

## MEMORANDUM

TO: Criminal Department Judges, Special Assignment Judges, and Court Commissioners

FROM: Bob James, Criminal Department Administrator

DATE: September 20th, 2011

Attached is the Criminal Department Monthly Statistical Report for August 2011. Both new filings and terminations experienced double digit increases compared to the month before and to August of 2010. Trials increased for the second consecutive month, but still below the number for the last two fiscal years. The inventory of PCR cases decreased compared to last month and last fiscal year. If there are any questions regarding this Report, please contact me at 506-6314.

### CRIMINAL DEPARTMENT STATISTICAL REPORT, AUGUST 2011

<i>Monthly Caseload Summary</i>	<i>August 2011</i>	<i>July 2011</i>	<i>Percent Change (Aug-Jul)</i>	<i>August 2010</i>	<i>Percent Change (2011-2010)</i>
<b>IA Court Total Defendants Seen</b>	<b>5,418</b>	4,984	9%	5,402	0%
<b>New Case Filings and Transfers</b>	<b>2,948</b>	2,648	11%	2,765	7%
<b>Total Cases Terminated</b>	<b>3,095</b>	2,681	15%	2,747	13%
<b>Criminal Trials Held</b>	<b>58</b>	45	29%	53	9%
<b>Change of Judge Notices Filed</b>	<b>10</b>	19	-47%	12	-17%
<b>Active Filed Cases</b> (end of month)	<b>10,378</b>	10,358	0%	10,145	2%
<b>Active Arraigned Cases</b> (end of month)	<b>8,008</b>	7,955	1%	7,291	10%
<b>PCR Case Filings</b>	<b>120</b>	106	13%	187	-36%
<b>PCR Cases Terminated</b>	<b>158</b>	96	65%	97	63%
<b>PCR Cases Pending</b>	<b>1,431</b>	1,469	-3%	1,708	-16%

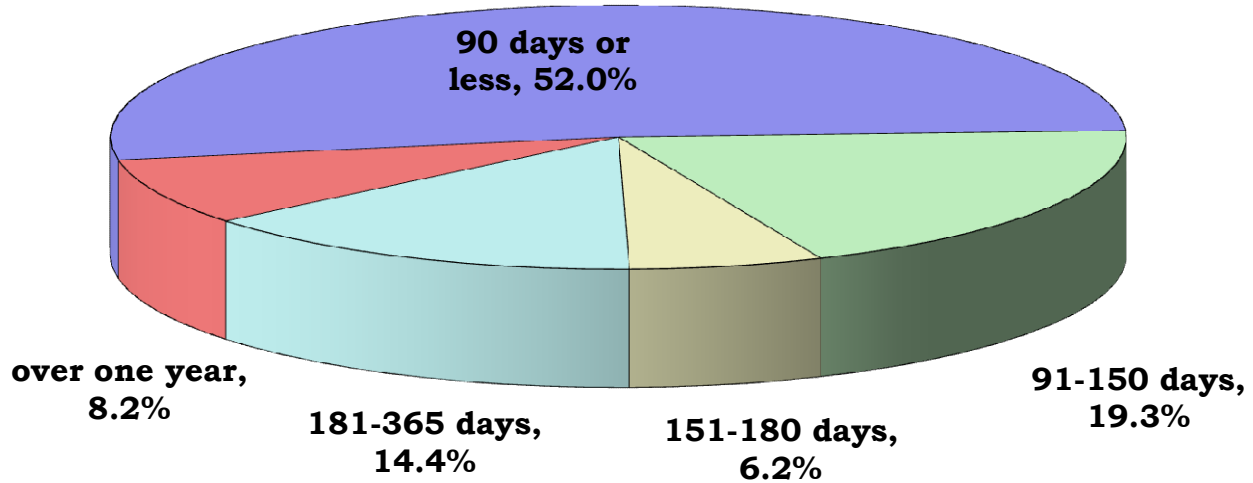
### FISCAL YEAR TO DATE COMPARISONS

	<b>FY 2012</b>	<b>FY 2011</b>	<i>Percent Change (FY12- FY11)</i>	<b>FY 2010</b>
<b>New Case Filings and Transfers</b>	<b>5,596</b>	5,269	6%	5,771
<b>Total Cases Terminated</b>	<b>5,776</b>	5,556	4%	5,506
<b>Total Criminal Trials Held</b>	<b>103</b>	104	-1%	133
<b>Trial Rate</b> (ratio of trials to new filings)	<b>1.8%</b>	2.0%		2.3%
<b>Total Active Pending Cases</b> (end of current month) - <i>Filed</i>	<b>10,378</b>	10,145	2%	11,835
<b>PCR Case Filings</b>	<b>226</b>	325	-30%	129
<b>PCR Cases Terminated</b>	<b>254</b>	237	7%	94

NOTE: Total Active Pending Cases do not include defendants currently out on bench warrants, Rule 11 competency treatments, adult diversion programs, and special action appeals in a higher court.

\* Correction.

### Age of All Active Pending Felony Cases, as of August 31, 2011



### Age of Criminal Felony Cases Terminated vs. Standards

<u>Cases Terminated</u>	<u>August 2011</u>	<u>July 2011</u>	<u>June 2011</u>	<u>Arizona Supreme Court Standards<sup>a</sup></u>	<u>American Bar Association Standards<sup>b</sup></u>
within 100 days	<b>60.6%</b>	60.8%	65.2%	90%	
within 120 days	<b>69.3%</b>	67.5%	72.0%		90%
within 150 days	<b>77.8%</b>	75.4%	78.7%		
within 180 days	<b>83.5%</b>	82.1%	83.6%	99%	98%
within one year	<b>95.2%</b>	93.4%	94.8%		100%

<sup>a</sup> Arizona Supreme Court General (Trial Court) Time Standards for felony case processing (November 15, 1991); felony case aging from filing date in Superior Court to termination (through sentencing). Maricopa County uses revised Rule 8.2 Speedy Trial time limits (implemented 12/1/2002), which initiates felony case aging at arraignment date. Capital and complex felony cases have their own aging standards.

<sup>b</sup> American Bar Association Standards relating to Trial Courts - General Felony standards (adopted February 1992). Felony case aging begins at date of arrest, but does not include days to sentencing for guilty defendants.

***Age (in days) of Active Pending Criminal Cases  
from File and Arraignment Dates, as of August 31, 2011***

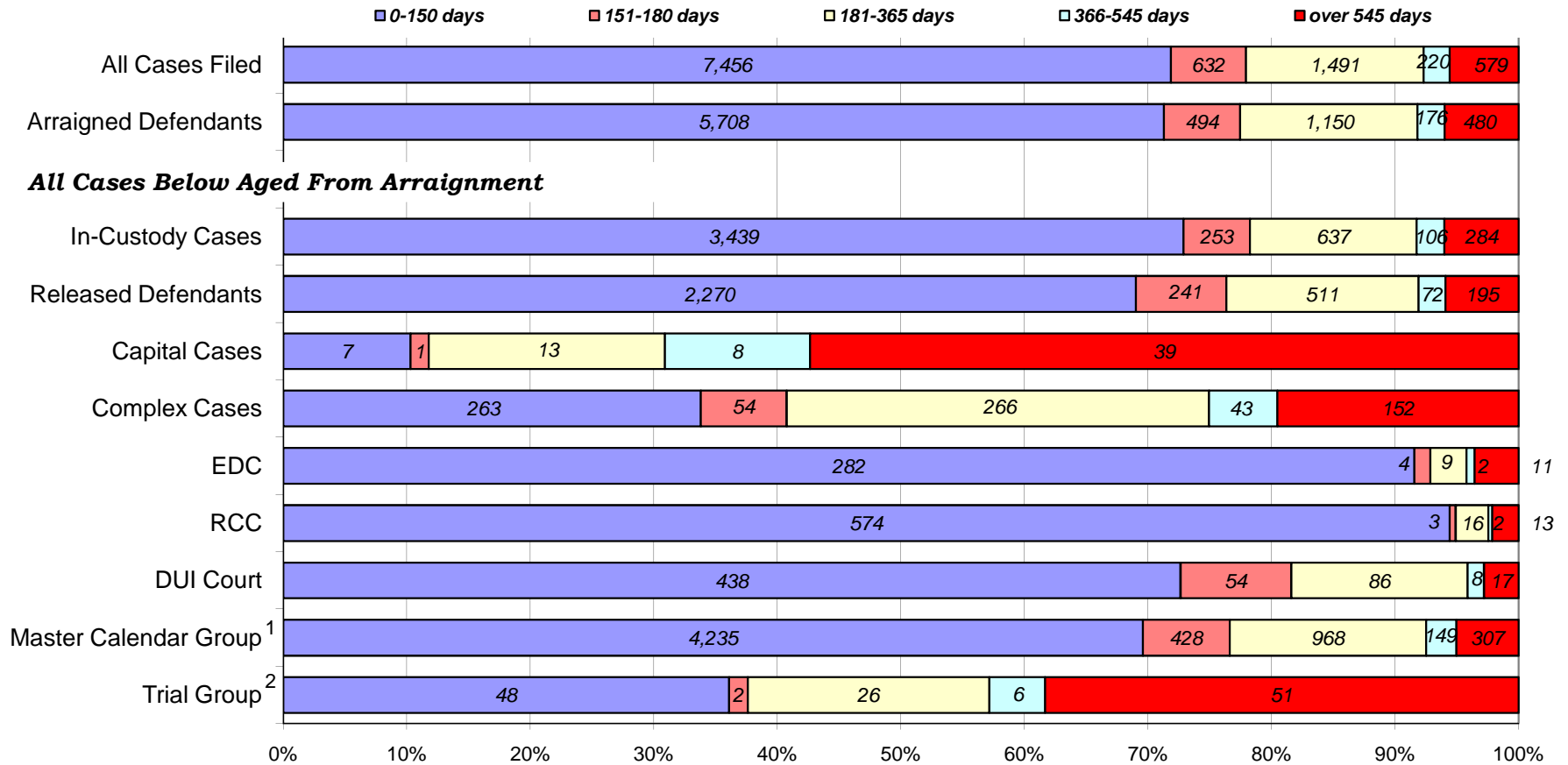
	<i>0-90 days</i>	<i>91-150 days</i>	<i>151-180 days</i>	<i>181-365 days</i>	<i>366-455 days</i>	<i>456-545 days</i>	<i>over 545 days</i>	<i>Totals</i>
<b>File Date</b>	5,488	1,968	632	1,491	220	140	439	10,378
<b>Arraignment Date</b>	4,165	1,543	494	1,150	176	115	365	8,008
<i>In-Custody Cases</i>	2,577	862	253	637	106	78	206	4,719
<i>Released Defendants</i>	1,591	679	241	511	72	37	158	3,289
<i>Capital Cases</i>	4	3	1	13	8	8	31	68
<i>Complex Cases</i>	185	78	54	266	43	38	114	778
<i>EDC</i>	262	20	4	9	2		11	308
<i>RCC</i>	557	17	3	16	2	1	12	608
<i>DUI Court</i>	275	163	54	86	8	6	11	603
<i>Master Calendar Group<sup>1</sup></i>	2,912	1,323	428	968	149	85	222	6,087
<i>Trial Group<sup>2</sup></i>	43	5	2	26	6	8	43	133

For all criminal case-types listed under "Arraignment Date," case aging data reflected here for active pending cases begins at that date. Amendments to Rule 8.2 Speedy Trial Time Limits, effective October 2002, changed case initiation time standards from file date to arraignment date. Case aging excludes warrant time, Rule 11 competency issues, diversion, and special action/appeals.

<sup>1</sup> Effective July 6, 2009, the Master Calendar Group includes all cases assigned for management through the Master Calendar (SE group was transferred on 12/1/09)

<sup>2</sup> Trial Group includes cases assigned for individual management on any CRJ, CRC & CMC calendar. This does not include cases assigned to Special Assignment judges or the DUI Center.

## Age (in days) of Active Pending Criminal Cases, as of 8/31/2011

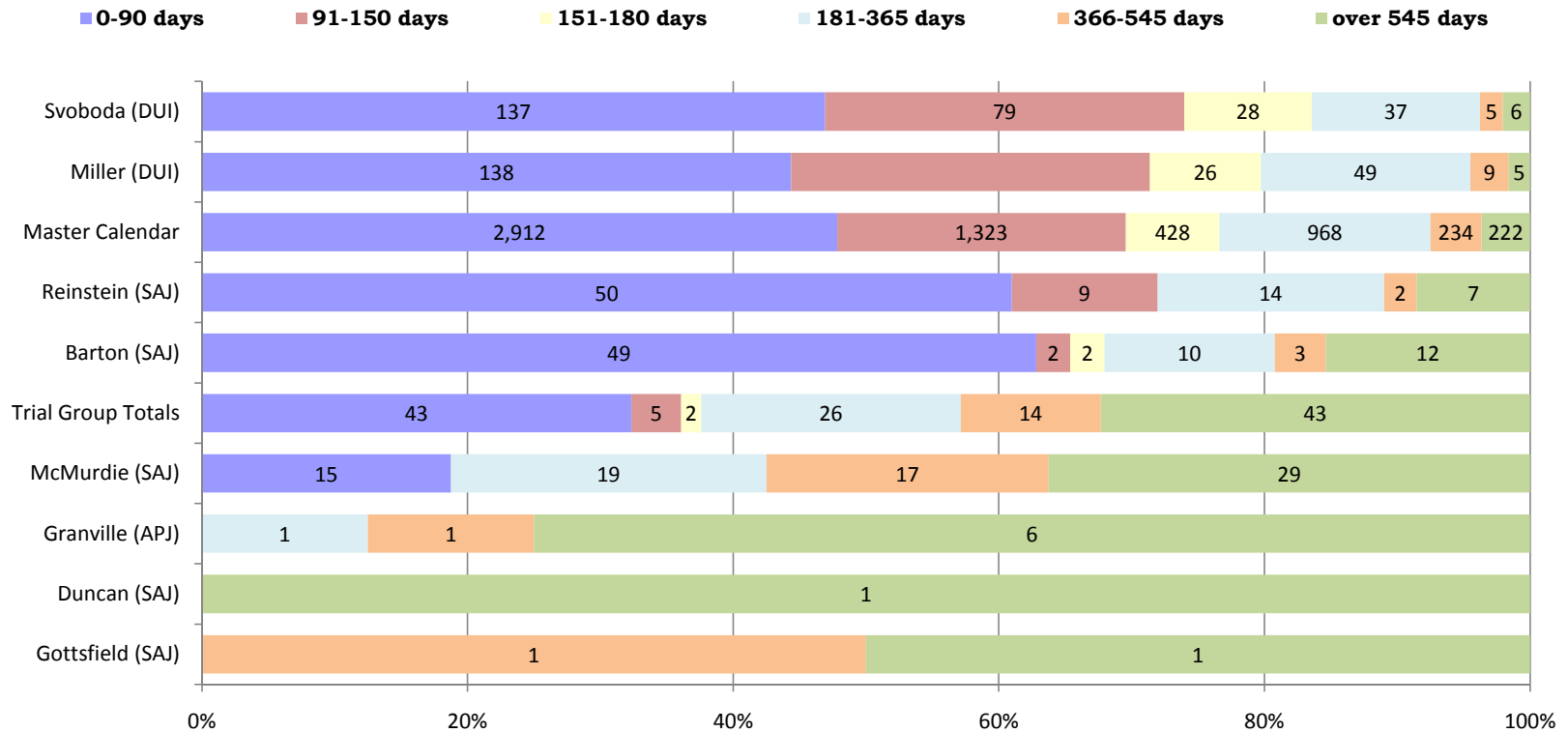


NOTE: Per amendments to Rule 8.2 (Speedy Trial Time Limits, October 2002) criminal case aging begins at arraignment and ends at sentencing, acquittal, or dismissal and does not include excluded time. Master Calendar project began in December 2008.

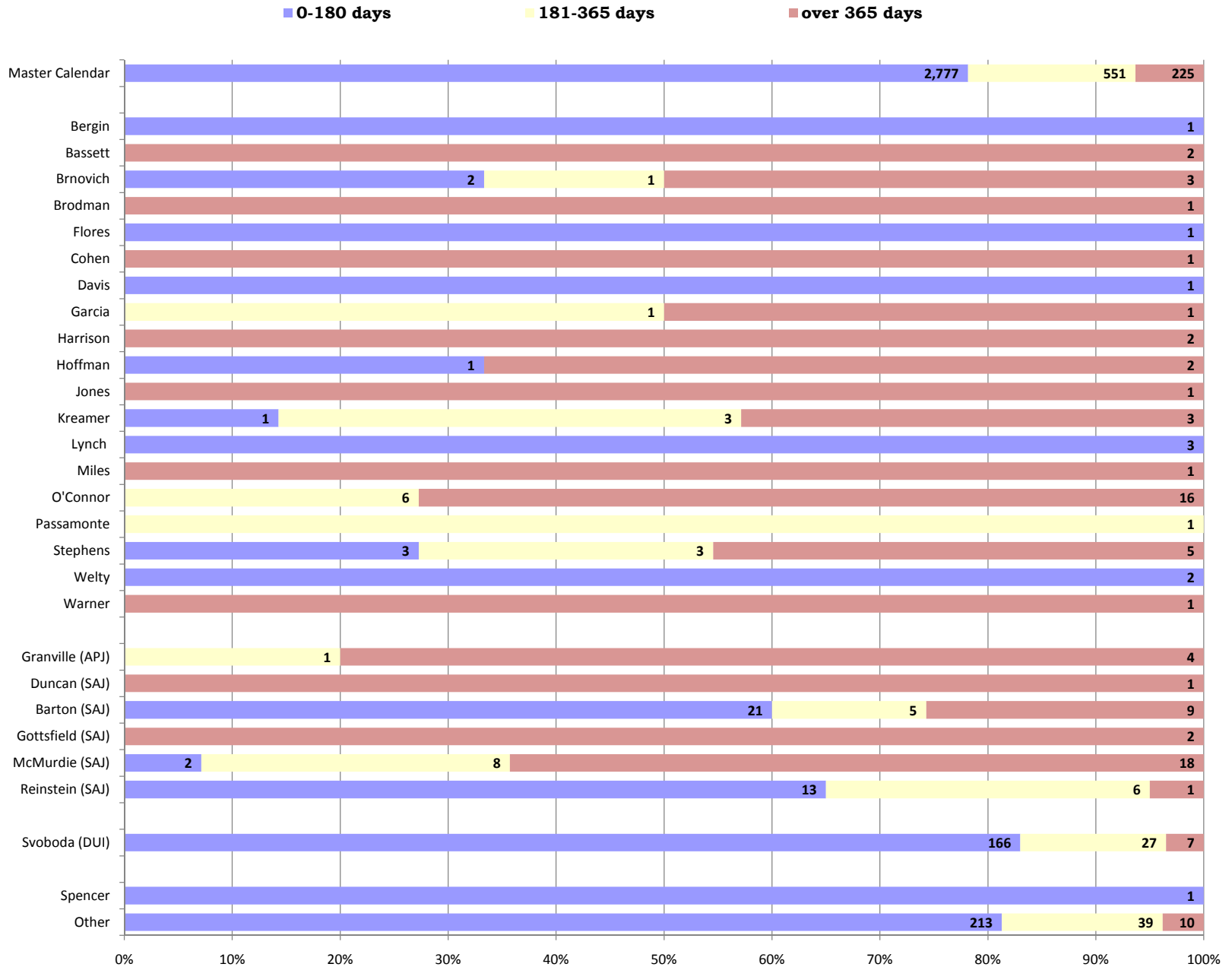
**Age (in days) of Active Pending Criminal Cases from Arraignment Date,  
as of August 31, 2011 (by Calendar and Group)**

		<u>0-90</u> <u>days</u>	<u>91-150</u> <u>days</u>	<u>151-180</u> <u>days</u>	<u>181-365</u> <u>days</u>	<u>366-455</u> <u>days</u>	<u>456-545</u> <u>days</u>	<u>over 545</u> <u>days</u>	<u>Totals</u>	<u>Percent</u> <u>of Total</u>
CMP01	Master Calendar	2,912	1,323	428	968	149	85	222	6,087	76.0%
CRJ02	Pineda				1				1	0.0%
CRJ04	Cohen	2						1	3	0.0%
CRJ05	Warner	1				1			2	0.0%
CRJ06	Welty	22	1						23	0.3%
CRJ07	Jones						1	2	3	0.0%
CRJ08	Hoffman	4		1	1			2	8	0.1%
CRJ09	Bergin	2						1	3	0.0%
CRJ10	Thumma								0	0.0%
CRJ11	Brotherton	1							1	0.0%
CRJ12	Harrison							2	2	0.0%
CRJ13	Bassett						1	1	2	0.0%
CRJ14	Passamonte				1				1	0.0%
CRJ15	Brodman							1	1	0.0%
CRJ16	Martin							1	1	0.0%
CRJ17	Brnovich		2		1			6	9	0.1%
CRJ18	Miles				1			2	3	0.0%
CRJ19	O'Connor	2	0	0	10	3	5	13	33	0.4%
CRJ20	Contes	1							1	0.0%
CRJ21	Stephens	1	2		3			5	11	0.1%
CRJ22	Garcia	1			1			2	4	0.0%
CRJ23	Flores	1							1	0.0%
CRJ25	Kreamer			1	7	1	1	3	13	0.2%
CMC01	Mulleneaux								0	0.0%
CMC02	Kaiser								0	0.0%
CMC03	VandenBerg					1			1	0.0%
CMC04	Davis	1							1	0.0%
CMC05	Starr								0	0.0%
CMC06	Lynch	3							3	0.0%
CRC03	Hintze							1	1	0.0%
CRC09	Spencer	1							1	0.0%
<b>Trial Group Totals</b>		<b>43</b>	<b>5</b>	<b>2</b>	<b>26</b>	<b>6</b>	<b>8</b>	<b>43</b>	<b>133</b>	<b>1.7%</b>
CPJ02/03	Granville (APJ)				1		1	6	8	0.1%
CRDU1	Miller (DUI)	138	84	26	49	4	5	5	311	3.9%
CRDU2	Svoboda (DUI)	137	79	28	37	4	1	6	292	3.6%
SAJ04	McMurdie (SAJ)	15			19	5	12	29	80	1.0%
SAJ06	Reinstein (SAJ)	50	9		14	1	1	7	82	1.0%
SAJ07	Gottsfeld (SAJ)						1	1	2	0.0%
SAJ12	Barton (SAJ)	49	2	2	10	3		12	78	1.0%
SAJ13	Schwartz (SAJ)								0	0.0%
SAJ14	Duncan (SAJ)							1	1	0.0%
RCC/EDC/all other divisions		821	41	8	26	4	1	33	934	11.7%
<b>GRAND TOTALS</b>		<b>4,165</b>	<b>1,543</b>	<b>494</b>	<b>1,150</b>	<b>176</b>	<b>115</b>	<b>365</b>	<b>8,008</b>	<b>100%</b>
percent to total		52.0%	19.3%	6.2%	14.4%	2.2%	1.4%	4.6%	100%	
cumulative percent		52.0%	71.3%	77.4%	91.8%	94.0%	95.4%	100.0%		

## Age (in days) from arraignment date of Active Pending Criminal Cases, as of 8/31/2011



## Number and Age of Active Trial Set Cases, as of 8/31/2011



**NOTICES OF CHANGE OF JUDGE  
FOR THE MONTH OF AUGUST 2011**

<b>TRIAL GROUP</b>	<b>JUDGE</b>	<b>STATE MOTION (10.2)</b>	<b>DEFENSE MOTION (10.2)</b>	<b>PLEA WITHDRAWALS</b>	<b>RECUSALS/ COURT ORDERED TRANSFERS</b>	<b>TOTAL</b>
<b>MC</b>	BASSETT	0	0	0	0	0
	BERGIN	0	0	0	0	0
	BRNOVICH	0	1	0	2	3
	BRODMAN	0	0	0	0	0
	BROTHERTON	0	0	0	1	1
	COHEN	0	0	0	2	2
	CONTES	0	0	0	0	0
	DUNCAN	0	0	0	1	1
	FLORES	0	0	0	0	0
	GARCIA	0	0	0	1	1
	GOTTSFIELD	0	0	0	2	2
	HARRISON	0	0	0	0	0
	HOFFMAN	0	0	0	0	0
	JONES	0	0	0	0	0
	KREAMER	0	0	0	0	0
	MARTIN	0	0	0	0	0
	MILES	0	1	0	0	1
	O'CONNOR	0	2	0	1	3
	PASSAMONTE	0	1	0	0	1
	PINEDA	0	1	0	2	3
REINSTEIN	0	0	0	0	0	
STEPHENS	0	0	0	0	0	
THUMMA	0	0	0	0	0	
WARNER	0	0	0	0	0	
WELTY	0	0	0	0	0	
<b>TOTALS</b>		<b>0</b>	<b>6</b>	<b>0</b>	<b>12</b>	<b>18</b>
	Jay Davis	0	0	0	0	0
	Lynch	0	0	0	0	0
	Mulleneaux	0	0	0	0	0
	Spencer	1	0	0	0	1
	Starr	0	0	0	0	0
	VandenBerg	0	0	0	0	0
	Miller (DUI)	0	0	0	0	0
	Svoboda (DUI)	0	1	0	0	1
	Holding (R11)	0	0	0	0	0
	Barton (SAJ)	1	1	0	0	2
	McMurdie (SAJ)	0	0	0	2	2
	Reinstein (SAJ)	0	0	0	0	0
	<b>TOTALS</b>		<b>2</b>	<b>2</b>	<b>0</b>	<b>2</b>
<b>GRAND TOTALS</b>		<b>2</b>	<b>8</b>	<b>0</b>	<b>14</b>	<b>24</b>



**Settlement Conference Activity, August 2011**  
**Criminal Department**

<b>Cal</b>	<b>Judicial Officer/Comm.</b>	<b>Conference Results</b>				
		<b>Conferences Set</b>	<b>Settled</b>	<b>Not Settled</b>	<b>Continue</b>	<b>Misc.</b>
CPJ01	Douglas Rayes	1	0	1	0	0
CPJ02/03	Warren Granville	11	2	1	0	8
CRJ02	Susanna Pineda	3	2	0	0	1
CRJ04	Bruce Cohen	10	8	0	0	2
CRJ05	Randall Warner	22	17	0	3	2
CRJ06	Joseph Welty	21	2	6	3	10
CRJ07	Michael Jones	11	2	3	3	3
CRJ08	Kristin Hoffman	12	1	5	2	4
CRJ09	Dawn Bergin	7	3	3	0	1
CRJ10	Samuel Thumma	10	2	7	1	0
CRJ11	Bill Brotherton	4	2	0	0	2
CRJ12	Cari Harrison	4	3	1	0	0
CRJ13	Edward Bassett	16	9	5	2	0
CRJ14	Carolyn Passamonte	9	2	2	0	5
CRJ15	Roger Brodman	13	4	7	0	2
CRJ16	Daniel Martin	8	0	6	1	1
CRJ17	Susan Brnovich	12	5	4	1	2
CRJ19	Karen O'Connor	8	0	2	2	4
CRJ20	Connie Contes	15	3	7	3	2
CRJ21	Sherry Stephens	60	32	11	9	8
CRJ22	Jeanne Garcia	4	0	4	0	0
CRJ23	Lisa Flores	21	9	7	2	3
CRJ25	Joseph Kreamer	32	7	13	4	8
SAJ04	Paul McMurdie	15	11	3	0	1
SAJ06	Peter Reinstein	22	11	7	0	4
SAJ07	Robert Gottsfield	68	13	29	8	18
SAJ12	Janet Barton	8	1	6	0	1
SAJ13	Jonathan Schwartz	5	0	5	0	0
SAJ14	Sally Duncan	5	1	4	0	0
CMC01	Christine Mulleneaux	27	13	4	3	7
CMC02	Brian Kaiser	35	15	6	0	14
CMC03	Lisa Vandenberg	30	7	9	0	14
CMC04	Jay Davis	16	3	6	0	7
CMC05	Patricia Starr	18	4	12	1	1
CMC06	Steven Lynch	49	18	20	0	11
CRDU1	Phemonia Miller	19	9	5	2	3
CRDU2	Pamela Svoboda	20	4	11	2	3
CRC05	Brian Rees	1	0	0	0	1
CRC03	Michael Hintze	4	0	0	1	3
CRC06	Jeffrey Woodburn	3	1	2	0	0
CRC08	Steven Holding	8	5	2	0	1
CRC09	Barbara Spencer	5	0	1	1	3
None Assigned/Others		22	0	4	5	13
<b>TOTALS</b>		<b>710</b>	<b>233</b>	<b>231</b>	<b>59</b>	<b>187</b>

NOTE: Misc. includes cases entered as "No Result"