



In this Issue

Message from the Presiding Judge.....2

Q and A with Judge Benjamin Norris.....4

The 13th Annual Garfield Turkey Feast.....7

Photo Highlights8

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."



Rule 122 Changes Begin in January

New changes made to the rule on cameras in the courtroom go into effect on January 1, 2009. The main changes to Rule 122, Arizona Rules of the Supreme Court are the following:

The decision on whether to allow camera coverage is no longer in the "sole" discretion of the trial judge. Rulings on camera coverage are now reviewable by special action.

Judicial officers must give "due consideration" to the following factors:

- The impact of coverage upon the right of any party to a fair trial;
- The impact of coverage upon the right of privacy of any party or witness;
- The impact of coverage upon the safety and well-being of any party, witness or juror;
- The likelihood that coverage would distract participants or would detract from the dignity of the proceedings;
- The adequacy of the physical facilities of the court for coverage;
- The timeliness of the request (no less than two days before the hearing, unless the matter is scheduled on less than three days notice);
- Any other factor affecting the fair administration of justice.

The judge may limit or prohibit electronic or still photographic coverage only after making specific findings on the records that there is a likelihood of harm arising from any of these factors that outweighs the benefit to the public of camera coverage. The rule change also requires the trial judge to hold a hearing "promptly" if there is an objection to a request for camera coverage.



Message From the Presiding Judge



Barbara Rodriguez Mundell
Presiding Judge

After nearly two years of hard work and tireless research by judicial officers and criminal court administration staff, the Criminal Department's Master Calendar Pilot Project is underway.

On December 8th, a team of six judges and two commissioners heard the first set of cases assigned to the Master Calendar Pilot Project.

The project was developed as part of our ongoing effort to resolve cases more efficiently and effectively. Its intent is to send trial ready cases to a number of judges rather than one judge who may already be in trial. This breaks away from the current model that assigns all matters after the initial pretrial conference to one judge.

By using a team approach to hearing cases, we hope to streamline cases and reduce backlog. This should free up judges to be in trial longer each day and reduce the length of trials.

The Pilot will be tested on one-third of the downtown criminal cases that do not result in a plea or get dismissed prior to IPTC. The cases will be randomly assigned to judicial officers working the Master Calendar assignment.

I'm extremely proud of this project. I feel our Court has conducted exhaustive research on how other jurisdictions throughout the Country operate master calendars, and we have designed a process that takes the very best and incorporates them into a model that we think will work in Maricopa County.

Rule 122 Changes - Continued from page 1

No recording or broadcasting of conferences or jury interviews is permitted in the court building where a judicial proceeding is not being conducted unless there is express permission of the court. There is no change to the rule prohibiting electronic and photographic coverage of juvenile proceedings, with the limited exception for adoption proceedings.

In the Superior Court in Maricopa County, media will continue to make their requests electronically through the court's website. The Media Relations Department will continue to advise judicial officers when camera requests are received.

Court Departments

Adult Probation Department: The Community Restitution Program

Probationers ordered to perform community restitution are providing valuable work services to non-profit and governmental organizations and saving taxpayers millions of dollars.

In 2008, probationers worked more than 46,000 hours per month. At an average cost of \$10 per hour, this translates to more than \$5.6 million annually contributed back to the community.

Each day, probationers work at more than 800 non-profit organizations, churches, and governmental organizations. These agencies are registered and monitored by Community Restitution Program (CRP) staff. Duties range from janitorial and landscaping services; food sorting and packaging for food banks to community cleanup projects throughout Maricopa County.



Probationers cleaning up the community

In addition to agencies and governmental organizations, CRP-supervised crews perform projects on the weekends, extending opportunities for probationers to meet their restitution obligations. Working with code enforcement and neighborhood service staff in many cities across the county, crews perform alley cleanups as well as landscaping and other outdoor projects for elderly and disabled homeowners who meet program criteria. Crews also work with Weed and Seed organizations and other community groups to beautify their neighborhoods and improve public safety.

The Community Restitution Program is fulfilling an important role across Maricopa County and representing the Superior Court in positive and impactful ways.

**Submitted by David Newman
Adult Probation Department**

Library and Self-Service Center Tip: New Intranet Site

The Law Library recently redesigned its intranet website to include the Self-Service Center and Family Violence Prevention Center. Now, not only can you find the good research links that you've come to expect from the Law Library, you can also find Self-Service Center and Family Violence Prevention information. Some new information that you didn't have access to before includes a directory of Self-Service Center supervisors in the staff directory link as well as pdf versions of our extremely helpful Self-Service Center handouts on the following topics:

- *Finding Self-Service Center Forms
- *How to Find an Attorney
- *Overview of the Self-Service Center

So, next time you are on the intranet, look for the Law Library and Self-Service Center/Family Violence Prevention Center link on the Court's intranet homepage at <http://courts.maricopa.gov>. If you have any questions about the information you see there or have a suggestion, please email us at services@sccl.maricopa.gov.

**Submitted by Jennifer Murray
Law Library**

Q and A with Benjamin Norris

Judges who have joined the bench over the past year 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 your transition from attorney to judge?

I've been assigned to the Juvenile rotation, an area of law that I never practiced in as an attorney, so pretty much everything has been something of a surprise. That's not to say I mind it – one reason I wanted to become a judge is that I wanted new challenges after over 20 years as a commercial, tax and bankruptcy litigator. One of the most refreshing aspects of the Juvenile rotation for me is that unlike everything else I've done, it's not about money.



Benjamin Norris

Q. Before joining Superior Court, you specialized in contract disputes and bankruptcy work. How did those assignments prepare you for your career as a judge?

Nothing I did before was quite like the Juvenile rotation, but in some ways, the dependency cases are a bit like a Chapter 11 case in bankruptcy. In a typical Chapter 11 case, there's swirl of competing interests – the equity owners, secured creditors with different collateral, the unsecured creditors, employees, existing and former customers – and almost always there are not enough resources to make everyone whole or happy. In a typical dependency case you can have a mother, numerous children from multiple fathers, extended family members (especially on the paternal side) interested in some of the children but not in others, CPS, and of course the children themselves, each with their own issues and interests. Trying to make sense of it all reminds me a lot of Chapter 11, but again, it's not about money.

Q. What's your favorite quote?

I'm not sure that I have a single favorite quote, but I often think of Abraham Lincoln's famous statement that "You may fool all of the people some of the time; you can even fool some of the people all of the time, but you can't fool all of the people all of the time." Lincoln was called "Honest Abe" in his own lifetime and this quote often is taken as Lincoln advising simply that everyone should tell the truth all the time, but I think that what he meant is a bit more subtle; I think Lincoln meant that while small deceptions might (or might not) work on occasion, a continuing resort to deception eventually will collapse under its own weight and expose the truth. I'd like to think that our courts can and should work in a way that exposes systematic efforts at deception, and my ambition as a trial judge is to run my courtroom with that in mind. My intent is to give every party the benefit of the doubt at the start of each case. The price of this approach is that I may be temporarily fooled from time to time, but my hope is that through the litigation process, in the end I ultimately will get to the truth.

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'd like to spend a day just talking with Pericles, the best-known leader of ancient Athens. By its nature, the Athenian form of government in his time was very dynamic and while democratic in structure, it was very different from our own system of government. I'd be interested to hear his insights on how he managed (and mismanaged) leading that polity.

Q and A with Benjamin Norris

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

I don't think I've had one person who has been the biggest inspiration in my legal career. You see the best and worst in people when you practice law, and the experience makes most lawyers pretty cynical. I've tried to keep my eyes and ears open and to learn as much as I could at all times.

Q. Do you own an IPOD? If so, what kind of music is on your playlists?

I don't own an iPod. The one thing you can never hear on an iPod is something that you've never heard before. I do own an XM Radio receiver, which I like because it gives me the chance to hear music of all kinds that I've never heard before, plus I receive the home-team broadcasts of every major league baseball game. . . .

Bio-Metrics for Juvenile Detention Time Cards

The CTS Web Development Team has created an application to allow new Bio-Metric time clocks, two at each detention facility, to automatically feed the Court's Intranet time accounting system. The new system will replace the old paper time punch clock system with four new electronic time clocks capable of reading individual employees' hand prints.

The bio-metric system automatically calculates each employee's time instead of having the supervisor manually calculate time from each employee's punch card. There are no cards to create, administer, carry – or lose. The bio-metric clocks verify employees' identities in less than one second, based on the unique size and shape of their hands. The clock clearly notifies each user of a match using red and green indicator lights. This system reduces the amount of time needed to punch in and improves payroll accuracy.

Juvenile detention supervisors add employees in the time and accounting system. At registration, each employee is assigned a pin number which the supervisor uses when registering these employees in the time clocks. The employees' pin numbers are used as their input code, uniting the employees to their hand prints.

The new system identifies employees punching in by their hand imprints and their pin numbers, making sure they match, before returning a successful punch indication. Once a successful punch is recorded, it is stored in the clock until the information is retrieved by the Court's Time Accounting System.

Once each day the raw punches are processed using a complex set of payroll rules. The information is then stored in our existing time accounting system where supervisors can approve the previous day's hours as well as make any corrections necessary.

We have added automatic overtime and shift calculations to the time accounting system which is based on an employee's default work schedule.

These schedules are based on the effective date the supervisor enters into the system. This feature allows for them to manage job rotations and shift changes much more easily and effectively.

This new time clock system uses our existing Intranet hardware and infrastructure for all backend processing.

Court Technology Services

Employee Benefits Making Holidays Happier

Happy Holidays to all of CTS and other readers of this newsletter! I personally appreciate the holidays for a number of reasons, including the typical things of being with friends, family, loved ones, etc. My family typically starts holiday decorating early in the season, which was the case this year when two Christmas trees were assembled, lighted, decorated, and surrounded with wrapped presents by the first week in September.

This is also a time when individuals give/receive larger gifts, such as computers. With the challenging budgetary time that all are experiencing, I thought individuals would appreciate a reminder of some of the benefits available to Judicial Branch employees such as the Microsoft Home Use (HUP) and Employee Purchase Programs (EPP).

The screenshot below is from the EPP and shows the categories available. I understand that the best deals through this program are with X-BOX games. The specific information for using this program is available at <http://courts.maricopa.gov/techSupport/docs/EPP.pdf>.

The Home Use Program allows employees of Maricopa County to purchase the entire Microsoft Office Suite (Word, Excel, Outlook, etc.) for approximately \$19.00. This is much cheaper than purchasing the same product through the EPP, where it runs \$260, or through Costco at approximately \$400. The necessary information to use the HUP is at <http://courts.maricopa.gov/techSupport/docs/HUP.pdf>. The following are some important items for individuals to know before using either of these programs:

- Any transactions are between the employee and Microsoft. CTS does not get involved, other than to provide this information, with the installation, support, training, etc. of software purchased through the HUP or the EPP.
- Employees can purchase only one Microsoft Office license through the HUP as the program is intended for those who complete work from home.
- At termination of employment, the program requirements state that individuals must uninstall software purchased through the HUP.

While CTS has communicated this information multiple times in the past, it seems like a timely subject matter due to the previously stated reasons. Again, sincerest wishes for happy holidays to everyone!

By Kevin Westover

CTS Director of Enterprise Infrastructure

Bio-Metric Time Cards Continued

Using Microsoft SQL Server and Internet Information Server helps control costs without sacrificing performance, security, scalability, or availability. SQL Server shares data across all of our Intranet applications, and devices to make it easier to connect our existing internal systems.

The new application will allow Juvenile Detention to:

- Collect data from many sources
- Take advantage of tight integration with Microsoft® SQL Server
- Handle complex pay rules
- Allow employees to punch in at one location and punch out at another location
- Integrate Juvenile Detention time accounting with the current Court time accounting system
- Automatically calculate time and shift differential
- Standardize pay rules
- Simplify the detention

**Submitted by Mary Horvath
Court Technology Services**

Court News



Garfield residents line up to attend Adult Probation's Turkey Feast

The 13th Annual Garfield Turkey Feast

Every November for the past 13 years, the Garfield Adult Probation office and residential center has given thanks to the community. The Tuesday before Thanksgiving, we organize a "Turkey Feast" and invite the surrounding neighborhood that has supported and partnered with us throughout the years.

This year's feast consisted of a turkey dinner with all the usual trimmings, including pie and cake for desert. Probationers, probation staff, their families, and Judge Karen O'Connor, cooked the stuffing, carved the turkey, baked the rolls and then served heaping plates to over 900 hungry guests.

Last year, we started a new tradition by inviting 160 children from the St. Mathew's Parochial Elementary School, located in an adjacent community. The students in this school are all sponsored through donations. The Turkey Feast was such a hit with the children last year that they couldn't wait to hop on the bus and return for this year's feast.

While the food was indeed delicious, the highlight of the feast for many had to be the appearance of Santa Claus (a.k.a. Surveillance Officer Clint Hill) and his elves (Surveillance Officers Christi Seger and Paul Monroe), who made sure that not only the 160 children from St. Matthews, but over 500 additional kids from the neighborhood went home with a gift after their meal.

Submitted by Marilyn Windust, Adult Probation

Appellate Courts: How are we doing?

Consistent with the Arizona Supreme Court's 2005-2010 *Good to Great* Strategic Agenda, the state appellate courts are in the process of tracking and improving their performances. With the assistance of the National Center for State Courts, the Supreme Court recently formed Appellate CourTools, a committee chaired by Chief Justice Ruth V. McGregor and comprised of the chief judges for both divisions of the court of appeals, court clerks, attorneys, and public members. Many are familiar with CourTools, which has been implemented in most of Arizona's trial courts and has yielded valuable information. It's now time to turn a similar spotlight on our appellate courts.

The Appellate CourTools Committee has worked since June to evaluate and recommend measures by which Arizona's appellate courts can assess their performances in the administration of appellate cases. The committee has identified six performance measurements as assessment tools, which the courts will implement in multiple phases. The first measure involves surveying those with the most frequent contact with appellate courts: superior court judges and attorneys. Although the majority of survey questions for each court will be identical, each appellate court will send its own survey and include court-specific inquiries. The surveys will be conducted through SurveyMonkey.com, will be entirely anonymous, and will invite constructive comments.

Within the next several weeks, Chief Justice McGregor will send an e-mail inviting superior court judges and attorneys to participate in the surveys, which the courts will send out in late January. In order to accurately assess and improve the courts' performances, it is imperative that those most familiar with the court respond to the surveys. Appellate CourTools needs everyone to return the surveys with thoughtful and timely responses. Participation will not be burdensome and the rewards – heightened performance of and increased accountability by the appellate courts – will be invaluable to our system of justice.

For more information, please contact Carol Mitchell, at 602-452-3965 or via email at: cmitchell@courts.az.gov

**Submitted by Carol Mitchell
Appellate CourTools Project Manager**

Courtside

Photo Highlights



A construction worker frames one of the new RCC courtrooms in the basement of the Central Court Building. The courtrooms are expected to open in June of 2009.



Probate/Mental Health Presiding Judge Karen O'Connor volunteers at the 13th Annual Garfield Turkey Feast hosted by Adult Probation.



Since 1973, the Juvenile Probation Department has been assembling and donating food boxes to needy families and probationers during the holiday season. This year, 320 food boxes were delivered to families.