



The Judicial Branch News

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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."



Newest Judge is Expert in Bankruptcy Law

The newest Superior Court Judge in Maricopa County, Benjamin Norris, is preparing for his departure from Quarles & Brady, LLP, where he has been a partner since 1997.



Benjamin Norris

His latest career move was initiated in June when Governor Janet Napolitano appointed him to the bench. The process of transitioning into the new phase of his legal career continues through the month of July into August. He plans to officially don his judicial robes on Monday, August 18.

Norris, an expert in bankruptcy and creditor's rights laws, is delighted with the appointment.

"It is a great honor to be appointed as a judge on the Maricopa County Superior Court, and I am looking forward to the many challenges I know the position will present," he said. "While no trial judge can expect to satisfy all of the litigants in every case, my goal will be to make sure that even if a party is unhappy with the result of a particular case, that party at least understands that he or she has had a fair opportunity to be heard, and that the court has done its best to render justice in accordance with the law."

During his legal career, Norris represented clients in state and federal courts. He handled bench and jury trials involving prosecution and defense of bankruptcy avoidance actions. He is also an expert in general commercial litigation, handling cases involving contracts, lease disputes, disagreements over corporate control, lender matters and the liquidation of companies.

He was admitted to the State Bar of Arizona in 1987 and, in the same year, was admitted to appear in the U.S. Court of Appeals, 9th Circuit and the U.S. District in Arizona. He is a member of the Maricopa County Bar Association and the Litigation Section of the American Bar Association. He served as chair of the State Bar's Bankruptcy Section in 2005-2006.

In 1983, Norris earned his Bachelor of Arts degree from Yale University. He then attended Northwestern University, receiving his juris doctorate degree in 1986. From 1989 until 1993, he was a trial attorney with the U.S. Department of Justice in Washington D.C.

Norris is a prolific author of articles for numerous publications, sharing his expertise in bankruptcy law. He is active in the Volunteer Lawyers Program, served as a board member and president of the Arizona Collegiate Rowing Foundation and is a member of the Nature Conservancy Conservation and Public Policy Committee.

Superior Court Honored for Grassroots Community Program

Superior Court Presiding Judge Barbara Rodriguez Mundell and Community Outreach Director Patricia Seguin received a National Association of Counties (NACo) Achievement Award for the Court's series of Community Forums.

Judges, court officials and members of the public host the evening meetings throughout the Valley to discuss the court's responsibility to provide timely, fair and impartial justice to everyone.

"I am honored by this national recognition of our efforts to go out into the community to personally meet students, parents, retirees and others interested in their courts and judges," Judge Mundell said. "Not only are the forums a grassroots approach to educating court customers and potential jurors about the judicial branch, it is also an absolutely incredible opportunity for the public to tell us about what we do well, what needs improvement and how they recommend the improvements that can be made."

Community outreach was one of Judge Mundell's top priorities when she began her five-year term as presiding judge in July 2005. She said the forums' success and the NACo award confirms the program

- "The Court and the Community Working Together" - is invaluable both to the court and the community.

"It is obvious that we must make courts more understandable and judges more accessible if we truly want to enhance public trust and confidence in the judiciary," she said.

Ms. Seguin, who is preparing the forums' fall season, is proud of the successful community outreach project.

"Our program represents a bold endeavor that has developed into a long-term commitment," she said.

Superior Court received five of the 13 awards honoring programs within Maricopa County. *(See related story)* The second award recognizes the court's commitment to improve services and gauge court performance through a unique computer program that tracks and analyzes measures public opinion, case management data and other information. The data is used to make changes and improvements in a variety of areas including effective use of juries, fiscal effectiveness, fairness and access to the court and timely resolution of cases.

Surveys were conducted of court visitors to determine the public's

opinion of the court, judges and services, which then resulted in the need for a computer program to analyze the findings and formulate improvements.

Court Technology and Computer Services Director David Stevens said the data has confirmed public satisfaction. More than 80 percent of the respondents said they got their court business done in a reasonable time, more than 80 percent said the judge listened to them and more than 90 percent said they received equal treatment.

NACo is hosting its 12th Annual Awards Ceremony during its annual conference in Kansas City on July 13, at which time the achievement awards will be presented.

APD Wins Three NACos

The National Association of Counties recently announced recipients of its 2008 NACo Achievement Awards, including three Maricopa County Adult Probation programs. The award winning programs are Criminal History Worksheet, Contingency Management in Drug Court and Tabletop Exercises.

The Criminal History Worksheet is an automated process for gathering and formatting criminal history data.

Contingency Management is a structured method of providing tangible motivational incentives to Drug Court participants to reward positive behavioral change.

Tabletop Exercises help prepare managers to handle a critical incident, should one occur.

By Cathy Wyse, Adult Probation

Justice of the Peace Cody Williams Assists Teen Court

Approximately 100 students from six school sites in the Roosevelt School District's Teen Court Program got a chance to meet newly appointed South Phoenix Justice of the Peace Cody Williams for their end of the year awards and recognition ceremony.

Since November of 2007, teen court students have been meeting in Justice of the Peace Williams' courtroom to hear real juvenile court cases.

Submitted by Pamela Neal, Juvenile Probation

Newsmakers

Commissioner Called to Active Duty



*Casey Newcomb
Commissioner*

Commissioner Casey Newcomb will be temporarily leaving behind his duties as a Superior Court Commissioner to serve as a Captain in the United States Army Reserves for approximately one year.

According to Commissioner Newcomb, he will be stationed at Ft. Lewis, Washington with a strong possibility of being deployed to Iraq or Afghanistan. He will serve as a Judge Advocate General Officer, providing advice and assistance on Rules of Engagement, Law of War, International and Operational Law, Geneva

Convention, Military Justice and Contract and Fiscal Law.

Since 2003, Commissioner Newcomb has served as a Judge Advocate General Officer with the 75th Legal Support Organization at Moffett Federal Airfield, near San Jose, California. He regularly participates in drills with Team 3 Phoenix in Phoenix, Arizona. As a member of Team 3 Phoenix, he travels throughout the Southwest providing legal presentations for soldiers on numerous issues involving family law, probate law, Service Members Civil Relief Act, Uniformed Services Employment and Reemployment Rights Act

Commissioner Newcomb's training as a commissioner has helped him with his reserve duties.

"As a JAG Officer, I give legal presentations to soldiers on issues pertaining to family law and probate law. Obviously, these presentations are easier and better because I have been a Commissioner in Family Court and Probate Court for over three years," Commissioner Newcomb said.

As a member of the US military, Commissioner Newcomb has received awards that include: Reserve Component Overseas Training Ribbon, National Defense Service Medal, Army Service Ribbon and Army Reserve Component Achievement Medal Ribbon.

"I enjoy the people that I work with everyday. I also enjoy public service. Both jobs allow me to serve the public in very different but positive ways," Commissioner Newcomb said.

Probation Chief to Help ASU Study

Maricopa County Adult Probation Chief Barbara Broderick was selected to serve as co-Principal Investigator of the Criminal Justice - Drug Abuse Treatment Studies research award at Arizona State University. The five-year award, in the amount of approximately \$500,000 per year, was presented by the National Institute on Drug Abuse to ASU's Center for Applied Behavioral Health Policy. Funding for the award is expected to begin this fall.

Juvenile Court Meets with Educators

On June 9th, the Maricopa County Juvenile Court hosted an Educational Convening at the Downtown Justice Center. The event highlighted the recent collaborations of the Juvenile Court with community and government partners such as the Governor's Office of Children, Youth and Families, The Arizona Juvenile Justice Commission, Casey Family Programs, Communities in Schools of Arizona and the Washington and Cartwright Elementary School Districts.

The purpose of the convening was to provide relevant information, to forge service relationships with frontline educators and to develop intervention strategies to assist children and families. The convening's goal was to engage educators in a collaborative effort to help children arrive at school adequately prepared to learn.

Upon conducting interviews with five west valley school districts, the Cartwright and Washington School districts were selected to participate in the event. There were more than 130 in attendance, and 80 of them were educators. The educators worked in break-out sessions regarding juvenile justice, child welfare, cultural considerations and engaging parents.

Educators - continued on page 5

Q and A: Judge Susanna Pineda

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 becoming a judge?

Other than the fact that I was appointed? Okay, seriously, I am totally surprised about the amount of paperwork that crosses a judge's desk daily. We tend to compartmentalize our practices as attorneys, and just think of our own case-loads without recognizing that the Court's case-load is hundreds times that. I appreciate the machine of the court, as it is able to process this paperwork.



Susanna Pineda

Q. You spent your entire previous legal career with the Arizona Attorney General's office, beginning in 1986 as a legal intern before passing the state bar exam and then becoming an assistant attorney general. Your work focused on criminal appeals, drug and violent crimes and liability management. You have described your tenure at the AGs office as "a long and rewarding career serving the people of the State of Arizona." How difficult was the transition from a 20-year career there to join the Superior Court bench? What was the toughest aspect of making the move?

Because I see the move to the bench as a continuation of my public service, the transition was not as difficult as I had envisioned. I know this is a learning experience and that the transition will take time, but the adjustment has been eased by the fact that there are a number of people I can call on for advice. No one has balked at the questions posed and all have been helpful.

As for the second question, it was leaving the AG family that was the toughest part of the move. I compare it to a child leaving home for the first time, it is difficult.

Q. Have you ever tried anything that was a total failure? Were there any lessons learned from the experience?

Yes I have, plumbing. The lesson learned, call a plumber! I tend to believe that I can do anything, including trying to fix a leaking pipe in a 50-year-old house, if I just put my mind to it. The lesson I learned from the experience is that I have to reach out for help occasionally and that I should do it before I find myself in a big mess ... no pun intended. I find that I am more willing to ask for assistance than I was before this experience.

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).

"Smile and the world smiles back at you."

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 it with my family just enjoying their company.

Q. What goal haven't you yet reached?

Professionally, no, this has been a dream for a number of years and I am still pinching myself. Personally, I am working on being the best Mom that I can be to my children.

Court News and Notes

Court Receives Grant

Superior Court received a mini-grant from the American Bar Association to enhance the use of settlement conferences in the Criminal Department. The court has been committed to using settlement conferences, and the grant will allow it to expand the program.

In addition, a team will be sent to a *Train the Trainer* conference to learn more about model programs across the nation and the fundamentals of mediation.

In 1997, more than 21,200 felony cases were filed in Superior Court. By the end of fiscal year 2008, there will be more than 42,000 new felony cases filed.

Superior Court has a history of developing case flow techniques to address the early resolution of felony criminal cases. Earlier resolution of felony criminal cases provides speedier justice for defendants and victims, and allows more cases to be effectively adjudicated by existing resources.

Educators - continued from page 3

Attendees had an opportunity to hear from foster care and juvenile justice alumni, including a Pima County Judicial Officer who was the convening's closing speaker.

The event concluded with an exercise entitled "Next Steps," which offered collaborative ideas on how to move forward toward operational development.

*Submitted by Chris Rufo
Juvenile Court*

Research Tip: Don't Forget eCourt

When was the last time you checked out eCourt? We regularly refer our court customers to the Self-Service Center or the Law Library when they are in need of legal forms. So, it's easy to forget what eCourt has to offer. If you haven't checked it out lately, here is what's new with eCourt.

What forms or applications are available on eCourt?

- Petitions for Dissolution of Marriage or Legal Separation with or without children in a non-covenant marriage
- Petition for Conciliation
- Application and Affidavit for Default
- Service paperwork for select Family Court matters
- Small Claims Court Claim and Counter-Claim
- Child Support Calculator
- Parent's Worksheet

What are the advantages to using eCourt?

- eCourt does the math on child support calculations for you
- It offers a simple question and answer format which can be easier and less intimidating for some customers than a long print form
- eCourt can reject information that isn't properly formatted thereby cutting down on errors in the pleadings
- eCourt provides a nicely formatted and clean final product

What does a customer need to use eCourt?

- Access to a personal computer through such resources as a home computer, dedicated eCourt terminals at all Self-Service Center locations, or public libraries including our Superior Court Law Library
- A user id and login which are obtained at the end of the eCourt process when the customer is ready to print the forms
- While use of eCourt is currently free, there may be associated printing costs if at a public computer with fee-based printing
- A customer can save his or her form in an incomplete format and return to complete it at a later time by logging in to eCourt with his or her user id and login

Remember if you or a customer has questions about eCourt or court forms, you can contact the Law Library on the second floor of the East Court Building, by telephone at 602-506-3461, or by email at services@scll.maricopa.gov for more information.

Submitted by Jennifer Murray, Law Library

Court Security: Keeping the Court Safe

Every year, the National Fire Protection Association (NFPA), mandates that every court location conduct two fire drills, one announced and one unannounced. The goal is to practice for an emergency that hopefully never occurs. In an effort to better serve court employees and customers during a drill or actual event, the Court Security Department spends countless hours every year in training security personnel, emergency evacuation team members, and interested employees in Emergency Evacuation Team Training (EETT). The Court Security Department also audits each facility on the day of the exercise to insure that buildings are in compliance with current fire codes.

One of the most frequently asked questions is, "What is a mobility impaired person supposed to do when a fire alarm is activated?" Each court or affiliated facility has an audible alarm and a strobe that is sounded in case of fire. In buildings with stairwells, anyone who is mobility impaired should move to the head of the closest stairwell and wait for assistance. This provision pertains to multi-story buildings only. In the event of a real fire, the local fire department will respond and evacuate those who are mobility impaired from the building. Floor Wardens and fellow employees are responsible for reporting the exact location of a mobility impaired person to on-site Court Security Officers. A representative from Court Security will immediately report the location of a mobility impaired person to the local fire department. The Court Security Department encourages a buddy, someone other than a Floor Warden, to remain with a mobility impaired person. Floor Wardens have assigned duties and responsibilities that preclude them from remaining behind. There are also circumstances where an individual may have a bad knee, hip or be experiencing the last weeks of pregnancy, any of which could preclude them from evacuating in a normal capacity. Customers and/or employees who find themselves physically or medically unable to exit via a stairwell, need to report to the entrance and wait for emergency personnel to assist in a safe evacuation. Customers and/or employees with such physical limitations are highly discouraged from attempting to evacuate down several flights of stairs. If an alarm sounds and it is a real emergency, the fire department will immediately assist those who have special needs.

The Court Security Department can never offer enough thanks to all Emergency Evacuation Teams (floor wardens, alternate floor wardens and sweep team members) for their dedication and hard work throughout each and every year. These individuals are mandated to take continuous Emergency Evacuation Team Training (EETT) and are required to constantly be aware of emergencies and potential safety issues within their respective departments and locations. Emergency Evacuation Team Training allows team members to perform critically important roles in assisting with emergency situations in every court or affiliate location.

Being a member of the Emergency Evacuation Team may seem like a thankless job at times, but all employees, judicial officers, managers, supervisors and court administrators sincerely appreciate the valuable work they do to improve safety and security within their respective buildings.

Emergency Evacuation Teams consist of five members (floor warden, two back up floor wardens and two sweep team members). The Emergency Evacuation Program is not considered voluntary. The program is mandated by Policy C-108 through Court Administration and as such, administrators, managers and supervisors may first seek volunteers. However, when enough volunteers do not come forward, employees will be designated or appointed to participate. This designation/appointment is absolutely necessary in order to comply with the current policy and more importantly, to keep a full compliment of Emergency Evacuation Team members properly trained and available for emergency responses. In addition, every effort is made to rotate participants of Emergency Evacuation Teams on an annual basis. However, it should be noted that too few staff members in certain areas/locations can also result in team members having to serve for longer periods of time – sometimes years.

*Submitted by Wayne Spinks
Security Operations/ Emergency Preparedness Coordinator*

Historical News

This Month in History

June is the 45th anniversary of President John F. Kennedy's television address to the nation, challenging Congress to address racial injustices by passing the Civil Rights Act. Although President Kennedy never lived to see his challenge fulfilled, President Lyndon B. Johnson signed into law Title VII of the Civil Rights Act, on July 2, 1964.



Here is the commemoration of President Kennedy's national address.

We are confronted primarily with a moral issue. It is as old as the scriptures and it is as clear as the American Constitution. The heart of the question is whether all Americans are afforded equal rights and equal opportunities, whether we are going to treat our fellow Americans as we want to be treated.

One hundred years of delay have passed since President Lincoln freed the slaves, yet their heirs, their grandsons, are not fully free. They aren't yet free from the bonds of injustice. And this nation, for all its hopes and all its boasts, will not be fully free until all of its citizens are free.

Now the time has come for this nation to fulfill its promise. The events of Birmingham and elsewhere have so increased the cries for equality that no city or state or legislative body can prudently ignore them. We face, therefore, a moral crisis as a country and as a people. It cannot be met with repressive police action. It cannot be left to increased demonstrations on the streets. It cannot be quieted by token moves or talk. It is a time to act in Congress, in your state and local legislative body and, above all, in all of our daily lives.

Next week I will ask the Congress of the United States to act, to make a commitment it has not fully made in this century to the Proposition that race has no place in American life or law.

Submitted by Gary M. Bridget, SPHR, Employee Relations Administrator

CTS Talks Setting Goals

Poorly defined or ineffective goals generally cause confusion and often cause project failure. Balanced and manageable goals allow the team to achieve quick wins, which further spur motivation to tackle the next goal. In business, it is essential to link goals to the mission, vision, and strategic direction of the organization. The acronym SMART provides an easy way to remember some good goal setting tips:

- “ **S**pecific – clearly define a specific goal and substantiate it with justification
 - “ **M**easurable – establish a baseline to measure results
- “ **A**chievable – provide the research to support the attainability of the goal
 - “ **R**elevant – show the significance of the goal
- “ **T**ime Frame – provide the time line to complete the goal

Submitted by Mary Horvath, Deputy PMO Director

Courtside

Photo Highlights



Top Left - MCSO Deputy Frank McWilliams applies leg irons to the ankles of Jill Siller of criminal court administration. Siller volunteered to be an inmate as part of a mock hearing to test the functionality of newly designed courtrooms for the new criminal tower.



Center Left - Robert Vinciguerra of Court Technology Services teaches a Collaborative COJET Conference class in the Old Courthouse. The training sessions, from June 16 through June 18, consisted of 150 classes at 11 sites, serving employees from Superior Court, Clerk of the Superior Court, Justice Court, Court of Appeals and Phoenix, Glendale and Peoria Municipal Court. More than 65 volunteers taught classes.



Bottom Left - General Jurisdiction Court Administrator Phil Knox presents Deborah Primock a plaque for her years of service to Maricopa County Superior Court. Primock joined the County in 1973. She has worked in several departments in the court, including: Probate, Criminal and Family Court.

Below - Superior Court Presiding Judge Barbara Rodriguez Mundell participates in the groundbreaking of the new municipal courthouse in Mesa. *Left to right - Mike Baumstark, Deputy Director of the Administrative Office of the Courts, Superior Court Presiding Judge Barbara Rodriguez Mundell, Monica Donaldson, attorney and President of the East Valley Bar Association and Claudia Walters, former Vice-Mayor of the City of Mesa.*

