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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](mailto:karra@superiorcourt.maricopa.gov).

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



## Message From the Presiding Judge



**Barbara Rodriguez Mundell**  
Presiding Judge

The Judicial Branch of Arizona continues to garner national recognition for its creative thinking and innovative solutions. Recently, our efforts caught the attention of Harvard University.

Beginning this fall, I will be attending a series of Executive Sessions for State Court Leaders, hosted by the Harvard University's Kennedy School of Government and the National Center for State Courts. During the sessions, we will discuss the challenges facing the judicial branch, and how we as leaders can address those challenges. This invitation is a reflection of the hard work of our Bench and all of our employees.

The work of this group stands to impact the way state judiciaries are viewed, and how they will operate in the 21st century.

It is a great honor to be chosen to participate in such an ambitious effort to help guide the evolution of state courts. It will be a privilege to work with such influential leaders and pre-eminent academics, which will be comprised of a 30-member group of state supreme court chief justices, presiding trial court judges, state trial court administrators, leading scholars of the American judicial system and journalists who cover the courts. We are scheduled to meet for a series of six discussions over a three-year period. The first meeting will convene at Harvard University on September 25.

Among the challenges scheduled to be discussed include:

- To what extent must state judicial leaders succeed as effective executives?
- How do leaders of state judiciaries remain accountable and independent while ensuring adequate resources to resolve disputes?
- To what values/outcomes and to whom/how should judicial leaders be accountable?
- Are there ways to bolster vision, governance and motivation through state courts?

I consider this membership to be a great distinction, and am truly humbled to participate in such important talks. We should all take pride in the fact that the Judicial Branch of Arizona continues to be recognized nationally for its effective strategies and professional standards.

# 2008 Legislative Highlights

To make sure you are up-to-date on all the recent law changes, below is a brief summary of the bills that passed the Legislature and were signed by the Governor. Legislation passed during the 2008 session will become law ninety days from the last day of the 2008 Session, September 26, 2008, unless accompanied by an emergency clause, in which case a bill is effective immediately upon the Governor's signature unless otherwise provided for in the legislation.

- SB 1011** residency restrictions, schools, child care (amending ARS 13-3727)
- SB 1013** arrest warrants, child support, fiduciary (amending ARS 14-5701 and 25-681)
- SB 1021** community notification (amending ARS 13-3825)
- SB 1022** jury fees, technical correction (amending ARS 21-428)
- SB 1050** court reporter certification (repealing ARS 32-4009; amending ARS 32-4023)
- SB 1067** escape, definition (amending portions of ARS 13-604, repealing portions of ARS 13-604; amending ARS 13-4062, 31-412, 41-1604.11 and 41-1604.13)
- SB 1068** criminal appeals (amending ARS 13-4033)
- SB 1100** CPS services, court order (amending ARS 25-403.03)
- SB 1112** divorce, disposition of property (amending ARS 25-211 and 25-318)
- SB 1186** judicial performance reviews, court commissioners (adding ARS 12-119.04)
- SB 1332** DNA testing; arrest (adding ARS 8-238; amending ARS 13-610 and 13-3967)
- SB 1354** accomplice liability (amending ARS 13-301 and 13-303)
- SB 1355** attempted dangerous crimes against children (amending 13-604.01)
- SB 1412** biological evidence; retention, preservations (adding ARS 13-3890 and 13-4221)
- SB 1440** child dependency cases; performance standards (Chapter 197)
- SB 1441** foster care; expedited permanency (amending ARS 8-113, 8-533, 8-824, 8-829, 8-847 and 8-862)
- SB 1442** dependent children; placement; hearings (amending ARS 8-824)
- SCM1004 federal tax intercept proposal
- HB 2036** state hospital employees; disease testing (amending ARS 13-1210)
- HB 2109** interstate compact; annual assessment (amending ARS 12-267 and 31-467)
- HB 2129** internet age misrepresentation (amending ARS 13-604.01 and 13-3821; adding ARS 13-3560)
- HB 2207** sentencing; re-organizational (Chapter 301)
- HB 2248** electronic communications; harassment; order; protection (amending ARS 12-1809, 13-2921 and 13-3602)
- HB 2276** child support; arrearages (amending ARS 25-510; repealing 25-515)
- HB 2277** child support; presumptions (amending ARS 25-320)
- HB 2321** factual innocence; judicial determination; procedure (amending Title 12, Chapter 6, by adding Article 17; amending Title 13, Chapter 40 by adding ARS 13-4440))
- HB 2453** children, open court proceedings (repealing ARS 8-224; adding ARS 8-525)
- HB 2480** aggravated luring; minors; sexual exploitation (amending ARS 13-604.04, 13-1409, 13-3557 13-3821; adding 13-3560)
- HB 2505** child support; medical insurance (amending ARS 20-154, 25-320 and 25-500 by adding 25-529)
- HB 2554** justice courts; criminal actions; jurisdiction (amending ARS 22-301)
- HB 2643** liquor; restaurant licenses; continued operation (Chapter 256)
- HB 2764** dependent children; successor permanent guardianships (amending ARS 8-814, 8-846 and 8-871)
- HB 2813** civil action; affirmative defense (repealing ARS 12-712; adding ARS 12-712)

For full text, visit the Arizona State Legislature's home page at [www.azleg.state.az.us](http://www.azleg.state.az.us)

## Criminal Court Tower Plan Update



The Maricopa County Board of Supervisors approved a number of important next steps for the planned downtown Criminal Court Tower, including: contracting for the demolition of the Madison Street Parking Garage in mid-November 2008; and ordering of steel for the building superstructure. With these approvals, the project can proceed from design to site preparation.

Information regarding judge and staff parking will be provided shortly.

Work continues on the schematic design review for the new criminal tower. Architects and project stakeholders will next proceed with detailed design of the tower. Superior Court is targeting the first quarter of 2012 for facility completion and move-in.

**Presiding Judge Barbara Rodriguez Mundell** would like to thank the judges, commissioners and staff who participated in the mock courtroom sessions and other planning for the court tower.

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## CASA Director to Work On National Conference

The National Court Appointed Special Advocate (CASA) Association has named **Maricopa County CASA Director Robert Hahn** on its planning committee to work with CASA Directors across the country, assisting in the production of the upcoming CASA National Conference, in Denver, CO., April of 2009.

His responsibilities will include meetings with members of the faculty committee to solicit ideas and to discuss trends, issues, strengths and challenges that face local CASA Programs and their impact on the provision of services to the foster children we serve. That discussion will assist National CASA in developing a theme and relevant topic tracks for conference participants. He will also be making recommendations concerning workshops, general speakers, and entertainment issues.

“Mr. Hahn’s assistance will be very much appreciated by me and the folks here at National CASA”, said Rebecca Grossman, CASA Training Manager. “He brings innovative ideas to our discussions, and I am looking forward to working with him on this project,” she added.

Along with joining the National CASA conference faculty committee, Hahn is a member of National CASA’s Urban Initiative and most recently taught a workshop about succession planning in New Orleans for the national organization.

“I am excited to assist in National CASA’s effort to plan next year’s conference,” said Hahn. “But I never lose sight of the fact that the real essence of the CASA program is our volunteers. I am still amazed at the good will of community members who step up and give their time to help our most vulnerable children. The Maricopa County CASA program will continue to harness the energies of these extraordinary people to serve the needs of our county’s most vulnerable citizens: our children,” expressed Hahn.

Submitted by Justine Grabowsky  
CASA

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## Q and A with Judge Aimee Anderson

*Judges who have joined the bench over the past several months are being featured in a question-and-answer feature that runs regularly in the Judicial Branch News.*

**Q. What has surprised you the most about making the transition from commissioner to judge? Please explain.**

How little of a transition it was. Thanks to Judges Mundell and Willett, I remained in the juvenile division where I was previously assigned. I hired the staff that was assigned to me as a commissioner and I have the same courtroom and chambers.



*Aimee Anderson*

**Q. Before joining Superior Court, you were an Assistant Attorney General, representing the Arizona Department of Economic Security, Child Protective Services and a Deputy Legal Defender in Maricopa County handling matters involving child dependency. How did those assignments prepare you for your Juvenile Court calendar?**

Although much has changed since I was a juvenile practitioner—that experience has allowed me to appreciate the work that those who appear in front of me do and the demands that they all face.

**Q. You were a race-walking champion on the United States Track and Field Team. Has that experience helped you in your judicial career?**

Being an athlete has been helpful. It all takes hard work, perseverance and a lot of patience. It certainly helped me get through the appointment process!

**Q. Who has been the biggest inspiration in your legal career?**

The female judges and lawyers who have successfully juggled their family life with their legal careers.

**Q. What's your favorite quote? (This can be something one of your children said to you, what you said to them, a line from poetry or something you wish you hadn't said).**

"I you"—it is what my son would say when he was very young— instead of "I love you." It has become our family's term of endearment.

**Q. If you had a day to spend with anyone (living or dead, real or fictional), who would it be and what would you do?**

I would spend the day with my family and hang out at our cabin. Sleeping in, going on a hike in the forest and enjoying a good glass of wine fireside at night.

**Q. Do you own an IPOD? If so, what songs are currently in your playlist?**

An "IPOD"—what is that? Besides, the songs that are played in my car are usually all on "Radio Disney."

**Q. When you retire from the bench, how would you like to be remembered?**

I would like to be remembered for being fair, compassionate and doing the right thing.

# COMMUNITY OUTREACH

## Employee Named to Civil Rights Board



*Beverly Dupree*

**Beverly Dupree**, a management analyst IV in administrative services, was appointed by Governor Janet Napolitano to sit on the Arizona Civil Rights Advisory Board for

a term of three years.

Dupree is one of seven members named by the Governor who will investigate and hold hearings on alleged infringements of Arizona civil rights laws and advise the civil rights division of the Department of Law.

“It’s pretty exciting, and I am very proud that I was asked to serve on the Board,” Dupree said.

## Employee Travels to China to Help Women

*By Terri Jackson, American with Disabilities Act Coordinator*

Recently, I attended the 2<sup>nd</sup> Annual Women’s Symposium and Study Program held in Zhengzhou, China.

The Symposium, sponsored by Global Interactions Inc., the Shanghai Women’s Federations, Arizona’s Governor’s Office and SIAS International University, was attended by approximately 5,000 students and covered topics including leadership, the law, health, keeping balance in one’s life, self confidence, managing stress, how to run a business, transitioning into womanhood, friendship and financial planning.

During the symposium, our 14-member delegation had the opportunity to meet with urban and rural women of Zhengzhou. They told us about many of the great endeavors occurring in Zhengzhou helping to advance the rights of women and children.

SIAS International University, founded by Dr. Shaun Chen in Zhengzhou Henan Province, is the only American University in Central China and is affiliated with Ft. Hayes Kansas State University. Its educational goal is to bring eastern and western styles of education and practices to the student.



**Terri Jackson**, ADA Coordinator with Superior Court (right), gives Dr. Li, deputy director of the Shanghai Women’s Federation, postcards of Phoenix and Arizona.

## Court Focused on a Representative Workforce

In order to promote an inclusive working environment and assemble a workforce characteristic of the citizens it serves, the Judicial Branch of Arizona in Maricopa County utilizes a variety of recruitment resources.

“We continue to establish partnerships, maintain visibility in the minority communities and attend job fairs and expos,” Employment Services Manager Andreia Griego said.

These events include: Phoenix Diversity Career Fair, Maricopa Workforce Connections, ASU Career Day Events, Black Expo, Arizona Boomerz Job Fairs, Chicanos Por La Causa Job Fairs, Urban League Job Fairs, and National Deaf Expo.

Judicial Branch positions can also be found on various diverse websites and publications such as Saludos Hispanos, LatPro, Historically Black College and

Universities, Arizona Women’s Education and Employment (AWEE), Asian Times, Arizona Informant, and Hispanic Association of Colleges and Universities.

“In order to attract diverse talent at all levels, we must begin at the top or we will not make much progress. By utilizing a diverse network of community partnerships and advertising resources, the Judicial Branch has been able to recruit a diverse leadership and executive team which is reflected in the below diagrams,” Griego said. “By having diversity in our leadership and executive teams, we can react to changing trends in our community and agency.”

As the Judicial Branch moves forward in its diversity efforts, it will continue to provide diverse trainings, encourage diverse hiring panels and continue to establish and maintain partnerships with the minority communities.

# Court News and Notes

## Court Adjusts User Fees

Effective August 11, 2008, the court has five new fees to increase revenue and assist in balancing the budget. The Board of Supervisors approved these fees unanimously with the understanding that parties will be permitted to pursue their case regardless of their ability to pay, through waiver or deferral of costs.

Four of the fees are projected to raise approximately \$1.4 million through family court cases. Two fees address existing services that have never cost parties beyond the initial filing costs. The court's conciliation services department has been providing parenting conferences for mothers and fathers for the past four years. This work exceeds the requirements of mediation and ultimately concludes with a report of findings for consideration by the court. Each party will now be asked to reimburse the court \$200 for this work performed on their case. Post-decree filings continue to heavily tap the department resources in numbers and complexity. Mediations for these cases are a service for which the parties benefit in resolving issues but there has been no cost to them. Each party will be asked to pay \$100 in the future.

The remaining two fees in Family Court are sanction fees that will be addressed only if a person purposely fails to attend a scheduled service or if, through their actions, they cause case delay and hardship on their children.

*Court User Fees - continued on page 7*

## Library and Self-Service Center Tip: What's for Sale?

It is a regular occurrence that a litigant comes to court unprepared. And, it's not always their fault. The judicial system can be intimidating and unfamiliar. The Law Library and Self-Service Centers can often help those who haven't brought everything they need with them. Here is how we can help:

**Writing Pens** - The Self-Service Center now sells black ink writing pens for ten cents each.

**Envelopes** - The Law Library and Self-Service Centers both sell business-size envelopes with forty-two cent postage. This cost of this envelope is fifty cents. But, if you need a larger envelope, the Self-Service Center can help with that. They sell 10 x 13 envelopes with postage for 6 ounces or approximately 50 pages. The cost of this larger envelope is \$2.00.

**Copiers** - The Law Library and each Self-Service Center location have photocopiers available for court customers. The cost per photocopy is ten cents per page. If the customer only has a credit card, the Downtown Law Library can do the photocopying for the customer at twenty cents per page.

**Internet printing** - If a customer needs to access and print from the Internet, he or she can do that at the Downtown Law Library. The cost is ten cents per page.

**CD-ROM** - If a customer needs to download information from the Internet, he or she can burn the information onto CD-ROMs available for purchase at the Downtown Law Library. The cost of a CD-ROM is \$1.00.

If you or a customer have questions about these products or services, contact the library on the second floor of the East Court Building, by telephone at 602-506-3461 or by email at [services@sccl.maricopa.gov](mailto:services@sccl.maricopa.gov) for more information.

Submitted by Jennifer Murray  
Law Library

## Carol Crimi Announces Retirement

Please join us in extending a farewell to Carol Crimi, travel coordinator with Superior Court, before she retires on September 3<sup>rd</sup>, 2008. Carol joined Maricopa County in 1974.

She is credited with the formation, implementation, and chairing the judicial assistants' training & education committee; developing the mandatory training program for all judicial assistants and on-call support staff; writing the domestic relations handbook for judicial assistants; and serving as a certified trainer for the Arizona judiciary. Carol is currently the travel coordinator for the courts, and will be missed.

Beverly Dupree  
Management Analyst IV

# The Impact of the Mortgage Crisis on Civil Court

There is probably no one living in the U.S. who is not aware of the impact that the mortgage crisis has had on the economy. Most of us have also known someone who has been personally affected by the problems in the mortgage industry and related real estate market. Whether it is someone losing their home, losing their livelihood, or unable to sell their home, the fallout has been both financially and emotionally devastating to many. It has also dynamically impacted Civil Court.

During the past fiscal year (2008), Civil Court has experienced a dramatic impact in new case filings, to be specific an increase of 26% or 10,434 more cases filed than in the previous fiscal year! In the previous fiscal year, filings increased by nearly 12% or close to 40% over the past two years.

While not all of the increase can be attributed to the mortgage crisis, a significant number are directly related to this very issue. The Court has received a huge upsurge in the number of forcible detainer cases (landlords or banks filing to have homeowners or tenants removed from their property) as well as many other Civil Court actions filed as the result of allegations of fraud or breach of contract against mortgage companies.

As the result of the fallout from the mortgage crisis, some homeowners are having forcible detainers filed against them for non-payment of mortgage payments and for others who are leasing property from the owner whose property is now owned by banks. The number of forcible detainer hearings set in Civil Court has increased from an average of 75 cases per month in FY 2007 to more than 300 per month in the current fiscal year.

Civil case filings for other mortgage related issues have also dramatically increased in their numbers, including those in which it is alleged that mortgage companies have committed some form of fraud or breach of contract in their lending practices. Many of these mortgage companies have filed for the protection of bankruptcy.

The economic crisis brought about by the issues related to the housing and mortgage industry have most affected families who may have lost their homes, their good credit and their dreams. For almost everyone else, it has played a significant part in the downturn in the economy and the upturn in the cost of living. For Civil Court it has contributed to a huge increase in new case filings and due to budget constraints, an increasingly difficult ability to meet Arizona Supreme Court (ASC) standard clearance rate goals. (Current clearance rate of 85.5% is now 9.5% below the ASC standards).

**Submitted by David Jacobs  
Civil Court Administration**

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## ***Court User Fees - continued from page 6***

This unwillingness to work to resolve issues often creates additional work and costs to the county and court. The non-compliance fee is an expansion of an earlier adopted sanction for those who willfully disobey a court order. The new no show fee will offer the court another option to increase court compliance. Any party that fails to attend an ordered service may be required to pay \$100. The fourth fee allows a charge for the three-hour Parent Conflict Resolution (PCR) class that was developed by the court more than four years ago. Parties are ordered to attend if there is high-conflict that may lead to negative impacts on their child(ren).

Any party that is ordered to attend is now subject to pay \$50 for this previously free service.

The Self-Service Center has several new and increased fees that went into effect on August 6. First, the Court is pleased to provide the following new services through the Self-Service Centers. Black ink pens will be sold for 10 cents per pen. Stamped large manila envelopes will be sold for \$2 with postage for 6 oz (approximately 50 pages). Second, there are two fee increases: Self-Service Center forms will increase from \$4 to \$5 per packet, and eCourt printing will be 10 cents per page.

**Submitted by Phil Knox and Jennifer Murray  
Court Administration**

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# Courtside

## Photo Highlights



**Top Left** - To enhance the juror experience, **Camille Simon**, bailiff to **Judge Christopher Whitten**, has transformed the jury room into a tropical paradise.

**Middle Left** - Steve Boehme, an audio engineer for *NBC Dateline*, mixes sound for a trial in Judge Andrew Klein's division. Also, *CBS 48 hours* and *ABC 20/20* are covering cases in Superior Court.

**Bottom Left** - **Grace A. Gutierrez** (right) of Adult Probation receives a 30-year Service Award at a recent Board of Supervisors meeting. Gutierrez began her career with Maricopa County on May 8, 1978.



**Bottom Right** - **Barbara H. McClain** (center) of Justice Court Services, flanked by General Jurisdiction Court Administrator Phil Knox (left) and Board of Supervisors, Chairman Andy Kunasek, District 3, receives a 30-year Service Award at a recent Board of Supervisors meeting. McClain began her career with Maricopa County on May 22, 1978.

