



CRIMINAL CASE PROCESSING

JP Association Conference

Hon. Evelyn Marez
Hon. Rachel Carrillo
Maria Garcia, Court Manager

September 5, 2018



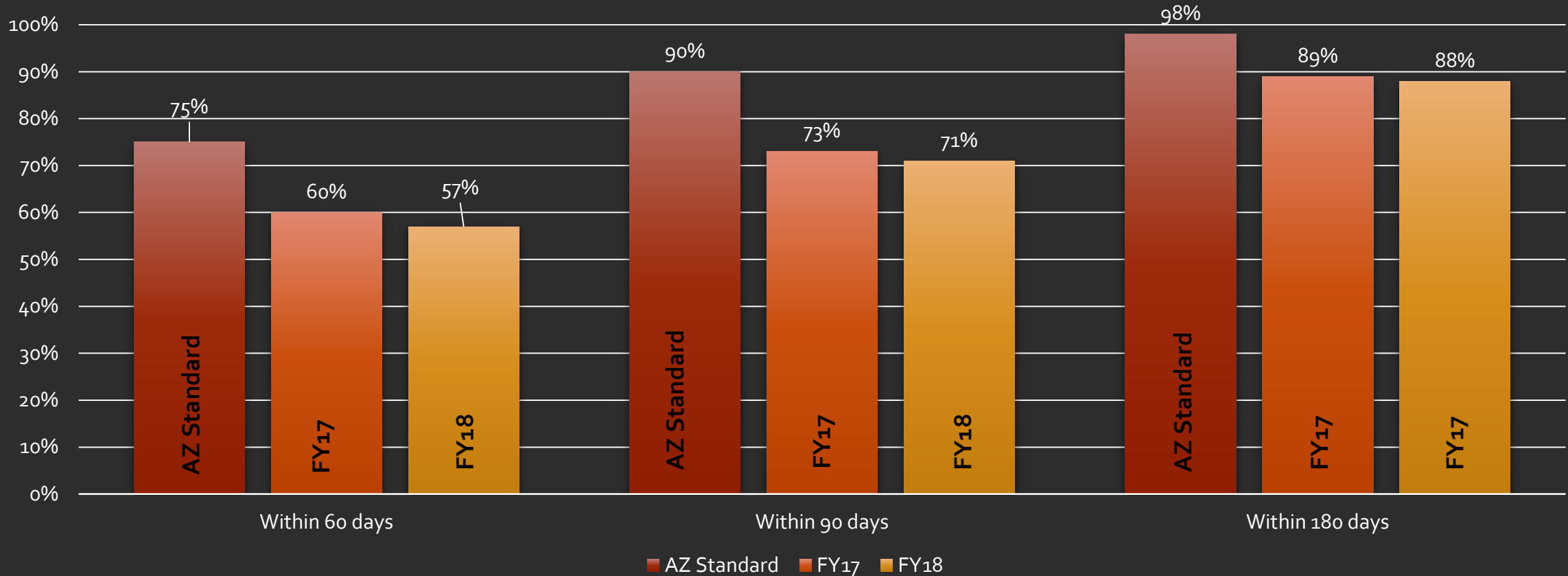
OVERVIEW

- Time Standards Data
 - Measurement & Current Studies
- Perspectives from a Rural Court
 - Addressing Challenges in Case Processing
 - Clerk Assistance
- Perspectives from an Urban Court
 - Addressing Challenges in Case Processing
- Court Management's Role
- Questions

MISDEMEANOR (NON-DUI)

75% WITHIN 60 DAYS - 90% WITHIN 90 DAYS - 98% WITHIN 180 DAYS

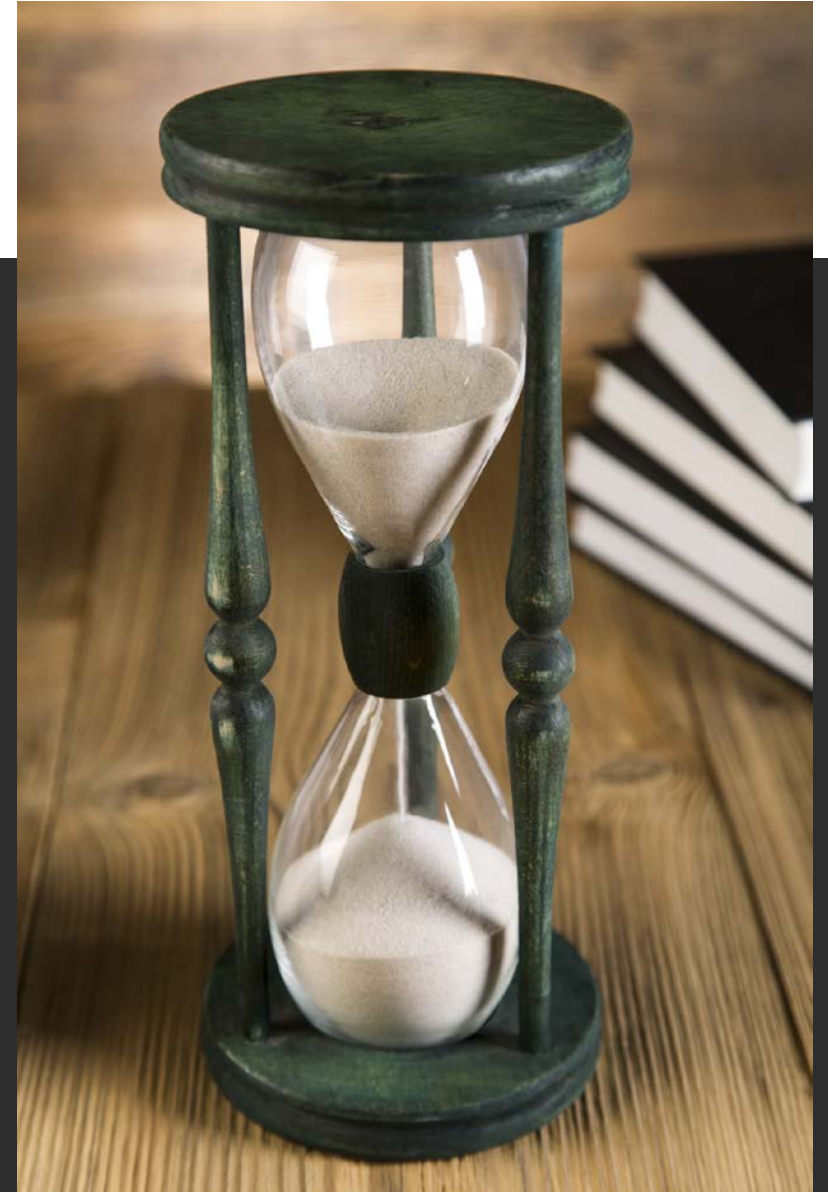
Misdemeanor (Non-DUI)



EXCLUDED TIME

What about elapsed time beyond the court's control?

- Stay for special action/appeal
- Diversion programs
- Warrant
- Rule 11 mental competency proceedings



MEASURES FOR JUSTICE

- Objective: to develop a data-driven set of performance measures to assess the criminal justice process on a county-by-county basis
- Creates transparency
- Addresses three categories:
 - Public safety
 - Fair process
 - Fiscal responsibility
- <https://measuresforjustice.org/about/overview/>



ADDRESSING CHALLENGES IN CASE PROCESSING



Motions to Continue

- Many defense attorneys are from the metro area and request to appear telephonically at first pre-trial
- Allow telephonic appearance for first pre-trial only
- Puts attorney on notice of the need to confer with prosecutor for plea agreement or disclosure
- If attorney has multiple cases, try to set them on the same day

ADDRESSING CHALLENGES IN CASE PROCESSING



Motions to Continue

- Limit number of continuances permitted
- Look at age of case to determine how long continuance should be

ADDRESSING CHALLENGES IN CASE PROCESSING

Pro Per Defendants

- Increase in possession cases since passage of medical marijuana law
- Request to appear telephonically requires a written request and the reason for the request. Residing out of state not a good reason.
- “Out of State” plea packet if the person wishes to plead guilty



ADDRESSING CHALLENGES IN CASE PROCESSING

Legislative Changes

- Driving on Suspended. ARS §28-3473 allows the court to dismiss if the suspension is pursuant to ARS §28-1601 AND the defendant's driving privileges have been reinstated.
- Add language to opening speech to alert defendants that charge might be able to be dismissed.
- Inquire as to why license is suspended and allow a short timeframe for reinstatement, if the defendant believes this is practical.



CLERK ASSISTANCE



Without clerks, the court could not function!

- A few ways in which clerks facilitate case processing:
 - Timely issuing a summons after a complaint has been filed.
 - Entering correct codes into the case management system to exclude time, stop the clock, etc.
 - Monitor deferred prosecution cases by pulling on pre-trial day to determine whether to dismiss, continue, or reinstate.



QUESTIONS



FOR ADDITIONAL INFORMATION

Honorable Rachel Carrillo
West McDowell Justice Court
rachelcarrillo@mcjc.maricopa.gov

Honorable Evelyn Marez
Holbrook Justice/Magistrate Court
emarez@courts.az.gov

Maria Garcia, Court Manager
West McDowell Justice Court
mariagarcia@mcjc.maricopa.gov

Marretta Mathes, AOC
Caseflow Management Unit
mmathes@courts.az.gov
602-452-3966

