



The Judicial Branch News

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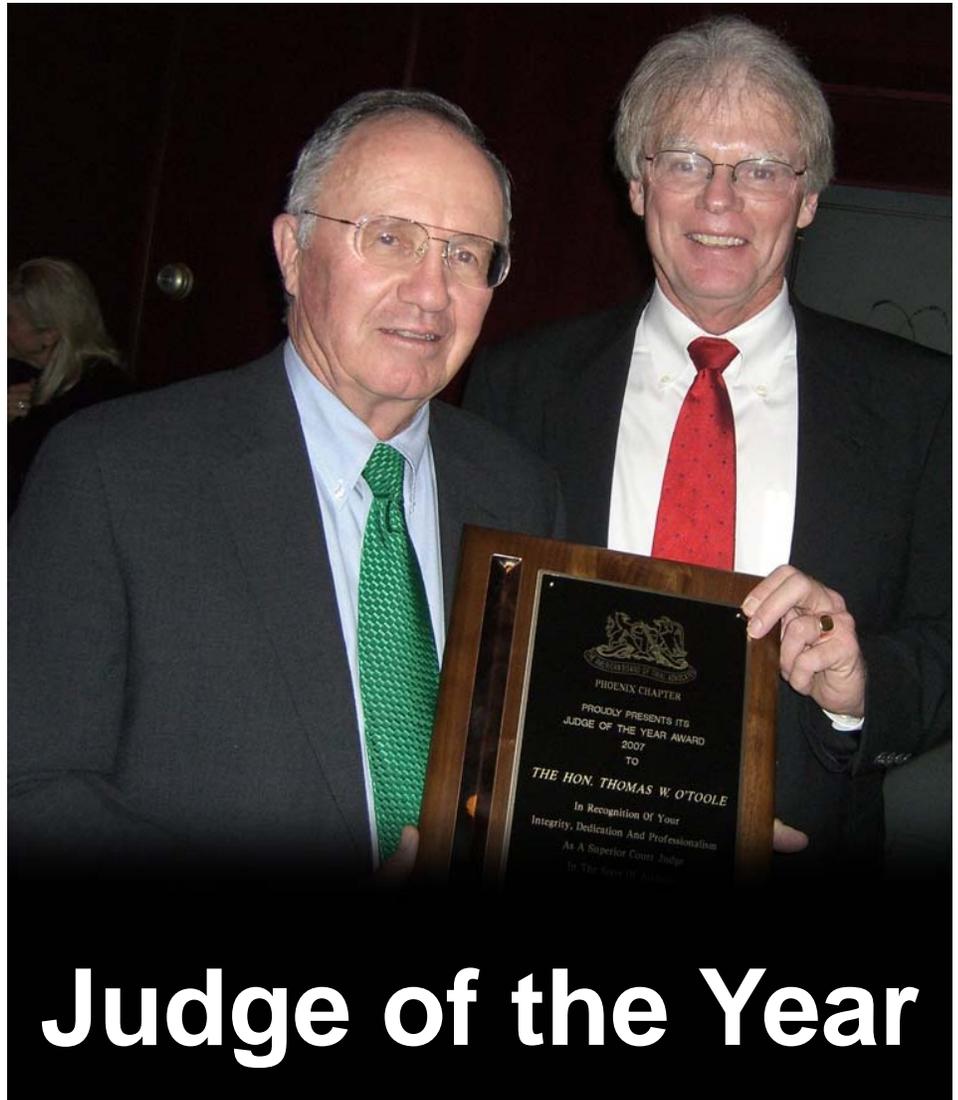
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The *Judicial Branch News* is an online newsletter published by the Media Relations and Community Outreach Department.

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."



Judge of the Year

Maricopa County Superior Court Judge Thomas O'Toole (left) has been named "2007 Judge of the Year" by the American Board of Trial Advocates (ABOTA). President-elect Frank Lesselyong (right) presented the award.

The award recognizes Judge O'Toole's "integrity, dedication and professionalism." It was presented to him on December 7 at a private dinner at Morton's Steakhouse.

Judge O'Toole, appointed in 1984, is the fifth Maricopa County Superior Court Judge to be honored with ABOTA's "Judge of the Year" award. Judges Margaret Downie, Gary Donahoe, now-retired Judges Barry Schneider and Robert Gottsfeld are the four who have also been honored with the award designation.

ABOTA's mission includes promoting the efficient administration of justice and constant improvement of the law.

Message From the Presiding Judge



Barbara Rodriguez Mundell
Presiding Judge

I am pleased to announce the appointment of Judge Norman Davis as the Associate Presiding Judge, which becomes effective January 1.

In this role, Judge Davis will remain in his Juvenile Court assignment, handling a full docket of cases. He will assist me in representing me and the court at a variety of judicial, community and inter-governmental meetings and perform tasks I assign to him. Historically, the Associate Presiding Judge works closely with the Presiding Judge in developing new court policies and administrative orders,

Judge Davis has been on the Superior Court bench since 1995. During the intervening 12 years, he has presided over criminal, civil, family and juvenile cases. He served two years as presiding judge at the Northwest Regional Court Center in Surprise.

For three years, starting in 2004, he presided over Family Court, during which he developed numerous changes to help court customers including streamlining case processing, reducing delays in resolving cases and extending hours into the evening and on weekends. His innovations in Family Court earned him county, state and national awards and he became an invited speaker at national forums on family law.

Judge Davis' foresight, innovative spirit and sharp intelligence are an asset to the court, and will serve the bench well in his role as Associate Presiding Judge. He is respected locally and nationally and has a knack for getting people to work well together.

Several Superior Court Presiding Judges who preceded me in this assignment appointed new associates in the middle of their five-year terms, and I am following their philosophy. It is done in an effort to expose more judges to positions of leadership.

Judge Davis replaces Judge Margaret Downie, who served as Associate Presiding Judge since July 1, 2005, which is when I started my five-year term as Presiding Judge. The Arizona Supreme Court announced my appointment as Presiding Judge in December 2004, which provided me with a six-month transition period with my immediate predecessor Judge Colin F. Campbell.

Judge Downie is an outstanding jurist and has been an exemplary Associate Presiding Judge. I deeply appreciate her service to our court and its administration, particularly in chairing the Commissioner Nominating Committee and Judges Pro Tem Committee. And I thank her for the meaningful contributions she made to our court.

Judge Downie handles all lower court appeals and specially assigned cases. She also represented Superior Court on the state Supreme Court's Committee of Superior Court. She was honored as "2006 Judge of the Year," by the American Board of Trial Advocates.

Newsmakers

Judge Willett Appointed as ADJC Chair

Governor Janet Napolitano recently appointed Presiding Juvenile Court Judge Eileen Willett to chair the Arizona Department of Juvenile Corrections Advisory Board.

Judge Willett is responsible for overseeing a 12-member committee made up of court and government officials, representatives of non-profit organizations, youth workers and various members of the community.

"I am honored and privileged to be appointed by Governor Napolitano to chair this very important Advisory Board. The Arizona Department of Juvenile Corrections (ADJC) provides children in need of guidance and redirection an opportunity to turn their lives around and become successful, productive members of their community," Judge Willett said. "There is no more important work than helping children reach their full potential and keeping our communities safe. I look forward to working with ADJC Director Michael Branham, the dedicated officers and staff of the ADJC as well as the members of the Advisory Board. Together we continue to build upon the strengths of this critical component of the administration of juvenile justice in Arizona."

The Advisory Board is responsible for assisting the Governor in the oversight of the ADJC ensuring coordination with other state agencies; and facilitating increased public awareness and advocacy about the needs of youth in custody.

New Commissioners Added to the Bench

New Commissioners have been added to the Superior Court bench, which has resulted in changes to a number of commissioners' assignments.

Jerry Bernstein, a former deputy county attorney and Jeff Rueter, a former assistant attorney general, are the most recent additions to the commissioner's roster.

Commissioner Bernstein's appointment to Initial Appearance (IA) Court becomes effective on Dec. 19 and Commissioner Rueter's appointment to Juvenile Night Court is effective Jan. 7.

Each of the two new commissioners will spend two weeks in training before assuming their calendars. Once trained, the commissioners whose calendars they are taking will relocate to new assignments.

Commissioner Barbara Hamner leaves IA Court when Commissioner Bernstein completes training in IA Court, and will move to a mixed Civil and Probate Court calendar, which was assigned to Commissioner Phemonia Miller. Commissioner Miller moves to Commissioner Pamela Svoboda's Initial Pre-Trial Conference calendar. In her move, Commissioner Svoboda assumes Commissioner Steve Lynch's criminal case calendar focused on DUI trials.

Commissioner Lynch has been assigned to a newly-created calendar to handle Class 4, 5 and 6 felony jury trials.

After Commissioner Rueter's training for his new post in Juvenile Night Court is complete, it allows Commissioner Peter Thompson to move to his new assignment taking

Commissioner Brian Rees' Juvenile Calendar in the Southeast Court Facility. Commissioner Rees takes over Commissioner Barbara Spencer's Mental Health calendar assignment and she takes over new responsibilities in a second newly created criminal case calendar focused on Class 4, 5 and 6 jury trials.

The creation of two new calendars provides a cushion for a smooth transition in the commissioners' assignment rotations. Unexpected delays in training commissioners new to the bench or those moving to new assignments will be accommodated with the postponement of the start date for the two newly-created calendars.

Court Briefs

Adult Probation Helps Garfield Residents

Recently, adult probation staff with Garfield neighborhood residents, police officers and neighborhood businesses combined efforts to celebrate GAIN - Getting Arizona Involved in Neighborhoods.

GAIN is a day of celebration for the successes of crime prevention through community involvement. Block Watches citywide participate in block parties to show support for the efforts of those involved in the fight against crime.

The Garfield Probation Center has been involved in this event since 1996, when it was a small block-party-type event. This year, approximately 1500 people came to enjoy music, dancing, free food and other activities. Probation employees staffed an information booth, handed out gifts to children and helped Phoenix Police officers barbeque food.

12th Annual Turkey Feast

In November, Garfield Probation Service Center hosted its 12th annual "Turkey Feast." The "feast" consisted of a turkey dinner with all the trimmings. Garfield residents and probation staff carved the turkey rolls and made sure that everything stayed warm for more than 750 hungry guests. In addition, each of the more than 500 children in attendance went home with a candy cane and a book.

Foreign Dignitaries Meet the Court



Judge Mark Aceto meets with foreign dignitaries as part of a World Affairs Council program focused on human rights and advocacy awareness in the judiciary. Ten Representatives from the Middle East and Africa attended.

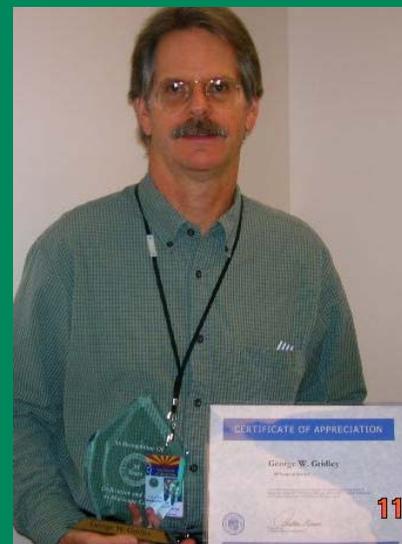
Parent Project Reaches Phoenix

The nationally known Parent Project has come to the Maricopa County Juvenile Court. The Parent Project, a 10-to-12 week parenting skills program for parents of strong-willed or out-of-control teens, addresses topics such as drug use, truancy, defiance, teen pregnancy, gang involvement and effective communication.

Teens also participate in the program by attending a series of workshops focused on communication, accountability, honesty, integrity, respectfulness and self control/discipline. This program is available to all families with two notable exceptions. The involved youth cannot have an active delinquency petition and need to be enrolled or eligible to be enrolled in school.

For more information or to enroll in the Parent Project, contact Mary Kay Hoskovec or Calvin Shaw at 602-506-3467/602-372-2968.

Probation Employee Recognized



Recently, George Gridley was recognized by the Board of Supervisors for 30 years of service to the Juvenile Probation Department in Maricopa County.

A Chat with the New MCBA President

On January 1, Judge Glenn Davis assumes the title and responsibilities of Maricopa County Bar Association President. He follows Judge Louis Araneta who has been the County Bar President over the past year. His term expires December 31. This is thought to be the first time two Maricopa County Superior Court Judges succeeded each other in this voluntary leadership role with the county bar. Following is an interview done with Judge Davis about the importance of this year-long endeavor.

Q. You have had an interesting, varied background in law, having been a law partner, sole practitioner, general counsel for the Arizona Senate minority, a Superior Court Commissioner and currently Superior Court Judge. You also served four years as a state legislator. What about each of these positions have been the most rewarding – and the most challenging experience?

I have found the role of judicial officer to be the most personally and professionally rewarding of the various positions I have held. That is not surprising to me since I knew what I was getting into when I applied for the bench. I served as a pro tem for years and truly enjoyed the role. Every day I have served on the bench has been rewarding and interesting and it is the best career move I ever made.

My legislative gigs, both as a legislator and as counsel at the Senate, were very challenging and interesting as well. I have worked with and known some great political leaders in that time who were also very fine attorneys, people like Mo Udall, Bruce Babbitt, Sam and Terry Goddard and Governor Napolitano. I had many interesting political adventures, like the time I had to write the power sharing agreement and help referee the state Senate when it was tied 15-15, with an equal number of Democrats and Republicans. Normally the party that has the majority controls, so dealing with a tie was uncharted territory and it was interesting to be right in the middle of sorting it out.

For twenty years I had a front row seat for much of Arizona's recent political history, from the Babbitt governorship, through Ev Mecham's impeachment and Symington's indictment. I got to sit in on key meetings and negotiations during Janet Napolitano's first term and came away extremely impressed with her. She is one of the most intelligent and skillful political leaders I have encountered.

But my experience as a practicing lawyer, over the years, has been a key to my success in these other avenues. That experience informed my perspective in the legislative arena. For example, one area that I

practiced in extensively was juvenile law. The nuts and bolts, practical knowledge I gained from practicing in that area was extremely helpful to me when I was lead staff for an Ad Hoc Committee in the Senate that made significant reforms and improvements to child welfare law.

And my experience as a lawyer, particularly from a solo and small firm background, is useful to me every day I am on the bench, particularly in allowing me to stand in the shoes of lawyers who appear before me.

Q. You and your wife, Debbie McCune Davis, must have interesting discussions over dinner about your careers. Do you consider yourselves a “power couple?” How do you characterize yourselves?

We are not exactly Bill and Hillary. I am very proud of my wife's accomplishments. With 21 years in the Arizona legislature she is one of the longest tenured legislators currently serving in Arizona. She is very effective behind the scenes and is the embodiment of the saying that “nothing is impossible if you are willing to give the credit for it to others.”

We met as members of the Arizona House of Representatives. At that time we worked together as colleagues. For two years we represented the same district, sharing common issues and interests. Our relationship is built on a strong friendship. Although much of our time is focused on caring for our family, we both strongly believe in the importance of public service. Each of us is interested in the other's professional work and we value each other's opinions.

Q. A review of your many honors and awards suggests you dedicate a significant amount of time to volunteer your time, energy and intelligence in ways that will benefit others. Would you share the importance for your altruistic spirit?

Like many others I started out in life in circumstances that were difficult. My dad died when I was young and my mom struggled to make ends meet for our family. In part because of that I have always identified with people who face challenges in life. My pro bono work and interest in community service is a



Judge Glenn Davis

MCBA President continued on page 6

MCBA President Chat Continued

reflection of that. But one of the things I truly love about this profession is that so many lawyers feel the same way and give so much of themselves to the profession, to meeting the needs of those who cannot afford legal services, to protecting our rights and to ensuring a fair system of justice. Altruism is a very common virtue in attorneys in my experience.

Q. At what point in your life did you realize you wanted to be an attorney? A judge? Is the reality of your career choices what you expected? Better? Worse?

I think I wanted to be a lawyer shortly after watching my first Perry Mason show. Only do I wish the action in my courtroom was half as entertaining. I always saw the law as a noble calling and feel privileged to be part of this profession. For me it has been a great career choice, one that has taken me down a number of different roads, in politics, in practice and in public service. One of the greatest things about being a lawyer is the variety of professional opportunities we have. I have a daughter who is now considering pursuing a legal

education and I have encouraged her. I think there is still plenty of opportunity in this profession.

I always had tremendous respect and admiration for members of the judiciary and believe that serving as a judge is the greatest contribution a lawyer can make to the profession and the community. That is something that goes back to the earliest days of law school. Throughout my legal career I have considered going to the bench and I am very happy that I was finally able to do it.

Q. What made you decide to become president of the Maricopa County Bar Association?

I have always been fairly active in the County Bar and found my participation to be very personally rewarding. I ran for the Board because I thought it needed more representation from members who had longer-term experience and who had small firm/sole practitioner perspective. One day someone talked me into serving as secretary of the Board. Once you take on that role there is a rotation each year to the next office culminating in serving as the President.

Research Tip of the Month: Don't know your blog from your blawg?

The word "blawg" might sound like what you would utter after eating something unpleasant, but it is actually a useful tool for current awareness. Most everyone has heard of blogs. They are web logs of an individual or group's thoughts on various topics. Blawgs are simply the clever word we've come to use for legal blogs because it inserts the word "law" into the word "blog."

There are blawgs on a wide variety of legal topics. Some are very specific, such as the SCOTUSblog which focuses solely on the Supreme Court of the United States (SCOTUS). There are other blawgs on such narrow topics as electronic discovery, intellectual property, or law firm management. Some blawgs cover more general legal topics. For example, the ABA Legal Research Technology Center maintains an interesting blawg called Site-tation that covers what is new and exciting with legal technology. Another blawg that is interesting to review is called Deliberations. As the name indicates, it discusses juries and jury trials.

Whatever your legal interests are, there is likely a blawg to suit your current awareness information needs. For more information on any of the blawgs mentioned here or to find out what other blawgs are available, see the recent ABA Journal article on the top 100 blawgs available online at: http://www.abajournal.com/magazine/aba_journal_blawg_100

For more information about how to stay current with legal information or any other library services, 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! And, we welcome the opportunity to help you with your legal information needs.

Story submitted by Jennifer Murray
Law Library Assistant Director

Q and A: Judge William Brotherton



Judge Brotherton (right) sworn-in by Arizona Supreme Court Justice Michael D. Ryan at his investiture earlier this year.

Q. - Since your March appointment to the bench, what was the biggest, unexpected lesson you've learned?

I think I have to agree with Sam Thumma that the rigidity of my schedule has been somewhat of a "Surprise". With all my previous courtroom experience, it shouldn't have been, but it was. My schedule was actually more flexible when I was both practicing law and a member of the Legislature.

Q. - What is the best job you ever had? Why?

I love public service so being a legislator has been my best job thus far. I have to say I am enjoying public service on the bench too and I hope my service in the judicial branch of government will end up being as enjoyable as my service was in the legislative branch.

Q. - What's your favorite quote? (Something poignant, or something you tell your kids that makes them roll their eyes, or just a great quote seared into your memory).

One of my favorite quotes is from Abraham Lincoln: "Tis better to be silent and be thought a fool, than to speak and remove all doubt."

Q. - If you had a day to spend doing only what you want to do - how would you spend it?

It would be a day doing almost anything with my wife and kids. Kids grow up too fast.

Q. - What goal haven't you yet reached?

Excelling in my new position as a Judge.

Courtside

Photo Highlights



December Investitures

Top Left - Judge Sam J. Myers (right) is sworn-in by Arizona Supreme Court Chief Justice Ruth McGregor.

Middle Left - Dawn M. Bergin (right) is sworn-in by Arizona Supreme Court Chief Justice Ruth McGregor.

Bottom Left- Judge Daniel G. Martin (left) is sworn-in by former Arizona Supreme Court Vice Chief Justice James Moeller for whom he served as a law clerk when finishing law school.

Judge Dean M. Fink and Judge Randall H. Warner will be sworn-in later this month.