



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."



Court Faces Tough Budget Challenges

After working diligently to minimize the impact of the budget reductions for fiscal year 2010 (commencing July 1, 2009), we now know that our total county budget reduction for the Superior Court will be \$8.02 million dollars.¹ Although it is still an enormous budget reduction, it is substantially less than the earlier \$9.2 million budget reduction target. As expected, this will have an impact on the way we do business going forward.

While we are still working through the details of what this means relative to staff reductions, we do know that we will be losing 50 to 60 filled positions in the Court by June 28, 2009. The final determination regarding which programs and staffs will be affected has not yet been made. We do know that this will be painful for both the employees losing their jobs and for those staff that remain. I understand that co-workers often feel like an extended family, and that makes the reductions even harder to accept.

As part of our budget balancing plan, we are no longer able to pay the Spanish-speaking pay differential for Superior Court staff, effective June 28, 2009. This measure will allow us to save several existing court positions which would be lost in the reduction in force. On behalf of the Court, I wish to thank these staff who have assisted with their bilingual skills, and to also express our regrets for this loss of compensation. In the interest of customer service, we ask that our bilingual staff continue to provide this critical support in the future.

We have made arrangements with the County to make the benefits of the County Career Center available to everyone who is RIF'ed. This will relieve affected employees of their normal job responsibilities for the last 30 days of employment, and allow them specialized assistance and support in seeking new positions. The targeted date for the staff reductions will be June 28, 2009, which means impacted staff will spend the month of June utilizing the Career Center services while still being paid.

Finally, we are hoping to further minimize reductions in force by closely watching how many staff elect to retire and participate in the newly approved Post Employment Health Plan Enhancement Program (also being referred to as the Retirement Incentive Program).

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Message From the Presiding Judge



Barbara Rodriguez Mundell
Presiding Judge

The Madison Street Garage has been bulldozed and the site has been totally cleared of debris. In April, excavation will begin on the new Downtown Criminal Court Tower.

Moving forward with construction of a new criminal court tower with Superior Court facing layoffs and a budget cut of 15.21 percent is a tough decision. But we must make difficult choices now to provide speedy trials and keep us safe in the future.

Our county is using its scarce resources to do what's in the best interest of the 3.85 million people we serve, the judicial branch and our court employees.

This is the perfect time to build because construction costs have dropped dramatically. More importantly, the court is out of space. Public safety is our top priority, and we have run out of courtrooms and inmate holding cells. This puts both the community and staff at risk of injury or escapes.

We simply can not have the events of February 17th repeated. Convicted sexual predators like Adrian Gonzalez Cruz should not be able to walk out the front door of the courthouse and into the streets of our community. Cruz' escape from an interview room in the Downtown Court Complex is just more evidence that the court needs more courtrooms with holding cells adjacent to them to manage the rapid growth in criminal cases.

Effective management of the inmate population is just one of the public safety elements incorporated into the new court tower. When it's completed, the criminal tower stands to be one of the only courthouses in the nation designed with victims' rights and safety in mind.

Throughout the whole design process, court administration sought input from victims and victim advocates. Based on their feedback, the design team created floor plans that would reduce confrontations between victims and the defendant's family members.

Some of the victim-sensitive designs include a victim waiting area adjacent to the cafeteria on the lobby floor; separate entrances for victims into the courtroom and victim and defendant waiting rooms for every courtroom with jury trial courtrooms equipped with victim restrooms.

While the construction of the criminal tower is critical for public safety, we must make sure that all of our facilities are safe.

Just recently, at our Southeast Court in Mesa, we had an incident involving a family court litigant with a loaded pistol and two cartridges. And you may remember a few years ago, at the same facility, a heavily-armed family court litigant committed suicide at the front entrance of the building. These incidents, and the increasing number of threats against judges and commissioners, are making us examine the safety of our courthouses.

To address the growing number of security breaches, experts from the U.S. Marshall's Service and National Center for State Courts were invited to conduct security audits. Based on their recommendations and the suggestions of our Court security committee, comprehensive administrative orders and updated screening policies and procedures will be forthcoming.

Even with our increasingly limited resources, Superior Court needs to continue investing in public safety in order to provide all of its mandated functions; accessible courtrooms and timely service to the public.

Court Departments

Library and Self-Service Center Tip: Property Tax Appeals

If you own a home, you recently received your property tax notice. In these volatile economic times, it is common for homeowners to have an issue with the amount contained in the notice. If a homeowner believes the amount should be lower, the Self-Service Center has a packet he or she can use to complete the property tax appeal process. Typically this packet can be used by anyone who wants the valuation reduced for the current tax year and does not owe delinquent taxes. Once the forms in the packet are completed, they are filed with the Small Claims division of the Arizona Tax Court which is located in the Maricopa County Superior Court. For this tax year, the forms need to be filed by December 15, 2009.

If you have any questions about this packet or other resources, please contact the Law Library at the 2nd floor of the East Court Building, by telephone at 602-506-3461, or via electronic mail at services@scll.maricopa.gov. You can also discuss the Self-Service Center packets with the Self-Service Center Supervisor located nearest to you.

Submitted by Jennifer Murray
Law Library

Tough Budget Challenges

Continued from Page 1

Retirement eligible employees that choose to take advantage of this program will potentially help us save a position for someone else who would otherwise lose their position. As such, the finalization of who will be impacted by the RIFs cannot be completed until we know how many staff will participate in this program.

I know that you want answers that we can't give at this time, especially about who will be affected. The uncertainty of our situation is truly difficult for everyone in the Court. We understand that this time of extended uncertainty is difficult to bear and contributes to additional stress on the entire workforce. My commitment to you is to minimize the staffing reductions as much as we can, and to continue to share information as quickly as possible.

(Footnotes)

1 This amount does not include budget reductions in the Adult and Juvenile Probation Departments, which are facing similar reductions.

Submitted by Marcus Reinkensmeyer
Court Administrator

Q and A with Judge David Gass

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. Prior to your appointment, you served as the Director of Legislative Affairs to the Attorney General's Office and as legal counsel to the Arizona House of Representatives. How did those assignments prepare you for your career as a judge?

My first assignment is Family Court. Did I mention that I spent eight years at Arizona's Legislature . . . four of those years with Glenn Davis and Bill Brotherton?

In reality, during those eight years, I learned a deep respect for the hard work our Legislators do. As a group, Legislators hear from many stakeholders who have very different ideas about what should happen. The Legislators have to resolve those strongly held, conflicting positions. Sound familiar? It is what we do every day for the parties that come before us. The difference is that our decisions are crafted to deal with the very specific cases before us, while the Legislators have to craft the laws to apply generally. My previous work experience also taught me to respect diversity.



Q and A - Continued on Page 6

Stress Busters

We asked a handful of court employees and judicial officers to share what they do to relieve stress. Perhaps you may find some tips and techniques that may help or it may make you laugh. Either way, this piece should be beneficial.

I practice Tai Chi and teach a class here at the Courthouse twice a week. I have about 12 students who have participated. I have at least one other judge, several court reporters and clerks and two people from court administration as students.

**George Foster
Judge**

I quilt and knit to use a different part of my brain than I use at work.

**Jessica Funkhouser
Special Court Counsel**

My husband and I try to go fishing in our boat every Saturday. The Lake (usually Alamo or Roosevelt) is the one place we go where we can get our minds off work!

**Kerry Vogel
Court Administration**



Presiding Judge Barbara Rodriguez Mundell proudly displays a glow-in-the-dark quilt she made as a gift for a child.

Jessica Funkhouser taught me to quilt and knit and now that's what I do. I also walk and run.

**Barbara Rodriguez Mundell
Presiding Judge**

I read silly e-mails to release stress and use the delete button a lot! Lol!

**Lupe Cruz
Judicial Assistant**

I play with or walk my dogs.

**Dean Fink
Judge**



Kerry Vogel's stress relievers, her dog Judy and her boat.

Stress Busters



Judicial Assistant Cynthia Puklin and her husband Tom ride horses to alleviate the pressures of everyday life.

We ride our horses.

Cynthia Puklin
Judicial Assistant

I love comedy. Anything with comedy always relieves stress for me.

Isidoro Contreras
Bailiff

I like to write something creative or read a good book so I'm exercising my brain for something other than legal facts and hearing dates.

Darlene Bernard
Judicial Assistant

I go home on the bus and relax as someone else is driving. I ride my stationary bike as I watch the comedy channel. I take my dog for walks. I just have trained myself that once I walk out of the building, whatever happened at work today, stays there (like Las Vegas) - tomorrow is another day to live!

Annie Gonzalez
Judicial Assistant

I listen to my ipod while working out on the Wii Fit.

Karen Arra
Public Information Officer

When I can, I go to the YMCA-family center at noon. Being involved in physical activities either running or weight training gives you something else to concentrate on besides work. It is an opportunity to escape from the work routine and, at the very least, work off the frustrations of the day.

Hugh Gallagher
Deputy Court Administrator

I like to fly a kite with my two-year-old daughter Cynthia.

Johnny Tse
Management Analyst

I plant flowers to relieve stress and try to surf whenever/wherever I can catch a wave.

Shannon Branham
Court Administration

Q and A with Judge David Gass

Judge Gass - Continued From Page 3

Q. Early in your legal career, you were a law clerk for Arizona Supreme Court Chief Justice Ruth McGregor. What did you learn from Chief Justice McGregor that has remained with you as your career has progressed?

She hates chickens. She grew up on farm. One of her jobs was feeding the chickens. Turns out they are nasty little birds. I think about that every time I eat chicken salad.

I also saw her work ethic, her judicial demeanor, and her genuine respect for the law and the courts. And I quickly learned to appreciate her practical, organized approach when she evaluates cases. I have sought to mirror her approach in my practice and life.

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).

"Because nice matters." Even when I have a fundamental disagreement with someone else, I try very hard to be respectful of the person and that person's right to have a different opinion. A smile and friendly gesture can go a long way. It is part of the reason I enjoyed working at the Legislature. I often disagreed with positions that Legislators and other staff took, but we did not let that undermine our relationships. Side by side, we laughed and cried together, celebrating births and birthdays and mourning at funerals.

Q. Do you have a favorite movie or television show in the court or legal genre? Please explain.

I can identify two: For a movie, To Kill a Mockingbird. For a television show, Boston Legal. (Confused? Imagine how I feel.)

To Kill a Mockingbird is such a classic. Growing up watching Gregory Peck made me want to be a lawyer. Watching Gregory Peck as Atticus Finch today makes me want to a better lawyer.

Boston Legal is classic. I love the balcony moments with Alan Shore and Denny Crane. If private practice really were that much fun, we would all be in private practice.

Q. Do you own an ipod and what kind of music is on your playlists?

I wish to make it perfectly clear that I am not a "POD" person. My brothers started that rumor in high school. It is time for it to stop.

As for music on my playlists, songs from Broadway musicals, by Cher, Elton John, and Tina Turner are all good choices.

Adult Probation News

Probation Gets Upgraded

The Court Technology Services Web Development Team has spent the last few months upgrading all of the Adult Probation Department's (APD) Intranet applications.

The upgrade allows CTS to host new applications on its load balanced Intranet server platform. Additionally, starting April 6, APD will have a new APD-Online application that includes the following:

- Caseload Information
- Client Information
- UA Referrals and Results
- Sex Offender Density and Search
- Equipment Management
- Dispatch
- Terminal Operator Certification

The Web Development Team has also upgraded the daily process that downloads information from the Administrative Office of the Courts' Adult Probation application (APETS) into a local database. Major time savings in this section were achieved by streamlining the daily data pull and including only the information needed instead of all APETS data.

While completing the development activities discussed above, CTS took the opportunity to merge APD into the existing Human Resource and Timekeeping system. Now all of APD's personnel information is stored in one secure database instead of multiple ACCESS databases. This drastically improves data reliability and allows us to share the most current information among many applications.

For example, when Judicial Officers request leave they have the opportunity to identify those covering their caseload while they are gone. The information they entered is then fed to the dispatch application and to the manager self-service module.

CTS wishes to express appreciation to APD employees JoAnn Paulus and Randy Tirado, without whom this project could not have been successful.

Submitted by Andy Cicchillo
CTS

Adult Probation's Program wins National Honor

The American Probation and Parole Association (APPA) selected Maricopa County Adult Probation's Financial Compliance Program as the 2008 recipient of its APPA President's Award. This prestigious national honor recognizes the Financial Compliance Program as an exemplary community corrections program, which serves to advance the knowledge, effectiveness and integrity of the criminal justice system.

The award recognizes visionary organizations that have exemplified the management and innovations necessary to lead community corrections into the next decade.

The MCAPD Financial Compliance Program demonstrated innovation by successfully adapting a business model to a community corrections agency. The program benefits victims, probationers, and the community through vastly improved probationer compliance in the payment of court-ordered restitution and fees.

Between 1995 and 2006, the average annual growth in the probation population was 5 percent, while the average annual growth in the collection of restitution and probation service fees was 15 percent and 14 percent respectively. In 2008, more than \$8.5 million in restitution and more than \$8.4 million in probation service fees were collected from standard probationers. The department has established a structure that supports financial compliance as a continuing priority.

Probationers are held accountable for payments while receiving assistance, as needed, with budgeting and employment. Victims are better served as more restitution is collected. The increased payment of fees reduces the burden on taxpayers and assists government with revenue for probation and other services.

The lessons learned through this program have been shared with other community corrections agencies directly and through APPA training institutes.

Submitted by Cathy Wyse
Adult Probation

Courtside

Photo Highlights



Top Left - Deputy Court Administrator Hugh Gallagher hosts a St. Patrick's Day breakfast for his staff on the third floor of the Old Courthouse. Left to right - Mary Byrnes, Hugh Gallagher, Maria Clavijo and David Elston.

Middle Left - A wooden model of the new criminal court tower.

Bottom Left - Judge Louis Araneta talking with Judge Glenn Davis at his retirement party. Judge Araneta joined the bench in 1990 as a court commissioner. In 1993, he was appointed as a Superior Court judge.



Bottom Right - An empty lot is all that remains of the former Madison Street Garage. The site will be the home of the Downtown Criminal Court Tower. Excavation of the site is expected to begin in April.

