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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.

“Equal Justice Under Law”



Q-and-A: Judge Douglas Gerlach

Q. You’ve practiced law for more than 25 years. During your career, you have represented clients from many different industries and spent some time working in the public defender’s office. Explain how the variety of assignments you’ve handled will prepare you for your career as a judge?



Douglas Gerlach

The more experience I have gained, the more I have realized what I do not know. Because of that, my experience motivates me to continue learning and trying to get better at what I do. Beyond that, my experience has also made me aware of questions that need to be asked: in any given case, there are many, many questions I ask today that I would have never thought to ask 10 or 20 years ago. And, it seems to me, being a good trial court judge is not only a function of the knowledge that one brings to the bench, but perhaps even more important, learning what is not known, i.e., asking the right questions and dealing with the answers.

Q. You are an experienced television and radio sportscaster and once were a finalist for Arizona Sports Broadcaster of the Year. What are some of your memorable moments as a broadcaster?

Five NCAA (College World Series) championship games, especially the 1977 game when, by luck of the draw, I was handling the play-by-play when Arizona State’s Chris Bando hit what turned out to be the game winning home run (plus the additional thrill of arriving home with the team at 2 a.m. later that night to find the terminal at Sky Harbor jammed with cheering fans, and the parking lots outside full of cars with horns blaring); broadcasting a professional baseball game that began at 7:30 p.m. and ended 22 innings and almost seven hours later; many “post-game shows” with ASU coaches Frank Kush and especially Jim Brock; doing a radio recreation of a minor league baseball game; and once, while on the air, hearing the stadium public address announcer describe a car in the parking lot with its lights on, and it was mine.

Q. What’s your favorite quote?

“The humble person makes room for progress. The proud person believes he is already there.” — Fulton J. Sheen

CASA 25th Anniversary



DURANGO FACILITY
3131 West Durango Street
Phoenix, Arizona 85009

SUPERIOR COURT OF ARIZONA
JUVENILE COURT ADMINISTRATION
IN MARICOPA COUNTY
COURT APPOINTED SPECIAL ADVOCATE PROGRAM
TELEPHONE: 602-506-4083
FACSIMILE: 602-506-5512
Eddward P. Ballinger Jr., Presiding Juvenile Court Judge

MESA FACILITY
1810 South Lewis Street
Mesa, Arizona 85210

It is with great pleasure that I announce that October 8, 2010 marks the 25th anniversary of CASA of Maricopa County.

Often, it is the smallest victims in our society that go unnoticed and quietly deal with issues that result from child abuse and neglect. I also know there is a group of individuals whose profession may not be in child welfare, but whose hearts are drawn to the plight of children who have been our smallest victims. Those “behind the scenes” people are each of you, Court Appointed Special Advocates.

As a CASA Volunteer, you donate much time to the dependent children in our community. You are often the most consistent person in a child’s life at a time when they absolutely need to have someone to count on, someone who will be there with them through a frightening period of their lives. It is amazing that people like you...realtors, teachers, stay-at-home moms, entrepreneurs and retired people, mechanics and engineers, airline pilots and computer programmers, all want to change the world in some way. I am glad your passion for children lead you to the CASA Program.

Juvenile Court Judges must make difficult decisions on cases that involve the dependency of children. CASA Volunteers provide us with objective information through comprehensive court reports that enable us to “see” what is happening on each case. Volunteers also form a personal connection with each appointed child. From the bench, I have witnessed the heartwarming and truly remarkable life changes that have occurred through these transforming relationships. Children’s lives are changed because you said you would care enough to watch over them.

Please accept my sincere congratulations on this anniversary milestone. I thank you for your commitment and unwavering service to our children, the most vulnerable residents in Maricopa County, and commend you for your concern and dedication to children whose lives have been disrupted by the unfortunate reality of abuse and neglect.

Sincerely,

Eddward P. Ballinger, Jr.
Presiding Juvenile Court Judge

WESTLAW TIP

Did you know that through the Law Library, you have access to a database called Westlaw that allows you to do online legal research from any court location? And, what is even better is if you have a list of statues, cases and/or journal article, you can easily download or print them from Westlaw. All you have to do is use the FIND & PRINT function. You will find it at the top of the Westlaw screen just to the right of the Westlaw logo. You can enter up to 20 citations by using a semicolon between each citation or you can use a hard return to create a list of citations. You can also “ask” Westlaw to include the history of the citation and any citing references by checking the KeyCite boxes found under SEARCH RESULT OPTIONS.

If you download or print and you’d prefer not to have the cover page displayed, click on PREFERENCES on the very far right side of the screen. On the next screen, look on the left hand side for PRINT & DOWNLOAD. After clicking on Print & Download, uncheck the box next to INCLUDE COVER PAGE.

The screenshot shows the Westlaw Find&Print interface. At the top, it says "Westlaw Find&Print* Find and Print Multiple Citations". Below this is a text input field labeled "Enter Citation(s)" containing the text "25 ariz 1", "ars 25-408", and "104 ALR 1294". To the right of the input field is a blue button labeled "Send Request". Below the input field is a small text box that says "You can enter up to 20 citations separated with a semicolon or a hard return." Below this are two sections: "Select Result Options" and "Select Delivery Options". Under "Select Result Options", there are two checked checkboxes: "KeyCite History" and "KeyCite Citing References". Under "Select Delivery Options", there is a radio button selected for "Attached Printer" and a dropdown menu showing "PDF".

If you have any questions about how to access Westlaw or any other legal research issues, please contact the Law Library at 602-506-3461.

**Submitted by Jennifer Murray
Law Library**

Q-and-A: Judge Douglas Gerlach - Continued from page one

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

The original “Law & Order” series because the stories are often based on actual events and because at times it also reminds me of events experienced by either one of my colleagues or me during the time that I worked for the Maricopa County Public Defender’s Office. I also have committed to memory Vinny’s opening statement in “My Cousin Vinny,” although I have never had an occasion to use it as my own.

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?

Martin Luther. I would like to learn what it was like to rebel against the most powerful institution in the world, and what, if anything, he would do differently if given the chance; how and why he disagreed philosophically with some of his contemporary protestor/reformers; what he thinks of those who, today, claim his legacy; and many other subjects.

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

At the moment, a lot of Susan Graham and Renee Fleming (I know little about opera, but their voices are captivating), as well as a mix that includes Mary Chapin Carpenter, Frank Sinatra, Stevie Nicks, Willie Nelson, and CSN&Y, plus a healthy dose of the “Three B’s,” Bach, Beethoven, and the Beach Boys.

News and Notes

The Trials and Tribulations and Benefits of Technology: One Judge's Advice for Attorneys

Superior Court Judge Samuel Thumma wrote an article in a recent issue of the Judges' Journal, an American Association publication entitled, *The Trials and Tribulations—and Benefits—of Technology: One Judge's Advice for Attorneys*.



Samuel Thumma

In the article, Judge Thumma talks about the use of new technology in court proceedings.

Below is an excerpt from the article:

Human Nature suggests that, if something is new and available, people will want to have and use the new thing. Resist that urge when deciding whether to use technology in pretrial court proceedings. Consider thoughtfully whether using technology will add to the persuasive nature of your presentation. Remember: the key point is whether the use of technology will be helpful to the court in making a decision favorable to your client, not whether it may look pretty. Stated simply, if in doubt, leave it out.

If you subscribed to the ABA Judges' Journal and would like to read the full article, visit: <http://new.abanet.org/divisions/judicial/pages/judgesjournal.aspx>

Interested in Foster Care or Adoption?



Attend National Adoption Day at Juvenile Court. Come gather information and learn about the adoption process. We encourage everyone who is considering adoption to come to Juvenile Court to watch an adoption hearing, ask questions, and get all the information you need to bring a child into your heart and family.

Our children need you!

When: Saturday, November 20

**Where: 3131 W. Durango
Phoenix, AZ**

Administrative Orders Page Revamped

CTS has made changes to the Administrative Order web page, which allows users to look up active and inactive orders, sort by department, by year, title etc., with easy links to replaced orders and other functions.

Users will find it easier to locate orders now. The "Department" designation is complete for 2010 but will soon have all the prior department orders categorized for prior years. Perhaps the greatest improvement is that the page will now be kept and maintained by the Presiding Judge's staff, so that it can update immediately without taking time away from CTS programmers.

Under Supreme Court guidelines Admin Orders expire after 10 years if they don't contain an earlier expiration date or are not vacated by another Order. Accordingly, all Presiding Judges who submit Administrative Orders for issuance must include an expiration date or standard language that the order will expire on a date 10 years from issuance. If you get a minute take a look, and thanks to our amazing folks at CTS that keep us moving forward with technology innovations.

The link is:

<http://www.superiorcourt.maricopa.gov/SuperiorCourt/AdministrativeOrders/Index.aspx>

Planning for Flu Season

Once again we find ourselves entering the flu season. As you may recall, last year's flu season was compounded by the swine flu, also known as the H1N1 virus. This resulted in two flu shots being offered.

This flu season, both seasonal and swine flu viruses are still a threat. The good news is the Center for Disease Control (CDC) has approved an all-in-one flu vaccine that immunizes against both seasonal and swine flu viruses. Unlike last year where we were we experienced delays in getting our flu vaccines, the all-in-one vaccine is currently available in ample supplies at many pharmacies, clinics, and doctors offices. The CDC recommends that everyone 6 months and older get the flu vaccine. This year's flu vaccine protects against the seasonal H3N2 virus, and the swine flu virus that caused so much illness last season. Last year, Arizona had 13,032 flu cases and at least 122 deaths, almost all due to the swine flu virus.

So why should you get the flu vaccine? There are plenty of good reasons. First and foremost is that immunization has proven to be the safest and most effective method of protecting you and your family from contracting the flu. Contrary to the old myth, the flu vaccine does not give you the flu. Studies by the CDC have shown the flu vaccine to be between 70 to 90 percent effective in preventing the flu. With both the seasonal and swine flu present this season, you'll have twice the chance of contracting the flu. On October 4, 2010, Public Health confirmed the first confirmed case of the flu in the state - a 30 year old unimmunized female from Maricopa County. Once the flu virus enters a community, it spreads quickly and those lacking immunities developed from receiving the flu vaccine will be most susceptible.

Secondly, there's the cost savings from getting the flu vaccine. The typical healthy person who comes down with the flu is sick for an average of five days. Those with pre-existing health conditions such as diabetes, asthma, heart disease, and are overweight can easily develop complications resulting in missing work or school for weeks and possibly resulting in hospitalization. For those in the Cigna network, your flu vaccine is free. It will save you from having to use precious sick or vacation time. It will keep you from having to pay co-pays to your doctor, urgent care, or the emergency room. It will save you the cost of medicine, both prescribed and over-the-counter. And, you'll have to buy a lot less chicken soup!

The reason for getting your flu vaccine is that we care about you. We don't want to see you suffer from the flu-like complications. In most cases it's not the flu itself that is the threat to your health; it is how your body responds to the virus that is the threat to your health and possibly your life. Most people who have lost their lives to the flu die of complications associated with pneumonia, high fever, dehydration, or congestive heart failure.

A recent study published by the Canadian Medical Association Journal found that adults who take the flu vaccine may be less likely to get their first heart attack the next year. The study suggested that there is a link between respiratory infections and heart attacks. After factoring other major risks for heart attacks, such as smoking and family history of heart ailments, the research found that the flu vaccine was associated to a 19 percent reduction in the rate of first heart attack. And the benefit was even more for those that received flu vaccine earlier in the flu season. Those who got the vaccine early had a 21 percent reduction in the rate of heart attacks in the next year.

In closing, please consider getting your flu vaccine as soon as possible. Maricopa County Employee Health Initiatives has provided the following links to help you find a convenient location and date to get your vaccine.

<https://www.securedata-trans11.com/ap/maricopacounty/index.php?page=10>

Knowledge is power. Please take the time to review the following links: Maricopa County Department of Public Health: <http://www.wearepublichealth.org/>; The World Health Organization (WHO): <http://www.who.int/en/> and The United States Center for Disease Control (CDC): <http://www.cdc.gov/>

By Gary M. Bridget, SPHR, Employee Relations Administrator

News and Notes

Judge Thomas LeClaire Investiture Ceremony



Arizona Supreme Court Justice W. Scott Bales (right) delivers the oath of office to Superior Court Judge Thomas LeClaire during an investiture ceremony in the Board of Supervisors Auditorium in Phoenix.

Mental Health Celebrates Success

The National Alliance of the Mentally Ill (NAMI), a member of the Arizona Mental Health and Criminal Justice Coalition, donated hundreds of t-shirts from its yearly fundraising walk to the Maricopa County Adult Probation Department and Mental Health Court to be given as rewards to probationers who have shown compliance with probation conditions.

One success story is Robert Linton, a probationer supervised by Officer Amy Hood-Schwindt. Linton has remained sober and continues to follow the conditions of his probation and mental health requirements. At his last court hearing, he was given a round of applause and NAMI shirt for his compliance.



Commissioner Veronica Brame presents Robert Linton a NAMI shirt

**Submitted by Rebekah Trexler
Adult Probation**

New Deputy Family Court Administrator

Family Court has appointed Shannon Branham as its Deputy Family Court Administrator. Branham brings a wealth of knowledge and experience. She has an advanced degree in administration and she has completed the certification through the Institute of Court Management with the National Center for State Courts.

As some of you may know, she has served Family Court as a Conference Officer, Navigator, and most recently the manager of the Family Court Conference Center along with a variety of duties regarding the Comprehensive Information System.

Shannon will be transitioning from her current position with the Self Service Center and will begin in her new position in the next few weeks. Please join me in congratulating Shannon.

**Submitted by Cheri Clark
Family Court Administrator**

Justice System Manager Named

The Office of the Jury Commission is pleased to announce the promotion of Ernie Heitmuller as its new Justice System Manager.

Heitmuller has been with the jury office for eight years.

October Employee Anniversaries

5 Years

Veronica Burgos Judicial Clerk
Kristy Marshall Judicial Clerk Senior
Mary Garcia Registered Nurse
Natalie Deserto Administrative Assistant
Jessica Ethington Adult Probation Officer
James Hearn Adult Probation Officer
Tanja Josipovic Adult Probation Officer
Brandi Moncovich Adult Probation Officer
Megan Roettjer Adult Probation Officer
Misael Avila-Mendoza Case Administrator
Jo Rourke Juvenile Detention Officer
Anthony Vaughn Juvenile Detention Officer
Shauna Moore Security Officer II
Matthew West Security Officer II
Katrina Fleck Judicial Assistant-Classified
Alyson Cole Administrative Assistant
Anitra Lopez Judicial Clerk Associate
Keith Wallock Juvenile Probation Officer
Autumn Vasquez Judicial Assistant
Michael Sweeney Security Officer II
Aundrea Newman Juvenile Detention Ofcr Supv

10 Years

Jesse Andrews Adult Probation Officer
Debra Bedolla Adult Probation Officer
Shana Edmundson Adult Probation Officer
Linda Marlowe Adult Probation Officer
Manuel Martinez Adult Probation Officer
Krista Pipenburg Adult Probation Officer
Richard Rama Adult Probation Officer
Kendra Trobaugh Adult Probation Officer
Amy Walker Adult Probation Officer
Christopher Holly Programmer/Analyst - Sr/Ld
Donna Swistek Juvenile Probation Officer
Sandra Wichman Judicial Assistant-Classified
Ralph Estrada Courier
Joy Skaggs Juvenile Detention Ofcr Supv
Raven Smith Juvenile Detention Officer
Charles Trout Juvenile Detention Officer

15 Years

Andrew Doyle Adult Probation Officer
James Frost Adult Probation Officer
Stacey Lanenga Adult Probation Officer
Laura Thomas Adult Probation Officer
Tracee Frick Adult Probation Officer Supv
Kelli Reed Adult Probation Officer
Saul Schoon Deputy Chief Adult Prob Ofcr
Laura Walker Judicial Clerk Supervisor
Joseph Szulczewski Counselor
Sandee Spielberg Court Conciliator
Ronald Rhynard Juvenile Detention Officer
Dawn Berg Juvenile Probation Officer
Gilbert Mendoza Juvenile Probation Officer
Chad Lehman Juvenile Probation Officer

20 Years

Timothy Burton Juvenile Probation Officer
Olga Diaz Office Assistant
Elizabeth Gutierrez Judicial Clerk Senior

25 Years

Pamela Morrow Adult Probation Division Mngr

30+ Years

Peter Anderson Superior Court Deputy Admin
Mark Manson Juvenile Probation Ofcr Supv
Chris Casillas Juvenile Probation Officer
Gale Barclay Judicial Clerk

Training Deadline Approaches





Happy
Halloween