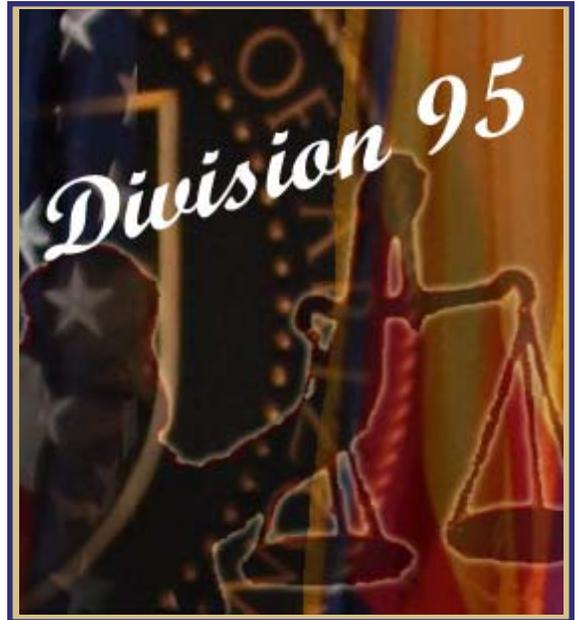
The Maricopa County Board of Supervisors and Governor Janet Napolitano approved the creation of a new judicial division in Maricopa County Superior Court.

Division 95, with an effective date of September 1, 2007, will allow the Court to add one more judge. Through the merit selection process, the governor will appoint the new judge. The additional division (judge) will allow the court, for the first time, to focus its resources and dedicate judicial officers to hear capital cases (death penalty) exclusively.

Between July 2003 and July 2007, the volume of pending, active capital cases nearly doubled from 69 to 122 due to the filing policy of the County Attorney's Office.

Arizona law authorizes the Superior Court to have one judge for every 30,000 inhabitants (ARS 12-121). Judges assigned to the criminal department preside over felony crimes, including capital murder cases. Superior Court also handles civil, family, juvenile, probate and mental health cases.

"Maricopa County is the fastest growing County in the nation, and unfortunately with growth, the crime rates increase," Chairman of the Board of Supervisors Fulton Brock said. "We hope the creation of a



new division will help ease some of the burden being placed on our courts."

Court Administrator **Marcus Reinkensmeyer** commended the County Board of Supervisors for helping to insure the court has sufficient resources to resolve criminal cases in a timely fashion and ensure public safety, which is critically important for victims, defendants and the community.

No appropriation adjustment is necessary in creation of the new division.

Funding was appropriated to the Trial Courts FY '08 budget.

The Maricopa County Superior Court currently has 94 judges and 56 commissioners. A total of 157,956 new cases were filed in the court during Fiscal Year 2006.

Message From the Presiding Judge



Barbara Rodriguez Mundell
Presiding Judge

Eight new judges have just been appointed by Governor Janet Napolitano, and I've appointed two new commissioners to fill vacancies created by our commissioners who are moving on to their new assignments as judges.

First, let me introduce our newest judges:

- **Dawn M. Bergin** - a partner with the firm of Lewis and Roca, she has a long history of community involvement.
- **Roger E. Brodman** - attorney and co-founder of Holden Brodman PLC, specializing in construction law.
- **Dean M. Fink** – a commissioner since 2004, serving first on a mixed calendar of probate and mental health cases, and most recently in the criminal department. His effective date of becoming a judge was Aug. 21.
- **Hugh E. Hegyi** - a commissioner since 2003, serving in Family Court until his recent assignment in June to a Civil/Probate calendar. He became a judge on Aug. 23.
- **Daniel G. Martin** – Administrative law judge since 1999, serving most recently as Assistant Presiding Judge in the Arizona Office of Administrative Hearings.
- **Samuel J. Myers** – prosecutor in Maricopa County Attorney's Office, specializing in homicide cases.
- **Susanna C. Pineda** - an assistant Attorney General for more than 20 years. Her current assignment is in the civil division, focusing on liability management.
- **Randall H. Warner** – an attorney with the firm of Jones, Skelton & Hochuli with extensive expertise in training legal professionals.

Our two new commissioners are joining the bench from their assignment with the Arizona Attorney General's Office. **Richard Albrecht** with the Liability Defense Litigation Division will start with the court on Sept. 10. **Patricia Arnold** joins the court on Sept. 4.

She worked in the Protective Service Section of the AG's Office.

Governor Napolitano has set a record for the most judges appointed to Maricopa County Superior Court during her service as governor. Her first appointment to our bench was in 2003, selecting Judge Harriett Chavez. Since then, she has filled an additional 36 vacancies.

It is with gratitude that I thank a number of our retired judges who have dedicated many hours handling calendars in criminal, civil, family and juvenile assignments. These judges have provided a level of expertise, professionalism and efficiency that proved invaluable to the court. They also served our community well by keeping the court's critical calendars running effectively without interruption.

The impact of the large number of retirements could have been debilitating if they hadn't filled the void between their departures and the arrival of the newly appointed judges.

Individually and collectively, I thank **Judges Rebecca Albrecht, Kenneth Fields, Robert Gottsfield, Sarah Grant, Norman Hall, Jeffrey Hotham, Barbara Jarrett, Jonathan Schwartz, Dennis Dairman and Penny Willrich** for their selflessness in serving court customers and the Bench.

Over the next few weeks, join me in welcoming our new judges and commissioners – and thanking our pro tem, retired judges who continue to serve us well.

Presiding Judge to Speak at Bench and Bar Luncheon

Presiding Judge Barbara Rodriguez Mundell will be part of a panel of judges speaking at a *Bench and Bar Luncheon* hosted by the State Bar of Arizona at the Arizona Biltmore on September 7 at 11:30 am.

The panel will discuss such topics as: Cases of interest in the Court of Appeals; Trends, developments and statistics in civil law; Trends in child welfare and juvenile justice; New state-wide rules for family law cases; Update of the criminal case flow process and Views from the bench. Others on the panel include Chairperson **Judge M. Jean Hoag** and **Judges Mark Aceto, Anna Baca, Karen O'Connor and Eileen Willett**.

South Mountain Justice of the Peace

Court Saddened by the Death of South Mountain JP



*Pamela C. Gutierrez
Justice of the Peace*

Judge Pamela C. Gutierrez passed away on August 6 following a courageous, two year battle with cancer. Judge Gutierrez served as South Mountain Justice of the Peace for more than 13 years.

Judge Gutierrez dedicated much of her life to volunteer work, community service and education. She earned a Bachelor of Science Degree in Business Management and a Masters Degree in Criminal Justice. During her career, before being elected as a Justice of the Peace, she held a variety of administrative and criminal justice jobs. Her experience included working for Community Legal Services, private law firms and in the Judge Advocate General's Office at Williams Air Base, where she served in the U.S. Air Force.

She was elected to her first term in the justice court in 1994 and was re-elected in each subsequent election. She took an active role in

sharing her judicial experience with other judges, serving as a mentor judge.

In a news story printed in a local publication several months ago, Judge Gutierrez said her career and her volunteer work were her "effort to make a difference in the community."

After learning she had cancer, she helped raise money and the public's awareness about the disease by participating in the Susan G. Komen Race for the Cure, speaking to community groups and sharing her experience.

"If I can share my story...my purpose is to get up every day and try to help somebody," Judge Gutierrez told a reporter.

"We had great respect for her professionalism and her dedication to all of us, the court and her community," said Linda Perkins, her court manager. "She had a very caring soul."

South Mountain JP Appointed



*Cody Williams
Justice of the Peace*

The Maricopa County Board of Supervisors appointed **Cody Williams** as the South Mountain Justice of the Peace, filling the position of the late Justice of the Peace Pamela Gutierrez.

Born and raised in Phoenix, Justice of the Peace Williams is a graduate of the University of Oklahoma, Arizona State University and Harvard's John F. Kennedy School of Government.

He has served as a council member for the city of Phoenix for eight years, representing District 8. He has worked as a stock broker with Paine Webber, a commercial loan officer with MeriBank, a human resources representative with Security Pacific Bank and Intel.

He was sworn in at a ceremony on August 20 at the Washington Carver Museum in Phoenix.

Court Briefs

News from around the Court

Familiar Faces Return to SE

We are pleased to welcome back **Judge Alfred Fenzel** to the Southeast Regional Superior Court Facility.

In 1999, Judge Fenzel was first assigned to a special assignment calendar at the Southeast Facility where he stayed until 2000 when he was reassigned to a criminal calendar. After three years with the criminal calendar, he was rotated to a juvenile calendar downtown. Then in 2004, he was reassigned to Juvenile/ Durango until his recent move back to the Southeast facility in June 2007.



Judge Alfred Fenzel

We are pleased to also welcome back **Judge Barbara Jarrett** to the Southeast Regional Court Center.

Judge Jarrett retired from the Superior court in April of 2005 from the same SE civil calendar she is now assuming from Judge Abrams. Her first calendar was Downtown in civil beginning in January 1993. She was also assigned to the Southeast Regional Court facility in May of 1998 and has moved back and forth between SE and the downtown courts as she changed departments.

Most of her pro tem time has been at the downtown Superior Court conducting short trials. On occasion, she has been filling in at the juvenile facility at Durango.



Judge Barbara Jarrett

Story submitted by Tanya Luther
Administrative Coordinator

Law Library

The close of the 06-07 fiscal year is a perfect opportunity to tell you about the high level of service the Law Library has provided over the past year. You just might be surprised at some of these numbers!

For example, the Law Library's document delivery service to court staff, the general public and attorneys is one of our best sellers. This year, the Law Library received 2,562 requests for an average of 10 requests a day.

By far and away though, the best service the Law Library offers is our reference desk. The Law Library's Reference and Information Services staff handled approximately 95 reference contacts every day. That amounts to an average of 10 requests an hour not including the document delivery requests. Given that many of these contacts extend over 10 minutes or more, it is an impressive figure.

Another service that is greatly appreciated by judges and court staff is our *Court Informer* publication. For each issue of the *Court Informer*, the Law Library receives an average of 92 requests for articles. If you have never seen the *Court Informer*, look for it on the Law Library website and see what you are missing out on!

Finally, the Law Library taught a total of 41 classes during the year which amounts to an average of one class a week. We would love to have that number be even higher next year. So, if your department has any unique legal research issues, let us know and we will be happy to design a class tailored to your specific needs.

For more information on library service, please contact the Law Library at X63461, or services@scll.maricopa.gov. Our mission is to provide the Court with timely, efficient, and reliable access to legal information! We welcome the opportunity to help you with your legal information needs.

Story submitted by Jennifer Murray
Law Library Assistant Director

Court Technology Services

2007 Judicial Performance Review (JPR) for Judges

iCIS to Update JPR Information

Many judicial staff members participate in the Judicial Performance Review (JPR) process. Prior to the JPR start date of August 27, 2007, judicial staff members will have an opportunity to attend training. During this training, staff will receive instruction and handouts from the Administrative Office of the Courts (AOC) Judicial Performance Review Program concerning rules to follow during the JPR process. Court Technology Services (CTS) will provide information relating to the process involved in updating iCIS with JPR information.

What's New for 2007?

1. Court staff may now accept a completed survey from a litigant/witness/pro per. Simply tape the survey with the address of Research & Information Specialists showing on the outside and place it in a mail drop.
2. Once the jury reaches a verdict, juror surveys can be distributed while waiting for the court to convene. Court staff will collect the completed surveys (placed in sealed envelopes) and mail the surveys to Research & Information Specialists. Judges have the discretion to select different timing for survey distribution when the new process interferes with efficient use of court time or is inconvenient for a juror.
3. Juror surveys and pamphlets are on blue paper, Litigant/witness/pro per surveys on pink paper for English, and green paper for Spanish.

The Arizona Commission on Judicial Performance Review was established in 1992 by a constitutional amendment passed by voters. The Commission's membership includes 18 members. Most are members of the public and are not attorneys or judges, and there can be no more than six judges and six attorneys. The public members of the Commission come from varied backgrounds. The current membership includes active or retired educators, engineers, psychologists, accountants, business executives and community volunteers.

The Commission sets performance standards for judges, decides whether a judge meets those standards, and reports its findings to the voters.

The survey responses are compiled by an independent data center and the results are given to the Commission. Its members review all the information on each judge and vote whether the judge MEETS or DOES NOT MEET judicial performance standards.

**Story Submitted by Stephanie Valenzuela
Court Technology Services**

New CASA Manager Steps Up Recruitment Efforts

Robert Hahn has been appointed as the new director of a program that has tremendous impact on the children who pass through Juvenile Court, **Presiding Juvenile Court Judge Eileen Willett** said.

Hahn began his new position as the Court Appointed Special Advocate (CASA) Program Manager for the Superior Court in late April. As its director, he is responsible for coordinating and supporting volunteers who advocate for the best interests of child abuse victims.

"Juvenile Court is fortunate to have hired Robert Hahn as its new Program Manager for the Maricopa County CASA Program. Rob's skill sets as a law trained, master's level counselor are a perfect fit for the growing and diverse needs of our CASA Program and the children it serves," Judge Willett said. "We are looking forward to Rob's innovative ideas regarding recruitment and retention of our volunteers. His enthusiasm is contagious."

One of the greatest challenges facing Hahn will be recruiting more advocate volunteers. As a result of Maricopa County's unprecedented population growth, the number of dependency cases is at an all-time

high. "Our program just hasn't been able to keep up with the growing population," Hahn said. "The goal of Juvenile Presiding Judge Eileen Willett is to find a CASA volunteer for every child that is currently in dependent care in Maricopa County. As the Program Manager of CASA and a concerned citizen, I think a CASA for every foster child should be the goal of every county resident," Hahn added.

Court Appointed Special Advocates (CASAs) provide objective recommendations to judges in cases where children have experienced abuse and neglect. Hahn is elated with the diligence shown by the program's volunteers. "I am impressed with the loyalty our CASAs show toward their appointed children. Our volunteers don't just advocate – they fiercely advocate," Hahn said. From the volunteers to the judges, I am humbled by the profound sense of responsibility and strong belief in justice I witness every day."

Prior to his appointment, Hahn worked at Superior Court for three years as a Family Court conciliator. He has a law degree from Case Western University in Cleveland; a Masters degree in counseling from



*Robert Hahn
CASA Manager*

Idaho State and a Bachelors degree in political science from Washington University in St. Louis.

Maricopa County CASA was founded in 1985 by then Presiding Juvenile Court Judge C. Kimball Rose to recruit, screen and train community volunteers to advocate for the best interests of abused and neglected children in court proceedings.

For more information or to volunteer for the program please call 602.506.3930. Or visit their website at: www.maricopacasa.org.



Maricopa County Adoption Day : Save the Date

Planning has already begun for the Maricopa County's adoption day celebration. This year's event will be held on November 17, the same day as National Adoption Day, at the Durango Juvenile Court in Phoenix. Last year, the court set a record in the number of hearings and adoptions. The court conducted 164 hearings, which resulted in the adoption of 205 children. The 2007 celebration is expected to surpass last year's totals. **Photo:** *The Phoenix Suns Gorilla took photos with the children who attended the 2006 event.*

Juvenile Probation

2006-07 Safe School Program Highlights

Juvenile Probation Officers are empowering children and teaching them to make good choices that will help them become productive citizens.

Juvenile Probation Officers were placed in elementary, middle and high school campuses throughout Maricopa County for the purposes of delinquency prevention through Law-Related Education (LRE).

Here are some of the highlights from a few of the standout programs from the 2006-07 school year:

- **Desert Sands Middle School Wins Arizona State-wide Community Works Competition.** This year, two 7th grade classes, led by **Safe School Juvenile Probation Officer (JPO) Alan Speers** and their classroom teacher, organized a neighborhood cleanup project. Approximately 90 seventh and eighth grade students and community leaders cleaned two alleys, cleaned a park and painted over graffiti. Community Works is a violence prevention and community service curriculum designed to get students to take ownership in their community. Their hard work landed them the *Best in State* award from the Arizona Foundation for Legal Services and Education community works competition.
- **Cesar Chavez Elementary School Builds Tomorrow's Leaders in Peer Leadership Program.** The Peer Leadership Program is designed to teach kids to be positive role models for their peers. The program promotes success in school by developing leadership skills and creating positive race relations among students and the community. It also helps them resolve conflicts peacefully, creatively and without violence. This past year, approximately 25 students in grades 4-8 participated.
- **T.A. Edison Elementary Empowers Girls & Boys with weekend Girl & Boy Power Camps.** Empowering the students at Edison to make good choices has become a passion of **Safe School JPO Kate Hansen**. Seventy girls and 63 boys attended separate weekend *Girl and Boy Power Camps* last year. Students were taught how to set goals and save money for their goals. They also learned about the dangers of gang membership, and fitness expert Hugh Henry, Mr. Arizona 2005, taught the boys about nutrition and exercise. Representatives from Mary Kay cosmetics taught the girls how to care for their skin properly.
- **Loma Linda Elementary School Preparing Girls for Life's Challenges.** **Safe School JPO Tammi Dew** facilitated Girl Support Groups, working with two different groups of girls. Both groups met a minimum of one time per week, after school, for one hour. Some topics of discussion included friendship, families, cultural traditions, goal setting, and stress management. Time was also spent educating the girls about sex education with a realistic abstinence-based curriculum.
- **Capitol Elementary School wins APS/Phoenix Suns Education Mini Grant for School-wide Character Counts Project.**

Safe School JPO Ramon Villa and Art Teacher Rudy Begay coordinated a year-long effort to create six mosaic pillars representing the Six Pillars of Character Counts - *Responsibility, Fairness, Respect, Caring, Trustworthiness and Citizenship*. The school-wide project brought together parents, teachers and students of all grades. More than 1,200 tiny tile pieces were painted, glazed and fired for the murals.



The Six Pillars of Character Counts Mural

Story submitted by **Frank Groenewold**
Juvenile Probation

Courtside

Photo Highlights

In the News



Top - Administrators from Superior Court meet with Steve Blaylock of facilities management division and Steve Jordan of Gilbane/Ryan to discuss secure entry into the entrance of the Superior Court's new court complex. The court complex is expected to be finished in 2011.

Left - Reporters swarm family members of the victim in a murder trial. This case was one of many high profile hearings and trials held at Superior Court this summer. Currently, one case is broadcast live daily on KTVK's website.



Bottom Left - Each Monday, **Genevieve Hernandez** of Justice Court Services receives between 800 and 1100 traffic citations from various police agencies. Hernandez is responsible for scanning the citations and sending them to various Justice Courts.

Bottom Right- United States District Court **Judge Roger C. Strand** visits the Old Courthouse to see his old chambers. He served on the Superior Court bench for 17 years before being appointed to the U.S. District Court in Arizona by President Ronald Reagan in 1985.

