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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."



Budget Update: Program Cuts and RIF

Recently, we notified court departments about the size and scope of the budget reductions for Fiscal Year 2010, commencing July 1, 2009. In some cases, the reductions represent a partial loss of staff. In other cases, entire departments or functions are being eliminated. Collectively, the Superior Court's FY10 staffing and program reductions total \$8.2 million. For the judicial branch as a whole, including the Adult and Juvenile Probation Departments, we are instituting budget reductions of \$22.5 million. The reductions are being realized through the elimination of approximately 435 vacant positions, a reduction in force (RIF) of approximately 32 superior court staff and additional staff reductions in the Adult Probation Department.



Superior Court employees subject to the RIF were notified in individual meetings in the last week of April and the first week of May. Needless to say, the sobering reality of these unavoidable actions is having a dramatic impact on many of our co-workers and the organization. I deeply regret that the fiscal situation is adversely impacting our dedicated court staff. Our management team is making a concerted effort to help the impacted staff through this difficult transition.

The following court departments and programs are affected by the RIF:

- Elimination of Night Court
- Closure of the San Tan and Downtown Self Service Centers
- Elimination of the Alternative Dispute Resolution Unit
- Downsizing of Court Administration and Administrative Services
- Downsizing of Facilities Management
- Downsizing of the Court Reporter Pool
- Downsizing and Partial Outsourcing of Conciliation Services
- Downsizing of the Law Library
- Reducing the number of surveillance officers in the Adult Probation Department

The court's reduction in force would have been much higher had it not been for the hiring freezes that we imposed over the last year and a half. This strategy created substantial savings, and helped save us from a much worse scenario. This could not have been accomplished without the help and cooperation of our hard working judicial branch staff.

Message From the Presiding Judge



Barbara Rodriguez Mundell
Presiding Judge

A new Superior Court program is holding defendants accountable by making sure they pay restitution to crime victims.

Each day in Court, we see victims awarded restitution only to see defendants default on their payments.

To help address the issue, Superior Court and the Maricopa County Adult Probation created Restitution Court in September of 2008. As of April 10, the program has collected approximately \$54,000 in restitution.

Under A.R.S. § 13-810, the new court holds defendants in civil contempt if realistic plans and honest efforts to pay restitution have not been made. If defendants are not in compliance, they may be held in contempt with the possibility of work release until the debt or a court-ordered portion of the debt is paid.

Once a month, Judge Roland Steinle sets aside a half day from his busy calendar to conduct restitution hearings, handling approximately seven cases a month. Judge Steinle's work and the efforts of the probation department have been extraordinary.

Restitution Court is being met with positive reviews in the victim community. In fact, I am honored to announce that Superior Court has been invited to introduce its program on the national victim awareness stage. In late August, the Court will give a presentation on Restitution Court at the National Organization for Victim Assistance Conference at Kierland Resort in Scottsdale.

Kudos to Judge Steinle and the Adult Probation Department. It's another example of how Superior Court continues to address issues in the area of victims' rights.

Presiding Judge Receives Judge Santana Award



Mark Santana
Judge

The Arizona Foundation for Legal Services and Education named Presiding Judge Barbara Rodriguez Mundell as its 2009 recipient of its Law-Related Education Award.

She will accept the award on June 12th during the Arizona Civics Summit on June 12th at the Mercado in Downtown Phoenix.

The Award recognizes exceptional contributions of Arizona attorneys or law firms in furthering education and understanding of the role of the law in our democratic society. This award focuses on public awareness on the contributions that attorneys provide to the community.

Superior Court Judge Mark Santana, served as a judge for five years, before passing away in 2005. Judge Santana is remembered as a scholar who was upbeat, friendly and soft-spoken.

Newsmakers

Latest Judicial Appointments

Judges James P. Beene and Scott McCoy and Commissioners Monica Garfinkel and Susan White are the latest appointments to the Superior Court bench.

Judge Beene was appointed by Governor Jan Brewer to fill the vacancy created by the departure of Judge Anna Baca. He has spent his entire legal career in public service, including the last four years as a Bureau Chief in the Maricopa County Attorney's Office. He will preside over a family court calendar.

Judge Scott McCoy, also appointed by the Governor, fills the division vacated by Judge Louis Araneta. Prior to becoming a judge, he spent almost four years as a Superior Court Commissioner. Like Judge Beene, he will preside over a family court calendar.

Monica Garfinkel, who was appointed as a Commissioner by Presiding Judge Barbara Rodriguez Mundell, began her assignment in Initial Appearance Court on May 4. Garfinkel worked at the Office of the Legal Defender prior to joining the Bench.

Commissioner Susan White, also appointed by Judge Mundell, presides over a criminal calendar in Early Disposition Court. Before her appointment, she had her own legal practice, specializing in juvenile dependency matters.

Judge Arellano Retires in June

After 20 years of serving on the Bench, Judge Silvia Arellano will retire on June 30th.

During Judge Arellano's tenure, she has presided over family, juvenile, civil and special assignment calendars with the last four years hearing a criminal court calendar at the Southeast Facility in Mesa.

Prior to her judicial appointment, Judge Arellano spent seven years as the deputy commissioner for the Arizona Department of Real Estate and spent time working as an Administrative Law Judge for the United States Equal Employment Opportunity Commission in Phoenix. She also practiced as a labor and employment law attorney for Logan & Aguirre.

Judge Arellano earned her Juris Doctorate and a bachelor's degrees from Arizona State University.

Court Sponsors African American Youth Conference

On May 7, Juvenile Probation and Juvenile Court Administration sponsored the African American Youth Conference at the First Institutional Baptist Church in Phoenix.

The program, an effort to eliminate disproportionate representation of African American children and youth in the child welfare and juvenile justice system, featured a presentation from Dr. Matthew Whitaker, a professor with Arizona State University. Presiding Juvenile Court Judge Eileen Willett, Juvenile Court Administrator Sheila Tickle and Chief Juvenile Probation Officer Carol Boone delivered opening remarks.

*Submitted by Sheila Tickle
Juvenile Court Administration*

Budget Update - Continued From Page One

For months, we have been asking you to do more with less, and you have responded in every instance. We sincerely need and appreciate your continuing support.

On a more personal note, I have been truly impressed by the outpouring of co-worker care and support demonstrated throughout this fiscal crisis. Some recent examples include staff members volunteering for pay reductions to save the jobs of other employees, a staff member offering to forfeit employment benefits, judges hiring internal court administration staff who would otherwise be subject to RIF, staff taking on additional duties and extensive personal assistance to employees losing their jobs. Our sincere thanks to all of you who have lent a hand, for your dedicated service to the court and the community which we serve.

*Submitted by Marcus Reinkensmeyer
Court Administration*

News and Notes

Summer Dress Policy

The warm summer months have traditionally been designated as “business casual” dress days for Court Administration staff. We will follow the same policy as last year:

SUMMER SCHEDULE DEFINED

Beginning on the first workday after Memorial Day and ending the last workday of September every day of the week.

GUIDELINES

Business casual dress is **not** appropriate in the courtroom or in situations where official judicial proceedings are conducted. Often, it may be inappropriate outside the court in more formal business settings where you are representing the judicial branch. A great deal of discretion is inherent in this policy by virtue of the nature of our meetings. The lists below may help give a sense of the direction we believe works here.

Acceptable Business Casual

- Polo shirts
- Sport Shirts
- Blouses
- Dress jeans
- Casual skirts
- Skorts
- Loafers, deck shoes
- Flat shoes

Unacceptable Workplace Attire

- Halter tops
- Collar less T- shirts
- Tube or tank tops
- Tattered/worn blue jeans
- Any revealing clothing
- Shorts
- Tennis/Athletic shoes
- Sport sandals, Flip-flops

Perhaps, a good “rule of thumb” is: “anything that you would wear to the gym, the beach, or to wash the car, should not be worn to the office.” There are exceptions, depending on the nature of the work an employee may be required to perform, e.g., court facilities employees and others involved in construction or moving offices/equipment, the CTS staff relocating or installing computer hardware, or employees required to work after hours or in warehouse or storage facilities.

*Submitted by Marcus Reinkensmeyer
Court Administration*

Law Day Highlights

A Legacy of Liberty – Celebrating Lincoln’s Bicentennial

On May 1, the Judicial Branch of Arizona in Maricopa County, the State Bar of Arizona and the Arizona Foundation for Legal Services & Education hosted Law Day at the Board of Supervisors Auditorium.

This year’s theme was *A Legacy of Liberty – Celebrating Lincoln’s Bicentennial*. In honor of President Lincoln, Arizona students, kindergarten through high school, were asked to participate in a Youtube video contest about how Lincoln’s legal background shaped his presidency and our nation’s history. The day also featured a presentation on President Abraham Lincoln by Judge Michael McVey.



YouTube contest winners from Mesa’s Dobson High School accept their first-place prize from State Bar of Arizona President John Phelps.



Judge Michael McVey delivers a speech about Abraham Lincoln.



Arizona Attorney Magazine Editor Tim Eigo moderates Law Day dressed up as Lincoln.

New Judge Q and A: Scott McCoy

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

The administrative details. Tons of paperwork has to be completed, and two critical positions must be filled, all seemingly as soon as humanly possible.

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

Brevity enhances clarity.



*Scott McCoy
Judge*

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

United States Supreme Court Justice John Marshall Harlan II. He was brilliant, good natured and intellectually honest during the historic upheaval of the Warren court.

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).

"That whole porno website scandal is behind us now!" Irrelevant outburst by a family court litigant (and, apparently, pornographic actress) to an astonished judicial officer (me) during a hearing.

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?

My father, who did not live to see me take the bench. I would show him around the courthouse and tell him war stories (like the one above) from my days as a commissioner. He would be in stitches.

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

"Voodoo Chile (Slight Return)" – Jimi Hendrix, "Train in Vain" – The Clash, "My Old School" – Steely Dan, "Come as You Are" – Nirvana, "Domino" – Van Morrison, "Don't Believe the Hype" – Public Enemy, "Even Flow" – Pearl Jam "Get Closer" – Seals and Crofts, "Give Up the Funk" – Parliament, "I Wanna Be Sedated" – the Ramones, "I Want You Back" – Jackson 5, "Killer Queen" – Queen, "No Sleep 'til Brooklyn" – Beastie Boys, "Let's Stay Together" – Reverend Al Green, "Lonely Boy" – Andrew Gold, "Paint it Black" – Rolling Stones, "Tattooed Love Boys" – Pretenders, "5:15" – The Who and "American Idiot" — Green Day

News and Notes

County Launches MyGreenGovernment.Com

Just in time for Earth Day in April, Maricopa County launched a new website detailing an array of its “green” projects and what county residents can do to live in a more sustainable fashion.

“The new website has something for everyone,” said Jonce Walker, Maricopa County’s Sustainability Manager. In addition to Maricopa County’s green initiative plan and goals, the site contains highlights of the county’s progress on green projects including a biodiesel fleet, an energy audit and construction of a new west-side recreational facility that is completely off the power grid. The website has a section dedicated to educating kids about environmental issues and helpful hints for residents who are looking for simple ways to go “green.”

In 2008, Maricopa County implemented a green initiative, covering a wide swath of county departments. The plan includes measurable actions that help improve the region’s air quality, improve water quality and quantity, and make better decisions leading to efficient, economical and environmentally sensitive land use and development patterns.

 greengovernmentprogram



Library and Self-Service Center Tip: Attorney Roster

The Self-Service Center is pleased to announce a change in our Attorney Roster. The Attorney Roster previously required attorneys to attend an in-person orientation before they could participate. A recent redesign of the process removes the barrier of the in-person orientation. Of course, we still have procedures in place to ensure the attorneys are aware of the ethical rules and obligations of limited scope representation. But, now attorneys can join the roster at their convenience. This change is a great benefit to the Court, the local bar and the public. It allows our litigants access to more possibilities for legal representation while allowing our local bar greater opportunity for business development in a difficult economic climate. It’s a win-win!

For those who are unfamiliar with the roster, the Self-Service Center Attorney Roster is a listing of Phoenix area attorneys who have agreed to unbundle their services and offer limited scope representation for a hourly fee. The hourly fee varies from attorney to attorney. The Attorney Roster is available online at the Self-Service Center website.

If you have any questions about the Attorney Roster, please email us at services@sccl.maricopa.gov or contact either myself or the Self-Service Center Supervisor at your nearest court location.

Submitted by Jennifer Murray
Law Library

Justice Courts Upgrade Technology



Justice of the Peace Rebecca Macbeth utilizes the new courtroom technology.

Recently, Justices of the Peace were given the capability to project information from their bench computer onto a screen behind the witness stand.

Courtrooms at the Northeast, Northwest, San Tan and Downtown Justice Centers were all equipped with this new feature. Also, each of the locations received an evidence presentation cart that the parties can use to present evidence.

The Courts anticipate the electronic upgrades will give citizens a better understanding of procedures and the Courts’ expectations of litigants.

Submitted by Bert Binder
Electronic Courtrooms Administrator

News and Notes

Security Briefing: CODE 100

After the most recent Code 100 and related inmate escape, Court Security was inundated with questions about what is a Code 100 and what should staff do during a Code 100. In response to the questions and concerns, please read the following summary regarding a Code 100.

What is a Code 100? A code 100 is a physical lock down of a specific court building or the entire complex. The goal of Code 100 procedures is to contain the suspect within a limited space while providing the highest level of security and safety for court personnel and the public as possible.

When is a Code 100 Used? Circumstances that would prompt a Code 100 include, but are not limited to, the following: 1) an escaped inmate; 2) a homicide; 3) an aggravated assault that resulted in serious physical injury.

Who is Responsible for What? All employees and staff located within court buildings have specific duties and responsibilities during a Code 100. Some of these positions and responsibilities include:

- **Court Staff.** 1) Move all court staff, jurors, and civilians out of office areas and rear staff hallway into their respective courtrooms (if applicable) or remain in your office (if applicable); 2) lock front courtroom doors or office doors; 3) check email for updates on a regular basis; 4) notify the sheriff's office by phone of any suspicious activity; 5) if the phone is not practical due to a suspect being present, court staff should try to activate the panic button without alerting the suspect; 6) remain in the courtroom or behind locked doors until instructed by a deputy or the PA system to do otherwise.
- **Court Security.** Court Security will 1) lock down entrances and stop ingress and egress; 2) recall all elevators to the ground floor and lock them off; 3) post an officer at each ground level fire stairwell door; 4) monitor cameras to try and locate possible suspects; 5) announce over the PA that the building is in Code 100 status; 6) email staff with updates and suspect descriptions; 7) notify and act as liaison with the Presiding Judge; 8) remain at their posts until relieved by a deputy; 9) provide support to deputies until the situation is resolved.
- **MCSO Escort Officers:** 1) Immediately remove inmates from affected buildings and secure them in the transportation holding area;
- **MCSO Court Security Deputies:** 1) respond to the location of incident that prompted the Code 100 and obtain information about the suspect; 2) Disseminate photo of suspect; 3) perform a tactical search of all rooms on all floors of the building for any suspects.

Submitted by Karen Westover
Court Administration

CASA Director Presents at National Conference

CASA Director Robert Hahn presented a workshop on Successful Succession Planning before 1,500 people at the National CASA conference.

The conference included speeches from Dr. Phil and his wife Robin McGraw who are two of CASA's National spokespeople.

"I am excited that Robert was able to introduce Maricopa's CASA model to a national conference and get national attention for both the program and the court," Juvenile Presiding Judge Eileen Willett said.

Courtside

Photo Highlights



Left to right - David Jacobs, Gloria Braskett, **Elia Gonzales** and Mitch Michkowski. Civil Administration celebrates Elia Gonzales retirement. Gonzales retired with more than 32 years of service.



Juvenile Probation Chief Carol Boone presents Juvenile Presiding Judge Eileen Willett a plaque at her farewell celebration. Following the judicial conference, Judge Willett will leave juvenile and begin a civil calendar Downtown.



In-custody defendants who appear for cases in the new RCC courtrooms in the Central Court Building will sit behind glass in viewing rooms called docks. Jail inmates will be transported directly from the jail into the dock without entering the courtroom.



A design of the new shade canopy that will be outside the entrance of the Central Court Building. Construction is expected to start in late August.