

IV. JUDICIAL BRANCH STRATEGIC INITIATIVES

ADVANCING JUSTICE TOGETHER COURTS & COMMUNITIES 2014 - 2019

GOAL 1 PROMOTING ACCESS TO JUSTICE

Arizonans look to our courts to protect their rights and to resolve disputes fairly and efficiently. To serve these ends, Arizona's judicial branch must work to ensure that all individuals have effective access to justice. This goal is advanced not only by examining legal representation for moderate and low-income persons, but also by helping self-represented litigants and others navigate the judicial process and by using technology to make courts more accessible to all.

To serve these ends, Arizona's judicial branch must work to ensure that all individuals have effective access to justice. This goal is advanced not only by examining legal representation for moderate and low-income persons, but also by helping self-represented litigants and others navigate the judicial process and by using technology to make courts more accessible to all.

1-A ACCESS TO JUSTICE

Our courts should work with others in government and our communities to assess the legal needs of modest to low-income individuals and to develop strategies to better serve those needs.

ACTION PLAN

- **Create a statewide commission, including members of the public, to study and recommend ways to promote access to justice**
- **Identify ways to promote participation by lawyers in access to justice initiatives and recognize them for their professional and financial contributions.**
- **Identify ways to improve funding for the judicial branch and the courts' ongoing ability to provide access to court services.**

1-B

SERVICES FOR SELF-REPRESENTED LITIGANTS

Many people cannot afford or choose not to obtain legal representation in court proceedings. Consequently, the courts must be prepared to assist self-represented individuals in understanding court processes and legal procedures.

ACTION PLAN

- **Expand access to web-based forms, e-filing, and information describing legal terms and court procedures.**
- **Ensure court forms and information, whether in electronic or paper form, are easily understandable.**
- **Collaborate with legal services agencies and the Arizona Foundation for Legal services and education to develop strategies to expand legal and other self-help services for modest- to low- income litigants.**
- **Provide front-end triage and referral services to assist self-represented litigants in identifying and obtaining appropriate services.**
- **Explore programs to recruit and train college students and other volunteers to work in legal self-help centers to:**
 - Assist with legal workshops,
 - Help complete legal forms, and
 - Provide information and referrals.
- **Explore the use of technology-based access to justice solutions being developed in other courts.**

1-C

SERVICES FOR LIMITED ENGLISH PROFICIENT LITIGANTS, DEFENDANTS, AND OTHER COURT PARTICIPANTS

Limited English language skills should not be a barrier to accessing justice. Arizona's courts have significantly expanded access to interpreter services and translated forms, instructions, and court information. Work remains to be done, however, particularly given our evolving and diverse population and changing technology.

ACTION PLAN

- **Develop strategies for increasing the availability and quality of court interpreters and interpreter services, including:**
 - Expanding the remote video interpreting project, and,
 - Identifying other opportunities to use technology in providing language assistance services to litigants, witnesses, and others.
- **Develop strategies to expand the use of alternative language court forms, instructions, and information both at courthouses and online.**

1-D

ACCESS TO COURTS AND COURT INFORMATION USING TECHNOLOGY

Technological change provides ongoing opportunities for the court system to enhance and increase access to courts, court proceedings and court information. Previous strategic agendas have set Arizona courts on a path to increased electronic access for the public and court community alike. This agenda continues those efforts and seeks to further advance the ability for court users to locate information, file documents and receive court notifications electronically, and remotely participate in court proceedings.

ACTION PLAN

- **Expand electronic access to court documents and data with appropriate protections for security and privacy.**
- **Extend e-filing to courts statewide.**
- **Establish a web-based online payment system for drivers wanting to plead responsible and pay civil traffic tickets and minor misdemeanor charges.**
- **Create an electronic noticing system to remind parties, probationers, and other court participants of upcoming court dates.**
- **Identify other opportunities for video hearings and other remote electronic court appearances.**

GOAL 2 PROTECTING CHILDREN, FAMILIES, AND COMMUNITIES

The Arizona Judiciary has long made it a priority to protect our state's most vulnerable populations. We have reformed our juvenile courts to provide timely hearings and due process in child neglect and dependency cases. We have reformed our probate rules and laws to ensure our elderly have adequate protections against exploitation and abuse. Every day, we protect our communities by holding juvenile and adult probationers accountable and providing the treatment and rehabilitative services they need to once again become productive and law-abiding members of the community.

While continuing our commitment to protecting the young and elderly, we also should expand the use of problem-solving courts to better serve individuals who may have specialized needs. Our communities look to courts not only to decide cases, but also to solve problems.

2-A CENTER FOR EVIDENCE-BASED PRACTICES

"Evidence-based practices" are identified by rigorously studying the effects of different policies and processes. Important research regarding evidence-based practices in the legal system is underway throughout the nation. Although the Arizona judiciary has successfully incorporated evidence-based practices in probation services, Arizona's courts must stay current with this research and remain a leader in implementing successful approaches. The Arizona Center for Evidence-Based Practices will support these efforts. The Center will bring together judicial leaders, researchers, and practitioners to design the best programs to promote juvenile and adult offender accountability, rehabilitation, crime reduction, and community protection.

ACTION PLAN

- **Improve and expand the use of evidence-based practices to determine pre-trial release conditions for low-risk offenders.**
- **Evaluate and, as appropriate, implement new or expanded evidence-based programs for Arizona's Adult and Juvenile Probation services. Programs to evaluate include:**
 - Supervision of the seriously mentally ill,
 - Positive adult mentoring of juvenile probationers,
 - Effective practices to reduce the risk of violence, especially gun violence involving probationers,
 - Effective community re-entry for adults and youth after incarceration or detention,
 - Family inclusive probation supervision and services, and
 - Effective community supervision programs to reduce adult and juvenile recidivism
- **Encourage and support the use of evidence-based services and interventions for children and families for reunification and permanency in dependency cases.**
- **Encourage and support the educational needs of all youth under court supervision as a critical factor in future well-being.**

2-B

PROBLEM-SOLVING COURTS

Problem-solving courts must also follow evidence-based practices to succeed. Although some Arizona courts have implemented problem-solving courts, there is a continuing need to create courts designed to serve the distinct needs of certain individuals, such as homeless courts, drug courts, veterans courts, and mental health courts.

ACTION PLAN

- **Collaborate with justice partners, treatment providers, and other community service entities to expand problem-solving courts including drug, homeless, veterans, mental health, and domestic violence courts.**
- **Develop evidence-based practices bench books, training, and other information for judges assigned to problem-solving courts.**
- **Identify strategies, including statutory changes, allowing multi-court collaboration and use of technology to establish and expand problem-solving courts across jurisdictional boundaries.**

2-C

REGULATING THE PRACTICE OF LAW TO PROTECT THE PUBLIC

The Supreme Court regulates the practice of law in order to protect the public. Litigants and other represented parties expect competency and professionalism from their lawyers. The Supreme Court promotes these goals by establishing and enforcing standards of competency and ethical conduct and by taking disciplinary action against those who violate these standards.

ACTION PLAN

- **Review attorney admission requirements and protocols to determine if changes are needed to promote higher standards of lawyer competency and professionalism.**
- **Review the current Supreme Court Rules establishing the State Bar to assess how well the current governance structure allows the State Bar to fulfill its mission of protecting the public and improving the legal profession.**
- **Review rule changes proposed by the American Bar Association’s “Commission on Ethics 20/20” to determine if changes to the ethical rules for Arizona attorneys are desirable.**
- **Continue to evaluate the Arizona Bar examination requirements to ensure that the exam is evidence-based, tests lawyer competency, protects the public, and improves the legal profession.**
- **Develop best practices training for parents’ counsel in juvenile dependency cases.**
- **Explore ways to enhance mentoring for new attorneys.**

2-D

HUMAN TRAFFICKING

Human trafficking, often referred to as modern-day slavery, is commanding increased attention from courts and communities across the nation. Trafficking threatens some of our most vulnerable individuals, including young people who have been involved in the foster care system or juvenile courts. Human trafficking raises many challenges for state courts, which need to better identify human trafficking crimes

and victims, develop strategies to handle such cases, assist persons who are victimized, and protect those at particular risk of becoming victims.

ACTION PLAN

- **Collect and analyze information on the scope and impact of human trafficking-related cases in Arizona courts and develop recommendations on the appropriate role of the state court system in addressing this issue.**

GOAL 3

IMPROVING COURT PROCESSES TO BETTER SERVE THE PUBLIC

Providing access to justice requires our courts to continually strive to maintain and improve upon existing processes and systems which ensure effective and efficient case management and use of information and resources. Judges and court staff need the appropriate resources and training to ensure all cases are heard in a timely manner and processed efficiently. Also, our justice system partners and the public should be able to access courts and court information in the most efficient ways possible. While implementing planned technology improvements, we must also find ways to improve existing practices and policies to further ensure that public resources are used effectively, efficiently, and accountably.

3-A

JUDICIAL SYSTEM PROCESS IMPROVEMENT

As case filings increase and more people interact with the courts each day, the court system must continue to identify ways to improve judicial system processes. This effort requires that judges, clerks, court administrators, and staff have the tools needed to timely and efficiently process cases.

ACTION PLAN

- **Improve timeliness and efficiency of civil, criminal, juvenile, family, and probate case processing in Arizona courts by:**
 - Adopting case processing time standards,
 - Revitalizing caseload management efforts statewide, including principles of differentiated case management, court control over the pace of litigation, and compliance with rules governing case processing time requirements,
 - Providing case management system enhancements, including reporting capabilities,
 - Implementing e-bench tools that allow judges to more efficiently manage and resolve cases,
 - Providing judicial workload tools to assist presiding judges when making case assignments, and
 - Implementing relevant performance, customer service, and case management measures.
- **Identify and implement ways to improve the process of jury selection and service.**
- **Review certain Arizona Rules of Court to restyle, simplify, and clarify the rules.**
- **Identify and implement case management and judicial officer assignment practices for commercial litigation to timely resolve cases and reduce costs to litigants and the court.**

3-B

COURTHOUSE FACILITIES AND SECURITY

Arizona's courts are forums for resolving difficult issues that affect people in vital aspects of their lives, including cases involving domestic relations, parental rights, and individual liberty. Emotions can run high in court proceedings. Our courthouses must be a safe place for all who enter their doors.

ACTION PLAN

- **Establish courthouse and courtroom security standards.**
- **Conduct a needs assessment for courthouse security infrastructure.**

- **Develop training standards and skill development opportunities for court security officers.**

3-C

NEXT GENERATION CASE MANAGEMENT SYSTEMS

Case management systems support the work of the courts and probation services. Many of these systems have been in place for more than a decade and require updating or replacement. This effort will take time and considerable investment of human and financial capital.

ACTION PLAN

- **Implement Arizona Judicial Automated Case System (AJACS) in limited jurisdiction courts.**
- **Fully implement Juvenile On-Line Tracking System (JOLTSaz) in juvenile courts.**
- **Integrate Adult Probation Enterprise Tracking System (APETS) with AJACS.**
- **Enhance or replace appellate case management systems.**

3-D

COURT DATA REPOSITORIES AND JUSTICE SYSTEM DATA EXCHANGES

Technology has enabled the court system to vastly improve court processes and provide quick access to court information. New technologies and data exchange protocols create new opportunities for data sharing among justice system entities. The judicial branch must continue initiatives to provide criminal justice system participants access to accurate and complete data needed to perform their duties.

ACTION PLAN

- **Implement the Central Case Index system to enable the flow of critical court data to and from federal, state, and local justice system entities.**
- **Collaborate with other justice system entities to develop and implement data collection and exchange strategies that leverage technology, including:**
 - Expanding e-warrants project to other justice system entities,
 - Modernizing the state's warrant repository system,
 - Making mental health court orders available to appropriate criminal justice and treatment officials,
 - Making condition of release information available to appropriate criminal justice officials, and
 - Improving accuracy and completeness of the state's criminal history repository and National Instant Criminal Background Check System (NICS).

GOAL 4

ENHANCING PROFESSIONALISM WITHIN ARIZONA'S COURTS

Judicial excellence, staff competency, and professionalism are critical to maintaining Arizona's national reputation for innovation and leadership within its judiciary. Court personnel at every level must maintain the high level of service and professionalism exhibited daily in courts across the state.

4-A

JUDICIAL EXCELLENCE

A highly respected judiciary is at the core of judicial excellence. The judicial branch must continue the professional development of new and veteran judges to ensure they adhere to the highest standards of competence, conduct, integrity, professionalism, and accountability.

ACTION PLAN

- **Examine current systems for ensuring new and veteran judges are well-prepared for the courtroom, including but not limited to:**
 - Assessing new judge training and orientation,
 - Establishing a skill enhancement program for experienced judges based on mentoring and education services, and
 - Ensuring an efficient and effective judicial oversight process exists to monitor judges' performance and to address public concerns.
- **Expand educational opportunities for appellate judges.**
- **Collaborate with the State Bar on educational programs of mutual interest to judges and lawyers.**
- **Conduct a judicial education needs assessment to identify new or enhanced training for judges including, but not limited to:**
 - Cultural competency and implicit bias
 - Procedural fairness,
 - Forensic science,
 - Delinquency case processing, and
 - Effective use of technology on the bench, in chambers, and remotely.
- **Develop web-based training on best judicial practices for protective order procedures and criminal case proceedings involving child victims.**

4-B

JUDICIAL BRANCH LEADERSHIP

Developing effective court leadership is essential to maintaining a high level of professionalism and competency within the judicial branch.

ACTION PLAN

- **Develop judicial leadership and leadership team programs.**
- **Prepare court leadership for next generation case management systems and technology.**

- **Provide resources for presiding judges and other court leaders to effectively plan for succession in court management.**

4-C

WORKFORCE DEVELOPMENT

Judicial branch employees who are not judges must possess the tools and skills needed to properly and timely process cases, accurately maintain court records, and properly supervise juvenile and adult offenders in the community. Our workforce development plans must include training methods that are convenient, timely, and relevant.

ACTION PLAN

- **Enhance the use of web-based video/audio conference capability to train court employees.**
- **Develop guidelines on the use of social media by court employees in the workplace.**
- **Continue efforts to recruit and retain a culturally diverse workforce at all levels within the judicial branch.**
- **Evaluate the need for wellness initiatives for judicial and other court staff.**

GOAL 5 IMPROVING COMMUNICATIONS AND COMMUNITY PARTICIPATION

Public awareness of the role of the judicial branch and what courts do on a daily basis is essential to ensuring trust and confidence in a judicial system that seeks to provide fair and impartial access to all. With so many media and social networking choices available today, courts can improve how they inform the public about court events and opportunities to serve as volunteers.

5-A VOLUNTEERISM

Arizona's courts at all levels depend on volunteers to assist in fulfilling the judiciary's many functions and responsibilities—from judicial selection and performance review, to foster care review boards and CASA volunteers, to providing community outreach. While each component of the judiciary continually seeks out a talented and diverse volunteer base, the judicial branch as a whole can do more to enhance the importance and reward of serving as a volunteer in court programs.

ACTION PLAN

- **Establish public service recruitment and recognition programs to further engage community participation in our judicial system.**
- **Identify ways to enlist the help of retired judges and lawyers to provide community outreach and to act as ambassadors for the judiciary.**
- **Continue efforts to recruit volunteers who reflect the diversity of our communities.**

5-B COMMUNICATION WITH THE PUBLIC AND EDUCATION COMMUNITIES

In a world of nearly instantaneous access to information, Arizona courts must be proactive in communicating with the general public, elected officials, and other government entities.

ACTION PLAN

- **Communicate effectively with the public about the role of courts in a free society, how courts serve our communities, and progress in achieving this agenda's goals.**
- **Promote civic education by supporting programs such as "We the People," mock trial, and iCivics; partnering with teachers and others in the education community; and conducting appellate arguments in local schools and other community locations.**
- **Use juror "downtime" to provide prospective jurors with information about the role of courts and public involvement in the justice system.**
- **Update speaker's toolkit for judges and other court leadership to use when making presentations.**
- **Increase use of social media to improve communications with the public.**

5-C

COMMUNICATIONS WITHIN THE BRANCH AND WITH OTHER BRANCHES OF STATE AND LOCAL GOVERNMENT

The judicial branch has many components. Although increased integration and technology have improved communications, Arizona courts should strive to further enhance communications across programs, jurisdictions, and branches of government.

ACTION PLAN

- **Reinstitute the “View from the Bench” program for the Superior Court and limited jurisdiction courts and invite local and state policy makers to participate.**
- **Publish an electronic newsletter and identify other ways to improve communication within the branch regarding projects and important events.**
- **Use juror “downtime” to provide prospective jurors with information about the role of courts and public involvement in the justice system.**
- **Identify ways to improve communication among the branches of county and city governments.**