

Early Felony Case Processing Initiatives Trial Courts of Maricopa County Arizona

Regional Court Centers (RCC)

The Regional Court Center (RCC) is designed as fast-acting, front-end felony processing tribunal which consolidates preliminary hearings, arraignments and pleas in one appearance in the superior court. They could be classified as “problem-solving” courts since there is a good deal of collaboration among the court, prosecution, public defender, and adult probation in and around the courtroom itself. Many of the justice system participant’s office near the courtroom. Previously, prelims were heard by 23 separate justice of the peace courts (justice courts) scattered throughout Maricopa County¹. Felony matters were predominately then transferred to superior court for arraignment, pleas, trial and sentencing. That convoluted process caused case delay, cost increases, jail overcrowding, and public safety problems (transporting jail inmates to various justice court locations).

Two strategically placed RCC’s currently operate with superior court commissioners² and staff. One in downtown Phoenix (operating three courtrooms) in the South Court Tower and two courtrooms at a satellite courthouse called the Southeast Regional Justice Center in Mesa approximately 20 miles from downtown Phoenix. With these “omnibus hearings” eliminating the movement of cases between limited and general jurisdiction courts, a 10-day delay between prelim and arraignment and another 30-day delay between arraignment (plea) and sentencing has been eliminated for most cases.

RCC’s handle both in-custody (50%) and non-custody (50%) defendants. Originally, the Centers only dealt with low-end felony matters called Class 4, 5 and 6 felonies. Today, some Class 2 and 3 felonies are also processed through the RCC’s based on a decision by the prosecutor’s office to proceed that way rather than seek an indictment from a grand jury.

The three RCC courtrooms are currently housed in the South Court Tower, a \$340 million-dollar project completed in February 2012.³ It is dedicated to criminal felonies.

Originally, the transfer of information between JP courts and superior court was very problematic. The two court systems had different electronic case management applications and were on

¹ Maricopa County is one of the largest counties in America. It covers 10,000 square miles and is home to 4.7 million people. Twenty-four separate law enforcement agencies operate within the county. The superior court has nearly 100 judges and over 50 commissioners. Court staff prior to the recession and budget cuts totaled approximately 4,000 employees. The number today is closer to 3600 staff.

² Commissioners are essentially “judicial adjuncts” much like referees or special masters. They are full-time judicial officers, lawyers, and often function as pro-tem superior court judges with all the powers of a superior court judge. By policy and rule, they do not handle capital case jury trials. However, they can, and do, hear many other serious felony cases, including conducting jury trials in such matters from time-to-time. Most of their work in criminal cases targets front-end felony processing of felony 4, 5, and 6’s (low level, yet significant felony offenses).

³ The National Center for State Courts conclude this is the biggest state court building program going on currently in America. It had been planned for many years. All court buildings are county built, owned and managed; the court being the major tenant. Collaboration between court and county officials on construction and remodeling of judicial facilities is very cordial and accommodating.

different platforms. Within the past few years, a new, home-grown superior court system called the Integrated Court Information System Next Generation (iCISng) replaced the separate JP system. There are multiple players that must exchange or integrate information with the RCC regarding defendants who appear, plead and are sentenced...

- Pretrial Services, a division of Adult Probation. Has been integrated into the iCISng system, allowing for the electronic transfer of presentence reports to the bench.
- Sheriff with holding and transport data. Electronic booking is a very successful component of jail intake. Police departments can begin logging in electronic data about an arrestee at the incident site and finish as necessary at a sheriff's substation or the main jail in downtown Phoenix. Booking and prisoner drop-off now takes about 15 minutes where it took 2 hours in the past. The Sheriff operates and manages all jails.
- County Attorney with plea data, case history information, and law enforcement data. The County Attorney's Office is funded by the county.
- Adult Probation Department with a separate system heavily linked to the Administrative Office of the Courts at the Arizona Supreme Court⁴
- Clerk of Court, a separate elected official, operates a separate information system
- Public Defender with two separate systems. There are four (4) indigent defense offices operated separately by county government. Three offices have one home-grown application and the fourth office has another. Defense lawyers have been very adamant about operating the offices separately due to "conflict cases". All public defense systems in Arizona are county-funded.

Early Disposition Court (EDC)

The EDC is another version of a "problem-solving", early, fast-acting tribunal for low-end, non-violent felony cases where there is no incarceration permitted as part of the sentence. Most of these matters are first and second time drug offenders, although there may be some other case types processed as well such as welfare fraud cases prosecuted by the State Attorney General's Office. This specialty court began in 1997 as the result of the Drug Medicalization, Prevention and Control Act of 1996 passed by the Arizona Legislature. This act was prompted by a state constitutional amendment approved by voters (the first in the United States) requiring courts to suspend sentences and impose probation for first and second drug offenses where drug possession amounts were for personal use (not for sale). No jail or prison time can be imposed, probation can not be revoked, and convicted offenders must participate in a drug treatment or education program. Persons convicted of a violent crime are not eligible for EDC processing.

Here, as with the RCC, cases are directly filed into Superior Court, by-passing the JP courts.

⁴ In Arizona, all adult and juvenile probation services are the responsibility of the judicial branch. Roughly, fifty percent of all staff working in the judicial branch are probation officers and probation related personnel. Additionally, it should be noted that the superior court, municipal courts and justice of the peace courts in Arizona are primarily funded locally by county or city governments. There are some "pass through" funds from the state for special probation programs like intensive probation services, but those funds are minimal compared to county funding. The only courts funded by the state are the appellate courts. One-half of the salaries of superior court judges is state funded; the other fifty percent is county funded.

The prelim, arraignment, plea and sentencing are combined in a single hearing before a Superior Court commissioner. Adult Probation staff is heavily involved in and around the courtroom as are prosecutors and defense attorneys. EDC operations are located in the South Court Tower and the Southeast Regional Justice Complex (Mesa). The court operates two (2) Probation Violation courtrooms in the lower level of the Central Court Building.

Some of the problems regarding information exchange have been mitigated with the introduction of iCISng a few years ago.