

Judicial Branch News

Dignitaries Meet With New Criminal Presiding Judge





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Cover - Criminal Presiding Judge Sam Myers (left) meets with dignitaries in chambers.

Judicial Branch News

The Judicial Branch News is an online newsletter published by the Media Relations Department.

If you wish to contribute to this newsletter, please send articles, news items, photos or other correspondence to:
karra@superiorcourt.maricopa.gov.

Contributing Writers

Raymond Billotte
 Mikisha Steel
 Judge Janet Barton
 Bob James
 Judge Bruce Cohen

Contributing Editors

Karen Arra
 Vincent Funari
 Kelly Vail
 Mary Byrnes
 Nicole Garcia



Produced by the Media Relations Department

Media Relations Department
 Old Courthouse 4th Floor
 125 W. Washington
 Phoenix, AZ 85003



Hon. Janet Barton

I hope to write regular, or at least semi-regular, articles for the Court's newsletter. There are various topics I'd like to cover over the next several months. The first order of business however, is my desire to express my gratitude to the judicial officers and employees of this Court that work so hard and do so much to assure that this Court excels. We have an incredible bench and administration teams, and in my opinion, each group deserves their own separate "shout-out." So, this first article will be directed towards the Court's judicial officers and their herculean efforts over the last six months to assure that calendars were covered and justice dispensed. Next month's article will be directed towards Court Administration and the incredible job they do on a day in and day out basis to assure that this Court is one of, if not the best, court in the country. My third article will address my so-called vision for the next three years, what I hope to accomplish and what I view as my "pet" projects. So here it goes.

Our former Presiding Judge, Norman Davis, once told me that in his opinion the role of the Presiding Judge was to provide support to the bench where the real work of justice is done. For the last couple of months, however, it is the bench that has provided support to me and for that I am extremely grateful. So let me start expressing my "thanks."

First, thank you to all the judicial officers who have come up to me over the last nine months and offered to help or assist me in any way they can. You may come to regret that offer but your support has meant the world to me.

I also want to thank the judicial officers who agreed to serve in leadership roles as the Court's Associate Presiding Judge, Departmental Presiding Judges, Regional Presiding Judges and Presiding Commissioner. Even though I thought some of you might require some convincing or arm twisting, which I was fully prepared to provide, each and every one of you agreed to take on the responsibility without any hesitation whatsoever. Thank you.

Presently, every department of this Court is overworked and understaffed. Yet instead of crying "Uncle," or complaining to me, every department stepped up; told me not to worry they have the situation under control; and continued to operate in an exemplary manner and as a court of excellence.

For example, Juvenile is extraordinarily busy due to the unprecedented increase in dependency filings that have occurred in the last couple of years (53% from 2010 to 2013 and an estimated 23% from 2013 to 2014). The Court is presently working to address the workload issues that naturally flow from such monumental filing increases. The Court has created two new dependency calendars to be heard by commissioners. Hopefully those calendars will be fully operational within the next two months. In the meantime, however, the Juvenile department has taken on this heavy workload with a minimal amount of complaints, even though doing so often requires morning calendars to go well into the lunch hour. Thank you for all your patience, hard work, and the minimal amount of complaints.

Then there is Criminal. Between family emergencies and the departure of a commissioner, we had various calendars that needed coverage for extended periods with virtually no advance notice. Once word got out, offers to cover those calendars came from Criminal, Civil and Family judicial officers. As a result, we got the calendars covered. Thank you to Judges Mroz, Bergin, Gentry, Starr, Gates and Commissioners Nothwehr and Rees, and everyone else who stepped up and graciously offered their time.

In early July, the Family department also had a judicial officer with a family emergency. Having sought out two retired judges, who were not available to cover the calendar, I was trying to figure out how the Court was going to cover a family calendar for 30 to 60 days. I then got a call from Judge Kreamer informing me that the judicial officers at Northeast (not just the Family judicial officers but all of the judicial officers) had already made arrangements to cover the judge's calendar through July. Then I got an email from our Family Court Administrator, informing me that the downtown Family court commissioners had agreed to free up a downtown commissioner to cover the Northeast calendar during August. The remaining downtown Family commissioners stepped up to absorb the covering commissioner's calendar. Again, thank you very much.

Employee Anniversaries

5 Years

Wendy Lertzman, Adult Probation Officer
 Angela Miller, Court Reporter
 Doreen Sutton, Court Reporter
 William Wingard, Court Commissioner

10 years

Gregory Scott, Surveillance Officer
 Jean Ayers, General Laborer
 Carissa Allen, Juvenile Probation Officer Supervisor
 Elizabeth Toyos, Office Assistant Specialized
 Kristen Adame, Juvenile Probation Officer
 Cassandra Page, Juvenile Detention Officer
 Richard Cavazos, Court Security Deputy Marshal
 Scherene Murphy, Judicial Specialist
 Brenda Safran, Security Inspector
 M. Scott McCoy, Superior Court Judge
 Phemonia Miller, Court Commissioner

15 years

Leah Lara, Adult Probation Officer
 Megan Cayton, Juvenile Probation Officer
 Paul Seashols, Juvenile Probation Officer Supervisor
 Dominic Siath, Juvenile Probation Officer
 Sara Jo Peralta, Judicial Clerk Associate
 Daniel Troyer, Court Security Deputy Marshal
 John Swearingen, Data Security Analyst
 Margaret Rutigliano, Judicial Clerk

20 years

Dora Nevarez-Gomez, Adult Probation Officer
 Claudia Facio-Barriga, Case Administrator
 Lesley Winquist, Judicial Clerk Senior

25 years

Cynthia Stuart, Juvenile Probation Officer
 Rebecca Jones, Juvenile Probation Officer
 Stanley Armstrong, Juvenile Probation Officer
 Susan Jones, Juvenile Probation Officer
 Terry Masciola, Court Reporter

30 years

Ruth McNally, Administrative Assistant
 Lilia Linn, Management Assistant

31 years

Alan Henry, Management Analyst

** Information provided by Mikisha Steel
 Human Resources Department.*

From the Presiding - Continued

In Civil, Judge Whitten is covering Judge Cunanan's former Civil calendar (in addition to Judge Whitten's own tax and partial Civil calendars) until Judge LeClaire's replacement starts. And when the Court was given less than six months to start a Commercial Court Pilot Project, Judge Bergin stepped up and on her own, without any request or prompting from anyone, assumed responsibility for, among other things, getting that court's website up and running, and assuring that the necessary staff training occurred. Thank you.

I would also like to thank some of our former colleagues for their support. Retired Judge Penny Willrich has been covering a Family calendar at Southeast since the end of March and will continue to cover that calendar until the end of August. Retired Judge Gerst has been covering a criminal calendar and Retired Judge Houser has covered in both Juvenile and now Civil. Thank you for your support in our time of need.

In closing, this Court is recognized nationwide as a court of excellence and innovation. The Court has this reputation in large part because it has such a great bench. While we are each an independent, elected official, this Court clearly operates as a team. I have never been prouder to be a member of this bench than over the last six months. Thank you for all your support over those months. I look forward to reciprocating soon!

NACM Honors Peter Kiefer



National Association for Court Management Immediate Past President Michele Oken awards Civil Court Administrator Peter Kiefer the Award of Merit at the NACM Annual Conference in Louisville, Kentucky.

Rotations 2015: Departmental Presiding Judges



Janet Barton
Presiding Judge



Joseph Welty
Associate Presiding Judge



Andrew Klein
Probate Court



Paul McMurdie
Family Court



Christopher Whitten
Tax Court



Randall Warner
Civil Court



Sam Myers
Criminal Court



Colleen McNally
Juvenile Court



Barbara Spencer
Presiding Commissioner

2015 NACo Awards

Congratulations to the Judicial Branch of Arizona in Maricopa County for earning seven awards from the National Association of Counties. Founded in 1935, NACo brings county officials together to advocate with a collective voice on national policy, exchange ideas and build new leadership skills, pursue transformational county solutions, enrich the public's understanding of county government, and exercise exemplary leadership in public service. Below are the award-winning programs:

Re-engineering the Post Conviction Relief Unit – The Criminal Department has taken significant steps to redesign how requests for post-conviction relief are processed. This effort has resulted in more timely rulings and almost a complete elimination of paper within the Court for this process.

CASA Best for Babies Collaborative Program – CASA developed this specialized program to improve outcomes for high-risk infants, toddlers, and their families. Through Best for Babies, CASA offers specialized training, resources and ongoing support in the form of bi-monthly advocate forums to any CASA volunteer working with this population to help move children through the foster care system more quickly, while providing increased attention on a child's developmental needs.

Court Orientation for Dependent Youth (CODY) Project – In cooperation with community and court stakeholders, CASA hosts the CODY Project to educate foster youth, 12 years of age and older, about the dependency court process, offers explanations on the rights of a foster youth and provides helpful take-a-way materials for youth to plan for their upcoming hearings.

Dependency Treatment Court (DTC) – DTC is designed to improve opportunities for success for parents who have dependency court involvement due to allegations of substance abuse. DTC is voluntary, but is only available to parents who have been ordered by their Dependency Judge to observe a hearing. Court-supervised drug treatment improves success in gaining and maintaining sobriety.

Early Education Collaborative – This grant funded program focuses on both micro and macro system interventions. In partnership with Catholic Charities Head Start, it conducted a pilot of home visiting services for child welfare families. Grant staff assessed and worked to build infrastructure to connect young foster children under the age of five with quality, early education services. The program has four functioning workgroups focused in the areas of Educational Rights and Information Sharing, Capacity and Connection, Training and Professional Development and Policy.

The Guardian Review Program: Extended – The main purpose is to monitor the guardianship services provided to wards, in order to ensure quality care, and to guarantee compliance by fiduciaries with statutes and court orders. Objectives of the program include reducing any potential abuse of the elderly and disabled wards, educating fiduciaries about their responsibilities as guardians and conservators, and increasing the community's awareness of the guardianship system and the problem faced by incapacitated persons. The program takes a unique approach to monitoring wards by extending an invitation for help from volunteers.

eRelease Order – The Court developed innovative technology to specifically address the need to issue release orders. The objective in creating the program was to give judicial officers an efficient way to prepare release orders for those appearing before the court. The new technology focused on improving the accessibility and efficiency of judicial officers who sign release orders and court employees who prepare the release orders, reducing the need for paper case files and allowing judicial officers to electronically prepare and issue release orders.

HR Employee Retires



Sharon McCammond retired after 25 years of dedicated service to the Judicial Branch of Arizona in Maricopa County.

Translator Gets Certified



James Newlin, a staff translator for Court Interpretation and Translation Services, achieved his certification as a Spanish/English translator from the American Translators Association. This is the highest credential for professional translators in the United States, and is granted upon successful completion of a battery of tests administered by the Association. Newlin also holds a Master of Arts degree in Bilingual Judiciary Interpreting from the College of Charleston, S.C..

Judicial Appointments



Hon. Steven Hopkins

Governor Doug Ducey appointed Steven Hopkins and former Commissioner Jeffrey Rueter to the Maricopa County Superior Court Bench.

Judge Hopkins, who will start in August 24, has 30 years of experience in private practice. From 1995 to present, he has been working at Hopkins Law Offices, P.L.C. (previously known as Hopkins & Kreamer, L.L.P, Rhees & Hopkins, and Rhees & Hopkins & Kreamer). He also worked at Snell and Wilmer from 1985 to 1995, eventually promoting to partner in 1992.

Judge Hopkins received his Juris Doctorate from the University of Kansas Law School and his Bachelor of Arts in political science from Knox College in Galesburg, Illinois.



Hon. Jeffrey Rueter

Judge Rueter, who has served as a Commissioner since 2008, will take over retired Judge Boyd Dunn's Family Court calendar at the Southeast Regional Court Center on August 3. As a Commissioner, he presided over Juvenile and Criminal Court calendars. Prior to joining the Bench, Judge Rueter was an Assistant Attorney General for the State of Arizona from 1997 to 2007 and a Deputy Maricopa County Attorney from 1995 – 1997. He also worked one year in private practice.

He received his Juris Doctorate from Arizona State University and his Bachelor of Science in business administration from the University of Nebraska-Lincoln.

Dignitaries Visit Criminal PJ



From left to right: Attorney General Adam Laxalt (Nevada), Attorney General Carlos Zamarripa (Guanajuato, Mexico), Criminal Department Presiding Judge Sam Myers, Attorney General Mark Brnovich (Arizona), Attorney General Perla Ibarra Leyva (Baja California, Mexico), Attorney General Carlos Navarro (Sonora, Mexico)

Attorneys General from the US and Mexico visited the South Court Tower on Wednesday, July 8th to learn how that building helps the Court effectively and efficiently handle criminal cases.

The event, facilitated by the Conference of Western Attorneys General (CWAG), included Arizona Attorney General Mark Brnovich and his Chief Deputy, Mike Bailey, Nevada Attorney General Adam Laxalt, the Attorney General for Guanajuato, Mexico, Carlos Zamarripa, the Attorney General for Baja California, Mexico, Perla Ibarra Leyva, and the Attorney General for the state of Sonora in Mexico, Carlos Navarro.

The delegation met with Criminal Department Presiding Judge Sam Myers, and then took a walking tour of the courtrooms, Jury Assembly Room and public spaces of the Tower. They were also provided a tour of the custody spaces by the Executive Officer of the Sheriff's Security and Transport Division, Lt. Justin Griffin. The Court has hosted similar tours in the past in coordination with CWAG to familiarize Mexican officials from courts and law enforcement with the American justice system. The group appreciated the visit and were very impressed with the scale and functionality of the South Court Tower.

*Submitted by Bob James
Criminal Court Administrator*

New Assessment Program

Superior Court Judicial Officers are using a new assessment tool to help them make decisions regarding a defendant's bail and release conditions.

Arizona is one of 21 jurisdictions using the Public Safety Assessment, an instrument developed by the Laura and John Arnold Foundation, that assists judges in making accurate and evidence-based decisions about which defendants should be detained prior to trial or safely released.

"For the first time, the Court will have an evidence-based tool to assist the judicial officer in making a determination on pretrial release issues. Two important goals of the Court are to ensure all released defendants return to court as scheduled, and that the community remains safe when a decision to release has been made. This tool helps to achieve both of those goals," Criminal Presiding Judge Sam Myers said.

The PSA is designed to predict three factors: failure to appear, new criminal activity and new violent criminal activity (while the current charges are pending). It uses nine risk factors to include age at current offense, whether the current offense is violent, whether there is a pending charge at the time of the current offense, prior misdemeanor convictions, prior felony and violent felony convictions, priors FTAs (both within the last two years and older than two years) and prior sentence to incarceration.

The tool is easy and cost-effective to administer and has proven to be both race and gender neutral. LJAF plans to make the PSA available, free of cost, to every interested city, county, and state within the next few years.

"Initial Appearance Court is very enthused to have the benefit of the new PSA-Tool. Unlike our former assessment tool, we now have specific information regarding the risk of new violent criminal activity. The tool also gives the Probation Department the ability to let us know when they do not believe they can safely supervise someone in the community pending disposition," Commissioner Lisa Roberts said. "The tool does not replace our judicial officers' discretion in any way but it will help us to more accurately and confidently make our decision to release or detain. This tool will improve the Court's ability to strike a proper balance between protecting the community and ensuring that defendants are not unnecessarily detained."

The PSA has shown positive results in pilot jurisdictions. In Kentucky, the PSA has assisted judges in reducing jail populations and pretrial crime rates. In Mecklenburg County, North Carolina, the jail population has dropped nearly 20 percent since spring 2014.

In Memoriam: MCSO Detention Officer Stephen Ervin

Our court family suffered a great loss on July 4, 2015. Detention Officer Stephen Ervin passed away suddenly and without warning. News of his passing created a vacuum in which the next breath appeared impossible.

“Ervin,” as he was affectionately known, was assigned as the detention officer in my courtroom from June 2011 through May 2015. He performed his job as one would perform public service, and he did it as well or better than all others.

With his passing, I could write about Ervin’s many accomplishments, both in his profession and through his outside work as a pastor and community leader. I could write about his athletic prowess from his younger years, where he held numerous State track records in Utah. I could list his beloved family members who must now reconcile their lives with his loss. In fact, we spent some time with his family and realized that he lived his life with the same honor and dignity in which he performed his work. But I chose to write about the impact he had on our court community.

Ervin was a gentle giant of a man, who quietly made those around him feel at ease. He was a man who showed respect to everyone he encountered, even those whose behaviors and attitudes in custody mirrored the charges that had been brought against them. His approach created an environment where I never saw him need to use force or shout to secure behavior compliance in the courtroom.

Ervin was a man of great intellectual and spiritual depth. While it was more than difficult to extract from him his views, there was always wisdom and grace in how he saw the world and all of us in it. He had a laugh that resonated from the inside out. I would joke with him as to what he did wrong to be stuck with me for four years. In response, he would only laugh, never disputing the idea that he was being punished. It became our joke.

Those of us who were fortunate enough to work with Ervin on a day-in, day-out basis, including me, Gail (our court reporter), Tina and Barb (our Clerks), Julie and Jim (our JAs) and Monica and Julia (our bailiffs), all agree that we are better people for having had Ervin in our lives.

Our court community is now missing a key component to what makes us great. But that same community is far better for having been blessed by Ervin since 2005.

God Bless you, Ervin, and your beautiful family, and rest in peace.



Left to Right - Officer Stephen Ervin, Judicial Assistant Julie Carlson and Judge Bruce Cohen.

Submitted by Judge Bruce Cohen

Caption Contest



E-mail the caption to Karen Arra (karra@superiorcourt.maricopa.gov) or Vincent Funari (funariv@superiorcourt.maricopa.gov). The winning caption will be announced in next month's newsletter.

Please send us any interesting photos you would like captioned in upcoming newsletters.

New Appointment



Hon. Julie LaFave

Presiding Judge Janet Barton appointed Julie LaFave as a Court Commissioner.

Commissioner LaFave has been working in private practice since 2000. Most recently, she was partner/owner, specializing in commercial litigation, with Blythe Grace, PLLC. She has also worked for such firms as Davis Miles McGuire Gardner, PLLC, Sorenson Law Firm, Grasso Law Firm, Jennings, Strouss & Salmon, P.L.C., Bryan Cave, LLP., Beer & Toone, P.C., Begam, Lewis, Marks & Wolfe and Mulcahy Law Firm.

She earned her Bachelor of Arts in social work from the University of Kentucky; a Bachelor of Arts in Psychology from Arizona State University and a Juris Doctorate from Arizona State University.

Commissioner LaFave will begin a Criminal Court calendar in the downtown Regional Court Center on July 27.

Last Month's Winner

Last month's winner is Nichole Codrington. Thanks to everyone who submitted a caption!



Out of order. I'll show YOU "out of order!" You don't know what "out of order" is. I'd show you, but I'm too thirsty.

(Play on words from a scene from the movie Scent of a Woman)