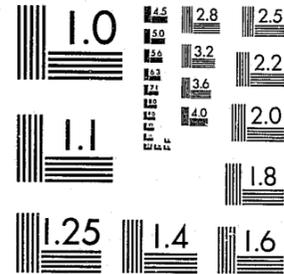


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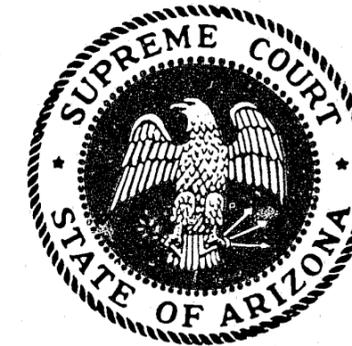
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THE ARIZONA COURTS



1979 Annual Judicial Report

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Supreme Court
State Capitol
Phoenix, Arizona

PUBLISHED
ON BEHALF OF
THE ARIZONA SUPREME COURT

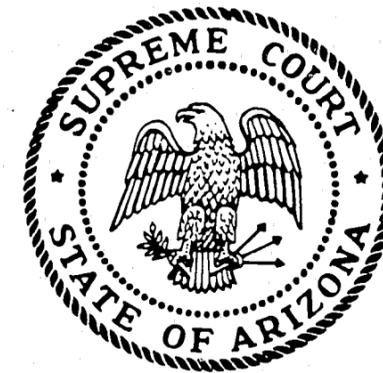
JAMES DUKE CAMERON, Chief Justice
FRED C. STRUCKMEYER, JR., Vice Chief Justice
JACK D.H. HAYS, Associate Justice
WILLIAM A. HOLOHAN, Associate Justice
FRANK X. GORDON, JR., Associate Justice

BY
THE ADMINISTRATIVE OFFICE OF THE COURTS

NOEL K. DESSAINT
Administrative Director of the Courts

WILLIAM L. McDONALD
Deputy Administrative Director

THE ARIZONA COURTS



1979 Annual Judicial Report

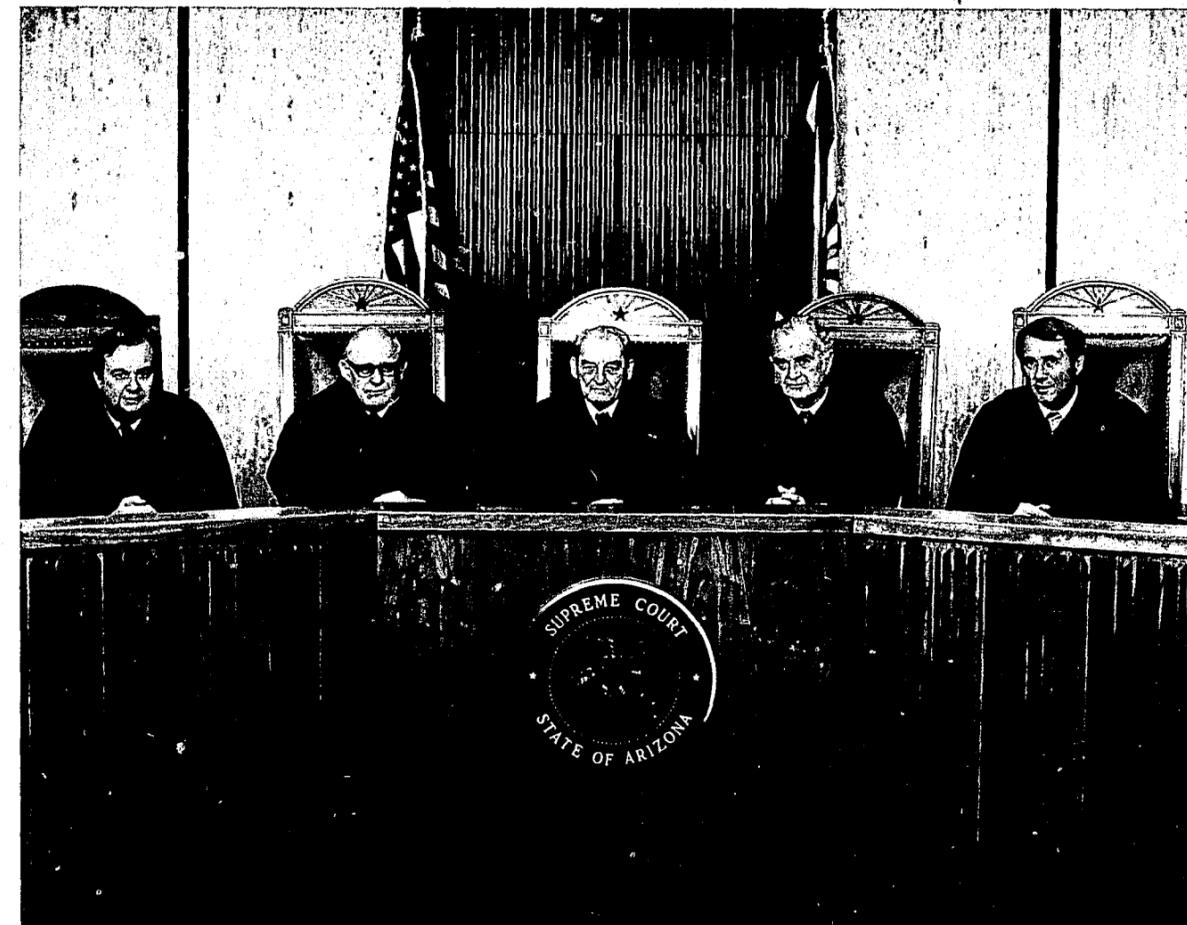
Supreme Court
State Capitol
Phoenix, Arizona

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ARIZONA SUPREME COURT — 1980

ACQUISITIONS



Justices of The Supreme Court of Arizona. Left to right: James Duke Cameron, Justice; William A. Holohan, Vice Chief Justice; Fred C. Struckmeyer, Jr., Chief Justice; Jack D.H. Hays, Justice; Frank X. Gordon, Jr., Justice.

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from the **CHIEF JUSTICE**

In the Introduction to the 1977 Annual Judicial Report by the Chief Justice, it was noted that Arizona has grown from a rural, sparsely populated state to an urbanized and more sophisticated society and that such growth has been reflected in problems not only of expanding case-loads but in the nature of the cases the courts have been asked to consider. In order to provide a useful report, an overhaul of the Supreme Court's caseload statistical information system was required. As a consequence, additional burdens were placed on trial court staffs, to which they responded very well.

Through the Administrative Director's Office, a statistical retrieval project for the Superior Courts was developed. It first began with the Superior Court of Coconino County, and featured that court in the 1977 Annual Judicial Report. The 1978 report featured the Superior Courts of Graham and Greenlee Counties, and this report features the growth of the Superior Courts of Gila, Yavapai and Mohave Counties.

As will be reflected by the Administrative Director's Report, his office has been delegated greater responsibilities both by the Supreme Court and the Legislature, as, for example, in such areas as fiscal management, continuing judicial education, foster care review boards and probation subsidy programs. The Supreme Court, through its Administrative Director, also initiated a monthly statistical reporting system commencing in January, 1980, related to the Superior Court Probation De-

partments. This information will be included in the 1980 Annual Judicial Report.

The collection and reporting of accurate statistical data is not a glamorous undertaking. Immediate short-term benefits can seldom be seen, but over a period of time the benefits justify the effort. It is important that the message of judicial public service be communicated, and that problems which may be identified through statistical review be addressed by the judiciary itself. The court system must be armed with accurate information for its effective management, as well as to provide the necessary justification for budget requests.

The Arizona court system faces several issues now and in the future. Interest continues to mount in regard to state financing of the Superior Courts. The Supreme Court has experimented successfully with television coverage of oral arguments in appellate proceedings and the idea of lower court reorganization has not been abandoned.

I consider it fitting to recognize the unquestioned progress of the Supreme Court, as well as the progress of the Superior Courts and other courts, under the direction and leadership of James Duke Cameron during his five-year tenure as Chief Justice.

Fred C. Struckmeyer, Jr.
Chief Justice

ADMINISTRATIVE DIRECTOR'S SUMMARY REPORT

The Administrative Director's Office assists the Chief Justice and the Supreme Court with their administrative responsibilities. These administrative responsibilities vary greatly from ministerial details to financial management to administering specific programs like the Foster Care Review Board System.

The office prepares annual budget requests to the Legislature for the Supreme Court, Foster Care Review Boards, Commission on Judicial Qualifications, Commissions on Appellate and Trial Court Appointments and Superior Court Judges' salaries. The office also manages and administers all of these funds which total \$4,734,264 for fiscal year 1979-80. In addition, assistance is provided to the Court of Appeals, Divisions 1 and 2 in the preparation of their budget requests.

In September and October of 1978, three laws passed by the Arizona Legislature went into effect which directly impacted on the Administrative Director's Office: state aid to probation services; the establishment of continuing education for justices of the peace and city magistrates; and the creation of foster care review boards.

All of these programs necessitated additional personnel, but the greatest impact was from the Foster Care Review Boards which added 10 additional positions to the Administrative Office. Without question, this program has been the most difficult to administer due to its statewide scope, the vast number of children and caseworkers involved in the process, the interaction required with a large state agency like the Department of Economic Security, the emotional investment of all of the participants and the ambitious objectives which the Legislature assigned to the Supreme Court. Juvenile court judges, who are the recipients of the Review Board's recommendations regarding dependent children in foster care have been most helpful in the implementation of the program. The foster care review board staff has performed exceedingly well with this new and unique program during its first year.

The continuing judicial education program is administered by one coordinator. Because of the statute requiring the Supreme Court to establish a program of continuing education for justices of the peace and magistrates, a major portion of the Supreme Court's educational funds are devoted to these judges. The Administrative Office does, however, utilize a portion of its

funds for the educational benefit of other judges and various court support personnel when possible. As reflected in the body of this report, tremendous progress has been made during 1979 in establishing this program. The demand, however, by people employed in the judicial branch, from judges to clerks, is so great that it may well exceed our financial resources and staff capabilities. The desire to upgrade performance in the quality of justice administered and in the administration of the courts through educational opportunities is so encouraging that an increased budget request for continuing education programs can be anticipated for fiscal year 1981-82.

Due to normal staff increases to address increased workload at the Supreme Court and personnel increases caused by new legislative programs, one of the most important needs facing the Supreme Court is the need for office space. Future space will also be needed for Division 1 of the Court of Appeals because the reality of a fourth panel of judges is eventually inevitable if that court is to keep pace with the litigation presented to it. It is neither desirable nor economical to be forced into leasing outside office space and establishing branch offices. The courts cannot efficiently function when they are squeezed for room in which to operate. To address this critical need the Supreme Court has requested planning funds from the Legislature for fiscal 1980-81 to provide for the eventual construction of a separate court facility. If this request is granted, a significant step will be taken toward satisfying this acute need.

The court caseload activity statistics contained in this report are based on monthly reports submitted to the Supreme Court by the appellate courts, 14 superior courts, 84 justice of the peace courts and the 74 municipal courts. The reliability of the information reported rests with the many clerks and administrative staffs who conscientiously prepare these reports. This requirement is not without its burdens, but the cooperation of the court system as a whole in this effort is outstanding. A deserving acknowledgment is also due to Mrs. Faye Jennings, a statistical clerk on the administrative staff who has major responsibility for the compilation of the data received from the courts.

In addition to the court caseload activity reporting system, the Supreme Court also now requires the pro-

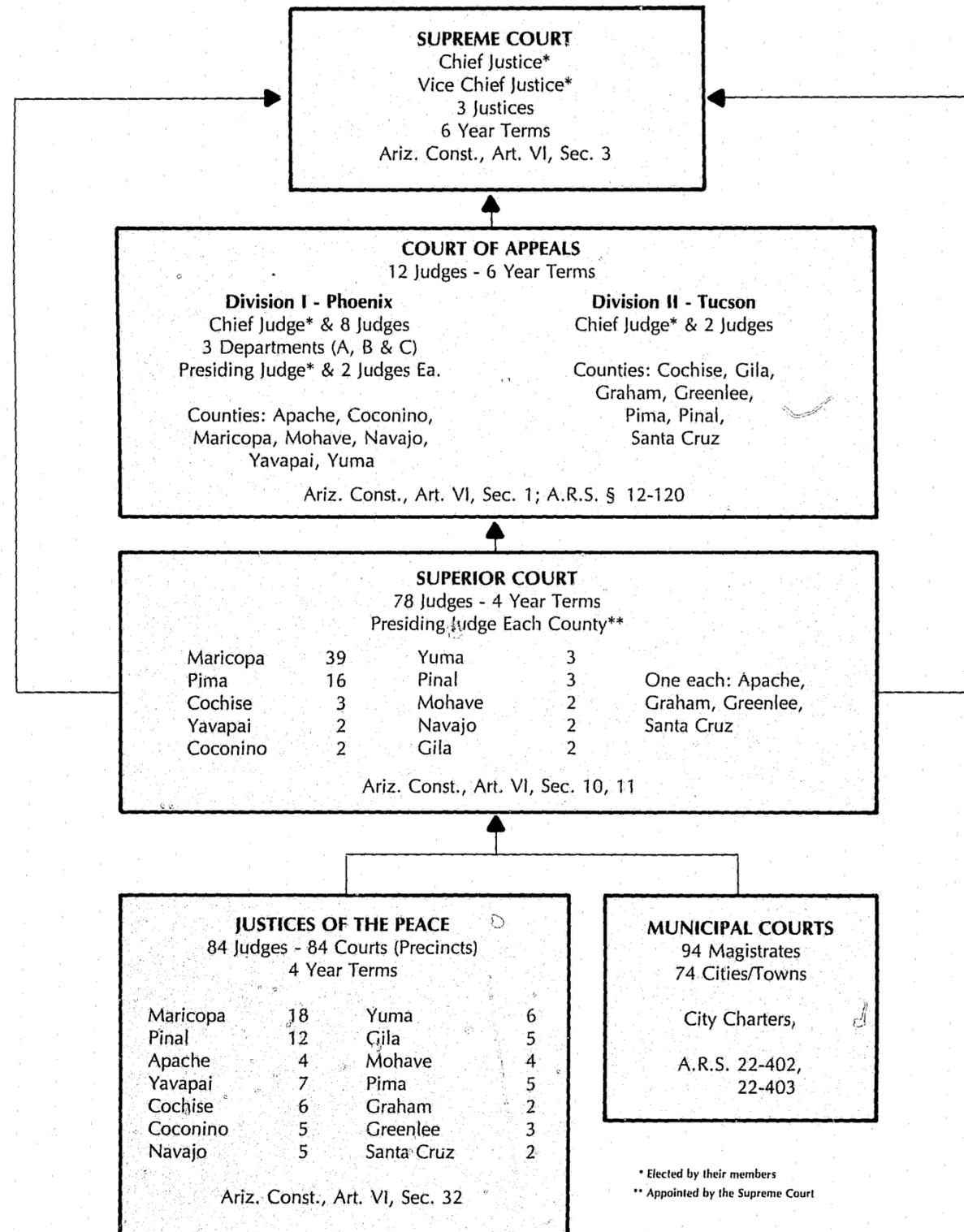
bation departments of the superior courts to provide monthly caseload activity reports covering many aspects of the work of these departments. This information will be included in the 1980 report.

Because the work of the Judicial Branch of Government is so extensive, the annual report format has been changed this year. This report represents a summary of 1979. A separate but more detailed statistical report, including financial and personnel information, has been prepared.

This annual judicial report will hopefully provide an understanding of the Judicial Branch to all who are interested in the court system. The financial, statistical and personnel report, however, provides additional and more extensive information that will be of use to policy makers, planners, researchers and those in need of more specific data.

Noel K. Dessaint
Administrative Director

STATE OF ARIZONA — JUDICIAL DEPARTMENT



THE JUDICIAL BRANCH OF GOVERNMENT

"The judicial power shall be vested in an integrated judicial department consisting of a supreme court, such intermediate appellate courts as may be provided by law, a superior court, such courts inferior to the superior court as may be provided by law, and justice courts."
 Arizona Constitution, Article VI, Sec. 1

THE SUPREME COURT

The Arizona Supreme Court consists of five justices. The regular term of office is six years. The Supreme Court has administrative supervision over all the courts of the state and the Chief Justice has the authority to exercise that supervision. The jurisdiction of the Court is provided in Article VI, Section 5 of the Arizona Constitution and includes appellate jurisdiction, the issuance of extraordinary writs and the power to make rules relative to all procedural matters in any court. Decisions of the Court of Appeals may be reviewed at the discretion of the Supreme Court when a litigant files a Petition for Review.

In addition to law clerks and secretarial and clerical staff, the Court appoints the Administrative Director of the Courts, the Clerk of the Supreme Court and a central staff of attorneys. All employees serve at the pleasure of the Court.

COURT OF APPEALS

The Court of Appeals consists of two divisions. Division 1, with nine judges, is located in Phoenix; and Division 2, with three judges, presides in Tucson. The Court has appellate jurisdiction to determine all matters properly appealed from the Superior Court. In criminal cases, however, where the sentence of death or life imprisonment has actually been imposed, the appeal is directly to the Arizona Supreme Court.

The geographical jurisdiction of Division 1 covers appeals from the Superior Courts in the counties of Maricopa, Yuma, Coconino, Yavapai, Mohave, Navajo and Apache. Division 1 also has statewide responsibility for reviewing decisions of the Industrial Commission and unemployment compensation appeals from the Department of Economic Security.

Division 2 receives its cases from the Superior Courts in the counties of Pima, Pinal, Cochise, Santa Cruz, Greenlee, Graham and Gila.

SUPERIOR COURT

At the close of 1979, the Superior Court consisted of 78 judges sitting in 14 counties. The Superior Court is

a trial court of general jurisdiction and is empowered to hear cases of equity and law which involve title to or possession of real property; civil cases where the claim for relief amounts to \$1,000 or more; felony prosecutions and misdemeanors not otherwise provided for by law; probate matters and cases involving dissolution or annulment of marriage. The Superior Court has concurrent jurisdiction with the Justice of the Peace Court over civil claims between \$500 and \$1,000.

Court commissioners may be appointed by the presiding judge of the Superior Court in counties with three or more judges to perform such duties as may be provided by law or Supreme Court rules. Commissioners usually determine matters where a default has been entered against a party and may also preside at the initial appearance of a defendant charged with a crime.

Each county has a Superior Court Clerk who is elected at the general election. The responsibilities of the Clerk's office are diversified and include the maintenance of official court case files, certification of documents, collection of fees and issuance of summonses, subpoenas and marriage licenses.

Probation departments are also operated under the supervision of the Superior Court.

JUSTICE OF THE PEACE AND MUNICIPAL COURTS

Statewide there are 84 Justices of the Peace sitting in the same number of precincts. These judges are elected at the general election by the voters in the precinct and the regular term of office is four years.

Municipal Courts are mandated by state law in each incorporated city or town. There are 74 such courts and 94 municipal judges. Municipal judges are appointed by city or town councils.

These courts have jurisdiction to hear class 1, 2 and 3 misdemeanor cases. The Justice of the Peace may also conduct preliminary examinations on felony complaints. Municipal Courts are empowered to hear matters arising out of violations of city or town ordinances. Virtually all traffic violation cases are filed in the Justice of the Peace or Municipal Courts.

The Justice of the Peace Courts also have civil jurisdiction over lawsuits involving less than \$1,000.

IN 1979 . . .

There were 1,093 case filings in the Arizona Supreme Court. During 1979, the Court disposed of 1,159 matters, thereby reducing its pending caseload from 217 cases at the beginning of the year to 151 cases at year end. The primary function of the Supreme Court is to decide the legal issues and cases that come before the Court. The Supreme Court's opinions on cases become legal precedent for the courts in Arizona and for future litigants.

In addition to ruling on legal matters, the Supreme Court is constitutionally empowered to promulgate rules for the operations of the courts. During 1979, the Supreme Court issued approximately 30 orders approving local court rules, amending existing rules or adopting new rules. New rules were adopted to govern criminal and civil appeals from the courts of limited jurisdiction to the superior court. The Supreme Court also amended its Rules of Procedure in Traffic Cases to allow the electronic computer transfer of court dispositions to the Motor Vehicle Division of the Department of Transportation and the Department of Public Safety. In addition, the Court amended the rules of the Maricopa County Commission on Trial Court Appointments. When the commission has determined which applicants for superior court judgeships will be interviewed, the commission, under the new rule, is required to make the names of such applicants public and invite comment from the public, the judiciary and the Maricopa County Bar. There were other significant events involving the Supreme Court during 1979.

TELEVISION

On April 16, 1979, the Supreme Court embarked on a one-year experiment permitting television coverage in the Supreme Court and Court of Appeals. In establishing guidelines for this experiment the Court entered the following order:

"IT IS HEREBY ORDERED that Rule 45, Rules of the Supreme Court, Canon 3(A)(7) of the Code of Judicial Conduct is hereby suspended for a period of one year to allow for television or radio photographing, recording, or broadcasting of proceedings in the Supreme Court and the Courts of Appeal of the State of Arizona.

1. No broadcasting, recording, or photographing will detract from the dignity of the court proceedings.

2. No more than one television camera and one still photographer will be permitted in the courtroom for coverage at any time while a hearing is in session. The broadcast media shall select a representative to serve as a liaison who is respon-

sible for arranging the "pooling" among media participants. The court will not participate in the pooling agreement.

3. The Chief Justice or Chief Judge or such other person as designated by the Chief Justice or Chief Judge shall determine the placement of all equipment for media coverage in all proceedings. All wiring shall be unobtrusive or hidden and must be placed where it will not interfere with anyone or constitute a hazard. Equipment is not to be installed or removed while court is in session.

4. No additional lights, flash bulbs, or artificial light of any kind may be brought into the courtroom and used by the news media.

5. No permanent installation shall be made for the purpose of this experiment.

6. All television equipment will be restricted to the area designated by the court. Television cameras or still cameras which produce distracting noises or sound cannot be used.

7. Wireless recording devices and still cameras may not be bulky, obtrusive, or noisy.

8. There shall be no recording, or broadcast of conferences which occur in the courtroom between attorneys and their clients or between counsel.

9. All persons covering a hearing will avoid activity or dress which might distract from the dignity of the proceedings and will remain within the restricted areas designated by the court.

10. Pursuant to Rule 29(a) of this Court, attorneys must observe the Code of Professional Responsibility, Disciplinary Rule 7-107, which governs their conduct with respect to trial publicity.

11. These guidelines shall not preclude coverage of a hearing by news reporters or other persons who are not using cameras or electronic equipment, but are taking notes or drawing pictures.

12. This is an interim rule designed to provide a reasonable test period and may be modified or withdrawn at the direction of the Court at any time.

This Order shall be in force and effect from 31 May 1979 to 31 May 1980."

Chief Justice Struckmeyer recently announced that television coverage at the appellate court level will be permitted to continue during the coming year.

CONFERENCE OF CHIEF JUSTICES AND CONFERENCE OF STATE COURT ADMINISTRATORS

The Arizona Supreme Court hosted the 1979 Conference of Chief Justices and Conference of State Court Administrators which was held in Flagstaff. This national joint conference is hosted annually by a different state for the chief justices and state court administrators from the supreme courts of each state and territory. Conference members gather annually to discuss issues and policies of concern to the judiciary and to participate in educational sessions.

Chief Justice James Duke Cameron, Chairman of the Conference of Chief Justices for 1979, presided over the conference. The Chief Justice of the United States, Warren Burger, addressed a joint session of the two conferences. Arrangements were made for media coverage of the address in addition to a special meeting of media representatives with Chief Justice Burger.

The National Center for State Courts, Secretariat for the Conference of Chief Justices and Conference of State

Court Administrators, joined efforts with the Arizona Supreme Court for planning and implementing arrangements for the Conference.

The following topics were discussed at sessions of the Conference of Chief Justices: Federal Review of State Court Decisions, Federal Legislation, Professional Discipline of Attorneys and Judges and the American Bar Association's Action Commission to Reduce Court Costs and Delay.

The state court administrators focused attention on: State Financing of Courts, The Mechanics of State Court Financing, The Mechanics of Assumption of State Funding of Trial Courts and Options in Assuming Costs of Local Court Facilities.

Members of both conferences met in a joint session to hear presentations regarding: Issues in State Court Administration, Management Roles, Responsibilities and Restraints of State Supreme Courts or Judicial Councils to Manage Trial Courts and Mechanisms Used to Implement Court Policies.

PHOENIX MUNICIPAL COURT

At the request of the Phoenix City Council, the Supreme Court appointed a special committee to look into the operations of the Municipal Court of the City of Phoenix and its supporting agencies for the purpose of making recommendations that were deemed appropriate by the special committee. The Supreme Court's committee was chaired by Philip E. vonAmmon, Esq. The membership consisted of the Hon. Henry S. Stevens, Hon. Robert C. Broomfield, Nancy Dixon, Esq. and David C. Tierney, Esq.

The Committee filed its report with the Supreme Court in September of 1979. This report which was transmitted to the Phoenix City Council contained recommendations that:

1. Suitable alternative facilities be secured for the court, but if that is not done that the existing building at 125 W. Washington Street be remodeled to improve the counter area, the public waiting areas and administrative office space;

2. Consideration be given to opening branch courts for traffic cases as a solution to space problems and to provide better service to citizens;

3. An information desk or booth be established and staffed by a person with extensive knowledge of the court who could provide guidance to members of the public;

4. Court counter staff and necessary support equipment be increased and cross-trained to handle the public

more rapidly and to ease the tension experienced by an overworked counter staff;

5. Knowledgeable people in or out of city government evaluate the needs for increased computer terminals;

6. Statistical reporting systems be created which avoid inflated, inaccurate or distorted data all of which have led in the past to reports of an apparent but phantom backlog of undisposed cases;

7. Part-time temporary judges be used to try jury cases;

8. The serious personnel shortage in the probation program should be addressed with a full staff or the program abandoned;

9. The Supreme Court and Phoenix City Council agree that the Chief Presiding Judge of the City Court be selected by the Supreme Court;

10. The City Council and Municipal Court conduct a public information program directed at informing the public about the constructive aspects of the court which are equivalent to the positive services furnished by the departments of city government.

11. Court rules of practice be created.

In regard to the recommendation that court rules of practice be established, the Supreme Court has requested the State Bar to form a Committee for the purpose of drafting such proposed rules for city court practice.

JUDICIAL PLANNING COMMITTEE

The Arizona Supreme Court established the State Judicial Planning Committee by court order on December 27, 1976, pursuant to the Federal Crime Control and Safe Streets Act. The purpose of the Committee is to prepare an annual or multi-year plan which addresses the needs of the judiciary and provides a guideline for the improvement of the judicial system. The Committee also reviews all grant applications for LEAA funds related to courts.

The Committee has established priority goals and objectives for the court system to be included in Arizona's 1980 Comprehensive Plan for Criminal Justice. The following statement of the Committee's goals and objectives is designed to help provide direction for court improvement projects and for the expenditure of federal, state and local funds available for assistance to the judiciary.

Goal 1: Reduce court congestion and delay.

Objective 1.1: Continue to improve the processing of court cases.

Objective 1.2: Study the effects and use of pretrial services to reduce court delay and congestion.

Goal 2: Development of a comprehensive state plan on operation of the court system for recommendation to the Supreme Court.

Objective 2.1: Establish a plan for improving the planning, operation, and administration of the courts on a statewide basis.

Goal 3: Provide initial and in-service education programs for all judges and support personnel.

Objective 3.1: Establish a requirement that all judges attend courses on judicial education.

Objective 3.2: Provide for initial, comprehensive training and orientation programs for all new judges of every court.

Objective 3.3: Provide for periodic continuing judicial education programs for all judges of every court.

Objective 3.4: Provide in-service training and education for increasing the level of professional excellence of all supporting court personnel.

Objective 3.5: Obtain expertise to instruct in an Arizona training environment.

Objective 3.6: Encourage programs at the Arizona institutions of higher learning.

Objective 3.7: Establish a formal training program for all levels of the judiciary to be coordinated and administered by the Arizona Supreme Court.

Goal 4: Seek the consolidation of justice of the peace and city magistrate courts in a court of record.

Objective 4.1: Encourage the legislature to consolidate these courts with substantially increased civil

and criminal jurisdiction by legislative action and by Constitutional referendum to the people, and encourage passage of such referendum.

Objective 4.2: Promote flexibility for the management and administration of the court and its supporting personnel, including probation services, in such legislation.

Goal 5: Extend needed support services to courts of limited jurisdiction from the courts of general jurisdiction.

Objective 5.1: Develop methods and procedures as well as obtaining resources for extending probation services and services for perfecting and reproducing the record to courts of limited jurisdiction.

Objective 5.2: Develop uniform forms, methods and procedures for application in the courts of limited jurisdiction.

Goal 6: Improve the organizational and legal structure of the court system.

Objective 6.1: Study, develop and implement programs, legislation and court rules for court structure improvement and alternatives to court jurisdiction.

Objective 6.2: Develop methods for re-aligning staff for increased efficiency.

Goal 7: Improve the operation of the appellate and trial courts through innovative applied technology for case processing and management.

Objective 7.1: Utilize data processing techniques for the transcription of court proceedings.

Objective 7.2: Utilize video techniques to court processes.

Objective 7.3: Obtain necessary office equipment for efficient clerical work.

Objective 7.4: Apply data processing techniques for calendar, court management, and legal research.

Goal 8: Construction and improvement of needed court facilities.

Objective 8.1: Construction of new court facilities.

Objective 8.2: Renovation of existing court facilities.

Goal 9: Improvement of juvenile court case processing.

Objective 9.1: Develop alternatives for processing status and delinquent offenders in the juvenile court.

Objective 9.2: Provide additional support personnel and facilities for expanded juvenile court services.

During 1979, the Judicial Planning Committee initiated a needs assessment survey of the courts to assist it in developing a representative court improvement plan. To properly identify the needs of courts, the committee decided to contact individuals in each county for a local assessment of individual court needs.

The needs assessment survey had two phases and was conducted on a county-by-county basis. In the first phase a questionnaire was mailed to each judge in the Superior Court, Justice Courts, and Municipal Courts, the Clerk of the Superior Court, the Chief Probation Officer for Adult and Juvenile Probation and representatives of the county attorney's office and public defender services. In Maricopa County and Pima County private attorneys were surveyed as a separate group, but in the other counties, where public defender services are provided on a contractual or individual assignment basis, the public defenders surveyed were also considered to be representative of the private bar. The court administrator, commissioners and referees were surveyed in Maricopa County and Pima County. The information provided in the returned questionnaires was then used as the basis for the second phase of the needs assessment.

During the second phase of the needs assessment survey each of the people in the county who received a questionnaire was asked to attend a group meeting to discuss the needs identified on the returned questionnaires, to add to the list anything which had previously been overlooked, to delete any items which no longer posed a problem, and to address, where possible, county-wide priorities regarding the needs mentioned.

The information gathered through the two phases of the needs assessment survey will be reflected in individual county reports. The Committee also intends to develop a summary statewide report. These reports will be available in 1980. The Committee anticipates that the reports will be utilized by judges, court officials, policy makers, criminal justice planners, local criminal justice councils and the Judicial Planning Committee itself in guiding the direction to be taken in developing court improvement plans and programs for 1981 through 1983.

JUDICIAL EDUCATION

During the past year the Supreme Court took major steps forward in providing opportunities for continuing judicial education. The emphasis of the program focused primarily on the judges from the courts of limited jurisdiction.

The Court utilizes its educational funds to provide financial assistance for judges to attend nationally-sponsored schools, seminars, conferences and in-state educational programs; to finance the cost of in-state programs held and sponsored by the Arizona Supreme Court; and to provide these same services on a more limited basis to judicial support personnel when possible.

The Court's present level of funding does not satisfy all of the needs of judges and personnel for continuing education and local budgets and grants are appropriately necessary in this continuing and valuable effort to improve the judicial branch and its administration.

The following report summarizes the major educational activities of the past year in which the Arizona Supreme Court has been involved.

CONFERENCES

1979 ANNUAL CONFERENCE FOR JUSTICES OF THE PEACE AND MUNICIPAL JUDGES

This conference is mandatory pursuant to the order of the Supreme Court. This year the National Judicial College from Reno, Nevada agreed to prepare the conference program and materials, and to secure faculty for the Conference which was held in Flagstaff. Approximately 130 judges were in attendance for the two-day session.

The Conference was devoted entirely to traffic adjudication and concentrated on the following areas:

1. The Role of the Judge in Traffic Adjudication;
2. Scientific Evidence in Traffic Cases;
3. Sentencing and Sentencing Alternatives and the Role of the Traffic Court in Traffic Safety;
4. Constitutional Issues in Traffic Cases.

1979 ANNUAL CONFERENCE FOR APPELLATE AND SUPERIOR COURT JUDGES

This annual conference is also mandatory pursuant to the order of the Supreme Court. The Conference topics for the 92 judges in attendance at the one-and-a-half-day session included the following:

1. Civil and Criminal Impact Decisions of the United States Supreme Court;
2. New Policies and Programs of the Arizona Department of Corrections;
3. The Use of Videotape in Trials;
4. The Judiciary and the Press;
5. Project Report on Reducing Civil Trial Delay in the Superior Court of Maricopa County;
6. Meeting of Juvenile Court Judges on Foster Care Review Boards and Legislation.

SOUTHWEST JUDICIAL CONFERENCE

The Southwest Judicial Conference is a regional, voluntary educational conference attended by appellate and general jurisdiction judges from Arizona, Nevada, New Mexico and Utah. The conference rotates among the host states each year. In 1979 the Nevada judiciary hosted the conference which was attended by approximately 26 Arizona judges. The conference focused on impact decisions of the United States Supreme Court; jury selection, orientation and dynamics; civil proceedings before trial; and, hearsay evidence.

In 1980, Utah will host this conference.

SUPREME COURT SEMINARS

In 1979, several specialized seminars were planned and held in Arizona through the sponsorship of the Supreme Court. A two-day orientation program was presented for newly-elected justices of the peace. An evidence seminar on hearsay was held in Tucson for justices of the peace and municipal judges located in the southern region of the state. A program was coordinated with the Justice of the Peace and Constables Association for their annual spring meeting related to search and seizure, acceptance of guilty pleas and conducting a preliminary hearing.

Six regional seminars were held throughout the state for judges and clerks from the courts of limited jurisdiction related to accounting procedures in justice of the peace courts; records retention and destruction; and records management. These six seminars were presented in conjunction with the State Auditor General's Office.

Through these various specialized seminars the Su-

preme Court's continuing educational efforts reached 120 judges and 117 court clerks.

STATEWIDE EDUCATIONAL SESSION

The Supreme Court provided financial assistance to the Training and Education Committee of the Maricopa County Superior Court for a 1½ day educational session, "Jury Selection, Voir Dire and Methods of Handling High Publicity Cases". Appellate and Superior Court judges throughout the state were invited and sixty judges participated in the program.

NATIONAL PROGRAMS

Through the Arizona Supreme Court, financial assistance was provided to twelve Superior Court judges in Arizona to attend schools and programs held by such organizations as the National Judicial College, the National College of Probate Judges and the National Conference of Family Conciliation Courts.

Since the emphasis is on continuing judicial education for judges from the courts of limited jurisdiction, 48 such judges were approved in 1979 for financial assistance to attend schools and programs sponsored by the National Judicial College, the American Academy of Judicial Education and the American Bar Association Conference of Special Court Judges.

By attending such programs as these, judges are able to learn more about the law, procedure and the administration of justice as well as methods for enhancing their judicial skills and administrative techniques.

FUTURE EDUCATIONAL GOALS

In addition to educational sessions at annual conferences, Arizona judges will have increased educational opportunities through a continuing program of attendance at national institutions for formal judicial education as well as an in-state program of special sessions and regional seminars.

Regional seminars will be scheduled for limited jurisdiction judges. Opportunities for judicial education at national colleges and academies will be made available for judges who have not attended such programs in the past.

Other plans for the education program in 1980 include a special seminar for Superior Court judges, an expanded orientation program for newly-elected justices of the peace and a revised manual for Arizona Justices of the Peace and Municipal Judges. Although the emphasis of the educational program will remain with the judiciary, programs for court support personnel will be added as resources permit.

FOSTER CARE REVIEW BOARDS

The foster care review board system was established by law in September of 1978 under the administrative supervision of the Arizona Supreme Court (A.R.S. §§8-515.01 to 8-519). Volunteer citizen review boards are appointed in each county by the presiding juvenile court judge. Local boards review the case of each child adjudicated dependent and in foster care for six months or more and subsequent reviews are held at least every six months thereafter.

The statutory purpose of the case review is to determine what efforts have been made by the Department of Economic Security or other child welfare agency to carry out their plan for the permanent placement of the child. The board then submits its recommendations and findings to the juvenile court regarding the efforts and progress made to carry out the placement plan together with any other recommendations it chooses to make regarding the child.

The recommendations of review boards are advisory only. The juvenile court judge maintains responsibility for judicial determinations regarding each child.

In addition to the local review boards a State Review Board has been established composed of five members appointed by the Supreme Court along with various local review board chairmen. In counties with several boards, one chairman for every three boards serves on the State Board. The State Board is required by statute to review and coordinate the activities of the local boards and make recommendations to the Supreme Court, the Governor and Legislature on or before January 15th of each year regarding foster care statutes, policies and procedures. The State Board's first report regarding such recommendations was filed January 14, 1980. The State Board is also responsible for establishing training programs for board members.

During the initial period of organization, numerous meetings were held with DES administrators and caseworkers, judges, court clerks, private agency personnel, and child welfare advocates. Meetings were held on a state level as well as in every county. Through these efforts a common initial placement plan and court report was developed. This one format-document is designed to serve as (1) a permanent plan document for the child; (2) an internal DES or agency review form; (3) a review board review form; and (4) the case report to the juvenile court. This approach avoids an unnecessary increase and duplication in paperwork and provides a consistent statewide reporting format.

While the legislation required that review board appointments be made by March 4, 1979, juvenile court judges cooperated by meeting earlier deadlines so that regional orientation training for the new board members could be conducted. By early March, 1979, not only had the appointments been made, but board members had received initial training and the boards were functioning. During the year board members continued to receive training service.

The first board review meeting was held on February 1, 1979, in Pima County with Maricopa boards starting a few days later followed by the other county boards. The State Board was organized and held its first meeting in April, 1979 and met four times during the year. Case plans for almost all foster children within review board jurisdiction have been prepared by caseworkers of DES or other child welfare agencies.

1979 Statewide Statistical Summary (February 1 - December 31)

Number of Review Boards	36
Number of Volunteer Review Board Members	180
Number of Review Board Meetings	337
Number of Children Reviewed (includes subsequent reviews)	3,831
Number of Interested Parties Attending Review Meetings (e.g. parents, fosterparents)	3,386
Number of Volunteer Hours by Review Board Members	5,470

Review Board members serve without pay and receive reimbursement only for mileage and subsistence pursuant to state law. These citizen volunteers are to be complimented for their industrious dedication and pioneer spirit in helping to launch the foster care review board system.

Administration of the review board system is the responsibility of the Supreme Court's Administrative Director and administrative staff which includes a coordinator and six assistants. Due to the scope of this program established by the Legislature, modest staff increases for 1980-81 will be required. Additional resources will be requested from the Legislature which are needed in order to satisfy the statutory obligations and responsibilities created by the Legislature.

FAMILY COUNSELING PROGRAMS

State law provides for the establishment of, and financial assistance for, family counseling programs in the juvenile divisions of the Superior Court (A.R.S. §§8-261 to 8-265). Family counseling services are utilized by the various juvenile courts to strengthen family relationships and to prevent delinquent or incorrigible behavior.

State funds appropriated to the Supreme Court are distributed each year to the various juvenile courts. Each court is entitled to a base amount of \$5,000 and the remainder is allocated according to the juvenile population in each county.

The types of problems which prompt referral into a juvenile court's family counseling program are many and varied. They include emotional and behavioral problems stemming from unemployment of parents, divorce, step-parenting, alcoholism and parent-child communications.

The total appropriation in recent years has remained constant at \$250,000, which has been allocated to each juvenile court as follows:

County	1977-78	1978-79	1979-80
Apache	\$ 10,076	\$ 10,310	\$ 10,346
Cochise	10,904	11,354	10,940
Coconino	11,318	11,408	12,056
Gila	7,808	7,718	7,808
Graham	6,800	6,908	6,808
Greenlee	6,008	5,954	5,936
Maricopa	100,616	99,392	99,212
Mohave	8,078	8,222	8,240
Navajo	11,372	11,642	12,164
Pima	38,390	37,184	37,544
Pinal	12,956	12,560	12,236
Santa Cruz	6,656	6,656	6,602
Yavapai	8,240	8,870	8,798
Yuma	10,778	11,822	11,318
	<u>\$250,000</u>	<u>\$250,000</u>	<u>\$250,000</u>

The Supreme Court's budget request to the Legislature for 1980-81 will be maintained at \$250,000. Several juvenile courts are, however, experiencing a greater need for family counseling services than can be satisfied with their current funding allocations.

Coconino, Navajo and Yuma counties have exercised the option not to participate in the program.

Summary of State Subsidized Probation Programs

Cochise County

Adult Probation Department

This plan allows for one additional probation officer to provide intensive supervision services to a maximum of 35 first-time felony offenders between the ages of 18 to 25 years. These offenders are required to make restitution to the community by performing work for governmental or non-profit agencies in the community. The probation officer is required to work closely with community agencies to develop work placement and coordinate treatment programs as well as counseling services for these probationers.

Juvenile Probation Department

The juvenile probation subsidy plan provides for contractual counseling services. The program is designed to determine rehabilitation needs for referral to appropriate agencies within the community for such services as vocational and skill training. The program also provides for direct counseling services to enhance communication skills of first-time delinquent probationers.

Gila County

Adult and Juvenile Probation Departments

The Superior Court in Gila County, like several other courts, has one integrated probation department which provides services to both adult and juvenile offenders. This plan during 1979 provided for contractual services for counseling and evaluation of first-time adult offenders. The purpose of this plan was to assist supervising probation officers in evaluating the treatment needs and services for first-time felony offenders. Prior to the implementation of the program, no funds were available at the local level for evaluation or counseling services for first-time adult felony offenders.

After re-evaluation, however, the Superior Court of Gila County submitted at the conclusion of 1979 a new plan for 1980 which provides for one additional probation officer to supervise a caseload of first-time felony adult and juvenile offenders.

Graham County

Adult and Juvenile Probation Departments

The plan for the probation department in the Superior Court of Graham County provides for one additional probation officer assigned to supervise a caseload of both first-time felony adult and juvenile offenders. Prior to the implementation of the probation subsidy program, the chief probation officer was responsible for the supervision of all probationers, the preparation of presentence and placement reports and many other duties required by the Superior Court. With the advent of a subsidy probation officer more supervisory time is being devoted to first offenders.

Greenlee County

Adult and Juvenile Probation Departments

A probation aide was retained to assist the chief probation officer in the supervision of first-time felony adult and juvenile offenders. Prior to this financial assistance, the chief probation officer had sole responsibility for providing probation services along with many other duties required by the Superior Court. With the addition of the probation aide, records regarding first-time felony offenders have been updated and a new series of community resources developed.

Maricopa County

Adult Probation Department

This plan provides four additional officers with a maximum caseload of 50 first-time probationers each. Supervision of offenders is provided by these probation officers, but emphasis is also placed on developing appropriate community services which can be used to refer probationers for counseling treatment and employment training.

Mohave County

Adult and Juvenile Probation Departments

Prior to the implementation of the probation subsidy program in Mohave County, probation officers were supervising caseloads in excess of 80 probationers and were also required to prepare pre-sentence reports in

addition to supervising assigned cases. The largest caseload existed in the Bullhead City/Lake Havasu City area. The subsidy plan enabled the probation department to hire one additional officer to supervise a caseload of both adult and juvenile first-time felony offenders in the Bullhead City/Lake Havasu City area. The caseload for the subsidy officer is limited to a maximum of 50 persons pursuant to the plan. Development of community and private resources for referral purposes were also assigned to the probation subsidy officer.

Pima County

Adult Probation Department

With state aid funds, the Pima County adult probation department was able to hire one adult probation officer and two probation aides to supervise a caseload of 50 first-time felony offenders under the age of 21. This was the first effort by the probation department to develop a specialized program for youthful first-time felony offenders. Prior to placement in this unit, probationers are screened to determine whether or not intensive supervision will be beneficial. Educational goals, employment goals and social compliance goals are established by the subsidy unit for each individual probationer.

Juvenile Probation Department

Prior to implementation of the state aid program research undertaken by the Pima County juvenile court center indicated that a lack of vocational skills was a key factor in juvenile crime. Funds were not, however, at that time available for placing juvenile offenders in skill training programs. As a consequence of that research the plan for this department emphasizes employment training programs. Appropriate training agencies have been screened by the juvenile court center employment officer to ensure that viable employment training for delinquent youths is provided. The program is coordinated through the juvenile court center's special services division. Qualified first-time juvenile offenders are screened by their probation officers and referred to the employment specialists for possible placement in the employment training program. Once placement has been accomplished, both the first offender's probation officer and the employment specialist work with the offender and the job training program to ensure the delivery of the agreed upon employment training. Intensive supervision through the probation department is provided to all juveniles placed in this program.

Pinal County

Adult Probation Department

The plan for this department called for the addition of a probation subsidy officer to supervise a caseload of first-time felony offenders within a specific geographical area of the county. Initially, state aid funds were also provided in the plan for contractual services through local community agencies for both counseling and evaluation services. Due to funding limitations the plan was modified during 1979 to eliminate the contractual services. The subsidy probation officer has been able to provide out-of-office community supervision to a group

of probationers not previously subjected to such an intensive level of supervision.

Santa Cruz County

Adult and Juvenile Probation Departments

The Superior Court of Santa Cruz County did not implement a probation subsidy plan until October 1, 1979. A probation officer has been hired under the plan to provide first-time adult and juvenile offenders with supervision services and to coordinate a work placement program for first offenders.

Yavapai County

Adult Probation Department

This department, pursuant to its plan, has utilized state aid funds to finance a public employment job training program which includes evaluation and counseling services to qualified first-time adult felony offenders. This program supplements those services currently being offered by the supervising probation officers.

Juvenile Probation Department

The Yavapai County juvenile court center has developed a plan calling for employment training through local private employers with one-half the cost financed by state aid funds. The employer provides the remainder of the cost. Eligible first-time juvenile offenders received direct, on-the-job training in technical and semi-professional areas. Intensive supervision by the probation department provides the employer and the first of-

fender with the support and structure necessary to ensure that both the employer and the offender will comply with program standards and guidelines established by the juvenile court center. The juvenile court center has encountered some difficulty in securing appropriate vocational training positions within the community, but they are continuing to develop this resource.

State Aid Probation Funds

Since inception of the probation subsidy program, the Superior Courts in the following counties have participated and have been eligible for state funds as indicated.

Superior Courts	1978-79	1979-80
Cochise	\$17,688	\$18,750
Gila	\$13,338	\$13,696
Graham	\$12,153	\$12,251
Greenlee	\$11,098	\$11,198
Maricopa	\$139,047	\$155,243
Mohave	\$14,329	\$14,865
Pima	\$55,999	\$61,540
Pinal	\$18,700	\$19,449
Santa Cruz	—	\$12,023
Yavapai	\$15,793	\$16,403

These state funds have assisted probation departments in expanding their probation services and in satisfying the legislative goal to increase the level of supervision provided to first-time felony offenders.

MEDICAL LIABILITY REVIEW PANELS

Pursuant to A.R.S. §12-567, medical liability review panels are appointed by the presiding judge of the Superior Court to review lawsuits alleging medical malpractice. The panels consist of one Superior Court judge who serves as chairman, one attorney and one physician. The panel determines whether the evidence presented to it supports a finding in favor of the plaintiff or defendant, but regardless of the determination either party may proceed with litigation.

The Supreme Court administers the state funds appropriated to it for the purpose of reimbursing counties for the expense and compensation of the panel members, other than the chairman. In fiscal year 1978-79, \$15,587 was expended for the medical liability review panels. For that period panels were appointed in 76 medical malpractice cases: 46 in Maricopa County, 23 in Pima County, 2 in Pinal County and 1 each in the counties of Gila, Mohave, Navajo, Yavapai and Yuma.

STATE GRAND JURY

The impanelment of state grand juries is authorized by state law upon the written application of the Attorney General to the Chief Justice of the Arizona Supreme Court. The presentation of evidence to the state grand jury is made by the Attorney General or his designee and that office is responsible for the prosecution of indictments returned by the grand jury.

The Supreme Court is charged by law with the responsibility of reimbursing counties for the costs and expenses of the grand jury and for the costs and expenses incurred by a county arising out of the prosecution and trial of state grand jury indictments. During 1978-79 reimbursements total \$91,859.

SPECIAL COURT PROJECTS

MARICOPA SUPERIOR COURT CIVIL TRIAL DELAY REDUCTION PROJECT

The National Center for State Courts in cooperation with the National Conference of Metropolitan Courts completed in 1978 the first phase of a nationwide project examining pretrial delay in major metropolitan trial courts. In regard to civil cases, the National Center researched tort cases in twenty-one trial courts across the country including the Superior Court of Maricopa County. Based on the National Center's statistical sampling, the Maricopa County Superior Court ranked third in the median number of days from filing of the complaint to the date the case was closed, without regard to the method of disposition — 308 days. It ranked sixth in the median number of days from the filing of the complaint to the commencement of jury trial — 607 days. By way of comparison, trial courts surveyed in other states showed the following: median number of days for termination of tort cases without regard to the method of disposition — 811 days; median number of days from filing of the complaint to jury trial — 1,231 days.

In the second phase of the National Center's project to test techniques and procedures for improving civil case processing, the Superior Court of Maricopa County agreed to participate, along with seven other major metropolitan courts in the country, in an experiment aimed at reducing trial court delay in civil cases. The Civil Delay Reduction Project was approved by the Arizona Supreme Court and the project began in January, 1979. The project implemented a special civil case management system in four experimental divisions of the superior court with the following objectives:

1. Reduce the total case processing time of civil cases;
2. Provide more intensive court management of civil cases;
3. Establish reduced time parameters on certain stages of civil case processing;
4. Provide a firm trial date after the filing of a certificate of readiness.

To achieve these objectives in the four experimental divisions, the certificate of readiness must be filed within nine months from the filing of the complaint instead of the allowable twelve months; a firm trial date is set

within 90 days from the filing of the certificate of readiness; continuance of the trial date is not readily granted; and in most cases a continuance is only permitted for a maximum of 30 days.

PRELIMINARY PROJECT RESULTS

The plan for the project was developed with staff lawyers from the National Center for State Courts along with a committee of judges, lawyers and administrators appointed by Judge Robert C. Broomfield, the Presiding Judge of the Maricopa County Superior Court. In cooperation with the superior court administrator's office, the National Center staff from the Western Regional Office in San Francisco monitored the project during 1979 and offered technical assistance. A detailed report will soon be published and included in the National Center's book, *Managing To Reduce Delay*. Based on data collected through November 31, 1979, the National Center has reported the following results and findings:

1. The four judges in the experimental divisions experienced a 36.1 percent drop in their total pending caseloads.
2. They increased their trial rate by 44.7 percent when compared with that of non-participating judges.
3. The experimental divisions were within sight of one of the project's major objectives: scheduling of cases for trial within 12 to 14 months from the date of filing.

The project appears to be successful. The Supreme Court has given its approval to continue the project and has granted Judge Broomfield's request to expand the project and to include more judges.

The project could not have been possible without the cooperation of the civil trial lawyers in Maricopa County who are equally interested in an efficient and reasonably prompt court system since the ultimate beneficiaries are the public and the clients.

An additional benefit from this project is that the original committee appointed by Judge Broomfield also serves to offer other suggestions and proposals for consideration to improve the administration of justice in the superior court.

COMPUTER AIDED TRANSCRIPTION

Reporting of court proceedings is a vital and necessary part of the judicial system and a service required by litigants in resolving legal disputes. Transcripts of court hearings and trials are required in the superior courts so that cases appealed to higher courts can be reviewed for legal error.

The most common method utilized by the court reporting profession to prepare verbatim transcripts includes the following steps:

1. the reporter, through the use of a specialized stenographic machine, takes shorthand notes of the court proceeding;
2. the reporter reviews the notes and dictates the notes on a dictating machine;
3. a typist, employed by the court reporter, types the transcript from the dictated tape;
4. the reporter proofreads the typist's transcript by comparing it with the original stenographic notes and makes necessary corrections as well as noting typographical errors;
5. the transcript is returned for corrections and a final proofread takes place to be sure that there are no new typographical errors.

This process takes approximately four hours for every hour of actual testimony occurring in court. This multistaged labor intensive process normally requires a substantial time commitment by the court reporter in a mentally and physically tiring process due to the accuracy that is required. This has resulted in some degree to the inefficient utilization of the court reporter who may have to be temporarily relieved of his courtroom duties by substitute reporters in order to prepare transcripts.

In April, 1979, the Superior Court in Maricopa County embarked on a revolutionary project by leasing a Computer Aided Transcription system from Baron Data Systems of Oakland, California. Training and transcript pro-

COMMISSION ON JUDICIAL QUALIFICATIONS

The Arizona Commission on Judicial Qualifications was established in 1970 pursuant to Article VI.1 of the Arizona Constitution. The purpose of the Commission is to review and investigate, when indicated, complaints against Justices of the Peace, Superior Court Judges and Appellate Judges. The Commission has no constitutionally provided jurisdiction over city court judges.

Any litigant aggrieved by a judge's legal ruling or decision must pursue whatever normal appeal rights

duction actually began June 25, 1979. At the present time there are six court reporters at the superior court who are utilizing the computer to prepare court transcripts.

Computer Aided Transcription (CAT) technology eliminates many of the time consuming stages inherent in the traditional process. With computer technology, the court reporter produces the verbatim notes in the same manner on his stenographic machine, but the stenographic machine through an attachment simultaneously produces a cassette data tape of the notes. The cassette is then processed by computer, which translates the stenographic key strokes into the English language based upon the individual court reporter's dictionary defining what his key strokes mean. The reporter can then review the translated data in one of two ways: by printing out the transcript on a high speed printer, or by editing his transcript via a cathode ray tube terminal attached to the computer which would allow him to make immediate corrections to his transcript on a visual screen. Following the editing and updating of his transcript in the computer, the high speed printer can quickly and economically produce multiple copies of the transcript free of typographical errors.

The CAT process reduces the multi-stage transcript production process by the court reporter to the original note taking and one edit cycle, thus saving a considerable amount of the reporter's transcript production time. The net result is that the court reporter is considerably more available for use in the courtroom than has been possible in the past. A further benefit is that an experienced CAT reporter can produce completed transcripts at a rate of 50 or more pages per hour, which is a ratio of about 30 minutes to each hour in court, as compared with 4 hours to each hour in court under the traditional method.

In the brief period of time in which this system has been in operation in the Maricopa County Superior Court, no final conclusions have been reached. It is anticipated that sometime during 1980 a decision will be made regarding the purchase of equipment and the continuation and expansion of the utilization of Computer Aided Transcripts.

may be available to correct the alleged legal error. The Commission cannot be used as a substitute for the appellate process.

The Commission is empowered to investigate the following matters:

1. The disability of a judge that seriously interferes with the performance of his duties and is or is likely to become permanent.

2. Action by a judge that constitutes wilful misconduct in office.
3. Action by a judge that constitutes a wilful and persistent failure to perform his duties.
4. Action by a judge that constitutes habitual intemperance.
5. Conduct by a judge that is prejudicial to the administration of justice that brings the judicial office into disrepute.

The Commission does not have the authority to remove a judge from office. It can recommend to the Supreme Court that such action be taken after holding a formal evidentiary hearing for the purpose of making findings of fact and formulating its recommendation. The activities of the Commission are confidential until such time as formal recommendations are filed with the Clerk of the Supreme Court.

The Commission has no staff to assist it. In the past preliminary investigations were conducted by members of the Commission. For fiscal year 1979-80, the Arizona Legislature increased the Commission's budget from \$10,000 to \$15,000 for the purpose of hiring investigators on a case-by-case basis. This additional funding has been an aid to the Commission but the increased number of complaints being received will eventually require additional resources.

Because the Commission has no staff, the Administrative Director of the Courts serves in the capacity of Executive Secretary to the Commission. The Administrative Director performs the following functions:

1. Provides information on the Commission to persons who wish to file a complaint.
2. Receives written complaints for distribution to Commission members.
3. Maintains the files of the Commission.
4. Administers the Commission's budget.

Although most complaints received by the Commission are frivolous or are attempts to by-pass the appellate process, the number of complaints filed with the Commission dramatically increased in 1979 as compared with 1978. As a consequence, the number of pending matters at the end of 1979 also increased.

	Information Packets Distributed	Actual Complaints Filed	Pending Complaints At Year End
1978	25	10	6
1979	30	33	14

Since the Commission's members are judges, lawyers and non-lawyers with other occupations who donate their time as a public service, it is apparent that a continued escalation in complaints will surpass the Commission's ability to provide a timely service to the public and to the judicial profession. In that event, additional resources will be necessary for the Commission to fulfill its constitutionally mandated functions.

CASELOAD, FINANCIAL AND PERSONNEL INFORMATION

GENERAL INTRODUCTION

For the past several years the Arizona Supreme Court has annually prepared and published separate publications detailing financial and personnel information regarding the Arizona Judiciary. In addition, the Court has also published an Annual Judicial Report, which among other things, presented statistical caseload information on all courts within the Arizona Judicial System.

For 1979, a new format has been developed for the presentation of caseload, financial and personnel information of the courts which is intended to provide a more complete profile of Arizona's courts. Because of the vast amount of information collected and chosen for publication, the Supreme Court's annual report for 1979 has been prepared in two separate volumes.

The Arizona Courts: 1979 Annual Judicial Report closely resembles the Annual Judicial Reports for 1977 and 1978 with two notable exceptions. First, caseload statistical information in the annual report for 1979 has been primarily restricted to statewide summary information; and second, summary financial and personnel information by court level is presented for the first time in this report. Detailed caseload, financial and personnel information of the individual courts within the Arizona court system has been compiled and published in the second volume of the report, titled *The Arizona Courts: 1979 Caseload, Financial and Personnel Report*.

The following introductory sections have been included to facilitate a better understanding of the summary data presented herein. These general statements are intended only as an overview of the data presented. Particular attention should be paid to the narrative state-

ments and definitions that follow and the footnotes applicable to various statistics and information presented.

CASELOAD STATISTICS

The summary caseload statistics presented herein have been compiled from the monthly statistical reports submitted to the Supreme Court by the individual appellate, superior, justice of the peace, and municipal courts of the state. Virtually all caseload data reported herein is complete. Incomplete or inconsistent information, where detected, has been appropriately footnoted. While the statistics are checked for mathematical correctness, they are unaudited.

FINANCIAL INFORMATION

The summary financial information published in this report is based on a financial survey of all courts of the state conducted by the Arizona Supreme Court and information supplied by some county and city finance departments. The financial survey document was designed to collect the financial information on the most uniform basis possible, given the wide variance in fiscal procedures and terminology that exists between the fourteen counties and seventy-four cities/towns. The financial data presented is unaudited and inconsistencies with the reporting format utilized have been appropriately footnoted. An effort was made through the financial survey conducted to identify indirect costs of court operations, where the cost is not directly attributable to the individual court's budget. Such costs, where identified, have been included in the financial data presented. It should be noted, however, that the financial data contained herein is not considered to be complete as sufficient time and resources were not available to extensively examine the "indirect cost" issue. Efforts will be made with the 1980 financial survey to improve upon the collection of indirect cost information. The following definitions to the financial categories used in this report are to provide a better understanding of the financial information presented.

DIRECT EXPENDITURES AND APPROPRIATIONS — those funds appropriated directly to the court by the immediate funding authority (appellate courts — state legislature; superior courts, justice courts — counties; municipal courts — cities/towns).

Personal Services — amounts for salaries and wages of all personnel.

Fringe Benefits — amounts for employer's cost of FICA, insurance, retirement contributions, etc.

Operating Expenses — amounts for office supplies, travel and operational costs. Includes contractual services, jury costs and court-appointed counsel costs IF they are direct budgetary items of the court.

Capital Expenses — amounts for the purchase of capital equipment such as furniture, office machines, vehicles, etc.

OTHER — those amounts which are not directly budgeted to the court but are or can be identified as a cost of the court operation. Examples of such amounts would be building rental, maintenance services or utility costs which are budgeted for within the city's or county's general administration budgets; fringe benefit amounts where not directly budgeted to the court; or costs of shared personnel where the salary costs are part of another department's budget. (As mentioned previously, indirect cost information collected and published in this report is considered to be incomplete.)

FEDERAL FUNDS — amounts received through such sources as C.E.T.A., federal revenue sharing, anti-recession funding, LEAA grants, etc.

STATE FUNDS — except for appellate courts, includes amounts received from the state through such programs as family counseling, probation subsidy to counties, Department of Corrections reimbursements, etc.

PERSONNEL INFORMATION

Like the financial information, the summary personnel information contained in this report is based on survey responses received from the individual courts to a personnel survey conducted by the Arizona Supreme Court. Because of the vast number of job titles encountered both within and between the different levels of courts, broad general position groupings were developed to publish the personnel information into a reportable format. Personnel definitions for purposes of this report are included at the beginning of each section of the 1979 Caseload, Financial and Personnel Report which detail the various types of positions included within each grouping. Some inconsistencies appear to exist regarding the reporting of part-time and full-time equivalent positions. Where known, part-time positions have been appropriately footnoted. Also, it is unclear as to what extent federally funded positions have been included. Efforts will be made in the 1980 personnel survey to clarify these situations.

STATEWIDE PERSONNEL INFORMATION

The table below reflects a statewide summary of all court personnel as reported by the individual courts in response to a personnel survey conducted by the Arizona Supreme Court. The information contained in this table is a summarization of the personnel information contained in the 1979 Caseload, Financial and Personnel Report. For purposes of compiling and publishing this summary table some personnel classification groupings have been combined. Definitions as to what positions or job titles are included within the Personnel Clas-

sification Groupings established may be found at the beginning of each section of the 1979 Caseload, Financial and Personnel Report.

As can be seen by the table below, the superior courts of the state employ over two-thirds (67.6%) of the total personnel within the Arizona Judiciary. Justice courts (14%) and municipal courts (13.6%) account for slightly more than one-fourth of all court personnel statewide, while the appellate courts (Supreme Court and Courts of Appeals) comprise 4.8% of the total.

STATEWIDE PERSONNEL SUMMARY - ALL COURTS

CLASSIFICATION	SUPREME COURT	COURTS OF APPEAL	SUPERIOR COURTS	JUSTICE OF THE PEACE	MUNICIPAL COURTS	TOTAL
Justices; Judges	5	12	80	84	115 ^a	296
Court Commissioners; Referees			16			16
Clerks of the Court	1	2	14			17
Constables				51		51
Bailiffs			75			75
Court Reporters			90			90
Staff Attorneys	5	10				15
Law Clerks	10	12				22
Probation Officers			413			413
Probation Services Support Personnel			156.25			156.25
Administrative Staff	14		101			115
Other Administrative/Support Personnel	1	1	150	20 ^b	48	220
Deputy Clerks	6	12				18
Secretarial/Clerical	12.5	15	643.5	205 ^c	187 ^d	1,063
Financial/Statistical Clerks	4					4
TOTAL	58.5	64	1,738.75	360	350	2,571.25

^aIncludes 102 full-time municipal court judgeships plus 13 part-time judgeships. Twenty-six of these judgeships are filled by persons who also serve as Justices of the Peace.

^bIncludes 18 full-time and 2 part-time positions.

^cIncludes 188 full-time and 17 part-time positions.

^dIncludes 167 full-time and 20 part-time positions.

STATEWIDE JUDICIAL EXPENDITURES

The following financial information reflects the costs statewide for the Arizona judicial system, as so identified by a financial survey of all the courts. This information represents a summarization of the individual court financial information presented in the 1979 Caseload, Financial and Personnel Report.

The superior courts of the state account for the largest share of court expenditures, representing 70.8% of total expenditures in 1978-79. Courts of limited jurisdiction (justice and municipal courts) accounted for 21.5% of total 1978-79 expenditures statewide, while the appel-

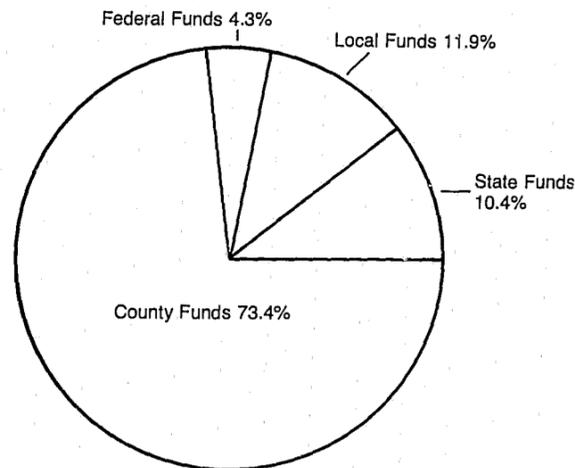
late courts comprised 7.7% of total expenditures.

County funding for superior and justice courts represents the largest funding source of the judiciary. In 1978-79, 73.4% of judicial expenditures statewide were at county expense. Local funding (cities and towns) to support the municipal courts of the state provided for 11.9% of total judicial expenditures statewide; while state funding of the appellate courts and one-half of all superior court judges' salaries represented 10.4% of total expenditures. Federal funding provided for 4.3% of the identified statewide judicial expenditures in 1978-79.

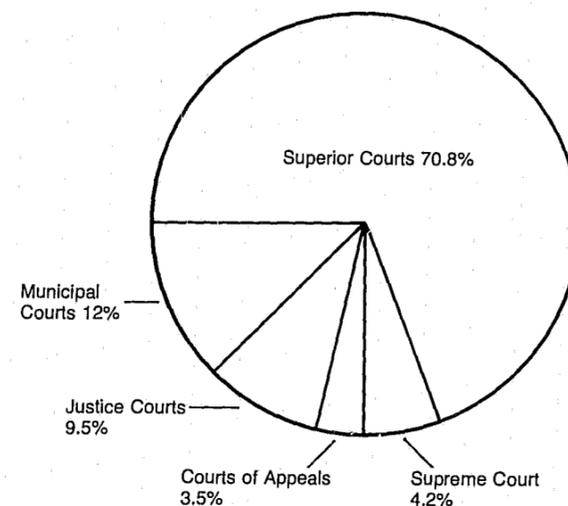
1978-79 ARIZONA JUDICIAL EXPENDITURES ALL COURTS — ALL FUNDS

	STATE FUNDS	COUNTY FUNDS	LOCAL FUNDS	FEDERAL FUNDS	TOTAL	% OF TOTAL
SUPREME COURT	\$2,046,815			\$ 160,503	\$ 2,207,318	4.2%
COURT OF APPEALS	1,806,181				1,806,181	3.5%
SUPERIOR COURTS	1,529,797	33,319,602	49,365	1,874,803	36,773,567	70.8%
JUSTICE COURTS		4,853,781		69,529	4,923,310	9.5%
MUNICIPAL COURTS			6,121,484	111,887	6,233,371	12.0%
TOTAL	\$5,382,793	\$38,173,383	\$6,170,849	\$2,216,722	\$51,943,747	100.0%
% OF TOTAL	10.4%	73.4%	11.9%	4.3%	100.0%	

1978-79 ARIZONA JUDICIAL EXPENDITURES BY FUND SOURCE



1978-79 ARIZONA JUDICIAL EXPENDITURES BY COURT LEVEL



STATEWIDE SUMMARY — ALL COURTS FINANCIAL INFORMATION

EXPENDITURES AND APPROPRIATIONS:

	1978-79 EXPENDITURES	1979-80 BUDGET
I. DIRECT		
Personal Services	\$32,620,037	\$38,081,314
Fringe Benefits	2,331,281	2,999,838
Operating Expenses	11,241,645	11,942,977
Capital Expenses	230,842	263,552
Medical Malpractice Panels	15,587	15,000
Judicial Education	52,701	120,000
Family Counseling	250,000	250,000
Probation Subsidy	218,717	385,000
Foster Care Review Boards	162,756	220,000
Commission on Judicial Qualifications	11,730	28,564
Commission on Appellate and Trial Court Appointments	2,621	5,000
Statewide Grand Jury	91,859	398,000
SUB-TOTAL	\$47,229,776	\$54,709,245
II. OTHER		
Fringe Benefits & Personnel Wages	\$ 2,018,765	\$ 3,077,151
Miscellaneous Operating Expenses	943,626	1,301,182
Family Counseling	3,900	3,640
Tucson Municipal Court Building	0	1,230,000
City of Tucson	49,365	56,844
Department of Economic Security	1,426	0
III. FEDERAL FUNDS		
Revenue Sharing	522,959	626,637
L.E.A.A./J.P.A.	1,206,620	1,167,440
Anti-Recession	12,786	0
C.E.T.A.	446,023	192,150
Title IV	2,700	24,309
Other	25,634	56,424
IV. STATE FUNDS		
Department of Corrections (Pinal County Reimbursement)	(519,833)	(400,000)
SUB-TOTAL	\$ 4,713,971	\$ 7,335,777
TOTAL	\$51,943,747	\$62,045,022

SUPREME COURT

CASE ACTIVITY

In 1979, the Supreme Court continued their record of disposing of more cases than were filed (1,000 filings, 1,159 terminations). This was accomplished despite the transfer of 93 cases from the Court of Appeals to the Supreme Court. The result of this record number of terminations by the Supreme Court was the reduction of total pending matters from 217 on January 1, 1979, to 151 on December 31, 1979; and significantly, a reduction in the pending civil caseload from 36 cases at the beginning of 1979 to a pending caseload of 7 civil cases as of December 31, 1979.

Over the past five years the Supreme Court has accepted transfer of an average of 116 cases per year from the Court of Appeals. Also, the Supreme Court has continued to receive most of the special actions which normally would be filed in Division One. These steps have been continued by the Court to assist Division One in dealing with its increasing caseload backlog.

Both the number of filings and terminations in the Supreme Court have steadily increased over the past five years. Petitions for review continue to represent the major caseload activity of the Court, accounting for approximately 60% of all filing and termination activity. In contrast, "criminal" case activity of the Court has steadily decreased from approximately 17% of the

Court's case activity in 1975 to representing approximately 6% of the workload in 1979. The number of cases pending at year end has also decreased in recent years from a high of 386 in 1971 to 151 at the close of 1979.

FINANCIAL INFORMATION

Financial administration of the Supreme Court's operating budget is the responsibility of the Administrative Director's Office of the Court. In addition, the Administrative Director's Office fiscally administers state appropriations to provide for:

- One-half of all superior court judges' salaries and related costs
- Medical Malpractice Review Panels
- Commission on Appellate and Trial Court Appointments
- Commission on Judicial Qualifications
- State grand jury expenses
- Family counseling programs
- State Aid for Probation Services
- Foster Care Review Boards
- Judicial Education

SUPREME COURT 1979 CASE ACTIVITY

TYPE OF ACTION	PENDING AS OF JAN. 1, 1979	FILINGS	TRANSFERS IN FROM COURT OF APPEALS	SUB-TOTAL	TERMINATIONS BY:				PENDING AS OF DEC. 31, 1979
					WRITTEN OPINION	MEMO DECISION	OTHER	TOTAL	
CIVIL	36		50	86	67	9	3	79	7
CRIMINAL	59	30	39	128	48	24		72	56
PETITIONS FOR REVIEW	75	665	3	743	61	1	620	682	61
SPECIAL ACTIONS	26	146	1	173	15	1	146	162	11
DELAYED APPEALS	5	1		6		3		3	3
HABEAS CORPUS	4	37		41	1		39	40	1
STATE BAR MATTERS	6	56		62	9		48	57	5
MISCELLANEOUS	6	65		71			64	64	7
TOTAL	217	1,000	93*	1,310	201	38	920	1,159	151

*99 cases were actually transferred out of the Court of Appeals to the Supreme Court during 1979. Six of the cases transferred were consolidated with other cases being transferred, resulting in a net transfer of 93 cases docketed in at the Supreme Court.

FINANCIAL INFORMATION			PERSONNEL INFORMATION
EXPENDITURES AND APPROPRIATIONS:			
I. SUPREME COURT BUDGET	1978-79 EXPENDITURES	1979-80 BUDGET	<u>Justices and Staff</u>
Personal Services	\$ 850,820	\$ 980,100	Justices (5)
Fringe Benefits	111,080	141,400	Secretaries (5)
Operating Expenses	275,520	335,900	Law Clerks (10)
Capital Expenses	3,424	7,800	<u>Staff Attorneys</u>
Medical Malpractice Panels	15,587	15,000	Chief Staff Attorney (1)
Judicial Education	52,701	120,000	Staff Attorneys (4)
Family Counseling	250,000	250,000	Secretaries (2)
Probation Subsidy	218,717	385,000	<u>Clerk's Office</u>
Foster Care Review Boards	162,756	220,000	Clerk of the Court (1)
	<u>\$ 1,940,605</u>	<u>\$ 2,455,200</u>	Chief Deputy Clerk (1)
II. OTHER STATE FUNDING			Deputy Court Clerks (5)
Superior Court:			Machine Operator (1)
Personal Services	\$ 1,485,478	\$ 1,768,500	<u>Administrative Director's Office</u>
Fringe Benefits	42,893	73,500	Administrative Director (1)
Operating Expenses	0	5,500	Deputy Director (1)
	<u>\$ 1,528,371</u>	<u>\$ 1,847,500</u>	Administrative Staff (5)
Commission on Judicial Qualifications	\$ 11,730	\$ 28,564	Secretaries (3)
Commissions on Appellate & Trial Court Appointments	\$ 2,621	\$ 5,000	Financial Clerks (2)
Statewide Grand Jury	\$ 91,859	\$ 398,000	Statistical Clerks (2)
III. FEDERAL FUNDS			<u>Foster Care Review Boards</u>
L.E.A.A./J.P.A.	\$ 160,503	\$ 187,500	Coordinator (1)
			Staff Assistants (6)
			Secretaries (2.5)

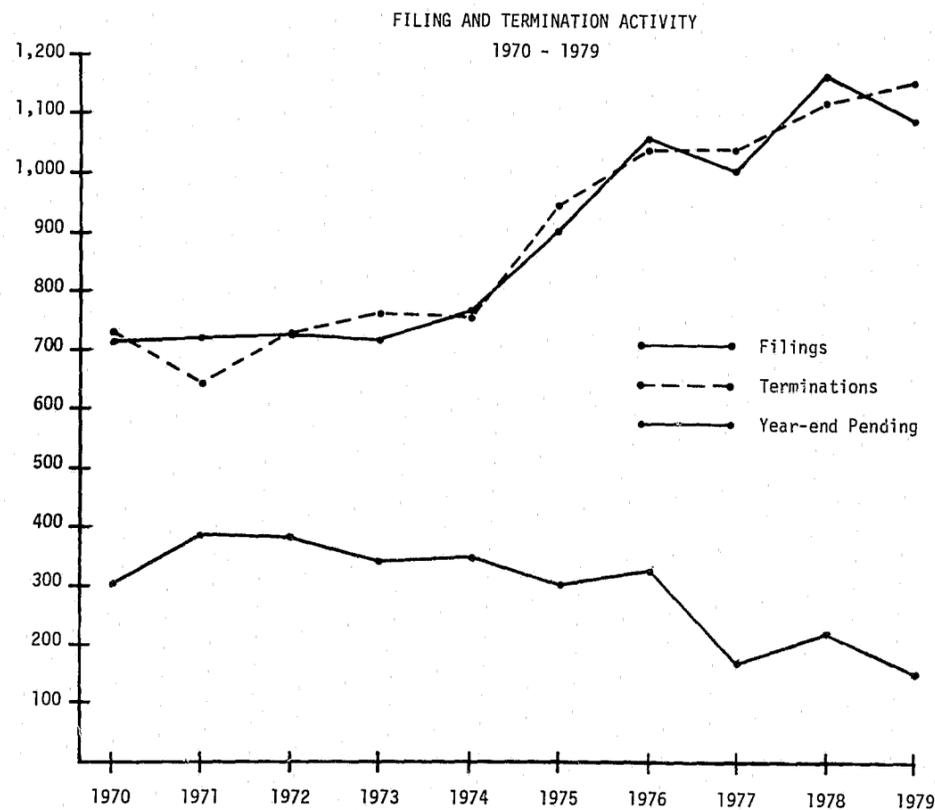
ARIZONA SUPREME COURT
FILING AND TERMINATION ACTIVITY
1970-1979

	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	AVG..
FILINGS	709	690	702	714	713	799	921	923	1,016	1,000	818.7
TRANSFER IN	7	33	23	6	54	107	142	82	155	93	70.2
TOTAL	716	723	725	720	767	906	1,063	1,005	1,171	1,093	888.9

TERMINATIONS	718	643	724	764	757	949	1,043	1,047	1,123	1,159	892.7
TRANSFER OUT	13	1	3	0	2	0	0	0	0	0	1.9
TOTAL	731	644	727	764	759	949	1,043	1,047	1,123	1,159	894.6

YEAR END PENDING	307	386	384	340	348	305	325	169*	217	151	293.2
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*Year End Pending caseload adjusted based on an actual physical inventory of the Supreme Court's pending cases as of December 31, 1977.



COURT OF APPEALS — DIVISION ONE

CASE ACTIVITY

Case activity within Division One during 1979 reflected decreases in both filings and terminations from the 1978 activity levels. Filings decreased by 3.8% from 1,467 in 1978 to 1,411 in 1979, while terminations declined by 5.3% from 1,368 in 1978 to 1,296 in 1979. Coupled with a decrease in the number of cases transferred to the Supreme Court from 159 in 1978 to 85 in 1979, the court's pending caseload increased from 1,151 cases as of January 1, 1979 to 1,181 cases as of December 31, 1979. Had not the Supreme Court continued to assist Division One by transferring cases to itself, Division One's pending caseload could have reached an all-time high of 1,266 cases as of December 31, 1979.

Civil and criminal appeals continue to represent the bulk of the court's caseload, accounting for 81% of the

filing and termination activity during 1979. Criminal appeals comprised 45.9% of filings and 48.3% of terminations in 1979, while civil appeals constituted 35.5% of total filings and 33.2% of total terminations.

As of December 31, 1979, civil appeals comprised 47% of the court's pending caseload. Civil appeal filings have increased 60% since 1975 and 92% since 1970, by far the largest increase of any case category. Civil matters, unfortunately, represent the most difficult type of case in terms of time and effort required of the court. As stated in the 1978 Annual Report, a general consensus of opinion among some appellate court judges is that civil appeals, due to their complexity, require roughly three times the amount of time and effort required to conclude one criminal appeal. Increases in civil filings, therefore, have a disproportionately greater impact upon the workload of the court than the raw statistics indicate.

COURT OF APPEALS - DIVISION 1
1979 CASE ACTIVITY

TYPE OF ACTION	PENDING AS OF JAN. 1, 1979	FILINGS	SUB-TOTAL	TERMINATIONS BY:					PENDING AS OF DEC. 31, 1979
				TRANS. TO SUPREME COURT	WRITTEN OPINION	MEMO DECISION	OTHER	TOTAL	
CIVIL	511	501	1,012	49	86	123	200	458	554
CRIMINAL	441	575	1,016	33	43	347	158	581	435
POST CONVICTION RELIEF	62	72	134	3	4	43	36	86	48
INDUSTRIAL COMM.	125	187	312		23	125	59	207	105
UNEMPLOYMENT INS.	0	9	9					0	9
SPECIAL ACTIONS	1	23	24		3		19	22	2
HABEAS CORPUS	2	5	7			1	5	6	1
DELAYED APPEALS	0		0					0	0
JUVENILE APPEALS	9	39	48		6	11	4	21	27
TOTAL	1,151	1,411	2,562	85*	165	650	481	1,381	1,181

*Of the 85 cases transferred to the Supreme Court 4 criminal appeals were consolidated with other cases being transferred, resulting in a net transfer of 81 cases docketed in at the Supreme Court.

Note: Chapter 179 §29 and Chapter 216 §13 of the Laws of 1979 (A.R.S. 41-1993) shifted jurisdiction over unemployment insurance appeals from the Superior Courts to the Court of Appeals.

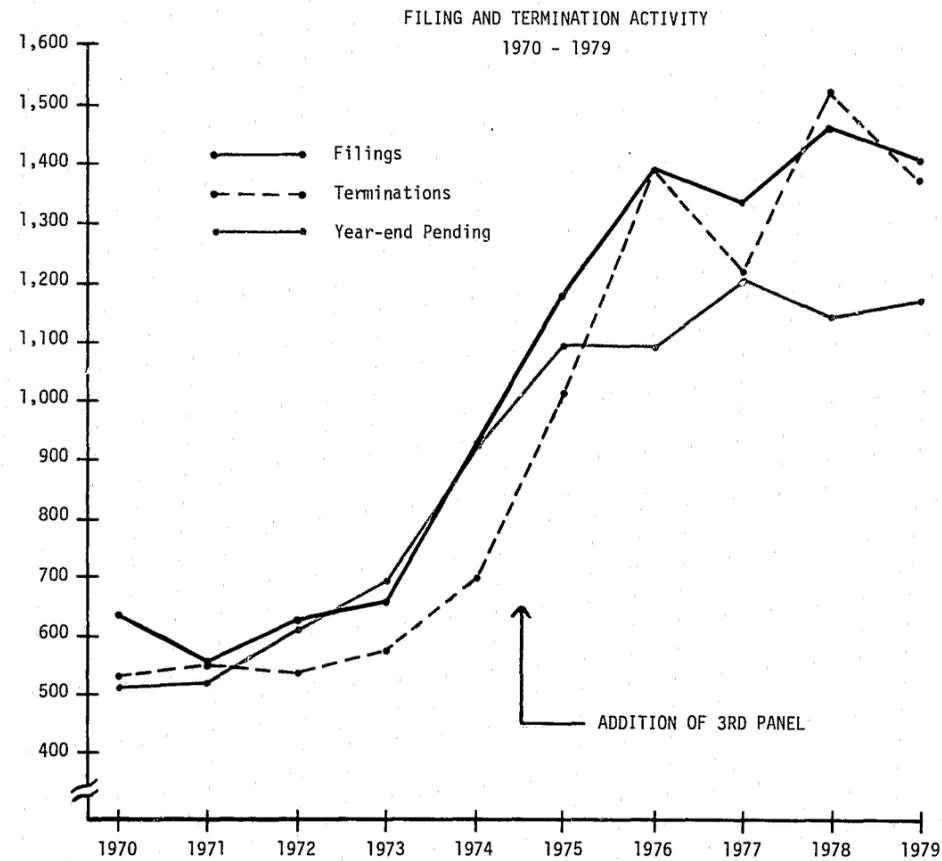
FINANCIAL INFORMATION			PERSONNEL INFORMATION
EXPENDITURES AND APPROPRIATIONS:			
I. DIRECT	1978-79 EXPENDITURES	1979-80 BUDGET	Judges (9)
Personal Services	\$ 1,011,863	\$ 1,186,800	Secretaries (9)
Fringe Benefits	119,682	168,700	Law Clerks (9)
Operating Expenses	181,572	212,500	Clerk of the Court (1)
Capital Expenses	16,475	6,000	Chief Deputy Clerk (1)
TOTAL	\$ 1,329,592	\$ 1,574,000	Deputy Clerks (7)
			Machine Operator (1)
			Chief Staff Attorney (1)
			Staff Attorneys (7)
			Staff Secretaries (3)

COURT OF APPEALS - DIVISION 1
TOTAL FILING AND TERMINATION ACTIVITY
1970-1979

	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	AVG:
FILINGS	630	557	628	661	929	1,185	1,397	1,337	1,467	1,411	1020.2
TRANSFER IN	3	2	1	1	0	0	0	0	0	0	.7
TOTAL	633	559	629	662	929	1,185	1,397	1,337	1,467	1,411	1020.9

TERMINATIONS	505	541	517	571	647	902	1,239	1,137	1,368	1,296	872.3
TRANSFER OUT	28	12	19	6	52	112	158	87	159	85	71.8
TOTAL	533	553	536	577	699	1,014	1,397	1,224	1,527	1,381	944.1

YEAR END PENDING	513	519	612	697	927	1,098	1,098	1,211	1,151	1,181	900.7
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TREND ANALYSIS

Division One of the Court of Appeals has experienced a significant growth in case filings since its inception in 1965. The table and graph shown below represents a trend analysis of the court's past filing activity and projects the number of filings which can be anticipated in the near future.

The correlation between years and filings is extremely strong (correlation coefficient = .9579; a perfect correlation is 1.0). Therefore, it is very likely that filings will continue to increase at a similar rate in the foreseeable future.

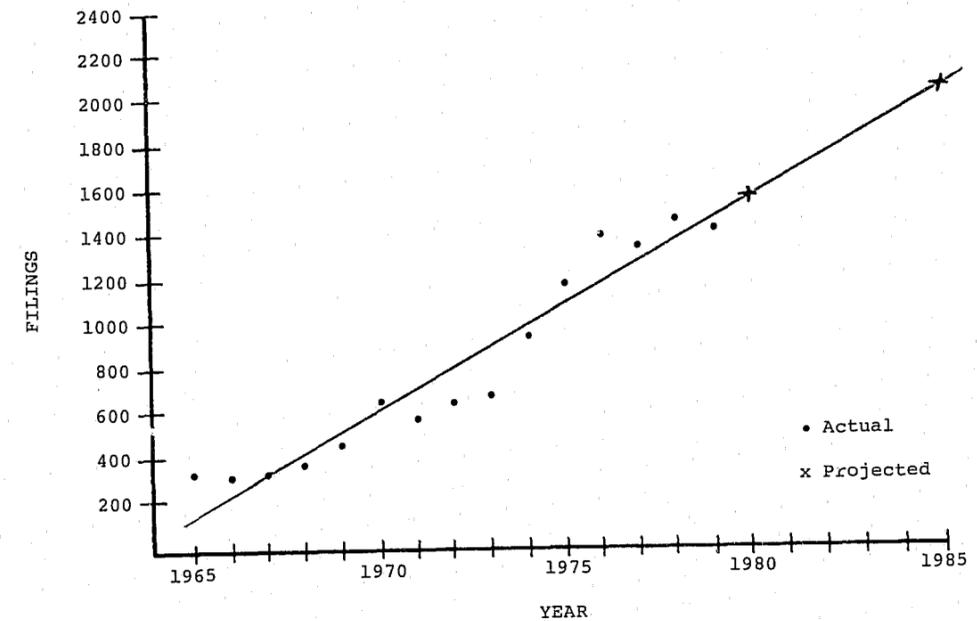
Noting these findings, Division One is projected to approximate 2,047 filings per year by 1985 and 2,511 filings per year by 1990.

Using linear regression, the analysis tests the strength of the relationship of "correlation" between two variables. In this case, the correlation is between "years" and the number of "filings" the court received during those years.

TREND ANALYSIS
COURT OF APPEALS, DIVISION 1
CORRELATION OF TIME TO FILINGS 1965 - 1979

YEARS (x)	1965	1966	1967	1968	1969	1970	1971	1972	1973
FILINGS (y)	326	309	324	361	452	630	557	628	661
YEARS (x)	1974	1975	1976	1977	1978	1979	1980	...	1985
FILINGS (y)	929	1,185	1,397	1,337	1,467	1,411	1,568*	...	2,047*

*The standard error of the estimate is 133.361.



COURT OF APPEALS — DIVISION TWO

CASE ACTIVITY

The most significant caseload statistic for Division Two in 1979 was the decrease in total case filings from 716 in 1978 to 588 filings in 1979, a 17.9% decrease. Coupled with the disposition of a near record 701 cases during the year, the court was able to reduce its pending caseload from 331 cases at the beginning of 1979 to 218 cases at the close of 1979.

While filings declined in all case categories from 1978 filing levels, criminal case filings accounted for the larg-

est decrease — declining by 29% from 326 filings in 1978 to 230 filings in 1979.

Termination of cases, as mentioned above, continued at a near record level in 1979. The court was able to terminate a record number of both civil and criminal matters brought before it, resulting in the first significant reduction in the court's pending caseload since its creation in 1965. Pending criminal matters before the court reflected the largest reduction, declining by 45.9% from 207 pending cases at the beginning of 1979 to 112 pending matters at the close of 1979.

COURT OF APPEALS - DIVISION 2
1979 CASE ACTIVITY

TYPE OF ACTION	PENDING AS OF JAN. 1, 1979	FILINGS	SUB-TOTAL	TERMINATIONS BY:					PENDING AS OF DEC. 31, 1979
				TRANS. TO SUPREME COURT	WRITTEN OPINION	MEMO DECISION	OTHER	TOTAL	
CIVIL	108	191*	299	1	114	51	47	213	86
CRIMINAL	207	230*	437	12	63	158	92	325	112
POST CONVICTION RELIEF	0	16	16				14	14	2
SPECIAL ACTIONS	13	141	154	1	14	1	122	138	16
JUVENILE APPEALS	3	10	13		4	5	2	11	2
TOTAL	331	588	919	14**	195	215	277	701	218

*One case filing was removed from the Civil category and added to the Special Action filing category as a result of an inventory adjustment.
 **Of the 14 cases transferred to the Supreme Court 2 criminal appeals were consolidated with other cases being transferred, resulting in a net transfer of 12 cases docketed in at the Supreme Court.

FINANCIAL INFORMATION			PERSONNEL INFORMATION
EXPENDITURES AND APPROPRIATIONS:	1978-79 EXPENDITURES	1979-80 BUDGET	
I. DIRECT			Judges (3)
Personal Services	\$ 358,682	\$ 401,600	Secretaries (3)
Fringe Benefits	42,393	54,700	Law Clerks (3)
Operating Expenses	73,444	79,300	Clerk of the Court (1)
Capital Expenses	2,070	3,300	Chief Deputy Clerk (1)
TOTAL	\$ 476,589	\$ 538,900	Deputy Clerks (3)
			Chief Staff Attorney (1)
			Staff Attorney (1)

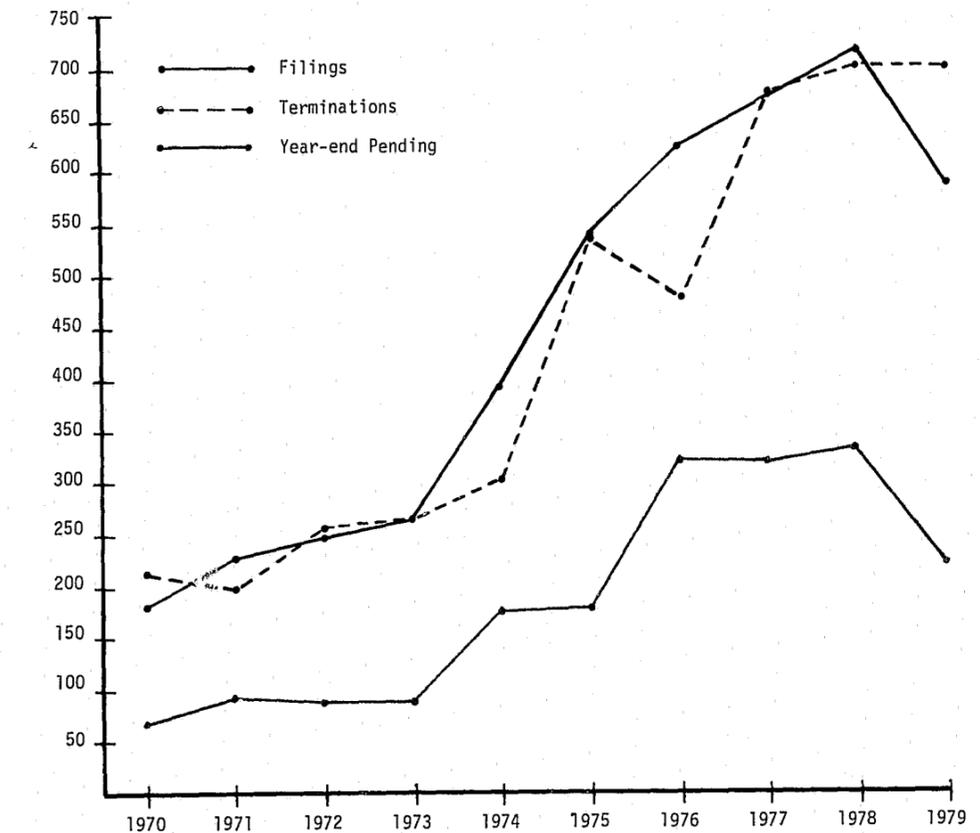
COURT OF APPEALS - DIVISION 2
TOTAL FILING AND TERMINATION ACTIVITY
1970-1979

	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	AVG.
FILINGS	175	226	247	260	392	540	620	668	716	588	443.2
TRANSFER IN	7	1	2	2	0	0	0	0	0	0	1.2
TOTAL	182	227	249	262	392	540	620	668	716	588	444.4

TERMINATIONS	211	197	250	260	297	537	476	669	698	687	428.2
TRANSFER OUT	2	4	5	2	6	1	3	1	4	14	4.2
TOTAL	213	201	255	262	303	538	479	670	702	701	432.4

YEAR END PENDING	66	92	86	86	175	177	318	317	331	218	186.6
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FILING AND TERMINATION ACTIVITY
1970 - 1979



SUPERIOR COURT

CASELOAD STATISTICS

Introduction

The summary caseload statistics contained on the following pages are based on the case activity data reported monthly by each superior court to the Arizona Supreme Court. The statistics are presented on a statewide summary basis — by county and by case type. Virtually all the superior court caseload statistics reported herein are complete. Some statistical information was not available for reporting purposes however, and such omissions have been footnoted on the applicable tables to that effect.

The only known caseload statistical information which is not reported is adoption statistics for Maricopa County and juvenile dependency statistics for Maricopa and Yuma counties. Arrangements have been made with the clerk's offices in these two counties to begin collecting this information for 1980.

Detailed caseload statistical information on an individual county superior court basis has been compiled and published in the 1979 Caseload, Financial and Personnel Report. Also included in that report are statistical definitions, explanations and footnotes which should be taken into consideration in any analysis or interpretation of the statistics presented herein.

1979 Caseload Activity

Statewide, the superior courts of Arizona reported 89,584 filings in 1979, an increase of 4.6% over the reported 85,644 filings in 1978. Total terminations statewide also rose in 1979 to 90,919 terminations, an increase of 11.8% over the 81,322 terminations reported in 1978. Statewide, the pending caseload of the superior courts increased slightly during 1979, from 88,076 cases pending at the start of the year to 88,145 cases pending at year end.

Criminal filing activity statewide in 1979 virtually mirrored the 1978 level, while terminations decreased by 2.5%. The resultant effect was that the number of criminal defendants pending at the end of 1979 had increased to 6,649, a 10.9% increase over the 5,998 defendants pending at the beginning of the year. Of the 6,649 defendants pending, 1,608 were reported as pending with warrants issued.

Statewide civil filing activity in 1979 totaled 32,417 cases, an increase of 10.6% over the 29,321 civil filings in 1978. Civil case terminations also increased in 1979 to 30,758 cases, up 11.1% over the 1978 level of 27,695 terminations. Overall, the statewide civil pending caseload rose from 29,951 cases pending at the beginning of 1979 to 32,226 pending cases at year end, up 7.6%.

Domestic Relations case activity in 1979 reflected statewide increases in both filings and terminations, while the pending caseload slightly decreased. Filings increased by 3.1% from 25,741 cases in 1978 to 26,551 in 1979. Dispositions of domestic relations matters rose sharply from 24,171 in 1978 to 27,049 in 1979, up 11.9%. Pending cases at the end of 1979 totaled 12,467, a 2.6% decrease from the beginning of the year pending caseload of 12,799 cases.

Reciprocal Support filing activity statewide rose slightly in 1979 to 7,534 filings as compared to 7,445 in 1978. Terminations totaled 7,393 cases in 1979, up 18.1% from the 1978 level of 6,262 terminations. Pending reciprocal support caseload at the end of 1979 was 8,937 cases, up 2.9% from the 1978 year end pending figure of 8,684.

Probate filing and termination case activity statewide in 1979 increased over 1978 levels. Filings totaled 8,127 cases, up 2.8%, while terminations increased sharply from 8,007 cases in 1978 to 11,315 in 1979, an increase of 41.3%. This significant increase in probate case termination activity resulted in an 11.1% decrease in the probate pending caseload, which declined from 28,658 pending cases at the beginning of 1979 to 25,489 pending cases at the end of 1979.

Caseload Statistical Definitions

The following definitions are included to afford the reader a better understanding of what the statistical data reported represents. Civil, domestic relations and all other non-criminal statistics reflect the number of cases. Criminal statistics reflect the number of defendants named in complaints, informations and or indictments.

Case Categories

CIVIL — Tort Motor Vehicle, Tort Non-Motor, Medical Malpractice, Contract, Eminent Domain, Lower Court Civil Appeals and Non-Classified Civil cases.

DOMESTIC RELATIONS — Paternity, Maternity, Dissolution, Annulment, Legal Separation, County Attorney Petitions to Establish Support, and other custody proceedings.

PROBATE — Estate Probate, Trust Administration, Guardianship and Conservatorship cases.

ADOPTION — Petitions for the adoption of a minor.

JUVENILE DEPENDENCY — Petitions to declare a juvenile a dependent or neglected child.

FELONY — Defendants in criminal cases who are charged with a felony. Criminal statistics in this report represent numbers of defendants **not** cases.

MISDEMEANOR — Defendants in criminal cases who are charged with a misdemeanor offense.

UNCLASSIFIED — Defendants in criminal cases who are charged with an offense which does not come under any of the other criminal case categories listed, e.g. peace bond complaints.

LOWER COURT APPEAL — The number of civil cases appealed; or defendants in criminal cases who appeal a decision rendered in a city court or a justice of the peace court.

TRIAL DE NOVO — A new trial as a result of a lower court appeal in which the entire case is retried.

ON THE RECORD — An appeal of a lower court decision, in which legal issues are reviewed by inspection and examination of the record of the lower court proceedings.

Case Activity

CASES TRANSFERRED IN — The number of cases, or defendants in criminal cases, transferred in from superior courts of other counties. Cases in which a motion for a new trial has been granted or a remand from an appellate court has been ordered are also included in this category, as well as statistical adjustments to correct discovered inaccuracies.

WITH PLEA — The number of defendants in criminal cases who enter a plea of guilty or nolo contendere prior to the commencement of a trial.

TRIAL IN PROCESS — The number of cases (defendants in criminal cases) terminated during, but prior to, the completion of a trial. For purposes of this report, a trial commences when the first witness is sworn.

COURT TRIAL — The number of cases (defendants in criminal cases) terminated following the completion of a trial without a jury.

JURY TRIAL — The number of cases (defendants in crim-

inal cases) terminated following the completion of a jury trial.

AFFIRMED — Superior Court ruling on a lower court appeal on the record in which the decision of the lower court is upheld.

REVERSED — Superior Court ruling on a lower court appeal on the record in which the decision of the lower court is reversed.

ARBITRATION — The number of civil cases terminated by arbitration, pursuant to Arizona Revised Statutes § 12-133. Arbitration cases that are appealed to the court are not included in this termination category.

MEDICAL MALPRACTICE PANELS — The number of civil medical malpractice cases concluded by medical liability review panels. Cases in which the parties proceed with court litigation are not included in this category.

FINANCIAL INFORMATION

The financial information contained in this section of the report is based on financial survey responses received from the various departments of the superior courts, and in some cases on information supplied by county finance departments. Statewide superior court summary financial information is presented as part of the following tables.

Included in the General Introduction to this report is a brief explanation relative to the overall financial information contained in the report and definitions as to what the financial categories presented include.

PERSONNEL INFORMATION

The personnel information presented herein is based on responses received to a personnel survey conducted by the Arizona Supreme Court.

As a result of the variety and vast number of job titles encountered in compiling this information, broad general position groupings were developed. Explanation of these groupings can be found in the 1979 Caseload, Financial and Personnel Report.

SUPERIOR COURT
1979 STATEWIDE CASE ACTIVITY BY COUNTY

	APACHE	COCHISE	COCONINO	GILA	GRAHAM	GREENLEE	MARICOPA	MOHAVE	NAVAJO	PIMA	PINAL	SANTA CRUZ	YAVAPAI	YUMA	TOTAL
BEGINNING PENDING	572	2,477	1,517	1,233	623	192	51,290	1,521	1,277	19,769	2,331	942	1,664	2,668	88,076
FILINGS	476	2,456	2,120	1,217	651	198	50,985	2,198	1,524	18,503	3,140	710	2,398	3,008	89,584
TRANSFERRED IN		54	143	6	11	1	702	9	5	255	30	13	28	147	1,404
SUB-TOTAL	1,048	4,987	3,780	2,456	1,285	391	102,977	3,728	2,806	38,527	5,501	1,665	4,090	5,823	179,064
TRANSFER OUT	6	180	71	32	19	5	434	14	30	200	30	24	38	24	1,107
DEFAULT HEARING	82	627	394	269	155	59	14,484	492	333	3,665	497	15	514	717	22,303
ARBITRATION		4					481			262					747
MED. MALPRAC. PANELS		1							1	2		1			5
DISMISSED MOT. PROS.	13	66	95	146	8		709	60	50	1,078	92	20	48	146	2,531
OTHER DISMISSALS	6	15	62	1		7	381	18	61	22	17	3	46	41	680
OTHERWISE REMOVED	117	1,007	819	373	306	79	25,120	622	380	7,463	1,264	145	854	971	39,520
WITH PLEA	35	126	189	115	46	30	4,308	192	301	1,040	196	31	159	282	7,050
DISMISSED NON-PROS.	72	242	138	117	1	27	5,272	225	88	2,813	211	150	124	222	9,702
CT. TRIAL-IN PROCESS	1			2	2		735	2	7	363	1				1,113
COURT TRIAL	56	221	230	46	49	10	1,497	83	46	1,379	424	246	233	138	4,658
JURY TRIAL-IN PROCESS		1	1	2	1		47			18		1		1	72
JURY TRIAL	2	21	10	14	5	2	546	16	30	338	65	6	32	79	1,166
AFFIRMED	2						154			36	14	2	1		209
REVERSED	1			1			39			8	7				56
TOTAL TERMINATIONS	393	2,511	2,009	1,118	592	219	54,207	1,724	1,327	18,687	2,818	644	2,049	2,621	90,919
ENDING PENDING	655	2,476	1,771	1,338	693	172	48,770	2,004	1,479	19,840	2,683	1,021	2,041	3,202	88,145

STATEWIDE SUMMARY

FINANCIAL INFORMATION			PERSONNEL INFORMATION
EXPENDITURES AND APPROPRIATIONS:			
I. DIRECT	1978-79 EXPENDITURES	1979-80 BUDGET	Judge (80)
Personal Services	\$ 22,167,075	\$ 25,671,074	Court Commissioner (10)
Fringe Benefits	1,205,671	1,533,159	Court Referee (6)
Operating Expenses	7,942,838	8,218,735	Clerk of the Court (14)
Capital Expenses	137,364	161,387	Administrative Personnel (101)
TOTAL	\$ 31,452,948	\$ 35,584,355	Court Reporters (90)
II. OTHER COUNTY FUNDING			Bailiffs (75)
Fringe Benefits	\$ 1,852,131	\$ 2,640,882	Probation Officers (413)
Other Operating Expenses	\$ 530,456	\$ 751,557	Probation Services Support Personnel (156.25)
Family Counseling	\$ 3,900	\$ 3,640	Library Personnel (14)
III. FEDERAL FUNDS			Secretarial/Clerical (643.5)
Revenue Sharing	\$ 495,722	\$ 540,799	Other Support Personnel (110)
L.E.A.A./J.P.A.	\$ 1,046,117	\$ 979,940	Custodial Support Personnel (26)
Anti-Recession	\$ 12,786	\$ 0	
C.E.T.A.	\$ 317,478	\$ 106,485	
Title IV	\$ 2,700	\$ 24,309	
IV. STATE FUNDS			
Probation Subsidy	\$ 104,964	\$ 293,422	
Family Counseling	\$ 220,765	\$ 249,990	
D.O.C. (Pinal County)	\$ (519,833)	\$ (400,000)	
V. OTHER			
City of Tucson	\$ 49,365	\$ 56,844	
D.E.S.	\$ 1,426	\$ 0	

SUPERIOR COURT
1979 BY COUNTY - FILINGS PER 1,000 POPULATION

() = POPULATION	FELONY	NON-FELONY CRIMINAL	CIVIL	DOMESTIC RELATIONS	RECIP-ROCAL SUPPORT	PROBATE	ADOPTION	JUV. DEPENDENCY	TOTAL
APACHE (49,200) Filings Filings/1,000 Pop.	58 1.18	12 0.24	128 2.60	119 2.42	81 1.65	40 0.81	17 0.34	21 0.43	476 9.67
COCHISE (82,300) Filings Filings/1,000 Pop.	257 3.12	64 0.78	575 6.99	895 10.87	270 3.28	284 3.45	87 1.06	24 0.29	2,456 29.84
COCONINO (81,500) Filings Filings/1,000 Pop.	334 4.10	70 0.86	685 8.40	588 7.21	213 2.61	141 1.73	63 0.77	26 0.32	2,120 26.01
GILA (35,800) Filings Filings/1,000 Pop.	228 6.37	46 1.28	260 7.26	326 9.11	130 3.63	159 4.44	31 0.87	37 1.03	1,217 33.99
GRAHAM (21,800) Filings Filings/1,000 Pop.	88 4.04	7 0.32	107 4.91	223 10.23	53 2.43	98 4.50	29 1.33	46 2.11	651 29.86
GREENLEE (11,800) Filings Filings/1,000 Pop.	33 2.80	2 0.17	29 2.46	60 5.08	31 2.63	22 1.86	14 1.19	7 0.59	198 16.78
MARICOPA (1,453,500) Filings Filings/1,000 Pop.	5,642 3.88	1,031 0.71	20,958 14.42	15,188 10.45	4,002 2.75	4,164 2.86	976 0.67	424 0.29	52,385 36.04
MOHAVE (49,100) Filings Filings/1,000 Pop.	342 6.97	55 1.12	517 10.53	581 11.83	280 5.70	319 6.50	76 1.55	28 0.57	2,198 44.77
NAVAJO (73,700) Filings Filings/1,000 Pop.	369 5.01	82 1.11	364 4.94	353 4.79	145 1.97	116 1.57	49 0.66	46 0.62	1,524 20.68
PIMA (521,300) Filings Filings/1,000 Pop.	2,418 4.64	297 0.57	6,616 12.69	5,467 10.49	1,135 2.18	1,663 3.19	421 0.81	486 0.93	18,503 35.50
PINAL (91,500) Filings Filings/1,000 Pop.	385 4.21	125 1.37	574 6.27	913 9.98	541 5.91	438 4.79	100 1.09	64 0.70	3,140 34.32
SANTA CRUZ (19,600) Filings Filings/1,000 Pop.	65 3.32	17 0.87	210 10.71	277 14.13	26 1.33	94 4.80	19 0.97	2 0.10	710 36.22
YAVAPAI (61,700) Filings Filings/1,000 Pop.	243 3.94	147 2.38	641 10.39	634 10.28	271 4.39	291 4.72	88 1.43	83 1.35	2,398 38.87
YUMA (78,100) Filings Filings/1,000 Pop.	525 6.72	60 0.77	753 9.64	927 11.87	356 4.56	298 3.82	89 1.14	44 0.56	3,052 39.08
TOTAL (2,630,900) Filings Filings/1,000 Pop.	10,987 4.18	2,015 0.77	32,417 12.32	26,551 10.09	7,534 2.86	8,127 3.09	2,059 0.78	1,338 0.51	91,028 34.60
% OF TOTAL FILINGS	12.1%	2.2%	35.6%	29.2%	8.3%	8.9%	2.2%	1.5%	100.0%

Population figures as per Arizona Statistical Review, Valley National Bank of Arizona, September, 1979.

SUPERIOR COURT
1979 STATEWIDE CASE ACTIVITY BY CASE TYPE

1979 CRIMINAL STATISTICS				LOWER COURT APPEALS				TOTAL
STATISTICS REPRESENT NO. OF DEFENDANTS	FELONY*	MISDEMEANOR	UNCLASSIFIED	TRIAL DE NOVO		ON THE RECORD		
				JUSTICE COURT	CITY COURT	JUSTICE COURT	CITY COURT	
BEGINNING PENDING	5,272	256	19	125	138	36	152	5,998
FILINGS	10,987	92	95	656	451	95	626	13,002
CASES TRANSFERRED IN	336 ^a			5	7	3 ^d	9	360
TOTAL ON FILE	16,595	348	114	786	596	134	787	19,360
TERMINATIONS BY:								
TRANSFER OUT	62	5	11	64 ^b	125 ^c		15 ^e	282
DISMISSED MOT. PROS.	2,304	57	5	89	46	6	24	2,531
OTHER DISMISSALS	449	24	4	92	87	13	11	680
OTHERWISE REMOVED	159	9	71	147	91	36	373	886
WITH PLEA	6,873	127		27	23			7,050
COURT TRIAL IN PROCESS	2							2
COURT TRIAL IN PROCESS	2			10	5			17
COURT TRIAL IN PROCESS	71	3	1	154	108			337
JURY TRIAL IN PROCESS	28							28
JURY TRIAL IN PROCESS	24				1			25
JURY TRIAL	583	8		12	5			608
AFFIRMED						31	178	209
REVERSED						12	44	56
TOTAL TERMINATIONS	10,557	233	92	595	491	98	645	12,711
ENDING PENDING**	6,038	115	22	191	105	36	142	6,649

	*BEGINNING PENDING:		*ENDING PENDING:	
	Less than 150 days	150 days & over	Less than 150 days	150 days & over
Felony	3,193	2,079	3,674	2,364
Misdemeanor	124	132	31	84
Unclassified	17	2	19	3

^aIncludes inventory adjustment of 145 defendants added in.
^bIncludes inventory adjustment of 4 defendants removed.
^cIncludes inventory adjustment of 3 defendants removed.
^dIncludes inventory adjustment of 2 defendants added in.
^eIncludes inventory adjustment of 10 defendants removed.

DISPOSITION OF CRIMINAL DEFENDANTS FOUND GUILTY	SENTENCED TO:		PROBATION:		FINE IMPOSED ONLY	OTHER DISPOSITIONS	TOTAL
	ARIZONA STATE PRISON	COUNTY JAIL	WITH CONFINEMENT	WITHOUT CONFINEMENT			
FELONY	1,826	62	1,779	2,385	37	56	6,145
MISDEMEANOR	14	238	225	884	185	69	1,615
UNCLASSIFIED			14	68			82
REVOKED PROBATION	488	165					653
TOTAL	2,328	465	2,018	3,337	222	125	8,495

SUPERIOR COURT
1979 STATEWIDE CASE ACTIVITY BY CASE TYPE

1979 NON-CRIMINAL STATISTICS	CIVIL*	DOMESTIC RELATIONS	RECIP-ROCAL SUPPORT	PROBATE	ADOPTION ^a	JUVENILE DEPENDENCY ^b	TOTAL
BEGINNING PENDING	29,951	12,799	8,684	28,658	1,716	270	82,078
FILINGS	32,417	26,551	7,534	8,127	1,083	870	76,582
CASES TRANSFERRED IN	616	166	112	19		131 ^c	1,044
TOTAL ON FILE	62,984	39,516	16,330	36,804	2,799	1,271	159,704
TERMINATIONS BY:							
TRANSFER OUT	477	69	279				825
DEFAULT HEARING	5,893	16,410					22,303
ARBITRATION	747						747
MEDICAL MALPRACTICE PANELS	5						5
OTHERWISE REMOVED	15,648	2,864	7,114	11,315	915	778	38,634
DISMISSED NON-PROSECUTION	5,546	4,156					9,702
COURT TRIAL-IN PROCESS	10	1,084					1,094
COURT TRIAL	1,870	2,451					4,321
JURY TRIAL-IN PROCESS	19						19
JURY TRIAL	543	15					558
TOTAL TERMINATIONS	30,758	27,049	7,393	11,315	915	778	78,208
ENDING PENDING	32,226	12,467	8,937	25,489	1,884	493	81,496

*CIVIL	BEGINNING PENDING:	ENDING PENDING:
Under 18 months	18,218	20,935
18 months & over	4,525	4,620

^aDoes not include Adoption statistics for Maricopa County.
^bDoes not include Juvenile Dependency statistics for Maricopa or Yuma counties.
^cIncludes inventory adjustment of 131 petitions added in.

PETITIONS AND ORDERS TO SHOW CAUSE	BEGIN. PENDING	FILED	TRANS. IN	TOTAL ON FILE	TRANS. OUT	TERMINATED	TOTAL TERM.	ENDING PENDING
PRE-JUDGMENT:								
TEMPORARY ORDERS	351	3,935	42 ^a	4,328		4,132	4,132	196
CONTEMPT ONLY	83	220		303		198	198	105
OTHER	9	101		110		97	97	13
POST JUDGMENT:								
POST CONVICTION RELIEF	102	450	3	555	3	461	464	91
MODIFY DECREE	118	1,352	237 ^b	1,707		1,358	1,358	349
FOREIGN DECREE	147	167	5 ^c	319		170	170	149
CONTEMPT ONLY	245	6,197	269 ^d	6,711	3	6,271	6,274	437
TOTAL	1,055	12,422	556	14,033	6	12,687	12,693	1,340

Mental Health Hearings: Criminal: 512 Civil: 549
^aInventory adjustment of 42 petitions added in.
^bIncludes inventory adjustment of 202 petitions added in.
^cIncludes inventory adjustment of 1 petition added in.
^dIncludes inventory adjustment of 266 petitions added in.

STATEWIDE SUPERIOR COURT SUMMARY

COURT

FINANCIAL INFORMATION			PERSONNEL INFORMATION
EXPENDITURES AND APPROPRIATIONS:	1978-79 EXPENDITURES	1979-80 BUDGET	
I. DIRECT			Judge (30)
Personal Services	\$ 6,921,000	\$ 8,221,574	Court Commission: (10)
Fringe Benefits	321,614	402,251	Administrative Personnel (36)
Operating Expenses	5,127,277	5,131,622	Court Reporters (90)
Capital Expenses	19,486	23,104	Bailiffs (75)
TOTAL	\$ 12,389,377	\$ 13,778,551	Probation Officers (4.25)
II. OTHER COUNTY FUNDING			Secretarial (92)
Fringe Benefits	\$ 584,696	\$ 741,706	Clerical (50)
Other Operating Expenses	\$ 470,278	\$ 674,451	Library Personnel (14)
III. FEDERAL FUNDS			Other Support Personnel (37)
Revenue Sharing	\$ 85,340	\$ 232,090	
L.E.A.A./J.P.A.	\$ 21,267	\$ 142,362	
C.E.T.A.	\$ 73,805	\$ 16,628	
Anti-Recession	\$ 827	0	
IV. STATE FUNDS			
Family Counseling	\$ 18,827	\$ 22,884	
Probation Subsidy	\$ 4,274	\$ 23,221	
D.O.C. (Pinal County)	\$ 519,833	\$ 400,000	

STATEWIDE SUPERIOR COURT SUMMARY

ADULT PROBATION

FINANCIAL INFORMATION			PERSONNEL INFORMATION
EXPENDITURES AND APPROPRIATIONS:	1978-79 EXPENDITURES	1979-80 BUDGET	
I. DIRECT			Administrative Personnel (23)
Personal Services	\$ 3,503,224	\$ 4,157,778	Probation Officers (161)
Fringe Benefits	221,682	299,101	Probation Services Support Personnel (36.75)
Operating Expenses	493,969	466,181	Other Support Personnel (8)
Capital Expenses	15,245	18,091	Secretarial/Clerical (68.5)
TOTAL	\$ 4,234,120	\$ 4,941,151	
II. OTHER COUNTY FUNDING			
Fringe Benefits	\$ 30,562	\$ 427,618	
Other Operating Expenses	\$ 6,180	\$ 5,955	
III. FEDERAL FUNDS			
Revenue Sharing	\$ 38,667	\$ 70,880	
L.E.A.A./J.P.A.	\$ 264,232	\$ 369,993	
C.E.T.A.	\$ 63,581	\$ 11,584	
IV. STATE FUNDS			
Family Counseling	\$ 31,310	\$ 35,012	
Probation Subsidy	\$ 96,325	\$ 241,196	
V. OTHER			
D.E.S. (Pima County)	\$ 1,426	0	
City of Tucson (Pima County)	\$ 49,365	\$ 56,844	

CLERK OF THE COURT

FINANCIAL INFORMATION			PERSONNEL INFORMATION
EXPENDITURES AND APPROPRIATIONS:	1978-79 EXPENDITURES	1979-80 BUDGET	
I. DIRECT			Clerk of the Court (14)
Personal Services	\$ 4,117,018	\$ 4,780,668	Administrative Personnel (20)
Fringe Benefits	247,924	329,570	Secretarial (3)
Operating Expenses	747,420	805,683	Clerical (340.5)
Capital Expenses	79,127	75,301	Other Support Personnel (46)
TOTAL	\$ 5,191,489	\$ 5,991,222	
II. OTHER COUNTY FUNDING			
Fringe Benefits	\$ 459,902	\$ 562,577	
Other Operating Expenses	\$ 47,668	\$ 64,189	
III. FEDERAL FUNDS			
Revenue Sharing	\$ 295,551	\$ 54,228	
L.E.A.A./J.P.A.	0	\$ 23,000	
Anti-Recession	\$ 11,959	0	
C.E.T.A.	\$ 67,882	0	
Title IV	\$ 2,700	\$ 24,309	

JUVENILE PROBATION

FINANCIAL INFORMATION			PERSONNEL INFORMATION
EXPENDITURES AND APPROPRIATIONS:	1978-79 EXPENDITURES	1979-80 BUDGET	
I. DIRECT			Court Referee (6)
Personal Services	\$ 7,625,833	\$ 8,511,054	Administrative Personnel (22)
Fringe Benefits	414,451	502,237	Probation Officers (247.75)
Operating Expenses	1,574,172	1,815,249	Probation Services Support Personnel (119.5)
Capital Expenses	23,506	44,891	Other Support Personnel (19)
TOTAL	\$ 9,637,962	\$10,873,431	Secretarial/Clerical (89.5)
II. OTHER COUNTY FUNDING			Custodial Support Staff (26)
Fringe Benefits	\$ 776,971	\$ 908,981	
Other Operating Expenses	\$ 6,330	\$ 6,962	
Family Counseling	\$ 3,900	\$ 3,640	
III. FEDERAL FUNDS			
Revenue Sharing	\$ 76,164	\$ 123,601	
L.E.A.A./J.P.A.	\$ 760,618	\$ 444,585	
C.E.T.A.	\$ 112,210	\$ 78,273	
IV. STATE FUNDS			
Family Counseling	\$ 170,628	\$ 192,094	
Probation Subsidy	\$ 4,365	\$ 29,005	

SUPERIOR COURT
1979 ADULT PROBATION INFORMATION

	APACHE	COCHISE	COCONINO	GILA	GRAHAM	GREENLEE	MARICOPA
Probationers on caseload as of 12/31/79 regardless of type of supervision or location of probationers ^A	59	448	378	330	92	32	5,374
Probationers in Subsidy Program as of 12/31/79	N/A	13	N/A	22	43	8	188
Adults placed on probation during 1979 (does not include second grants of probation to defendants already on probation)	26	113	160	120	33	12	2,894
Number of petitions to revoke pending as of 12/31/79	6	15	24	15	5	0	819
Restitution collected from probationers during 1979	\$3,467	\$22,514	\$36,526	\$11,920	\$2,318	\$1,100	\$424,718 ^B
Reimbursement to county collected from probationers during 1979	\$4,000	\$12,883	\$10,026	\$20,064	\$ 250	\$ 50	-
Fines collected from probationers during 1979	\$7,980	\$58,117	\$10,724	\$23,861	\$3,873	\$2,178	\$ 86,308
Public work service hours completed by probationers during 1979	0	180	152	140	0	0	31,826
Written pre-sentence reports filed on new defendants during 1979	26	149	180	120	9	7	3,584

	MOHAVE	NAVAJO	PIMA ^C	PINAL	SANTA CRUZ	YAVAPAI	YUMA
Probationers on caseload as of 12/31/79 regardless of type of supervision or location of probationers ^A	246	515	2,292	440	186	294	335
Probationers in Subsidy Program as of 12/31/79	38	N/A	47	95	43	7	N/A
Adults placed on probation during 1979 (does not include second grants of probation to defendants already on probation)	146	231	922	165	34	166	206
Number of petitions to revoke pending as of 12/31/79	34	62	162	17	0	9	14
Restitution collected from probationers during 1979	\$11,785	\$17,599	\$101,657	\$11,988	\$1,652	\$25,266	\$12,850
Reimbursement to county collected from probationers during 1979	\$14,341	\$80,100	\$ 9,880	\$16,322	0	\$ 9,715	\$10,425
Fines collected from probationers during 1979	\$19,035	\$24,697	\$ 31,901	\$ 7,915	\$1,607	\$ 9,376	\$22,768
Public work service hours completed by probationers during 1979	N/A	415	N/A	1,796	40	-	116
Written pre-sentence reports filed on new defendants during 1979	135	195	1,228	161	30	176	305

- A. Probationers receiving courtesy supervision (cases originating in another county) were included in "Probationers on Caseload" count in Cochise, Coconino, Pima, Pinal, Navajo and Yavapai counties. As a result, a probationer may have been counted more than once for this report.
- B. Maricopa County - The total sum of \$424,718 also includes reimbursement payments to the county. Separate figures for restitution and reimbursement could not be retrieved for 1979. The total amount has therefore been reported in the restitution category.
- C. Pima County - In addition to the figures reported, the Pima County adult probation department also supervises probationers placed on probation by the Tucson City Court. The department receives a very small number of probationers from the Justice of the Peace Courts. This additional caseload represents 1,511 probationers as of December 31, 1979. During the 1979 calendar year, a total of 1,917 persons were assigned to this probation unit.

SUPERIOR COURT
1979 JUVENILE PROBATION INFORMATION

	APACHE	COCHISE	COCONINO	GILA	GRAHAM	GREENLEE	MARICOPA
Probationers on caseload as of 12/31/79 regardless of type of supervision	66	158	104	85	32	10	1,512
Probationers in subsidy program as of 12/31/79	N/A	3	N/A	3	10	0	N/A
Children placed on probation during 1979 (does not include second grants of probation to those already in probation)	42	131	159	67	75	23	1,298
Referrals received during 1979 (includes multiple referrals on the same child)	90	1,538	1,243	782 ^A	196	15	18,345
Petitions alleging delinquency pending as of 12/31/79	0	25	27	67	9	6	783
Petitions alleging incorrigibility pending as of 12/31/79	0	3	1	19	0	0	13
Children committed to Department of Corrections during 1979	4	12	11	3	9	4	340
Children detained in detention during 1979 (includes multiple detentions of the same child)	52	249	1,167	286	75	18	3,073
Restitution, reimbursements, fines collected from probationers during 1979	0	\$6,294	\$9,899	\$919	\$1,136	\$3,234	N/A
Public work service hours completed by probationers during 1979	0	4,298	1,500	56	0	0	8,703
Written predisposition reports filed on new adjudicated children during 1979	0	131	40	10	11	17	2,441

- A. Gila County - Reported referrals include traffic and dependency referrals.

	MOHAVE	NAVAJO	PIMA	PINAL	SANTA CRUZ	YAVAPAI	YUMA
Probationers on caseload as of 12/31/79 regardless of type of supervision	95	151	590	111	222	13	187
Probationers in subsidy program as of 12/31/79	8	N/A	5	N/A	33	1	N/A
Children placed on probation during 1979 (does not include second grants of probation to those already in probation)	102	145	615	116	66	19	150
Referrals received during 1979 (includes multiple referrals on the same child)	689 ^B	593	7,843	1,238 ^C	238	759	3,686 ^F
Petitions alleging delinquency pending as of 12/31/79	37	26	347	62 ^D	17	55	21
Petitions alleging incorrigibility pending as of 12/31/79	0	0	16	7	1	45	1
Children committed to Department of Corrections during 1979	8	14	85	25	8	4	17
Children detained in detention during 1979 (includes multiple detentions of the same child)	326	493	1,986	417	97	349	398
Restitution, reimbursements, fines collected from probationers during 1979	\$5,822	\$4,150	\$22,120	\$7,518 ^E	\$3,444	\$2,010	\$1,454 ^G
Public work service hours completed by probationers during 1979	N/A	940	2,347	0	55	0	320 ^H
Written predisposition reports filed on new adjudicated children during 1979	111	78	782	136	5	21	63

- B. Mohave County - Reported referrals include traffic referrals.
- C. Pinal County - The 1,238 reported referrals represent a mixed count of the number of referrals on reported incidents and the actual number of children referred during the year.
- D. Pinal County - The 62 delinquency petitions reported pending include contested traffic matters.
- E. Pinal County - The \$7,518 reported includes payments received from juveniles who were not placed on probation.
- F. Yuma County - The 3,686 reported referrals include dependency matters referred to the juvenile probation department.
- G. Yuma County - The \$1,454 reported represents restitution payments only.
- H. Yuma County - The 320 hours reported include public work service performed by non-probationers.

JUSTICE OF THE PEACE COURTS

CASELOAD STATISTICS General

The caseload statistics contained on the following pages are based on the monthly statistical reports submitted to the Supreme Court by the justice courts. For the first time ever, the Supreme Court received statistical reports from all 84 justice courts in the state, covering the entire twelve month period of the calendar year. Individual precinct statistics are reported for all precincts except for six Phoenix and four Tucson precincts which are included as consolidated reports.

During the process of preparing this report, several problem areas with respect to the uniform reporting of caseload statistics were identified. These problems are discussed in some detail in the 1979 Caseload, Financial and Personnel Report.

Efforts will be made during 1980 to eliminate as many reporting problems as possible in order to achieve the objective of uniform caseload statistical reporting for all justice courts in the state. As part of this effort, educational seminars regarding the uniform caseload statistical reporting system have been scheduled at six different locations around the state during 1980 for lower court judges and clerks with statistical reporting responsibilities.

1979 Caseload Activity

Statewide in calendar year 1979, there were 371,515 reported filings in justice courts, a 25.4% increase over the 296,260 reported justice court filings in 1978. In response to this significant filing increase, reported terminations totaled 348,663 in 1979, an increase of 27.5% over the 273,454 reported terminations in 1978. This substantial increase in terminations was not enough to keep pace with the tremendous increase in justice court filing activity. As a result, the number of defendants/cases pending statewide in justice courts rose 33.1% during 1979 to a total of 119,981 pending matters at the end of 1979.

The greatest increase in caseload activity on a statewide basis was in traffic matters. Statewide there were 287,292 reported traffic filings in 1979, an increase of 64,975 filings, or 29.2%, over the 222,317 reported filings in 1978. Terminations statewide also increased in 1979 to 266,595 dispositions, up 31.9% over the 202,107 terminations reported in 1978. The number of defendants pending at the end of 1979 stood at 81,109, a 40.4% increase over the 57,763 defendants pending at the beginning of the year. Of the 81,109 traffic defendants reported pending at the end of 1979, 27,614, or 34%, were reported as pending with warrants issued. Traffic caseload activity comprised 77.3% of all justice court filings statewide in 1979 and 76.4% of all terminations.

Justice court civil filings statewide in 1979 totaled 45,003 filings, an increase of 16.8% over the 1978 reported filing level of 38,527. Civil terminations outpaced civil filings in 1979 totaling 46,988 dispositions, up 23.6% over the 38,008 reported terminations in 1978. The pending civil caseload at the end of 1979 still reflected a small increase (less than 1%), however, primarily because of the number of cases reflected as "transferred in" as a result of inventory adjustments. Civil caseload activity represented 12.1% of total filings and 13.5% of total termination activity statewide in the justice courts in 1979.

Non-traffic misdemeanor filings rose 25.7% in 1979 to 24,355 as compared to the 19,382 reported filings in 1978. While terminations increased 16.8% from 18,042 in 1978 to 21,081 in 1979, the larger increase in filings together with statistical adjustments totaling 2,093 defendants "transferred in" resulted in a 5,367 defendant increase in the non-traffic misdemeanor pending level at the end of 1979. Of the 10,693 non-traffic misdemeanor defendants reported pending at the end of 1979, 4,333 were reported as pending with warrants issued.

Preliminary hearing filings statewide in 1979 decreased 6.3% from 15,868 filings in 1978 to 14,865 in 1979. Terminations, however, also decreased in 1979 to 13,999, a 7.6% drop from the 15,146 terminations reported in 1978. Total preliminary hearings pending end of year rose from 2,949 at the beginning of 1979 to 3,834 at year end, an increase of 30%. Of the 3,834 preliminary hearing defendants pending at year end, 2,241, or 58.4%, were reported as pending with warrants issued.

Caseload Statistical Definitions

The following definitions are included to afford the reader a better understanding of what the caseload statistical data reported represents. Civil statistics reflect the number of cases, while traffic and non-traffic misdemeanor, and preliminary hearing data represent the number of defendants named in complaints.

Case Categories

CIVIL — Lawsuit in which the claim is less than \$1,000; forcible entry and detainer actions (recovery of leased or rented property) providing the rental value does not exceed \$500 per month and the damages sought are less than \$1,000.

MISDEMEANOR — TRAFFIC — Includes traffic violations contained in Title 28 of the Arizona Revised Statutes including driving while intoxicated, reckless driving, and other moving violations. (Traffic statistics

for calendar year 1980 will include all violations of Arizona Corporation Commission Motor Carrier Rules and Regulations.)

MISDEMEANOR — NON-TRAFFIC — All other misdemeanors where the law provides for punishment that does not exceed 6 months incarceration and/or a fine up to \$1,000.

PRELIMINARY HEARINGS — A hearing to determine whether or not the defendant should be held for trial in the superior court on a felony complaint.

Case Activity

TRANSFERRED IN — The number of defendants, or cases, transferred in from other justice of the peace precincts. Also includes statistical adjustments to correct discovered inaccuracies, and inventory adjustments.

TRANSFERRED OUT — The number of defendants, or cases, transferred out to other precincts. Also includes statistical adjustments to correct discovered inaccuracies and inventory adjustments.

WITHOUT TRIAL — The number of cases terminated without a trial, including: dismissals by the judge, summary judgments, and dismissals by the plaintiff or by stipulation of the parties involved.

PLEA AND/OR BOND FORFEITURE — The number of defendants in cases terminated after the acceptance of a guilty or no contest plea to the original charge, and the number of defendants who forfeit a posted bond.

OUT OF JURISDICTION — For statistical reporting purposes only, includes the number of defendants believed to be physically outside the court's jurisdiction and no warrant has been issued for their arrest.

GRAND JURY — The number of defendants in felony indictments issued by a grand jury prior to the preliminary examination after the filing of a complaint in justice court.

EXAM WAIVED — The number of defendants who waive their right to a preliminary hearing and as a result are held for trial in the superior court.

HELD FOR SUPERIOR COURT — The number of de-

fendants bound over to superior court for trial as a result of a preliminary hearing.

PLEA AGREEMENT — The number of defendants held for trial in justice court when the offense charged is reduced from a felony to a misdemeanor as the result of a plea agreement to a lesser charge.

DEFENDANT DISCHARGED — The number of felony defendants dismissed either upon motion of the prosecution or as the result of a preliminary hearing.

FINANCIAL INFORMATION

The financial information contained in this section of the report is based on responses received from the justice courts to a financial survey conducted by the Arizona Supreme Court, and in some cases on information supplied by various county finance departments.

Included in the General Introduction to the report is a brief explanation relative to the overall financial information contained in the report and definitions as to what the financial categories presented include. Particular attention should be paid to footnotes applicable to the financial information presented herein.

PERSONNEL INFORMATION

The personnel information presented herein is based on responses received from the justice courts to a personnel survey conducted by the Arizona Supreme Court.

As a result of the variety and vast number of job titles reported in the responses received, the following general position groupings have been established for purposes of this report:

Justice of the Peace
Clerical
Constable
Other Administrative and Support Staff

Since little, if any, uniformity statewide appears to exist in regard to position titles and corresponding work-related responsibilities, positions have been grouped together, for purposes of this report, only on the basis of position titles. These groupings are explained more fully in the 1979 Caseload, Financial and Personnel Report.

STATEWIDE JUSTICE OF THE PEACE COURTS SUMMARY

1979 CASELOAD STATISTICS

CIVIL		MISDEMEANOR	TRAFFIC	NON-TRAFFIC	PRELIMINARY HEARINGS		TOTAL
BEGINNING PENDING: UNDER 1 YEAR ^a	13,794	BEGINNING PENDING: UNDER 150 DAYS	37,546	2,816	BEGINNING PENDING: UNDER 20 DAYS	579	
1 YEAR & OVER ^a	5,404	150 DAYS & OVER	20,217	2,510	20 DAYS & OVER	2,370	
TOTAL PENDING	24,104	TOTAL PENDING	57,763	5,326	TOTAL PENDING	2,949	90,142
FILINGS	45,003	FILINGS	287,292	24,355	FILINGS	14,865	371,515
TRANSFERRED IN	2,226 ^b	TRANSFERRED IN	2,649 ^c	2,093 ^e	TRANSFERRED IN	19	6,987
TOTAL ON FILE	71,333	TOTAL ON FILE	347,704	31,774	TOTAL ON FILE	17,833	468,644
TERMINATIONS		TERMINATIONS			TERMINATIONS		
TRANSFERRED OUT	439	TRANSFERRED OUT	7,278 ^d	474	GRAND JURY	3,071	
DEFAULT HEARING	10,867	PLEA &/OR BOND FORFEITURE	208,728	14,614	EXAM WAIVED	2,468	
WITHOUT TRIAL	25,142	PLEA TO LESSER CHARGE	5,320		HELD FOR SUPERIOR COURT	2,385	
COURT TRIAL	10,529	DISMISSALS	15,200	3,568	PLEA AGREEMENT	2,468	
JURY TRIAL	11	OUT OF JURIS.	21,218	737	DEF. DISCHARGED	3,538	
		COURT TRIAL	8,674	1,637	TRANSFERRED OUT	69 ^f	
		JURY TRIAL	177	51			
TOTAL TERMINATIONS	46,988	TOTAL TERMINATIONS	266,595	21,081	TOTAL TERMINATIONS	13,999	348,663
ENDING PENDING: UNDER 1 YEAR	19,226	ENDING PENDING: UNDER 150 DAYS	48,781	5,172	ENDING PENDING: UNDER 20 DAYS	622	
1 YEAR & OVER	5,119	150 DAYS & OVER	32,328	5,521	20 DAYS & OVER	3,212	
TOTAL PENDING	24,345	TOTAL PENDING*	81,109	10,693	TOTAL PENDING**	3,834	119,981

*Includes 27,614 traffic and 4,333 non-traffic defendants with warrants issued.
 **Includes 2,241 defendants with warrants issued.
^aDoes not include Civil aging statistics for Northeast Phoenix and Northwest Phoenix precincts.
^bIncludes inventory adjustment of 2,005 cases added in.
^cMost of these defendants were added in as the result of inventory adjustments following the consolidation of six Phoenix area Justice Courts.
^dIncludes inventory adjustment of 5,974 defendants removed.
^eIncludes pending caseload and inventory adjustments of 1,753 defendants added in.
^fIncludes inventory adjustment of 61 defendants removed.

FINANCIAL INFORMATION

EXPENDITURES AND APPROPRIATIONS:	1978-79 EXPENDITURES	1979-80 BUDGET
I. DIRECT		
Personal Services	\$ 3,285,133	\$ 3,667,270
Fringe Benefits	210,084	255,866
Operating Expenses	837,561	849,475
Capital Expenses	20,155	28,207
TOTAL	\$ 4,352,933	\$ 4,800,818
II. OTHER		
Fringe Benefits & Personnel Wages	\$ 145,144	\$ 420,998
Utilities; Telephone; Building Rental	\$ 331,874	\$ 326,800
Miscellaneous Operating Expenses*	\$ 23,830	\$ 44,512
III. FEDERAL FUNDS		
C.E.T.A.	\$ 26,455	\$ 37,954
Revenue Sharing	\$ 27,237	\$ 85,838
Other	\$ 15,837	\$ 27,037

*Miscellaneous Operating Expenses include office supplies, professional services, jury fees and expenses, travel, transcribing services, building remodeling, security and other expenses which courts have identified as being provided for in other budgets of the county.

PERSONNEL INFORMATION

Justice of the Peace (84)	Clerical: Full-time (188)
Constable (51)	Part-time (17)
Other Administrative/Support: Full-time (18)	
Part-time (2)	

MUNICIPAL COURTS

CASELOAD STATISTICS

General

The caseload statistics contained on the following pages are based on the monthly statistical reports submitted to the Supreme Court by the municipal courts. 1979 represents the second year that municipal court statistics have been available on a statewide basis to the Supreme Court, and the first year that statistical reports were received from every court covering the entire twelve-month period of the calendar year.

During the year, staff of the Administrative Director's office of the Supreme Court monitor the statistical reports monthly for mathematical accuracy and correctness. As a result of this on-going monitoring activity and the preparation of this report, several problem areas with respect to the uniform reporting of statistics were identified. These problems are discussed in some detail in the 1979 Caseload, Financial and Personnel Report.

Efforts will be made during 1980 to eliminate as many reporting problems as possible in order to achieve the objective of uniform caseload statistical reporting from all municipal courts in the state. As part of this effort, educational seminars regarding the uniform caseload statistical reporting system have been scheduled at six different locations around the state during 1980 for lower court judges and clerks with statistical reporting responsibilities.

1979 Caseload Activity

Statewide in calendar year 1979, there were 580,917 reported filings in municipal courts. This represents an increase of 39,053 filings, or 7.2% over the number of filings reported in 1978. Municipal court terminations also increased in 1979 to 606,484, up 13.4% over the 534,979 reported terminations in 1978. Of the 606,484 reported terminations, 77,498 were the result of "transfers out" to the juvenile court by the Phoenix Municipal Court and some inventory adjustments. At year end 1979, there were 181,243 defendants pending statewide in the municipal courts, a decrease of 11.6% from the 205,127 defendants pending at the beginning of 1979. Of the 181,243 defendants pending at the end of 1979, 81,730, 45.1%, were reported as pending with warrants issued.

Traffic filings, which comprised 89.2% of the total municipal court filing activity in 1979, increased by 6.2% from 488,119 filings in 1978 to 518,388 in 1979. Statewide traffic terminations also reflected an increase for 1979, jumping from 486,991 terminations in 1978 to 550,388 in 1979, an increase of 13.0%. Included in the 550,388 terminations were 77,273 defendants that were either transferred to juvenile court or removed as a result of inventory adjustments. Statewide the number

of traffic defendants pending significantly decreased, dropping from 179,702 pending at the start of 1979 to 148,156 at year end, a decrease of 17.6%. Of the 148,156 defendants reported pending at the end of 1979, 74,635, 50.4%, were reported as pending with warrants issued.

Non-traffic misdemeanor caseload activity of the municipal courts statewide also reflected increases in both filings and terminations in 1979. Filings increased by 16.3% from 53,745 in 1978 to 62,529 in 1979. Statewide terminations jumped 16.9% to 56,096 dispositions as compared to 47,988 in 1978. Non-traffic defendants pending at the end of 1979 stood at 33,087, up 24.5% over the 26,585 defendants pending at the beginning of the year. Included in the 33,087 defendants pending at the end of 1979 are 7,095 (21.4%) defendants outstanding with warrants issued.

Statistical Definitions

The following statistical definitions are included to provide a better understanding of what the caseload data reported represents. The statistical data reflects the number of defendants named in complaints.

Case Categories

MISDEMEANOR — TRAFFIC — Includes traffic violations contained in Title 28 of the Arizona Revised Statutes, including driving while intoxicated, reckless driving, and other moving violations. (Traffic statistics for calendar year 1980 will reflect all violations of Arizona Corporation Commission Motor Carrier Rules and Regulations.)

MISDEMEANOR — NON-TRAFFIC — All other misdemeanors where the law provides for punishment that does not exceed 6 months incarceration and/or a fine up to \$1,000.

Case Activity

TRANSFERRED IN — The number of defendants, or cases, transferred in from other municipal courts. Also includes statistical adjustments to correct discovered inaccuracies and inventory adjustments.

PLEA AND/OR BOND FORFEITURE — The number of defendants in cases terminated after the acceptance of a no contest plea to the original charge, and the number of defendants who forfeit a posted bond.

OUT OF JURISDICTION — For statistical reporting purposes only, includes the number of defendants believed to be physically outside the court's jurisdiction and no warrant has been issued for their arrest.

FINANCIAL INFORMATION

The municipal courts' financial information presented herein is based primarily on survey responses received from the municipal courts to a financial survey conducted by the Arizona Supreme Court. In some instances the information was obtained from various city/town finance offices.

The General Introduction to this report contains a brief section relative to the financial information presented in this report and definitions as to what the financial categories represent. Particular attention should be paid to the footnotes applicable to the financial data presented.

PERSONNEL INFORMATION

Municipal court personnel information reflected on

the following pages is based on a personnel survey conducted by the Arizona Supreme Court.

Due to the vast number and variety of position titles that exist within the municipal courts statewide, the following general position groupings have been established for purposes of this report:

- Judge
- Other Administrative and Support Staff
- Clerical

Since there appears to be no uniformity statewide in regard to position titles and corresponding job-related responsibilities, positions have been grouped together, for purposes of this report, only on the basis of position titles. These groupings are explained more fully in the 1979 Caseload, Financial and Personnel Report.

STATEWIDE MUNICIPAL COURTS SUMMARY

1979 CASELOAD STATISTICS

		MISDEMEANOR	TRAFFIC	NON-TRAFFIC	TOTAL
BEGINNING PENDING	UNDER 150 DAYS		36,974 ^a	12,682 ^b	49,656 ^a
	150 DAYS AND OVER		8,126 ^a	1,460 ^b	9,586 ^a
TOTAL PENDING			179,702	26,585	206,287
FILINGS			518,388	62,529	580,917
TRANSFERRED IN			454	69	523
TOTAL			698,544	89,183	787,727
TERMINATIONS:					
TRANSFERRED OUT			77,273 ^c	446 ^d	77,719
PLEA &/OR BOND FORFEITURE			375,208	39,246	414,454
PLEA TO LESSER CHARGE			7,573		7,573
DISMISSED			64,452	9,033	73,485
OUT OF JURISDICTION			2,407	199	2,606
COURT TRIAL			22,602	7,086	29,688
JURY TRIAL			873	86	959
TOTAL TERMINATIONS			550,388	56,096	606,484
ENDING PENDING	UNDER 150 DAYS		42,624 ^a	15,087 ^b	57,693 ^a
	150 DAYS AND OVER		12,208 ^a	2,523 ^b	14,731 ^a
TOTAL PENDING*			148,156	33,087	181,243

*Includes 74,635 traffic and 7,095 non-traffic defendants with warrants issued.
^aFigures do not include aging statistics for Marana or Phoenix municipal courts.
^bFigures do not include aging statistics for Phoenix Municipal Court.
^cIncludes transfers out to Juvenile Court by the Phoenix Municipal Court and inventory adjustments totaling 77,273 defendants removed.
^dIncludes transfers out to Juvenile Court by the Phoenix Municipal Court and inventory adjustments totaling 225 defendants removed.

FINANCIAL INFORMATION

EXPENDITURES AND APPROPRIATIONS:	1978-79 EXPENDITURES	1979-80 BUDGET
I. DIRECT		
Personal Services	\$ 3,460,986	\$ 4,405,970
Fringe Benefits	599,478	772,513
Operating Expenses	1,930,710	2,241,567
Capital Expenses	51,354	56,858
TOTAL	\$ 6,042,528	\$ 7,476,908
II. OTHER		
Personnel Wages; Fringe Benefits	\$ 21,490	\$ 15,271
Utilities; Telephone; Rent & Maintenance	\$ 39,181	\$ 149,035
Pima Co. Building Expansion & Remodeling	0	\$ 1,230,000
*Miscellaneous Operating Expenses	\$ 18,285	\$ 29,278
III. FEDERAL FUNDS		
C.E.T.A.	\$ 102,090	\$ 47,711
Other	\$ 9,797	\$ 29,387

*Miscellaneous Operating Expenses includes travel, insurance, motor pool services, and other costs which were identified by courts as expenses provided for in other budgets of the respective municipalities.

PERSONNEL INFORMATION

Judge: Full-time (102)	Clerical: Full-time (167)
Part-time (13)	Part-time (20)
Other Administrative/Support (48)	

**SUPERIOR COURT STATISTICAL
RETRIEVAL PROJECT**

INTRODUCTION

Under Justice Cameron's tenure as Chief Justice, the Supreme Court resumed publication of an annual judicial report. One of the goals set for these annual reports is the inclusion of caseload statistics for each superior court since Statehood. The purpose of this retrieval project is to preserve the historical workload and development of the courts for future access, planning and projection.

The project commenced with the Superior Court of Coconino County and the information was reported in the 1977 Annual Judicial Report. In the 1978 report, the Superior Courts of Graham and Greenlee counties were featured.

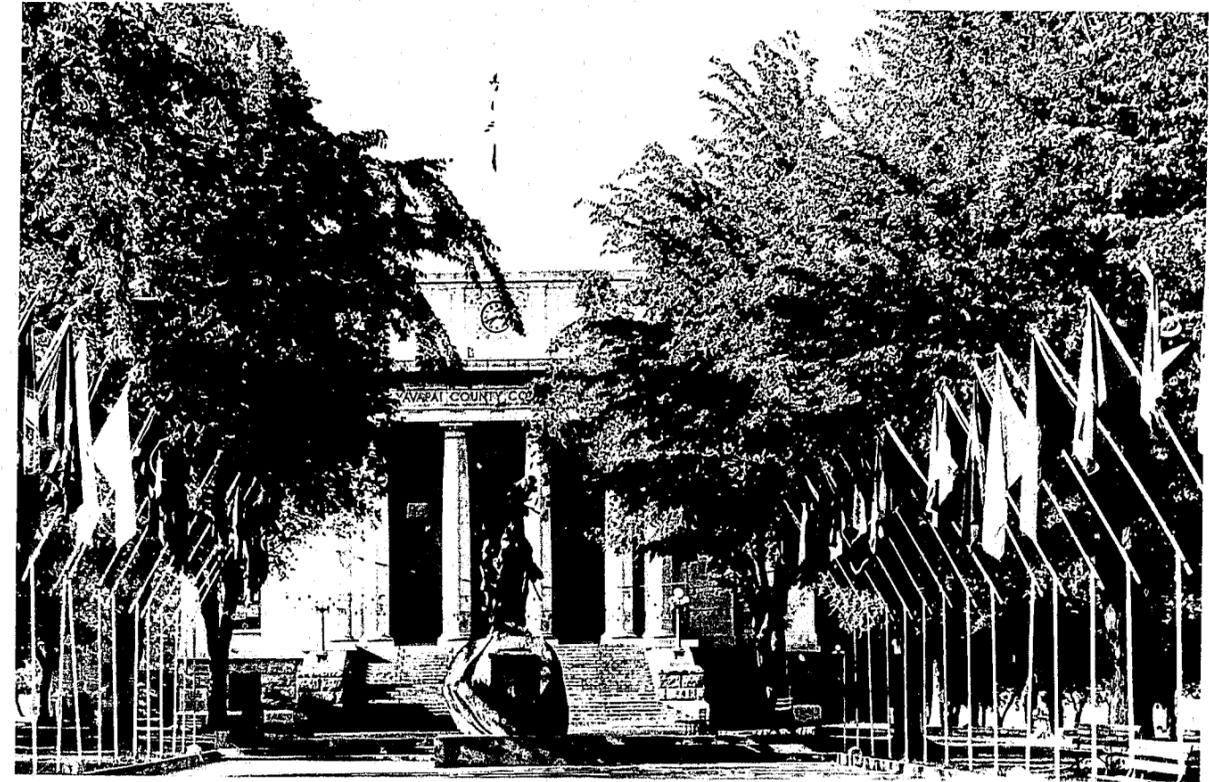
Continuing with this project, the three Superior Courts in Gila, Yavapai and Mohave counties are included in this report. With the help and supervision of the Clerk in each court (Margaret Toot, Gila; Barbara Boyle, Ya-

vapai; Mary Jane Wienke, Mohave), the statistical information was retrieved. Students were used in both Yavapai and Mohave counties, under the supervision of the Clerks, to examine all the docket books and log the information. In Prescott, acknowledgement is due to Jackie Lindebak and Mary James for their efforts in this project. Acknowledgement is also due to four Kingman students who assisted in this task: Kim Morrisette, Deborah Book, Dorel Lawlo and Becky Anderson.

The assistance of Barbara Boyle and the students in Prescott in gathering the narrative information is much appreciated. The narrative history set forth for the Superior Court in Gila County is based on information supplied by Dave Crossett, Gila County Law Librarian and research clerk, Kit Wheeler, and a note of thanks is due to them.

In the 1980 Annual Report we plan to include in the statistical retrieval project the Superior Courts of Cochise and Santa Cruz counties.

SUPERIOR COURT OF YAVAPAI COUNTY



YAVAPAI COUNTY COURTHOUSE



PAUL G. ROSENBLATT
Presiding Judge
1973 -



JAMES HANCOCK
Judge
1973 -



BARBARA BOYLE
Clerk
1967 -

SUPERIOR COURT OF YAVAPAI COUNTY

The Territorial Act passed by Congress in February, 1863 established the Territory of Arizona. Officials appointed by President Lincoln, headed by Governor John M. Goodwin, traveled west and in May, 1864, by proclamation a capitol was established near Granite Creek and a town named Prescott, in honor of the historian William Hickling Prescott. The territorial capitol remained in Prescott until 1867, when it was moved to Tucson. In 1877 the capitol moved back to Prescott where it remained until 1889, when it was moved to Phoenix.

An election proclamation was issued on May 26, 1864 and on July 18 the First Territorial Legislature was elected. The Legislature was in session in Prescott from September 26th to November 10th, and among other things, adopted a mining law, and a general code of laws, prepared by Judge Howell, which was known as the Howell Code. This Legislature also divided the territory into four counties, Yavapai being one of the original and consisting of over half the territory.

The Yavapai County Courthouse was built from native granite in 1918, it being the third courthouse to be built. The first built in 1865 proved to be totally inadequate; the second built in 1878 was destroyed by fire in 1892.

The history of Yavapai County is studded with stories about fabulous placers and mines, about Indian fights, and about pioneer settlements. It has been noted as a mining and stock raising county and maintains an agreeable climate.

Frank O. Smith was elected the first superior court judge of Yavapai County in 1911 and served in that capacity from 1912 until 1917. He was born in Illinois in 1878 and was a graduate of Northwestern University where he held degrees from the College of Arts and College of Law. In 1907 he became a member of the law firm of Norris, Ross and Smith in Prescott where he practiced his profession until his election as superior court judge. In 1917 Judge Smith resigned the judgeship to become engaged in war activities by volunteering his services to the Y.M.C.A. He served in France during World War I. At the conclusion of World War I, Judge Smith returned to Arizona where he practiced law as a member of the law firm of Kibby, Bennett, Gust and Smith in Phoenix, until his death on September 21, 1936.

Upon the resignation of Judge Smith, Governor George W. P. Hunt appointed John J. Sweeney to become the second superior court judge in Yavapai County. He was born near Athy, County Kildare, Ireland on April 14, 1886 and came to the United States with his parents as an infant, settling in San Francisco. He received his primary education in public and parochial schools in San Francisco and received his Bachelor of Arts degree from St. Vincent's College in Los Angeles, California. He studied law and in 1912, he was admitted to the State Bar of Arizona. He was City Attorney of

Prescott for a short time. From 1914 through 1915 he was a member of the Second State Legislature and there, against bitter opposition, championed the workmen's compensation law. During the Third Legislature, he served as legislative advisor.

Judge Sweeney served as superior court judge through 1926 and heard the first smelter smoke damage case filed against the United Verde Copper Company and the United Verde Extension Mining Company. His rulings stood the test of all appeals. During the early 1920's, the workload of the superior court had increased to the extent, due primarily from the numerous damage cases filed against the mining industry, that a second division of the superior court was created in 1921. His greatest accomplishment as superior court judge was the establishment of a juvenile court.

In 1926 Judge Sweeney retired from the bench and entered the private practice of law. In 1928 he became a candidate for the Arizona Supreme Court and was defeated by the late Judge Henry D. Ross. Judge Sweeney died in Prescott at the age of 43 on October 4, 1929.

In 1921, upon the creation of a second superior court division, Governor Thomas Campbell appointed Richard Lamson as judge of the second division. Judge Lamson was born in Worcester, Massachusetts on April 3, 1877. His early education was obtained at St. Johnsbury Academy in Vermont after which he attended Amherst College in Massachusetts. Later he attended the University of Colorado where he obtained his law degree and was admitted to the bar in Colorado in 1900. In 1902 Judge Lamson arrived in Prescott to pursue his interest in the mining industry, but later returned to his legal career. In 1906 he was admitted to the State Bar of Arizona and became associated in the practice of law with the law firm of Reese Ling and LeRoy Anderson. After Judge Sweeney's retirement from the bench in 1926, Judge Lamson continued as sole superior court judge until his death on May 9, 1945.

Upon the death of Judge Lamson, Governor Sidney P. Osborn appointed William Edward Patterson to the superior court bench in 1945. Judge Patterson was born in Hondo, Texas on March 20, 1895 and received his preliminary education in public schools in Texas and New Mexico. He attended Regis College in Denver, Colorado and prepared for his legal career by graduating from the law school of Georgetown University, Washington, D.C. He was admitted to the State Bar of Arizona in 1922. He maintained a private practice until 1926 when he was elected Yavapai County Attorney. He returned to the private practice of law in 1930. In 1945 he was appointed as superior court judge and held that office until 1958. He moved to Phoenix in 1958 and in 1960 he accepted an interim appointment as judge of the Maricopa County Superior Court.

Jack L. Ogg was elected to the Yavapai Superior Court and began his term in January, 1959, serving in that

capacity until his election to the Court of Appeals in 1973. Judge Ogg was raised in Prescott. He received his bachelor's degree from the University of Arizona in 1943. After serving in the Army as a captain during World War II, he returned to the University of Arizona and earned his law degree in 1948. Prior to becoming a judge, he served 10 years in the Yavapai County Attorney's office, four of those years as the elected county attorney. Judge Ogg is currently the Chief Judge of Division 1 of the Court of Appeals.

After Judge Ogg's election to the Court of Appeals, Paul G. Rosenblatt was appointed by Governor Jack Williams to the superior court on January 1, 1973. He is currently the Presiding Judge in the Superior Court of Yavapai County. Judge Rosenblatt was born and raised in Prescott. He received his bachelor's and master's de-

grees from the University of Arizona as well as his law degree which he earned in 1963. After law school, Judge Rosenblatt served as an assistant attorney general for the State of Arizona until 1967 when he became an administrative assistant for U.S. Congressman Sam Steiger.

On January 2, 1973, James Hancock was appointed by Governor Williams to fill the newly-established second division of the superior court and is currently serving in that capacity. He received his bachelor's degree from Arizona State University in 1961. After service in the Army, Judge Hancock entered law school and obtained his degree from the University of Arizona in 1966. He served as Prescott's full-time city attorney in 1967. After engaging in the private practice of law, he continued four years as part-time city attorney.

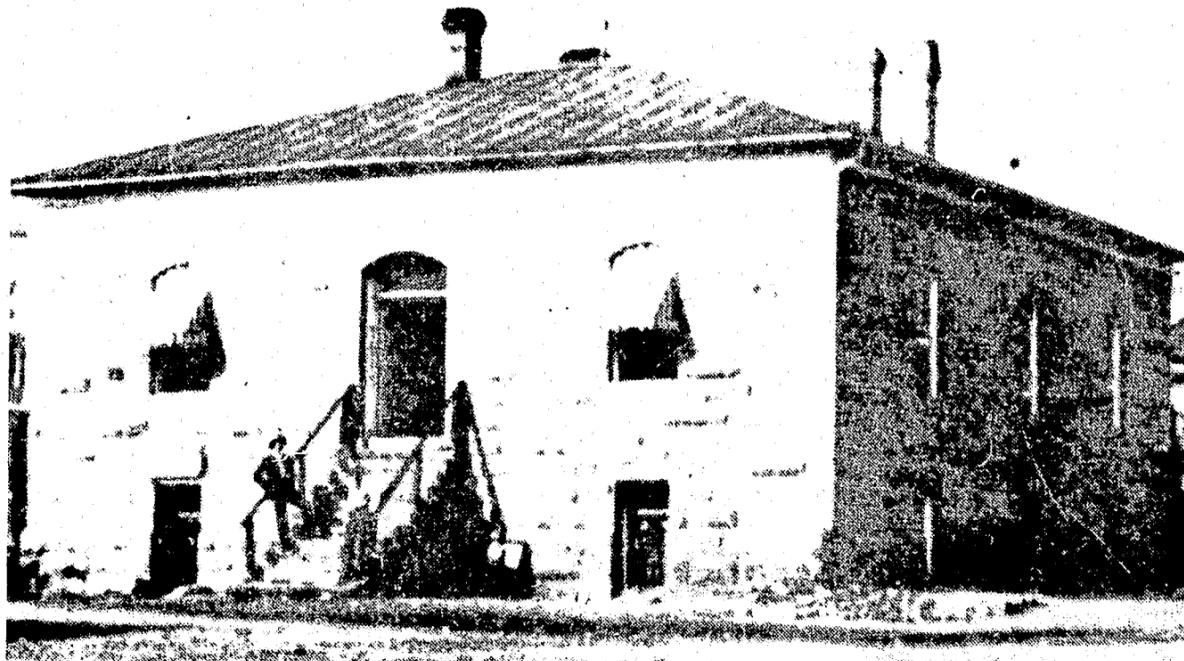
YAVAPAI COUNTY SUPERIOR COURT - 1912-1979

YEAR	CIVIL		DOMESTIC RELATIONS		CRIMINAL		SUB-TOTAL	
	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS
1912	145	74	49	34	52	41	246	149
1913	177	189	56	61	73	74	306	324
1914	180	176	36	30	58	57	274	263
1915	200	194	36	32	75	72	311	298
1916	98	156	36	44	77	64	211	264
1917	127	117	69	51	165	137	361	305
1918	237	183	83	80	55	69	375	332
1919	196	202	91	80	59	66	346	348
1920	204	332	120	99	100	194	424	625
1921	245	270	84	98	109	124	438	492
1922	164	161	95	89	129	133	388	383
1923	600	373	86	83	84	66	770	522
1924	378	393	101	99	76	49	555	541
1925	243	256	91	110	131	155	465	521
1926	207	331	80	68	115	142	402	541
1927	169	159	125	95	76	67	370	321
1928	176	157	106	98	85	66	367	321
1929	189	222	143	107	102	98	434	427
1930	179	160	107	110	117	165	433	435
1931	205	155	119	97	92	76	416	328
1932	160	183	87	175	69	91	316	449
1933	163	126	102	86	86	88	351	300
1934	191	131	107	100	106	102	404	333
1935	191	201	120	122	68	63	379	386
1936	191	135	190	142	94	92	475	369
1937	179	162	119	120	92	90	390	372
1938	171	158	117	108	94	98	382	364
1939	170	158	112	94	67	71	349	323
1940	148	122	123	99	50	40	321	261
1941	127	116	138	124	53	62	318	302
1942	139	421	140	300	38	40	317	761
1943	93	101	154	140	42	38	289	279
1944	86	83	173	161	33	36	292	280
1945	84	149	205	186	41	39	330	374
1946	113	93	212	199	81	77	406	369
1947	166	134	185	198	149	145	500	477
1948	154	120	147	137	125	128	426	385
1949	180	181	173	207	108	112	461	500
1950	157	146	149	171	74	81	380	398
1951	130	148	135	117	74	68	339	333
1952	113	90	133	116	91	78	337	284
1953	172	175	141	176	126	116	439	467
1954	145	103	123	196	113	134	381	433
1955	170	195	149	166	175	154	494	515
1956	176	121	149	113	117	129	442	363
1957	197	143	145	117	128	130	470	390
1958	225	187	157	153	92	97	474	437
1959	297	295	217	216	66	76	580	587
1960	200	210	220	215	86	78	506	503
1961	311	283	205	170	67	66	583	519
1962	315	263	208	155	87	84	610	502
1963	336	285	274	230	95	88	705	603
1964	360	374	173	185	98	109	631	668
1965	315	245	224	194	79	67	618	506
1966	343	311	235	247	100	108	678	666
1967	375	333	246	243	104	84	725	660
1968	292	375	261	259	103	95	656	729
1969	258	277	241	257	146	135	645	669
1970	312	304	315	279	128	139	755	722
1971	321	289	371	326	108	155	860	770
1972	320	299	419	407	237	186	996	892
1973	355	340	460	463	277	214	1,092	1,017
1974	552	420	597	587	386	387	1,535	1,394
1975	432	519	617	677	345	276	1,394	1,472
1976	490	466	692	636	342	314	1,524	1,416
1977	445	433	767	646	264	283	1,476	1,362
1978	570	538	783	893	325	339	1,678	1,770
1979	641	587	905	790	390	369	1,936	1,746

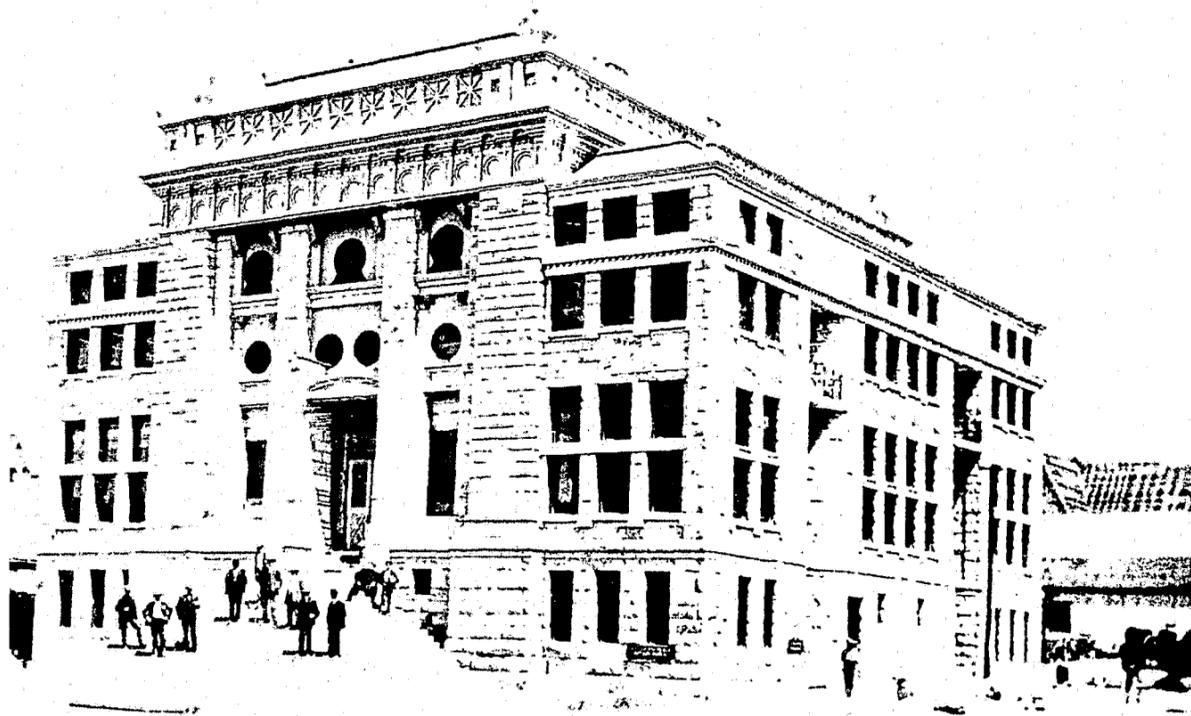
YAVAPAI COUNTY SUPERIOR COURT - 1912-1979

YEAR	PROBATE		ADOPTION		MENTAL HEALTH		SUB-TOTAL		TOTAL	
	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS
1912	46	5	1	1	11	10	58	16	304	165
1913	45	21	2	2	12	12	59	35	365	359
1914	55	30	1	1	10	10	66	41	340	304
1915	58	31	2	1	10	10	70	42	381	340
1916	74	45	5	5	9	9	88	59	299	323
1917	70	58	7	8	23	23	100	89	461	394
1918	94	67	7	4	18	18	119	89	494	421
1919	124	88	6	6	20	20	150	114	496	462
1920	98	123	9	3	28	28	135	154	559	779
1921	100	111	7	9	19	19	126	139	564	631
1922	92	85	5	6	26	26	123	117	511	500
1923	101	104	5	3	24	24	130	131	900	653
1924	106	121	2	2	17	16	125	139	680	680
1925	109	104	7	7	22	22	138	133	603	654
1926	115	109	8	7	16	12	139	128	541	669
1927	109	129	9	9	16	11	134	149	504	470
1928	110	100	10	8	28	15	148	123	515	444
1929	132	113	16	13	18	9	166	135	600	562
1930	110	107	5	9	13	18	128	134	561	569
1931	123	136	16	15	17	11	156	162	572	490
1932	116	118	7	6	24	14	147	138	463	587
1933	133	146	7	5	13	12	153	163	504	463
1934	140	127	7	2	24	19	171	148	575	481
1935	133	142	8	5	28	25	169	172	548	558
1936	133	115	13	9	31	41	177	165	652	534
1937	148	172	10	9	16	18	174	199	564	571
1938	112	138	6	12	21	18	139	168	521	532
1939	117	104	16	9	16	13	149	126	498	449
1940	117	113	11	17	13	11	141	141	462	402
1941	105	122	8	7	17	23	130	152	448	454
1942	112	111	5	4	13	11	130	126	447	887
1943	123	152	19	4	25	24	167	180	456	459
1944	130	112	13	19	19	25	162	156	454	436
1945	134	124	13	14	25	25	172	163	502	537
1946	171	159	23	13	30	25	224	197	630	566
1947	163	173	11	21	22	20	196	214	696	691
1948	168	154	22	19	30	25	220	198	646	583
1949	143	153	10	20	20	15	173	188	634	688
1950	132	128	25	11	22	16	179	155	559	553
1951	164	145	20	26	24	29	208	200	547	533
1952	163	168	25	17	21	20	209	205	546	489
1953	157	175	16	22	25	28	198	225	637	692
1954	152	161	10	21	24	28	186	210	567	643
1955	164	142	26	16	40	30	230	188	724	703
1956	184	157	15	17	45	33	244	207	686	570
1957	177	148	26	15	35	38	238	201	708	591
1958	170	185	28	33	31	44	229	262	703	699
1959	208	193	25	24	25	40	258	257	838	844
1960	193	199	19	25	38	45	250	269	756	772
1961	243	211	24	36	47	44	314	291	897	810
1962	252	230	26	22	50	69	328	321	938	823
1963	241	225	42	32	33	43	316	300	1,021	903
1964	241	221	41	36	57	42	339	299	970	967
1965	282	254	45	37	43	43	370	334	988	840
1966	286	217	46	34	40	40	372	291	1,050	957
1967	228	198	15	36	44	44	287	278	1,012	938
1968	311	202	52	19	42	38	405	259	1,061	988
1969	248	278	48	56	42	42	338	376	983	1,045
1970	223	216	56	40	19	19	298	275	1,053	997
1971	203	205	63	62	32	32	298	299	1,158	1,069
1972	156	175	64	42	21	21	241	238	1,237	1,130
1973	245	173	57	37	25	25	327	235	1,419	1,252
1974	218	172	73	70	24	23	315	265	1,850	1,659
1975	225	231	50	75	20	14	295	320	1,689	1,792
1976	223	197	36	71	9	11	268	279	1,792	1,695
1977	229	183	57	30	11	5	297	218	1,773	1,580
1978	264	163	63	49	7	7	334	212	2,012	1,982
1979	291	210	88	60	9	9	388	270	2,324	2,016

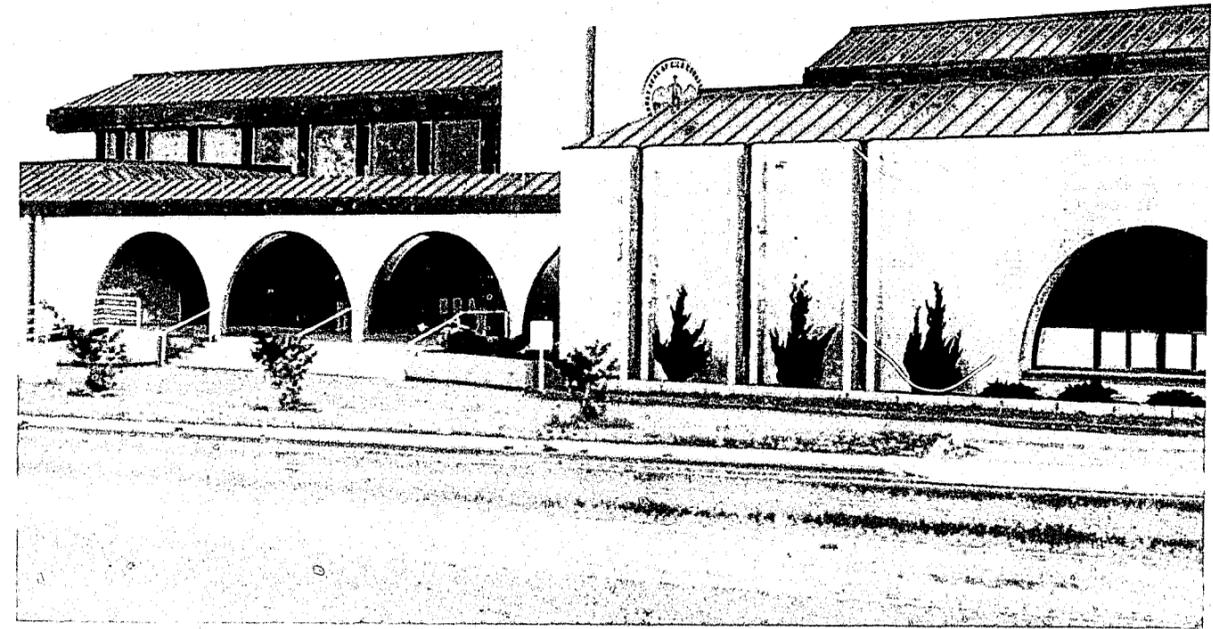
SUPERIOR COURT OF GILA COUNTY



FIRST COURTHOUSE — 1903



SECOND COURTHOUSE — 1907



THIRD COURTHOUSE — 1979



BARRY DeROSE
Presiding Judge
1975 -



EDWARD L. DAWSON
Judge
1979 -



MARGARET TOOT
Clerk
1979 -

SUPERIOR COURT OF GILA COUNTY

Gila County was created in 1881 by the 11th Territorial Legislature from parts of Maricopa and Pinal Counties, and in 1901 a strip of land was added. Gila County covers an area of 4,699 square miles containing 3,007,360 acres, and all but 55,243 acres are owned by the Federal Government. Most of the county is occupied by the Fort Apache and San Carlos Indian Reservations and Tonto and Crook National Forests. Globe was named as the county seat. Gila County was placed in the Second Judicial District. In 1903 it was transferred to the Third District, and in 1905 moved into the Fifth Judicial District. In 1872, the San Carlos Indian Agency was established. Copper claims were developed along Pinal Creek and by 1876 the Old Dominion Mine was giving employment to hundreds. Town building and population growth along the Gila River caused the Legislature in 1889 to detach additional land from Yavapai County and extend the northern border of Gila County.

George Walter Shute was appointed the first superior court judge in Gila County at the time of Statehood in 1912. He was born in 1876 in Tempe and attended Tempe Normal School along with Senator Carl Hayden. Judge Shute graduated from law school at Northwestern University in Evanston, Illinois. He had served as county attorney during territorial days. Judge Shute held the judicial office until 1922 when he returned to the practice of law in Phoenix. He died at the age of 86 on April 15, 1962. An interesting fact about Judge Shute was that he was foreman of the jury that convicted the Apache Kid of killing Lieutenant Mott at San Carlos.

In 1910 George W. Shute, as district attorney, prosecuted John B. Goodwin and William Stewart who were convicted of first degree murder. After several appeals and re-trials in the federal courts, Goodwin and Stewart were hanged in Globe in 1913 and 1914 respectively during Judge Shute's first term in office. These were the last such executions to take place in Gila County.

Born in 1877 in Boonville, Missouri, Judge Clifford C. Faires served on the Gila County Superior Court from 1923 to 1953 and set an Arizona judicial record of never being opposed for re-election after he first ran for judge in 1922. While working for a cigar factory in Tampa, Florida in 1899, Mr. Faires lived with a judge of the local courts, who noticed this young man's oratorical talents and advised him to become a lawyer. Judge Faires attended Emory and Henry College, Emory, Virginia. He took time out to volunteer in the Spanish American War. After graduating from Emory and Henry he attended the college of law at the University of Virginia and graduated in 1907. He began his career as an attorney for the Reynolds Tobacco Company at Tampa, Florida, but had to move to Arizona for health reasons in 1910, where he settled in the small town of Miami. He moved to Globe in 1915 and began a long career of public service, first being city attorney and then deputy county attorney. While holding the latter post, he also served as Gila

County Representative in the Third Arizona Legislature. He left these positions and was one of three Arizona legislators to enlist in the army during World War I. He held court during his thirty years on the bench, in every county in the state and also served as replacement judge on the Arizona Supreme Court. He was the only judge who served as president of the Arizona State Bar Association; was also first president of the Arizona Judiciary Council; and, was Arizona's first representative on the National Executive Committee of the American Legion when it was founded in 1919. At the age of 75, Judge Faires retired. As a judge he handled some of the state's most complicated water rights and tax cases. His record in the juvenile field also attracted attention. He was active in the establishment of the Boys Ranch near Queen Creek. Judge Faires was a member of the National Council of Boy Scouts of America, the Regional Executive Committee, and held the Silver Beaver, the highest award at the council level and the Silver Antelope, the highest award at the regional level in the organization. Judge Faires died April 6, 1967.

Sam Lazovich was born in 1903, and is a native of Yugoslavia. He came to Miami, Arizona, as a young immigrant and became a citizen in 1915. Mr. Lazovich graduated from the Miami Schools in 1921 and spent the next few years working in the Globe-Miami area. He enrolled in law school at the University of Arizona in 1938, and was admitted to the bar in 1943. He practiced law for the next ten years in the Globe-Miami area and also was a town attorney for Miami. In 1953, Governor Howard Pyle announced the appointment of Sam Lazovich to succeed Judge Clifford C. Faires upon his retirement from the Superior Court. Judge Lazovich successfully ran for re-election in 1955 and held the office until 1959.

Robert E. McGhee became the fourth Superior Court judge to serve in Gila County. He was born in Kooskis, Idaho, August 16, 1914, and moved with his family to Douglas, Arizona. Judge McGhee completed his elementary and high school education within the Douglas school system. He then went on to the University of Arizona, receiving his Bachelor of Science degree in 1939. He interrupted his education to serve five years in the Army during World War II. Judge McGhee received his law degree from the University of Arizona in 1947 and was admitted to the State Bar that same year. He then moved to Globe to establish his practice. He held the post of city attorney for Globe from 1954 to 1959, city attorney for Hayden from 1957 to 1959 and deputy county attorney for Gila County from 1957 to 1959. Judge McGhee was elected Judge of the Superior Court and began his term in 1959. He held this position until being replaced by Barry DeRose in 1975. Upon the creation of a second division within the Superior Court of Gila County, Judge McGhee was appointed by Governor Raul Castro as judge on October 22, 1976. He retired from the Superior Court bench on November 15, 1979.

Barry DeRose, a native of Globe, was born on September 10, 1916 and attended public schools in Globe. He attended Arizona State Teachers College in Tempe (now ASU) and received his Bachelor of Laws degree from the University of Arizona Law College in 1944. Judge DeRose served two years in the Navy during World War II. He started law practice in Globe in 1946 and served as county attorney from 1949 to 1956. He resumed private practice in 1956. In 1975 he was sworn in as Judge of the Superior Court and is currently serving in that capacity. Since becoming Judge of the Superior Court, Judge DeRose has been instrumental in increasing the court to two divisions and in formulating the transition of moving from the old courthouse into the new courthouse without having any interruptions. Under the guidance of Judge Barry DeRose many new programs have been instituted throughout the Superior Court Departments, including a branch law library, and court sessions for the Superior Court held in Payson. Judge DeRose is currently the Presiding Judge for the Superior Court of this county and is also the juvenile court judge.

Edward L. Dawson was born in Grayville, Illinois, March 3, 1943. He received his Doctor of Laws degree in 1967 from the University of Arizona and was admitted

to the State Bar Association that same year. Judge Dawson entered into the private practice of law in Globe. He later served as county attorney from 1973 to 1976, and deputy county attorney from 1976 to 1979. Judge Dawson was appointed to the Superior Court by Governor Bruce Babbitt on November 15, 1979, upon the retirement of Judge McGhee.

In 1905 the Legislature authorized the building of a handsome multistoried building of native sandstone to serve as the courthouse. The building was completed and offices allocated in March, 1907 at a cost of \$70,000. Its large courtroom on the top floor was reached by a series of stairways with brightly polished copper sheeting on the handrails. Gila County maintained and furnished this building in the grand style of the turn of the century. It also contained offices for the sheriff, and cells for the prisoners which were made from materials taken from the old Yuma Territorial Prison. This building was vacated in August of 1976 to move into the new courthouse, a three-story structure designed by Anne Rysdale on a 20-acre site east of Globe's business center. The brick walls, copper roof, shaded archways and recessed windows blend with Gila County's ore-rich land and Spanish colonial heritage.

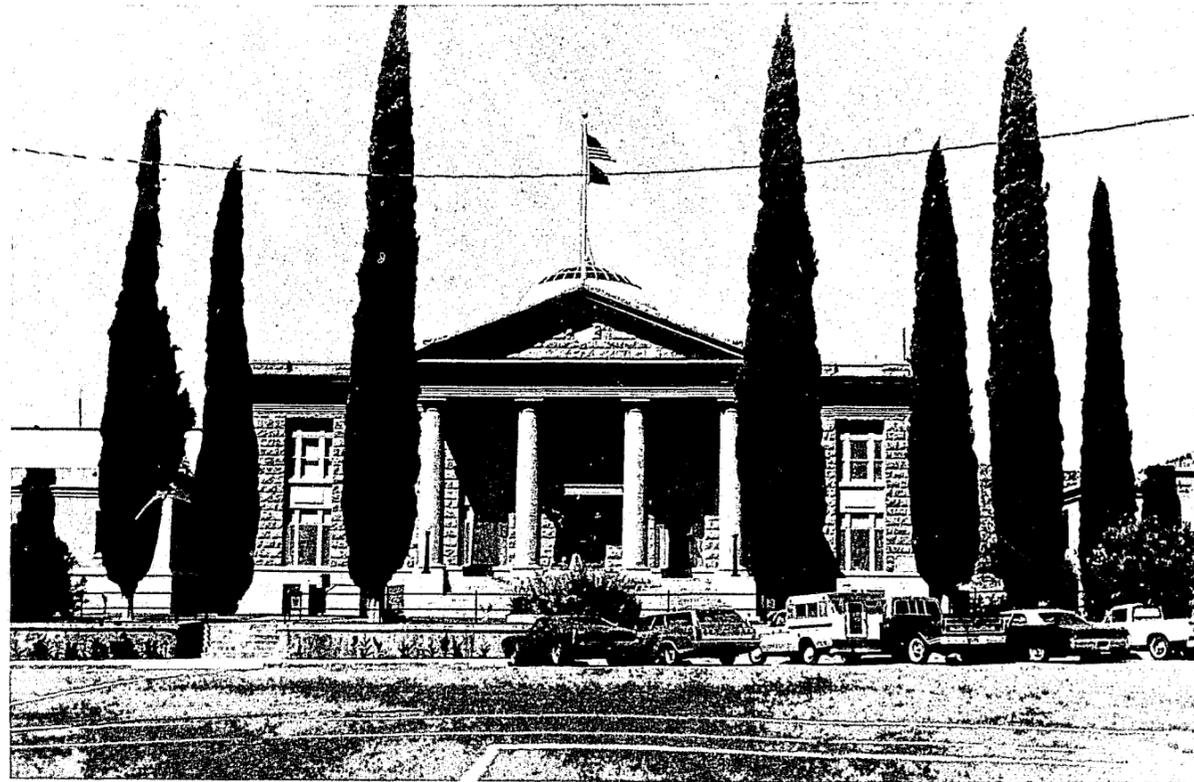
GILA COUNTY SUPERIOR COURT - 1912-1979

YEAR	CIVIL		DOMESTIC RELATIONS		CRIMINAL		SUB-TOTAL	
	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS
1912	125	56	55	38	107	90	287	184
1913	193	118	55	45	111	122	359	285
1914	185	195	61	83	71	64	317	342
1915	149	207	65	69	123	95	337	371
1916	73	123	85	77	334	311	492	511
1917	79	31	79	84	189	226	347	341
1918	97	92	51	60	118	124	266	276
1919	80	92	47	49	131	124	258	265
1920	39	31	64	59	72	90	175	180
1921	43	39	73	63	68	68	184	170
1922	86	94	62	75	73	75	221	244
1923	67	75	85	70	61	60	213	205
1924	38	41	61	68	95	82	194	191
1925	42	37	44	46	64	86	150	169
1926	64	67	64	61	46	43	174	171
1927	53	54	72	65	42	43	167	162
1928	68	66	54	65	67	61	189	192
1929	73	66	48	49	49	53	170	168
1930	51	57	68	58	42	38	161	153
1931	74	61	54	63	41	42	169	166
1932	48	62	69	87	45	46	162	195
1933	36	35	72	71	29	37	137	143
1934	36	34	61	62	29	26	126	122
1935	52	52	59	58	39	35	150	145
1936	55	52	102	100	42	34	199	186
1937	56	54	118	116	52	58	226	228
1938	49	48	90	89	52	57	191	194
1939	32	31	70	70	35	29	137	130
1940	44	38	89	87	28	35	161	160
1941	46	44	130	130	28	27	204	201
1942	26	25	119	116	31	35	176	176
1943	14	11	163	118	66	60	243	189
1944	31	18	152	145	36	36	219	199
1945	19	16	207	201	48	49	274	266
1946	37	38	256	246	47	47	340	331
1947	44	34	170	162	62	54	276	250
1948	53	48	155	179	59	62	267	289
1949	36	25	149	139	84	86	269	250
1950	63	47	133	154	53	57	249	258
1951	83	64	145	132	58	51	286	247
1952	87	82	208	172	45	50	340	304
1953	88	63	173	143	96	81	357	287
1954	105	57	143	109	60	64	308	230
1955	143	97	188	162	65	57	396	316
1956	133	112	168	146	61	57	362	315
1957	160	99	141	112	79	69	380	280
1958	166	134	143	136	76	67	385	337
1959	159	111	149	117	80	72	388	300
1960	105	87	167	108	63	55	335	250
1961	153	235	196	190	72	74	421	499
1962	103	86	151	143	69	50	323	279
1963	115	223	193	303	75	65	383	591
1964	97	97	207	212	51	133	355	442
1965	47	39	139	154	15	24	201	217
1966	69	88	189	189	49	47	307	324
1967	54	69	157	147	37	42	248	258
1968	78	108	216	221	72	74	366	403
1969	165	143	191	187	82	64	438	394
1970	243	233	213	205	68	46	524	484
1971	170	123	271	252	135	145	576	520
1972	157	168	292	301	108	121	557	590
1973	166	108	322	301	306	237	794	646
1974	224	118	388	383	361	361	973	862
1975	231	124	439	425	403	357	1,073	906
1976	236	201	422	423	393	384	1,051	1,008
1977	256	451	448	468	341	377	1,045	1,296
1978	233	203	501	435	318	339	1,052	977
1979	260	232	456	467	274	280	990	979

GILA COUNTY SUPERIOR COURT - 1912-1979

YEAR	PROBATE		ADOPTION		MENTAL HEALTH		SUB-TOTAL		TOTAL	
	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS
1912					12	12	12	12	299	196
1913	33	8	1	1	15	15	49	24	408	309
1914	66	24			22	22	88	46	405	388
1915	51	46	3	2	23	23	77	71	414	442
1916	69	45	4	3	25	25	98	73	590	584
1917	75	62			28	28	103	91	450	432
1918	106	68	7	5	20	20	133	93	399	369
1919	99	105	8	10	26	26	133	141	391	406
1920	93	95	2	1	19	19	114	115	289	295
1921	75	62	3	3	19	19	97	84	281	254
1922	62	68	7	6	21	21	90	95	311	339
1923	83	73	4	5	27	27	114	105	327	310
1924	75	75	4	5	17	17	96	97	290	288
1925	104	93	5	6	33	33	142	132	292	301
1926	76	77	7	8	20	20	103	105	277	276
1927	82	80	8	8	34	34	124	122	291	284
1928	80	82	9	9	17	17	106	108	295	300
1929	78	69	3	3	19	19	100	91	270	259
1930	75	90	7	7	15	15	97	112	258	265
1931	70	72	9	10	15	15	94	97	263	263
1932	44	54	1	1	16	16	61	71	223	266
1933	46	42			15	15	61	57	198	200
1934	68	62	5	2	13	13	86	77	212	199
1935	89	59	3	2	18	18	110	79	260	224
1936	65	76	6	5	28	28	99	109	298	295
1937	85	77	12	5	43	43	140	125	366	353
1938	55	93	9	7	27	27	91	127	282	321
1939	57	53	7	15	12	12	76	80	213	210
1940	65	76	8	7	19	19	92	102	253	262
1941	70	71	9	9	15	15	94	95	298	296
1942	77	100	7	5	37	37	121	142	297	318
1943	85	83	16	14	21	21	122	118	365	307
1944	100	89	12	12	25	25	137	126	356	325
1945	86	94	6	8	16	16	108	118	382	384
1946	106	100	10	12	20	20	136	132	476	463
1947	117	91	14	8	24	24	155	123	431	373
1948	91	106	12	10	27	27	130	143	397	432
1949	92	84	17	16	22	22	131	122	400	372
1950	91	84	21	11	31	31	143	126	392	384
1951	108	90	15	24	26	26	149	140	435	387
1952	83	92	15	17	20	20	118	129	458	433
1953	90	96	13	12	21	21	124	129	481	416
1954	102	92	21	14	18	18	141	124	449	354
1955	112	82	18	12	15	15	145	109	541	425
1956	88	97	13	24	22	22	123	143	485	458
1957	118	119	15	12	26	26	159	157	539	437
1958	96	95	14	16	20	20	130	131	515	468
1959	109	100	27	18	20	20	156	138	544	438
1960	135	102	16	16	16	16	167	134	502	384
1961	133	137	22	28	32	32	187	197	608	696
1962	126	130	25	18	25	25	176	173	499	452
1963	132	98	29	20	16	16	177	134	560	725
1964	130	136	31	33	11	11	172	180	527	622
1965	130	133	27	38	3	4	160	175	361	392
1966	161	148	30	43	6	5	197	196	504	520
1967	169	138	38	41	4	6	211	185	459	443
1968	170	157	31	49	9	12	210	218	576	621
1969	138	140	33	28	21	21	192	189	630	583
1970	148	120	33	26	18	18	199	164	723	648
1971	161	121	38	45	21	21	220	187	796	707
1972	133	136	26	30	19	19	178	185	735	775
1973	126	255	31	23	25	25	182	303	976	949
1974	113	123	23	29	27	27	163	179	1,136	1,041
1975	124	92	30	19	21	20	175	131	1,248	1,037
1976	116	73	37	20	20	21	173	114	1,224	1,122
1977	109	151	20	46	23	23	152	220	1,197	1,516
1978	211	129	33	20	46	46	290	149	1,342	1,126
1979	159	96	31	37	36	36	226	133	1,216	1,112

SUPERIOR COURT OF MOHAVE COUNTY



MOHAVE COUNTY COURTHOUSE



LEONARD C. LANGFORD
Presiding Judge
1975 -



GARY R. POPE
Judge
1977 -



MARY JANE WIENKE
Clerk
1967 -

Mohave County was formed in 1864 as one of four original counties of the Arizona Territory. Kingman, the county seat, was named for Lewis Kingman, a locating engineer for the Santa Fe Railroad. The county has a rich history in the mining of gold and silver. Today several ghost towns mark the passing of that age. Tourism and manufacturing have become the predominate industries in recent years.

When Arizona became a state in 1912, Carl G. Krook was named the first superior court judge for Mohave County under Statehood and served in that capacity until 1914. Judge Krook was born in Minnesota in 1870. He spent one year studying English law at the Inns of Court Law School in London. Upon his return, he entered the University of Minnesota where he received his law degree. He came to Mohave County in 1903. Judge Krook also served as the county's representative in the Twenty-fourth Territorial Legislature.

Judge Krook was succeeded by John B. Ellis who served from 1914 to 1918 as superior court judge. Paul C. Thorne held the office during 1918.

E. Elmo Bollinger was next elected superior court judge and served two terms through 1926. He was born in 1877 in Missouri and graduated from Tulane University in New Orleans. Judge Bollinger came to Kingman in 1914 after having practiced law in New Orleans for seven years. Subsequent to his office as superior court judge, he also served three terms as the county attorney.

Ross Hunter Blakely was elected to the superior court in 1926 and served a four year term from 1927 through 1930. He was born in Washoe, Nevada on March 9, 1863, and came to Mohave County as a small child with his father, William G. Blakely, in 1872. His father also served as probate judge of the county during the territorial period. Judge Blakely was admitted to the practice of law in the Territory of Arizona in 1910 and was the county attorney of Mohave County from 1923 to 1926.

Judge Blakely was succeeded by D. A. Bridges who served from 1931 through 1934. The seventh superior court judge in Mohave County, J. W. Faulkner, served in that capacity for twenty years, from 1935 through 1954.

Charles P. Elmer was born in Toledo, Ohio on November 2, 1896 and was a graduate of Georgetown University School of Law in Washington, D.C. His law studies were interrupted by army service during World War I, which took him to France. He moved to Kingman in 1926. Charles Elmer held several offices in Mohave County. He served as a United States Commissioner for the Kingman District, county attorney, state senator and finally as superior court judge from 1955 to 1962 when he resigned for health reasons. Judge Elmer made his home in Kingman, living for many years in the old adobe house constructed by William G. Blakely, the father of Judge Ross H. Blakely.

After the resignation of Judge Elmer, Frank X. Gordon, Jr. was appointed by Governor Paul Fannin as the superior court judge and began serving May 2, 1962. Shortly after his birth on January 9, 1929 in Chicago, Illinois, the Gordon family moved to Kingman, Arizona where his father established a law practice. He received his Bachelor of Arts degree from Stanford University in 1951 and his law degree from the University of Arizona College of Law in 1954. Upon admission to the State Bar, he joined with his father in the practice of law in Kingman until his appointment to the superior court. Judge Gordon served on the superior court in Mohave County until September, 1975, when he was appointed by Governor Raul Castro to fill a vacancy on the Arizona Supreme Court caused by the retirement of Justice Lorna Lockwood. He is the first person appointed to the Arizona Supreme Court under the merit selection provisions of the Arizona Constitution.

During Judge Gordon's tenure the superior court was expanded and a second judicial division was created in 1974. Leonard C. Langford was appointed to the second division and took office on January 5, 1975. Judge Langford, who is currently the presiding judge, also served as the county attorney for Mohave County. When Justice Gordon was appointed to the Arizona Supreme Court, the vacancy caused by that appointment was filled by William Clark Kennedy who served as superior court judge until January, 1977. In January, 1977, Gary R. Pope assumed the office of superior court judge and is currently serving in that capacity. He also held the post of Mohave County Attorney from 1974 through 1976.

MOHAVE COUNTY SUPERIOR COURT - 1912-1979

YEAR	CIVIL		DOMESTIC RELATIONS		CRIMINAL		SUB-TOTAL	
	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS
1912	59	44	10	10	24	24	93	78
1913	47	40	12	9	15	15	74	64
1914	57	58	11	12	11	11	79	81
1915	58	66	27	21	31	30	116	117
1916	131	96	34	28	147	147	312	271
1917	137	116	33	34	111	111	281	261
1918	102	89	28	32	32	33	162	154
1919	113	114	21	22	28	28	162	164
1920	87	91	27	28	19	18	133	137
1921	92	87	24	22	17	16	133	125
1922	84	88	27	26	20	15	131	129
1923	92	70	20	18	12	16	124	104
1924	66	81	27	22	11	5	104	108
1925	52	71	9	20	23	28	84	119
1926	65	69	18	17	21	23	104	109
1927	57	43	30	28	41	35	128	106
1928	48	60	8	17	33	34	89	111
1929	43	55	22	18	41	29	106	102
1930	73	54	25	23	26	40	124	117
1931	58	58	10	14	13	23	81	95
1932	38	56	15	15	12	15	65	86
1933	62	7	7	9	8	7	77	79
1934	48	42	23	18	15	10	86	70
1935	97	91	28	21	12	13	137	125
1936	63	54	46	46	22	24	131	124
1937	72	60	49	45	29	28	150	133
1938	69	71	40	43	34	33	143	147
1939	155	136	31	31	14	9	200	176
1940	95	106	44	39	18	21	157	166
1941	48	58	24	31	24	25	96	114
1942	55	76	42	34	14	13	111	123
1943	31	32	47	51	21	19	99	102
1944	29	34	72	60	18	22	119	116
1945	22	35	63	63	18	15	103	113
1946	32	30	78	81	40	38	150	149
1947	47	39	60	63	47	40	154	142
1948	48	56	78	81	51	52	177	189
1949	39	43	47	41	35	41	121	125
1950	44	50	57	53	28	31	129	134
1951	54	41	33	38	31	30	118	109
1952	30	35	31	29	29	27	90	91
1953	47	49	47	51	28	24	122	124
1954	44	43	45	48	26	32	115	123
1955	44	38	52	47	28	24	124	109
1956	58	53	38	43	26	30	122	126
1957	49	50	44	40	19	19	112	109
1958	65	64	40	40	27	24	132	128
1959	58	52	28	26	20	20	106	98
1960	80	66	38	33	27	16	145	121
1961	61	66	29	29	24	24	114	119
1962	97	68	39	42	20	20	156	130
1963	94	86	86	44	47	46	227	176
1964	60	81	68	58	58	53	186	192
1965	136	92	102	108	42	43	280	243
1966	139	106	106	87	39	39	284	232
1967	141	108	142	125	47	48	330	281
1968	166	98	174	141	75	69	415	308
1969	178	247	169	193	83	69	430	509
1970	199	148	250	130	101	87	550	365
1971	194	198	297	266	101	111	592	575
1972	231	247	352	338	262	200	845	785
1973	209	176	392	386	247	238	848	800
1974	333	269	480	475	222	239	1,035	983
1975	271	292	552	516	241	199	1,064	1,007
1976	288	279	630	669	232	265	1,150	1,213
1977	420	368	723	646	273	270	1,416	1,284
1978	383	344	774	637	360	323	1,517	1,304
1979	517	384	861	705	397	302	1,775	1,391

MOHAVE COUNTY SUPERIOR COURT - 1912-1979

YEAR	PROBATE		ADOPTION		MENTAL HEALTH		SUB-TOTAL		TOTAL	
	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS	FILINGS	TERMINATIONS
1912	17	9			4	4	21	13	114	91
1913	12	6			1	1	13	7	87	71
1914	16	12			6	6	22	18	101	99
1915	20	7			2	2	22	9	138	126
1916	28	25	1	1	9	9	38	35	350	306
1917	20	21	3	3	5	5	28	29	309	290
1918	26	29	3	3	4	4	33	36	195	190
1919	25	19	1	1	6	6	32	26	194	190
1920	24	22	1	1	2	2	27	25	160	162
1921	40	32			3	3	43	35	176	160
1922	35	26	3	2	3	3	41	31	172	160
1923	25	39	1	2	1	1	27	42	151	146
1924	19	21	3	1	6	6	28	28	132	136
1925	23	24	1	3	2	2	26	29	110	148
1926	30	34	3	3	16	11	49	48	153	157
1927	29	16	2	2	10	7	41	25	169	131
1928	35	40			8	5	43	45	132	156
1929	44	42	4	4	19	13	67	59	173	161
1930	34	33	4	4	7	6	45	43	169	160
1931	25	12	2	2	6	6	33	20	114	115
1932	19	14	1	1	9	9	29	24	94	110
1933	20	9	1	1	11	9	32	18	109	97
1934	36	33	1	1	6	6	43	40	129	110
1935	27	48	1		16	14	44	62	181	187
1936	32	37	3	1	17	15	52	53	183	177
1937	29	18	2	3	12	10	43	31	193	164
1938	31	28	4	3	15	11	50	42	193	189
1939	40	45	7	4	29	27	76	76	276	252
1940	23	26	4	3	6	3	33	32	190	198
1941	30	30	1	3	10	11	41	44	137	158
1942	32	35	3	2	10	12	45	49	156	172
1943	43	29	6	4	13	10	62	43	161	145
1944	95	87	3	4	15	15	113	106	232	222
1945	82	76	5	5	21	23	108	104	211	217
1946	47	51	3	5	18	19	68	75	218	224
1947	39	52	6		20	17	65	69	219	211
1948	47	46	7	3	29	23	83	72	260	261
1949	46	39	7	7	18	19	71	65	192	190
1950	52	47	7	7	4	9	63	63	192	197
1951	34	39	3	7	5	8	42	54	160	163
1952	36	47	5	3	8	7	49	57	139	148
1953	49	57	4	3	13	11	66	71	188	195
1954	39	42	11	1	5	4	55	47	170	170
1955	37	40	5	9	10	11	52	60	176	169
1956	54	46	9	5	4	7	67	58	189	184
1957	35	42	3	6	3	8	41	56	153	165
1958	51	45	6	6	3	7	60	58	192	186
1959	64	48	13	6	1	3	78	57	184	155
1960	57	65	5	8	16	25	78	98	223	219
1961	62	61	8	7	15	11	85	79	199	198
1962	56	62	13	4	20	17	89	83	245	213
1963	64	61	13	12	28	28	105	101	332	277
1964	92	59	14	8	60	54	166	121	352	313
1965	81	75	20	15	14	14	115	104	395	347
1966	94	103	10	24	18	18	122	145	406	377
1967	106	92	25	16	33	37	164	145	494	426
1968	123	57	20	14	16	15	159	86	574	394
1969	122	80	38	24	21	21	181	125	611	634
1970	164	175	22	31	28	27	214	233	764	598
1971	203	192	34	18	24	25	261	235	853	810
1972	201	208	34	46	16	16	251	270	1,096	1,055
1973	216	234	40	29	22	22	278	285	1,126	1,085
1974	218	216	43	35	25	19	286	270	1,321	1,253
1975	245	188	36	27	23	24	304	239	1,368	1,246
1976	219	203	35	33	7	6	261	242	1,411	1,455
1977	236	182	44	45	7	3	287	230	1,703	1,514
1978	358	273	67	57	6		431	330	1,948	1,634
1979	319	254	76	49	5		400	303	2,175	1,694

**APPENDIX I
December 31, 1979**

ARIZONA SUPREME COURT

James Duke Cameron Chief Justice
Fred C. Struckmeyer, Jr. Vice Chief Justice
Jack D. H. Hays Associate Justice
William A. Holohan Associate Justice
Frank X. Gordon, Jr. Associate Justice
Maryann Hopkins-Young, Clerk
Noel K. Dessaint, Administrative Director

**COURT OF APPEALS
DIVISION 1**

Jack L. Ogg Chief Judge
Laurance T. Wren Vice Chief Judge
L. Ray Haire Eino M. Jacobson
William E. Eubank Francis J. Donofrio
Donald L. Froeb Joe W. Contreras
Sandra D. O'Connor
Glen D. Clark, Clerk

DIVISION 2

James L. Richmond Chief Judge
James D. Hathaway Lawrence Howard
Elizabeth U. Fritz, Clerk

SUPERIOR COURT JUDGES

APACHE COUNTY D. L. Greer	Howard F. Thompson Charles L. Hardy Howard V. Peterson Morris Rozar Roger G. Strand Paul W. LaPrade Ed W. Hughes Harold D. Martin Marilyn A. Riddel Robert C. Broomfield Philip W. Marquardt Gerald J. Strick Rufus C. Coulter, Jr. C. Kimball Rose David J. Perry Robert W. Pickrell A. Melvin McDonald, Jr. Dorothy Carson Edward C. Rapp Robert J. Corcoran Stanley Z. Goodfarb I. Sylvan Brown James Moeller Thomas Kleinschmidt William T. Moroney William P. French	David L. Grounds Michael E. Bradford Jeffrey S. Cates Stephen H. Scott Robert A. Hertzberg John H. Seidel Sarah D. Grant David G. Derickson Rudolph J. Gerber	Jack G. Marks Ben C. Birdsall Norman S. Fenton William E. Druke J. Richard Hannah Robert B. Buchanan Harry Gin Jack T. Arnold Thomas Meehan
COCHISE COUNTY Lloyd C. Helm Matthew W. Borowiec Richard J. Riley			
COCONINO COUNTY J. Thomas Brooks Richard K. Mangum			
GILA COUNTY Barry DeRose Edward L. Dawson		MOHAVE COUNTY Leonard C. Langford Gary R. Pope	PINAL COUNTY E. D. McBryde Robert R. Bean James E. Don
GRAHAM COUNTY Ruskin Lines		NAVAJO COUNTY Melvyn T. Shelley John F. Taylor	SANTA CRUZ COUNTY Roberto C. Montiel
GREENLEE COUNTY Lloyd Fernandez		PIMA COUNTY John P. Collins Gilbert Veliz, Jr. Robert O. Royston Lillian S. Fisher James C. Carruth Alice Truman Richard N. Royston	YAVAPAI COUNTY Paul G. Rosenblatt James Hancock
MARICOPA COUNTY Warren L. McCarthy Robert L. Myers Irwin Cantor			YUMA COUNTY William W. Nabours B. L. Helm Douglas W. Keddie

CLERKS OF THE SUPERIOR COURT

Apache County	John T. Crosby	Mohave County	Mary Jane Wientje
Cochise County	Ellen M. Young	Navajo County	Ed J. Ferguson
Coconino County	Jo Wycoff	Pima County	James N. Corbett
Gila County	Margaret Toot	Pinal County	Alma Jennings Hauert
Graham County	Amelia Sainz	Santa Cruz County	Hazel W.
Greenlee County	Elsie F. Simms	Yavapai County	Barbara Bo
Maricopa County	W. Don Palmer	Yuma County	C. "Pat" Newn

**APPENDIX II
1979**

**COMMISSION ON
JUDICIAL QUALIFICATIONS**

J. Thomas Brooks Flagstaff
Robert Ashe Tempe
Sherman R. Bendalin Phoenix
Martha Elias Tucson
L. Ray Haire Phoenix
James D. Hathaway Tucson
Thomas L. Hall Tucson
Alice Truman Tucson
Clyde A. McCune Kingman

**COMMISSION ON
APPELLATE COURT APPOINTMENTS**

James Boyle Prescott
Robert S. Tullar Tucson
Frank M. Florez Superior
John P. Frank Phoenix
Barbara L. Weymann Tucson
Jean Matthews Phoenix
Thomas C. Morse Flagstaff
Robert A. Pancrazi Yuma

**MARICOPA COUNTY COMMISSION ON
TRIAL COURT APPOINTMENTS**

David Brauer Phoenix
Jacqueline Gutwillig Phoenix
Geraldine Emmett Phoenix
Lawrence Fleming Phoenix
Jean Hunnicutt Tempe
John J. Kelley Phoenix
George A. Peek, Jr. Phoenix
Leonard Copple Tempe

**PIMA COUNTY COMMISSION ON
TRIAL COURT APPOINTMENTS**

Duane B. Anderson Tucson
Allan Beigel Tucson
Joseph R. Cesare Tucson
Dorothy S. Fannin Tucson
Gilbert Gonzales Tucson
Michael A. Lacagnina Tucson
Reginald Morrison Tucson

JUDICIAL PLANNING COMMITTEE

Fred C. Struckmeyer, Jr.
Chairman
Vice Chief Justice
Arizona Supreme Court

Noel K. Dessaint
Administrative Director
Arizona Supreme Court

Donald F. Froeb
Judge
Court of Appeals
Division 1

Lawrence Howard
Judge
Court of Appeals
Division 2

Robert C. Broomfield
Judge
Maricopa County Superior Court

Harry Gin
Judge
Pima County Superior Court

Lloyd Fernandez
Judge
Greenlee County Superior Court

Ernesto Garcia
Director
Maricopa County Juvenile Court Center

Nancy R. Conner
Scottsdale Justice of the Peace

Eugene Mangum
Phoenix Municipal Judge

Ross P. Lee
Maricopa County Public Defender

David Babbitt
Mohave County

Jo Wycoff
Clerk
Coconino County Superior Court

**APPENDIX III
ARIZONA CONSTITUTION**

**ARTICLE VI
JUDICIAL DEPARTMENT**

Sec. 1. Judicial power; courts

The judicial power shall be vested in an integrated judicial department consisting of a Supreme Court, such intermediate appellate courts as may be provided by law, a superior court, such courts inferior to the superior court as may be provided by law, and justice courts.

Sec. 2. Supreme court; composition; divisions; decisions, transaction of business

The Supreme Court shall consist of not less than five justices. The number of justices may be increased or decreased by law, but the court shall at all times be constituted of at least five justices.

The Supreme Court shall sit in accordance with rules adopted by it, either in banc or in divisions of not less than three justices, but the court shall not declare any law unconstitutional except when sitting in banc. The decisions of the court shall be in writing and the grounds stated.

The court shall be open at all times, except on nonjudicial days, for the transaction of business.

Sec. 3. Supreme court; administrative supervision; chief justice

The Supreme Court shall have administrative supervision over all the courts of the state. The chief justice shall be elected by the justices of the Supreme Court from one of their number for a term of five years, and may be reelected for like terms. The vice chief justice shall be elected by the justices of the Supreme Court from one of their number for a term determined by the court. A member of the court may resign the office of chief justice or vice chief justice without resigning from the court.

The chief justice, or in his absence or incapacity, the vice chief justice, shall exercise the court's administrative supervision over all the courts of the state. He may assign judges of intermediate appellate courts, superior courts, or courts inferior to the superior court to serve in other courts or counties. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 4. Supreme court; term of office

Justices of the Supreme Court shall hold office for a regular term of six years except as provided by this article. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 5. Supreme court; jurisdiction; writ; rules; habeas corpus

The Supreme Court shall have:

1. Original jurisdiction of habeas corpus, and quo warranto, mandamus, injunction and other extraordinary writs to state officers.

2. Original and exclusive jurisdiction to hear and determine causes between counties concerning disputed boundaries and surveys thereof or concerning claims of one county against another.

3. Appellate jurisdiction in all actions and proceedings except civil and criminal actions originating in courts not of record, unless the action involves the validity of a tax, impost, assessment, toll, statute or municipal ordinance.

4. Power to issue injunctions and writs of mandamus, review, prohibition, habeas corpus, certiorari, and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction.

5. Power to make rules relative to all procedural matters in any court.

6. Such other jurisdiction as may be provided by law.

Each justice of the Supreme Court may issue writs of habeas corpus to any part of the state upon petition by or on behalf of a person held in actual custody, and may make such writs returnable before himself, the Supreme Court, appellate court or superior court, or judge thereof.

Sec. 6. Supreme Court; qualifications of justices

A justice of the Supreme Court shall be a person of good moral character and admitted to the practice of law in and a resident of the State of Arizona for ten years next preceding his taking office.

Sec. 7. Supreme court; clerk and assistants; administrative director and staff

The Supreme Court shall appoint a clerk of the court and assistants thereto who shall serve at its pleasure, and who shall receive such compensation as may be provided by law.

The Supreme Court shall appoint an administrative director and staff to serve at its pleasure to assist the chief justice in discharging his administrative duties. The director and staff shall receive such compensation as may be provided by law.

Sec. 8. Supreme court; publication of opinions

Provision shall be made by law for the speedy publication of the opinions of the Supreme Court, and they shall be free for publication by any person.

Sec. 9. Intermediate appellate courts

The jurisdiction, powers, duties and composition of any intermediate appellate court shall be as provided by law.

Sec. 10. Superior court; number of judges

There shall be in each county at least one judge of the superior court. There shall be in each county such additional judges as may be provided by law, but not exceeding one judge for each thirty thousand inhabitants or majority fraction thereof. The number of inhabitants in a county for purposes of this section may be determined by census enumeration or by such other method as may be provided by law.

Sec. 11. Superior court; presiding judges; duties

There shall be in each county a presiding judge of the superior court. In each county in which there are two or more judges, the Supreme Court shall appoint one of such judges presiding judge. Presiding judges shall exercise administrative supervision over the superior court and judges thereof in their counties, and shall have such other duties as may be provided by law or by rules of the Supreme Court.

Sec. 12. Superior court; term of office

Judges of the superior court in counties having a population of less than one hundred fifty thousand persons according to the United States census shall be elected by the qualified electors of their counties at the general election. They shall hold office for a regular term of four years except as provided by this section from and after the first Monday in January next succeeding their election, and until their successors are elected and qualify. The names of all candidates for judge of the superior court in such counties shall be placed on the regular ballot without partisan or other designation except the division and title of the office.

The governor shall fill any vacancy in such counties by appointing a person to serve until the election and qualification of a successor. At the next succeeding general election following the appointment of a person to fill a vacancy, a judge shall be elected to serve for the remainder of the unexpired term.

Judges of the superior court in counties having a population of one hundred fifty thousand persons or more according to the United States census shall hold office for a regular term of four years except as provided by this article. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 13. Superior court; composition; salaries; judgments and proceedings; process

The superior courts provided for in this article shall constitute a single court, composed of all the duly elected or appointed judges in each of the counties of the state. The legislature may classify counties for the purpose of fixing salaries of judges or officers of the court.

The judgments, decrees, orders and proceedings of any session of the superior court held by one or more judges shall have the same force and effect as if all the judges of the court had presided.

The process of the court shall extend to all parts of the state. Added, election Nov. 8, 1960.

Sec. 14. Superior court; original jurisdiction

The superior court shall have original jurisdiction of:

1. Cases and proceedings in which exclusive jurisdiction is not vested by law in another court.

2. Cases of equity and at law which involve the title to or possession of real property, or the legality of any tax, impost, assessment, toll or municipal ordinance.

3. Other cases in which the demand or value of property in controversy amounts to one thousand dollars or more, exclusive of interest and costs.

4. Criminal cases amounting to felony, and cases of misdemeanor not otherwise provided for by law.

5. Actions of forcible entry and detainer.

6. Proceedings in insolvency.

7. Actions to prevent or abate nuisance.

8. Matters of probate.

9. Divorce and for annulment of marriage.

10. Naturalization and the issuance of papers therefor.

11. Special cases and proceedings not otherwise provided for, and such other jurisdiction as may be provided by law. Amendment referred by the Legislature; approved at regular election Nov. 7, 1972; effective Dec. 1, 1972.

Sec. 15. Superior court; proceedings affecting children

The superior court shall have exclusive original jurisdiction in all proceedings and matters affecting dependent, neglected, incorrigible or delinquent children, or children accused of crime, under the age of eighteen years. The judges shall hold examinations in chambers for all such children concerning whom proceedings are brought, in advance of any criminal prosecution of such children, and may, in their discretion, suspend criminal

prosecution of such children. The powers of the judges to control such children shall be as provided by law.

Sec. 16. Superior court; appellate jurisdiction

The superior court shall have appellate jurisdiction in cases arising in justice and other courts inferior to the superior court as may be provided by law.

Sec. 17. Superior court; conduct of business; trial juries; jury trial; grand juries

The superior court shall be open at all times, except on nonjudicial days, for the determination of non-jury civil cases and the transaction of business. For the determination of civil causes and matters in which a jury demand has been entered, and for the trial of criminal causes, a trial jury shall be drawn and summoned from the body of the county, as provided by law. The right of jury trial as provided by this constitution shall remain inviolate, but trial by jury may be waived by the parties in any civil cause or by the parties with the consent of the court in any criminal cause. Grand juries shall be drawn and summoned only by order of the superior court.

Sec. 18. Superior court; writs

The superior court or any judge thereof may issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus on petition by or on behalf of a person held in actual custody within the county. Injunctions, attachments, and writs of prohibition and habeas corpus may be issued and served on legal holidays and non-judicial days.

Sec. 19. Superior court; service of judge in another county

A judge of the superior court shall serve in another county at the direction of the chief justice of the Supreme Court or may serve in another county at the request of the presiding judge of the superior court thereof.

Sec. 20. Retirement and service of retired justices and judges

The legislature shall prescribe by law a plan of retirement for justices and judges of courts of record, including the basis and amount of retirement pay, and requiring except as provided in section 35 of this article, that justices and judges of courts of record be retired upon reaching the age of seventy. Any retired justice or judge of any court of record who is drawing retirement pay may serve as a justice or judge of any court. When serving outside his county of residence, any such retired justice or judge shall receive his necessary traveling and subsistence expenses. A retired judge who is temporarily called back to the active duties of a judge is entitled to receive the same compen-

sation and expenses as other like active judges less any amount received for such period in retirement benefits. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 21. Superior court; speedy decisions

Every matter submitted to a judge of the superior court for his decision shall be decided within sixty days from the date of submission thereof. The Supreme Court shall by rule provide for the speedy disposition of all matters not decided within such period.

Sec. 22. Superior and other courts; qualifications of judges

Judges of the superior court, intermediate appellate courts or courts inferior to the superior court having jurisdiction in civil cases of one thousand dollars or more, exclusive of interest and costs, established by law under the provisions of section 1 of this article, shall be at least thirty years of age, of good moral character and admitted to the practice of law in and a resident of the state for five years next preceding their taking office. Amendment referred by the Legislature; approved at regular election Nov. 7, 1972; effective Dec. 1, 1972.

Sec. 23. Superior court; clerk

There shall be in each county a clerk of the superior court. The clerk shall be elected by the qualified electors of his county at the general election and shall hold office for a term of four years from and after the first Monday in January next succeeding his election. The clerk shall have such powers and perform such duties as may be provided by law or by rule of the Supreme Court or superior court. He shall receive such compensation as may be provided by law.

Sec. 24. Superior court; court commissioners, masters and referees

Judges of the superior court may appoint court commissioners, masters and referees in their respective counties, who shall have such powers and perform such duties as may be provided by law or by rule of the Supreme Court. Court commissioners, masters and referees shall receive such compensation as may be provided by law.

Sec. 25. Style of process; conduct of prosecutions in name of state

The style of process shall be "The State of Arizona", and prosecutions shall be conducted in the name of the state and by its authority.

Sec. 26. Oath of office

Each justice, judge and justice of the peace shall, before entering upon the duties of his office, take and subscribe an oath that he will support the

Constitution of the United States and the Constitution of the State of Arizona, and that he will faithfully and impartially discharge the duties of his office to the best of his ability.

The oath of all judges of courts inferior to the superior court and the oath of justices of the peace shall be filed in the office of the county recorder, and the oath of all other justices and judges shall be filed in the office of the Secretary of State.

Sec. 27. Charge to juries; reversal of causes for technical error

Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law. No cause shall be reversed for technical error in pleadings or proceedings when upon the whole case it shall appear that substantial justice has been done.

Sec. 28. Justices and judges; dual office holdings; political activity; practice of law

Justices and judges of courts of record shall not be eligible for any other public office or for any other public employment during their term of office, except that they may assume another judicial office, and upon qualifying therefor, the office formerly held shall become vacant. No justice or judge of any court of record shall practice law during his continuance in office, nor shall he hold any office in a political party or actively take part in any political campaign other than his own for his reelection or retention in office. Any justice or judge who files nomination papers for an elective office, other than for judge of the superior court or a court of record inferior to the superior court in a county having a population of less than one hundred fifty thousand persons according to the United States census, forfeits his judicial office. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 29. Repealed, election Nov. 3, 1970

Sec. 30. Courts of record

The Supreme Court, the Court of Appeals and the superior court shall be courts of record. Other courts of record may be established by law, but justice courts shall not be courts of record.

All justices and judges of courts of record, except for judges of the superior court and other courts of record inferior to the superior court in counties having a population of less than one hundred fifty thousand persons according to the United States census, shall be appointed in the manner provided in section 37 of this article. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 31. Judges pro tempore

The legislature may provide for the appointment of members of the bar having the qualifications provided in section 22 of the article as judges pro tempore of courts inferior to the Supreme Court. When serving, any such person shall have all the judicial powers of a regular elected judge of the court to which he is appointed. A person so appointed shall receive such compensation as may be provided by law. The population limitation of section 10 of this article shall not apply to the appointment of judges pro tempore of the superior court.

Sec. 32. Justices of the peace and inferior courts; jurisdiction, powers and duties; terms of office; salaries

The number of justices of the peace to be elected in precincts shall be as provided by law. Justices of the peace may be police justices of incorporated cities and towns.

The jurisdiction, powers and duties of courts inferior to the superior court and of justice courts, and the terms of office of judges of such courts and justices of the peace shall be as provided by law. The legislature may classify counties and precincts for the purpose of fixing salaries of judges of courts inferior to the superior court and of justices of the peace.

The civil jurisdiction of courts inferior to the superior court and of justice courts shall not exceed the sum of two thousand five hundred dollars, exclusive of interest and costs. Criminal jurisdiction shall be limited to misdemeanors. The jurisdiction of such courts shall not encroach upon the jurisdiction of courts of record but may be made concurrent therewith, subject to the limitations provided in this section.

Sec. 33. Change by legislature in number of justices or judges; reduction of salary during term of office

No change made by the legislature in the number of justices or judges shall work the removal of any justice or judge from office. The salary of any justice or judge shall not be reduced during the term of office for which he was elected or appointed.

Sec. 34. Absence of judicial officer from state

Any judicial officer except a retired justice or judge who absents himself from the state for more than sixty consecutive days shall be deemed to have forfeited his office, but the Governor may extend the leave of absence for such time as reasonable necessity therefor exists.

Sec. 35. Continuance in office; continued existence of offices; application of prior statute and rules

All justices, judges, justices of the peace and officers of any court who are holding office as such by election or appointment at the time of the adoption of this section shall serve or continue in office for the respective terms for which they are so elected or for their respective unexpired terms, and until their successors are elected or appointed and qualify or they are retained in office pursuant to section 38 of this article; provided, however, that any justice or judge elected at the general election at which this section is adopted shall serve for the term for which he is so elected. The continued existence of any office heretofore legally established or held shall not be abolished or repealed by the adoption of this article. The statutes and rules relating to the authority, jurisdiction, practice and procedure of courts, judicial officers and offices in force at the time of the adoption of this article and not inconsistent herewith, shall, so far as applicable, apply to and govern such courts, judicial officers and offices until amended or repealed. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 36. Commissions on appellate and trial court appointments and terms, appointments and vacancies on such commissions

A. There shall be a nonpartisan commission on appellate court appointments which shall be composed of the chief justice of the Supreme Court, who shall be chairman, three attorney members, who shall be nominated by the Board of Governors of the State Bar of Arizona and appointed by the governor with the advice and consent of the Senate in the manner prescribed by law, and five nonattorney members who shall be appointed by the governor with the advice and consent of the Senate in the manner prescribed by law. Amendment referred by the Legislature; approved at the regular election Nov. 2, 1976; effective Nov. 22, 1976.

Attorney members of the commission shall have resided in the state and shall have been admitted to practice before the Supreme Court for not less than five years. Not more than two attorney members shall be members of the same political party and not more than one attorney member shall be a resident of any one county. Nonattorney members shall have resided in the state for not less than five years and shall not be judges, retired judges or admitted to practice before the Supreme Court. Not more than three nonattorney members shall be members of the same political party. Not more than one nonattorney member shall be a resident of any one county. None of the attorney or nonattorney members of the commission shall hold

any governmental office, elective or appointive, for profit, and no attorney member shall be eligible for appointment to any judicial office of the state until one year after he ceases to be a member. Attorney members of the commission shall serve staggered four-year terms; and nonattorney members shall serve staggered four-year terms, except that initial appointments for attorney members shall consist of one appointment for a two-year term, one appointment for a three-year term, and one appointment for a four-year term, and except that initial appointments for nonattorney members shall consist of two appointments for a one-year term, one appointment for a two-year term, one appointment for a three-year term and one appointment for a four-year term. Vacancies shall be filled for the unexpired terms in the same manner as the original appointments.

B. There shall be a nonpartisan commission on trial court appointments for each county having a population of one hundred fifty thousand persons or more according to the United States census which shall be composed of the chief justice of the Supreme Court, who shall be chairman, three attorney members, who shall be nominated by the Board of Governors of the State Bar of Arizona and appointed by the governor with the advice and consent of the Senate in the manner prescribed by law, and five nonattorney members, who shall be appointed by the governor and with the advice and consent of the Senate in the manner prescribed by law. Amendment referred by the Legislature; approved at the regular election Nov. 2, 1976; effective Nov. 22, 1976.

Attorney members of such commission shall have resided in the state and shall have been admitted to practice before the Supreme Court for not less than five years, and shall be residents of the county from which appointed. Nonattorney members shall have resided in the state for not less than five years and shall not be judges, retired judges or admitted to practice before the Supreme Court and shall be residents of the county from which appointed. On each of such commissions not more than two attorney members and not more than three nonattorney members shall be members of the same political party. None of the attorney or nonattorney members of any such commission shall hold any governmental office, elective or appointive, for profit, and no attorney member shall be eligible for appointment to any judicial office of the state until one year after he ceases to be a member. Attorney members shall serve staggered four-year terms, and nonattorney members shall serve staggered four-year terms, except that initial appointments for attorney members shall consist of one appointment for a two-year term, one appointment for a three-year term, and one appointment for a four-year term, and except that initial

appointments for nonattorney members shall consist of two appointments for a one-year term, one appointment for a two-year term, one appointment for a three-year term and one appointment for a four-year term. Vacancies shall be filled for the unexpired terms in the same manner as the original appointments.

C. No person other than the chief justice shall serve at the same time as a member of more than one of such commissions.

D. The chairman of such commissions shall cast votes only in the event of ties. In the event of the absence or incapacity of any such chairman the Supreme Court shall appoint a justice thereof to serve in his place and stead.

E. Prior to making recommendations to the governor as hereinafter provided, the one of such commissions having jurisdiction shall conduct such investigation and hold such hearings, either public or executive, as it deems advisable. Final decisions as to recommendations shall be made on the basis of merit alone without regard to political affiliation. Voting shall be by secret, written ballot. The expenses of meetings of such commissions and the attendance of members thereof for travel and subsistence shall be paid from the general fund of the state as state officers are paid, upon claims approved by the chairman. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 37. Judicial vacancies and appointments; initial terms; residence; age

Within sixty days from the occurrence of a vacancy in the office of a justice or judge of any court of record, except for vacancies occurring in the office of a judge of the superior court or a judge of a court of record inferior to the superior court in a county having a population of less than one hundred fifty thousand persons according to the United States census, the commission on appellate court appointments, if the vacancy is in the Supreme Court or an intermediate appellate court of record, or the commission on trial court appointments for the county in which the vacancy occurs, if the vacancy is in the superior court or a court of record inferior to the superior court, shall submit to the governor the names of not less than three persons nominated by it to fill such vacancy, no more than two of whom shall be members of the same political party unless there are more than four such nominees, in which event not more than sixty percentum of such nominees shall be members of the same political party.

A vacancy in the office of a justice or a judge of such court of record shall be filled by appointment by the governor on the basis of merit alone without regard to political affiliation from one of the nominees whose names shall be submitted to

him as hereinabove provided. If the governor shall not appoint one of such nominees to fill such vacancy within sixty days after their names are submitted to the governor by such commission, the chief justice of the Supreme Court forthwith shall appoint on the basis of merit alone without regard to political affiliation one of such nominees to fill such vacancy. If such commission shall not, within sixty days after such vacancy occurs, submit the names of nominees as hereinabove provided, the governor shall have the power to appoint any qualified person to fill such vacancy at any time thereafter prior to the time the names of three or more nominees to fill such vacancy shall be submitted to the governor as hereinabove provided.

Each justice or judge so appointed shall initially hold office for a term ending sixty days following the next regular general election after the expiration of a term of two years in office. Thereafter, the terms of justices or judges of the Supreme Court and the superior court shall be as provided by this article.

A person appointed to fill a vacancy on an intermediate appellate court, a superior court, or another court of record now existing or hereafter established by law shall have been a resident of the counties or county in which that vacancy exists for at least one year prior to his appointment, in addition to possessing the other required qualifications. A nominee shall be under sixty-five years of age at the time his name is submitted to the governor. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 38. Declaration of candidacy; form of judicial ballot, rejection and retention; failure to file declaration

A justice or judge of the Supreme Court or an intermediate appellate court shall file in the office of the secretary of state, and a judge of the superior court or other court of record including such justices or judges who are holding office as such by election or appointment at the time of the adoption of this section except for judges of the superior court and other courts of record inferior to the superior court in counties having a population of less than one hundred fifty thousand persons, according to the United States census, shall file in the office of the clerk of the board of supervisors of the county in which he regularly sits and resides, not less than sixty nor more than ninety days prior to the regular general election next preceding the expiration of his term of office, a declaration of his desire to be retained in office, and the secretary of state shall certify to the several boards of supervisors the appropriate names of the candidate or candidates appearing on such declarations filed in his office.

The name of any justice or judge whose declaration is filed as provided in this section shall be placed on the appropriate official ballot at the next regular general election under a nonpartisan designation and in substantially the following form:

Shall _____, (Name of Justice or Judge) of the _____ Court be retained in Office?
Yes _____ No _____ (Mark X after one).

If a majority of those voting on the question vote "No," then, upon the expiration of the term for which such justice or judge was serving, a vacancy shall exist, which shall be filled as provided by this article. If a majority of those voting on the question vote "Yes," such justice or judge shall remain in office for another term, subject to removal as provided by this Constitution.

The votes shall be counted and canvassed and the result declared as in the case of state and county elections, whereupon a certificate of retention or rejection of the incumbent justice or judge shall be delivered to him by the secretary of state or the clerk of the board of supervisors, as the case may be.

If a justice or judge shall fail to file a declaration of his desire to be retained in office, as required by this section, then his office shall become vacant upon expiration of the term for which such justice or judge was serving. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 39. Retirement of justices and judges; vacancies

On attaining the age of seventy years a justice or judge of a court of record shall retire and his judicial office shall be vacant, except as otherwise provided in section 35 of this article. In addition to becoming vacant as provided in this section, the office of a justice or judge of any court of record becomes vacant upon his death or his voluntary retirement pursuant to statute or his voluntary resignation, and also, as provided in section 38 of this article, upon the expiration of his term next following a general election at which a majority of those voting on the question of his retention vote in the negative or for which general election he is required, but fails, to file a declaration of his desire to be retained in office.

This section is alternative to and cumulative with the methods of removal of judges and justices provided in parts 1 and 2 of Article 8 and Article 6.1 of this Constitution. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 40. Option for counties with less than one hundred fifty thousand persons

Notwithstanding any provision of this article to the contrary, any county having a population of less than one hundred fifty thousand persons, according to the United States census, may choose to select its judges of the superior court or of courts of record inferior to the superior court as if it had a population of one hundred fifty thousand or more persons. Such choice shall be determined by vote of the qualified electors of such county voting on the question at an election called for such purpose by resolution of the board of supervisors of such county. If such qualified electors approve, the provisions of sections 12, 28, 30 and 35 through 39 shall apply as if such county had a population of one hundred fifty thousand persons or more. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

ARTICLE VII

COMMISSION ON JUDICIAL QUALIFICATIONS

Sec. 1. Composition; appointment; term; vacancies

A commission on judicial qualifications is created to be composed of nine persons consisting of two judges of the court of appeals, two judges of the superior court and one justice of the peace, who shall be appointed by the supreme court, two members of the state bar of Arizona, who shall be appointed by the governing body of such bar association, and two citizens who are not judges, retired judges nor members of the state bar of Arizona, who shall be appointed by the governor subject to confirmation by the senate in the manner prescribed by law.

Terms of members of the commission shall be four years, except that if a member ceases to hold the position that qualified him for appointment his membership on the commission terminates. An appointment to fill a vacancy for an unexpired term shall be made for the remainder of the term by the appointing power of the original appointment. Amendment referred by the Legislature; approved at the regular election Nov. 2, 1976; effective Nov. 22, 1976.

Sec. 2. Disqualification of judge

A judge is disqualified from acting as a judge, without loss of salary, while there is pending an indictment or an information charging him in the United States with a crime punishable as a felony under Arizona or federal law, or a recommendation to the supreme court by the commission on judicial qualifications for his removal or retirement.

Sec. 3. Suspension or removal of judge

On recommendation of the commission on judicial qualifications, or on its own motion, the supreme court may suspend a judge from office without salary when, in the United States, he pleads guilty or no contest or is found guilty of a crime punishable as a felony under Arizona or federal law or of any other crime that involves moral turpitude under such law. If his conviction is reversed the suspension terminates, and he shall be paid his salary for the period of suspension. If he is suspended and his conviction becomes final the supreme court shall remove him from office.

Sec. 4. Retirement of judge

On recommendation of the commission on judicial qualifications, the supreme court may retire a judge for disability that seriously interferes with the performance of his duties and is or is likely to become permanent, and may censure or remove a judge for action by him that constitutes wilful misconduct in office, wilful and persistent failure to perform his duties, habitual intemperance or

conduct prejudicial to the administration of justice that brings the judicial office into disrepute.

A judge retired by the supreme court shall be considered to have retired voluntarily. A judge removed by the supreme court is ineligible for judicial office in this state.

Sec. 5. Definitions and rules implementing article

The term "judge" as used in this constitutional amendment shall apply to all justices of the peace, judges of the superior court, judges of the court of appeals and justices of the supreme court. The supreme court shall make rules implementing this article and providing for confidentiality of proceedings. A judge who is a member of the commission or supreme court shall not participate as a member in any proceedings hereunder involving his own censure, removal or involuntary retirement.

Sec. 6. Article self-executing

The provisions of this article shall be self-executing.

END