COURT RESPONSE AND ACTION PLAN

**Maricopa-Stanfield Justice Court and Maricopa Municipal Court**

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| **Finding 1** | **The justice court needs to improve its DUI case processing practices with respect to the appointment of counsel.** | **Target Completion Date** | **Actual Completion Date** |
| Remedy | * *The court should require all defendants wishing to proceed as indigent to fill out Form 5(a), ARCrP before appointing counsel.* * *The court should ensure that the Order Appointing Counsel is distributed to the defendant, the prosecutor, and the appointed attorney, and that distribution is documented on the copy of the order retained by the court.* * *The court should ensure that attorney’s fees are accurately entered into AZTEC and match the amount ordered on the JSO form.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Point 1 completed March 2015. The other two points are being monitored. An email regarding the Financial Affidavit was disbursed to the Judge and JOS verifying the importance of the form on January 27, 2016. |  | March 2015 |
| Court Action | * Both courts shall implement the use of Form 5(a) and require all defendants wishing to proceed as indigent to fill out the form before appointing counsel. All previous versions of the financial questionnaire shall be discarded and removed from electronic folders on staff computers. Form 5(a) can be located at the following link: <http://ajinweb/selfserv/Criminal.htm>. * Court management shall draft a policy regarding distribution and documentation and should ensure that the policy indicates that the Order Appointing Counsel shall be distributed to the defendant, the prosecutor, and the appointed attorney, and the original retained in the case file. The policy shall also indicate that staff shall document that the Order was distributed as indicated above. * The policy shall be presented to staff during the next staff meeting so that they are all apprised of the procedure. * Court management shall hold staff accountable for distributing the Order Appointing Counsel by randomly selecting five (5) DUI cases adjudicated each month and checking to ensure that the Order has been distributed and distribution documented. * Court management shall observe court staff in the courtroom to ensure that the Order is indeed being distributed to all parties as indicated above. * The courts shall ensure that the order for attorney’s fees is clearly documented. Specifically, the court shall indicate on the Order Appointing Counsel the amount of the attorney fees the defendant is ordered to pay, and that amount should be entered into AZTEC at the time the Order is issued. If the court wishes to wait until sentencing to determine the amount of attorney fees, the court should indicate on the Order Appointing Counsel that the fees are “To be determined” and at sentencing, the court should clearly indicate the amount of attorney fees on the Judgment of Guilt and Sentence Form. * Court management shall amend the Order Appointing Counsel Form and JSO form to ensure that both forms have a place for the judge to fill in the amount that he or is she ordering for attorney fees. * Court management shall hold staff accountable for correctly entering attorney fees into AZTEC by randomly selecting five (5) DUI cases that have had counsel appointed each month and checking to ensure that the attorney fees have been correctly entered into AZTEC. |  |  |
| **Finding 2** | **The justice court needs to improve its DUI case processing practices with respect to the Judgment of Guilt and Sentence (JSO) form.** |  |  |
| Remedy | * *The court should amend the JSO form and ensure that it is completed accurately and in its entirety.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Form has been amended, please see attachments #1 and #2 |  | March 2015 |
| Court Action | * Both courts shall revise the JSO form to ensure it has all required elements set forth in ARS § 13-607. Specifically, the form shall include the following elements:  1. The defendant's full name; 2. The defendant’s date of birth; 3. The name of the counsel for the defendant or, if counsel was waived, the fact that the defendant knowingly, voluntarily and intelligently waived the defendant's right to counsel after having been fully apprised of the defendant's right to counsel; 4. The name of the offense; 5. The statutory citation of the offense; 6. The classification of the offense; 7. Whether there was a finding by the trier of fact that the offense was of a dangerous or repetitive nature pursuant to section 13-703, 13-704 or 13-708; 8. Whether the basis of the finding of guilt was by trial to a jury or to the court, or by plea of guilty or no contest; 9. That there was a knowing, voluntary and intelligent waiver of the right to a jury trial if the finding of guilt was based on a trial to the court; 10. That there was a knowing, voluntary and intelligent waiver of all pertinent rights if the finding of guilt was based on a plea of guilty or no contest; 11. A place for the defendant’s right index fingerprint that indicates the same; and 12. A certification statement by the court or the clerk of the court that at the time of sentencing and in open court the defendant's right index fingerprint was permanently affixed to the document or order.  * Court management shall hold staff accountable for accurately completing the JSO form in its entirety by randomly selecting five (5) adjudicated DUI cases each month and checking to ensure that the form is accurate and complete. |  |  |
| **Finding 3** | **The justice court needs to improve with respect to sentencing defendants to the mandatory minimum term of incarceration.** |  |  |
| Remedy | * *The court should ensure that the defendant is sentenced to the mandatory minimum term of incarceration.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  JOS form has been amended after AOC’s visit on 01/15/2016 to include how many days are being suspended, and under what conditions time is being suspended. Please see attachments #1 and #2. |  | March 2015 JOS form was amended  01/20/2016 JOS form amended for the second time. |
| Court Action | * The courts shall amend the jail sentence portion of the JSO form to indicate how many days are being ordered, how many days are being suspended, and under what conditions time is being suspended. For example, the JSO form should have a portion that indicates “The defendant shall serve \_\_\_\_\_\_\_ days in jail, with \_\_\_\_\_\_ days suspended on the condition that the defendant completes alcohol or drug screening and treatment or  equips his or her motor vehicle with a certified ignition interlock device for 12 months, with \_\_\_\_\_\_ days credit for time served.” The number of days ordered shall reflect the minimum mandatory required by statute. |  |  |
| **Finding 4** | **The courts need to improve their DUI case processing practices with respect to docketing.** |  |  |
| Remedy | * *Court staff should discontinue creating docket entries indicating that matters were held before or decided by Judge Sulley.* * *The courts should ensure that incarceration costs are accurately entered into AZTEC and match the amount ordered on the JSO form.* * *The courts should ensure that the correct disposition codes are entered into AZTEC for the corresponding charges.* * *The courts should ensure that the docket entries indicating the charge(s) to which the defendant plead guilty match the charge(s) to which the defendant actually plead guilty.* * *Delays in entering the sentencing into AZTEC can be a source for siphoning monies from the courts if a defendant makes a payment, but the sentencing has not been entered into AZTEC. The courts should ensure that sentencing is entered into AZTEC by the end of the business day.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Case Processing Policy #1 – Date Stamping and docketing Documents   * Court staff will docket all documents within two weeks of receipt. |  | 10/26/2015 |
| Court Action | * Court staff shall begin docketing the name of the judge who actually heard the matter. * Court management shall hold staff accountable for accurately docketing by randomly selecting five (5) adjudicated DUI cases each month and checking to ensure that court staff is no longer docketing that Judge Sulley heard matters. * Court management shall amend the JSO form to provide a place for the judge to fill in the amount that he or is she ordering for incarceration costs. If the judge decides to waive incarceration costs due to a finding of indigency, the judge should clearly indicate the same in the space provided on the JSO form. * Court management shall hold staff accountable for accurately entering incarceration costs into AZTEC by randomly selecting five (5) adjudicated DUI cases each month and checking to ensure that the amount entered into AZTEC matches the amount on the JSO form. * Court management shall amend the JSO form to provide a space to write in all the charge of which the defendant has been charged and the final disposition each, e.g., guilty, dismissed, etc. * Court staff shall pre-fill the charges on the JSO form so that the judge can write in the disposition of each charge at sentencing. * The judge should clearly indicate on the JSO form which charges are being dismissed and the charges to which the defendant is found or is pleading guilty or no contest. * Court management shall create a list of disposition codes to be entered into AZTEC that corresponds to the disposition of each charge. A list of dispositions can be found at: <http://www.azcourts.gov/orders/AdministrativeOrdersIndex/2008AdministrativeOrders.aspx> under Administrative Order 2008-47. The list of disposition codes shall be given to each staff member. * Court management shall hold staff accountable for accurately entering disposition codes into AZTEC by randomly selecting five (5) adjudicated DUI cases each month and checking to ensure that dispositions entered into AZTEC match the disposition code ordered on the JSO form for the corresponding charges. * Court management shall require staff to enter sentencing into AZTEC while they are in the courtroom or immediately following. Sentencing should be entered into AZTEC by the end of the business day. * Court management shall hold staff accountable for timely entering sentencing by reviewing staff’s progress at the end of each day and any outstanding sentencing they may have, as well as by randomly selecting five (5) adjudicated DUI cases at the end of each week to ensure that the sentencing has been entered into AZTEC. |  |  |
| **Finding 5** | **The justice court needs to improve with respect to ordering fingerprints and reporting final dispositions to the Department of Public Safety (DPS).** |  |  |
| Remedy | * *The court should verify and obtain fingerprints within 20 days if the defendant does not provide proof at initial appearance, or if the court has not received the process control number (PCN).* * *The court should follow up with fingerprint orders if the defendant has not filed proof of compliance, or if the FDR or PCN has not been received by the due date set by the court.* * *The court should ensure that FDR’s are sent to DPS within ten days of adjudication of the case.* * *The court should ensure that the information on the FDR is accurate before forwarding the FDR to DPS.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The court established Case Processing Policy #7 Summons for Finger Print and/or DNA – “a defendant shall be ordered to obtain fingerprints within 20 days if not already fingerprinted during arrest or the Court has not received the Process Control Number (PCN).” The Court also created docket event code 5313. Staff are to docket this action when they forward a FDR on to DPS. |  | 10/26/2015 |
| Court Action | * Court staff shall review each case at the initial appearance to determine whether the PCN or FDR has been received. If the court has not received the FDR or the PCN, court staff shall flag the case file to let the judge know that he or she needs to inquire with the defendant as to whether he or she has been fingerprinted. If the defendant indicates that he or she has been fingerprinted, the judge should ask for proof. If the defendant does not have proof, the judge should order the defendant to provide proof within 20 days. If the defendant indicates that he or she has not been fingerprinted, the judge should order that the defendant be printed and provide proof to the court within 20 days. The order should inform the defendant that failure to provide proof fingerprinting by the date indicated will result in an arrest warrant for failure to comply with the court’s order. * If the judge has ordered the defendant to be fingerprinted or provide proof of fingerprinting, court staff shall tickle the event in AZTEC to monitor whether the defendant complies. * Once the tickle date has come up in AZTEC, court staff shall review the case file to determine whether proof of fingerprinting has been received. If proof of compliance has not been received, staff should issue a warrant for the defendant’s failure to comply with a court order. * Upon receiving proof of fingerprinting or proof of compliance with the court’s order for fingerprinting, the staff receiving the proof shall docket compliance and route the document to the case file immediately. * Upon receiving FDR’s from the arresting agency, court staff shall route them to the case file by the end of the business day. * FDR’s shall be completed the same day that the defendant has been sentenced. * FDR’s shall be mailed to DPS every Friday. * Before mailing the original to DPS, court staff shall make a copy of the FDR and place it in the case file, and shall create a docket entry in each case on the day that FDR has been mailed to indicate the same. * Court management shall draft a policy for obtaining proof of fingerprint compliance and a policy for forwarding FDR’s to DPS that includes the procedures set forth above. The policies shall be presented to staff at the next staff meeting. * Court management shall hold staff accountable randomly selecting five (5) pre-adjudicated DUI cases each month to determine whether the procedure regarding obtaining proof of fingerprint compliance is being followed. * Court management shall hold staff accountable randomly selecting five (5) post-adjudicated DUI cases each month to determine whether the procedure regarding completing and mailing FDR’s to DPS is being followed. |  |  |
| **Finding 6** | **The municipal court needs to improve with respect to ordering fingerprints and reporting final dispositions to DPS.** |  |  |
| Remedy | * *The court should verify and obtain fingerprints within 20 days if the defendant does not provide proof at initial appearance, or if the court has not received the process control number (PCN).* * *The court should follow up with fingerprint orders if the defendant has not filed proof of compliance, or if the FDR or PCN has not been received by the due date set by the court.* * *The court should ensure that FDR’s are sent to DPS within ten days of adjudication of the case.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The court established Case Processing Policy #7 Summons for Finger Print and/or DNA – “a defendant shall be ordered to obtain fingerprints within 20 days if not already fingerprinted during arrest or the Court has not received the Process Control Number (PCN).” The Court also created docket event code 5313. Staff are to docket this action when they forward a FDR on to DPS. |  | 10/26/2015 |
| Court Action | * Same as steps set forth for Finding 5. |  |  |
| **Finding 7** | **The courts need to improve with respect to reporting dispositions to MVD.** |  |  |
| Remedy | * *The courts should report dispositions to MVD within ten days of conviction, judgment, or forfeiture of bail or deposit.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #11 – Civil Traffic Citations   * Court staff will update the disposition in the CMS to reflect the correct disposition (see Disposition Sheet). The disposition shall be reported to MVD in the nightly batch to ensure that MVD will update their records and lift the driver license suspension. | 10/26/2015  Extended  02/19/2016  A recent review found 9 of 10 - civil traffic defaults not reported to MVD. We have researched the issue and have address with staff. Progressive discipline has begun. |  |
| Court Action | * The courts shall report dispositions to MVD on a daily basis. Court management shall delegate the task to one person who shall be responsible for transmitting the batch each day. Court management shall also designate a back-up person to assume the task if the primary person is absent. * Court management shall hold staff accountable for transmitting dispositions to MVD by randomly selecting five (5) DUI cases weekly that have been adjudicated within the past seven days to ensure that the dispositions in each case have been transmitted to MVD for all charges. * The primary staff responsible for transmitting dispositions to MVD shall also review the MVD Batchcon report on a daily basis to ensure that transmissions were successful. Any unsuccessful transmissions shall be corrected and re-transmitted by the end of the business day. If the primary person is absent, the back-up person shall assume this task until the primary person returns. |  |  |
| **Finding 8** | **The courts need to improve with respect to assessing monies in AZTEC and assessing local fees.** |  |  |
| Remedy | * *The courts should ensure that the mandatory minimum base fine amounts for DUI convictions is ordered.* * *The courts should ensure that fine amounts are accurately entered into AZTEC and reflect what the judge has ordered.* * *The courts should ensure that the $20.00 Time Payment Fee is entered in cases in which the defendant does not pay the court-ordered penalty, fine, or sanction on the date it is imposed.* * *The courts should assess monies to the Public Safety Equipment Fund Assessment (X8) for DUI convictions with a date of violation on or after September 26, 2008, and should assess monies to the Extra DUI Fund Assessment (X5) for convictions with a date of violation prior to September 26, 2008.* * *The municipal court should ensure that local fees are assessed according to its local code, and should discontinue assessing fees that have not been established by the code.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #6 DUI Processing Standards – Use of Judgment of Guilt and Sentence Form   1. Judicial Officers will ensure that the current JSO has all the required elements set forth in ARS § 13-607and will enter the required information at the time of sentence. 2. The Judicial Officer will ensure that court staff has a current list of disposition codes and receivable types for the case management system (CMS) to use for entering the required information. 3. Staff were also given the most recent DUI sentencing chart with this policy. The chart not only provides the amounts of each local fee, but also gives the correct receivable type based on the violation date. |  | 10/26/2015 |
| Court Action | * Court management shall amend the JSO form to include a breakdown of all fines and fees so that court staff can enter each monetary assessment according to the judge’s specific orders. Specifically, the break down should include, but is not limited to, a space for:  1. The base fine; 2. State surcharges for the base fine; 3. Probation Assessment; 4. $13.00 Additional Assessment; 5. $20.00 Time Payment Fee; 6. Public Safety Equipment Fund (X8) (for cases with DOV on or after 9/26/2008); 7. Extra DUI Fund Assessment (X5) (for cases with DOV before 9/26/2008); and 8. Any local fees that have been established by local ordinance or resolution and the surcharges that shall be assessed as well.  * Court management shall hold staff accountable for entering monetary amounts into AZTEC in accordance with the judge’s orders by randomly selecting five (5) adjudicated DUI cases monthly and ensuring that the amounts entered into AZTEC match the amounts set forth on the judge’s order. |  |  |
| **Finding 9** | **The courts need to improve with respect to conducting the daily calendar.** |  |  |
| Remedy | * *The courts should implement a more efficient process for conducting the daily calendar so that defendants can be seen by a judge within a reasonable amount of time.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Changed by June 2015. Still adjusting as court needs change. Please see attachment #3 Court Daily Calendar |  | June 2015 |
| Court Action | * TBD |  |  |
| **Finding 10** | **The courts need to improve with respect to monitoring monetary court orders and payment plan agreements.** |  |  |
| Remedy | * *The courts should develop a procedure for monitoring payment plans and designate a staff person to go through cases on payment plans monthly to determine the status of the case, i.e., whether the defendant is current with payments or whether court action is necessary.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Compliance Policy #1 – Monitoring Monetary Court Orders  The court utilized temporary clerks to work through the entire time payment/compliance wall for both courts. Order to Show Cause or Notice of Pending Matters was sent out to defendant who were non-compliant.  Staff have been instructed to tickle calendar all compliance at time of entering sentence including the first 6 time payment dates. A compliance clerk position was created and it is her duty to run the tickler and monitor the time payment/compliance wall. |  | December 2015 |
| Court Action | For payment plans established after the date of implementation for this action plan:   * Payment plans should be created and ordered by the judge at the time of sentencing. * Once payment plans have been established, the payment plan shall be entered into AZTEC and the due dates shall be tickled. * Court management shall designate one person to monitor payment plans on a daily basis. The designated staff member will review the cases that come up on the tickler and review the case file to determine whether the defendant has made his or her payment. If the defendant had not made his or her payment in full by the due date, the staff member shall schedule an Order to Show Cause (OSC) hearing. If the defendant fails to appear at the OSC hearing, court shall issue a warrant within one business day of the person’s failure to appear.   For payment plans established before the date of implementation for this action plan:   * Cases on payment plans shall be reviewed to determine the status of the cases, i.e., whether the defendant is current with the established payment plan. * In reviewing these cases, the terms of the payment plan shall be docketed and the due dates shall be tickled in AZTEC. * If the defendant is not compliant with the terms of the established payment plan, and the due date for the missed is within one year of the review date, court staff shall issue an OSC. If the due date of the missed payment is more than one year before the date of review, the court shall send a letter to the defendant indicating that a payment must be made within 30 days. The 30 day deadline shall be tickled. If the defendant does not make a payment within 30 days, the case shall be sent to FARE. * The cases shall be reviewed according to the first letter of the defendant’s last name, and two letters of the alphabet shall be reviewed each week for both courts until all cases on payment plans have been reviewed. For example, the person designated will review all cases in which the defendant’s last name begins with an “A” or a “B” by the end of week 1. Cases in which the defendant’s last name begins with “C” or “D” will be reviewed by the end of week 2, and so on. * The person designated to monitor payment plans established after the implementation of this action plan shall be the same person to review the payment plans established before the implementation of this action plan. * Court management shall hold staff accountable for the monitoring of payment plans by ensuring that the required case files have been reviewed by the end of each week. * Court management shall also randomly select five (5) adjudicated DUI cases monthly to ensure that the terms of the payment plans have been docketed and payment plans are being monitored. |  |  |
| **Finding 11** | **The courts need to improve with respect to monitoring non-monetary court-ordered obligations.** |  |  |
| Remedy | * *The courts should develop a procedure for monitoring non-monetary court orders and designate a staff person to go through cases monthly to determine the status of the case, i.e., whether the defendant has complied with the courts’ orders or whether court action is necessary.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Compliance Policy #2 – Monitoring Non-Monetary Court Orders   * The Judicial Office Supervisor will ensure that court staff is assigned to monitor non-monetary court orders. * Assigned court staff assigned to compliance must monitor compliance of non-monetary obligations by tickling the due dates for completion of such obligations. * Assigned court staff will ensure that the docketing of the non-monetary court orders are entered into the case management system (CMS). * Assigned court staff must monitor on a daily basis the defendants that have obligations coming due. The monitoring will include:   Determine if the defendant has completed their obligations.  After the thirty days, the assigned court staff will schedule an Order to Show Cause (OSC) hearing, in criminal cases. One OSC per compliance issue per case  If the defendant fails to appear at the OSC hearing, the court will issue a warrant within two weeks of the defendant’s failure to appear. |  | 10/26/2015 |
| Court Action | For non-monetary court-ordered obligations issued after the date of implementation for this action plan:   * The orders and due dates shall be entered into AZTEC, and the due dates shall be tickled. * Court management shall designate one person to monitor non-monetary court ordered on a daily basis. The designated staff member will review the cases that come up on the tickler and review the case file to determine whether the defendant has complied with the court’s orders. If the defendant had not complied by the due date, the staff member shall schedule an Order to Show Cause hearing.   For non-monetary court-ordered obligations issued before the date of implementation for this action plan:   * Cases with non-monetary court ordered obligations should be reviewed to determine the status of the cases, i.e., whether the defendant is compliant or non-compliant with all orders. * In reviewing these cases, the due dates should be tickled. * If the defendant is not compliant with non-monetary court-ordered obligations, and the due date for the non-monetary court-ordered obligation is within one year of the review date, court staff shall issue an OSC. If the due date of the non-monetary court-ordered obligation is more than one year before the date of review and no court action has been taken previously, the court should send a letter to the defendant indicating that proof of compliance must be provided within 30 days. The 30 day deadline shall be tickled. * The cases shall be reviewed according to the first letter of the defendant’s last name, and two letters of the alphabet shall be reviewed each week for both courts until all cases with non-monetary court-ordered obligations have been reviewed. For example, the person designated will review all cases in which the defendant’s last name begins with an “A” or a “B” by the end of week 1. Cases in which the defendant’s last name begins with “C” or “D” will be reviewed by the end of week 2, and so on. * The person designated to monitor non-monetary court-ordered obligations established after the implementation of this action plan shall be the same person to review non-monetary court-ordered obligations established before the implementation of this action plan. * Court management shall hold staff accountable for the monitoring of non-monetary court-ordered obligations by ensuring that the required case files have been reviewed by the end of each week. * Court management shall also randomly select five (5) adjudicated DUI cases monthly to ensure that the non-monetary court-ordered obligations are being monitored. |  |  |
| **Finding 12** | **The courts need to improve with respect to monitoring non-monetary court-ordered obligations.** |  |  |
| Remedy | * *The courts should ensure that the sentencing is entered into AZTEC the same day that the defendant is sentenced.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Compliance Policy #2 – Monitoring Non-Monetary Court Orders  Staff have been allotted two weeks to complete all dockets, sentencing information, and calendaring (future court dates as well as the tickler). The court has created a position of Courtroom Clerk. This clerk goes in for all case types/calendars and is solely responsible for entering all information in the CMS that comes out of court. |  | 10/26/2015 |
| Court Action | * Court management shall require staff to enter sentencing into AZTEC while they are in the courtroom or immediately following. Sentencing should be entered into AZTEC by the end of the business day. * Court management shall hold staff accountable for timely entering sentencing by reviewing staff’s progress at the end of each day and any outstanding sentencing they may have, as well as by randomly selecting five (5) adjudicated DUI cases at the end of each week to ensure that the sentencing has been entered into AZTEC. |  |  |
| **Finding 13** | **The justice court needs to improve with respect to date-stamping and docketing documents.** |  |  |
| Remedy | * *The court should ensure that the date that a protective order is served is entered into the correct module in AZTEC so that AZTEC will reflect the correct expiration date.* * *The court should ensure that Declarations of Service are date-stamped upon receipt and immediately entered into AZTEC.* * *The court should forward the proof of service and Order of Protection to the sheriff within 24 hours of the filing of the proof of service. Further, the court should retain a copy of the proof of service in the case file, indicate on the copy when the original was forwarded to the sheriff, and create a docket entry indicating when the proof of service was forwarded.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #5 – Forwarding Proof of Service and Protective Orders to the Sheriff’s Office  To ensure proper administration of justice, the Court shall ensure that proof of service and Protective Orders are forwarded to PCSO within 24 hours of filing.   * Court staff will upon receiving certificate/affidavit of Proof of Service or acceptance of service date- and time-stamp the document immediately. * Court staff will docket receipt and shall enter into the case management system’s (CMS) Protective Order Module the date and time of when the defendant was actually served. * Court staff will electronically forward a copy of the certificate/affidavit Proof of Service or acceptance of service and a copy of the Protective Order to PCSO at [pcsocivil@pinalcountyaz.gov](mailto:pcsocivil@pinalcountyaz.gov) within 24 hours of filing. * Court staff will create a docket indicating that the documents were electronically forwarded to PCSO and file proof of notification in the file.   Docket event 5311 – Proof sent to Sherriff’s Office |  | 10/26/2015 |
| Court Action | * Upon receipt, court staff shall date-stamp and docket all documents by the end of the business day. * All documents received shall be placed in the corresponding case file once it has been date-stamped and docketed. * Upon receiving a returned Declaration of Service, court staff shall docket receipt and shall enter into the AZTEC Protective Order Module the date that the defendant was actually served. * Court staff shall forward a copy of the returned proof of service and a copy of the Order of the Protection to the sheriff’s office by the end of each business day. * Upon forwarding a copy of the returned proof of service and a copy of the Order of the Protection to the sheriff’s office, court staff shall create a docket entry in AZTEC that indicates that the documents were forwarded to the sheriff’s office. * Court management shall hold staff accountable by randomly selecting five (5) protective order cases each month that have had service executed and ensuring that: (1) the proof of service has been docketed, (2) the proof of service has been date-stamped, (3) the actual service date has been entered into the Protective Order module in AZTEC, (4) that a copy of the proof of service and a copy of the Order of Protection was forwarded to the sheriff by the end of the business day in which it was received, and (5) the act of forwarding a copy of the proof of service and a copy of the Order of Protection to the sheriff’s office was docketed in AZTEC. |  |  |
| **Finding 14** | **The justice court needs to improve with respect to notifying the sheriff that Brady criteria were met.** |  |  |
| Remedy | * *The court should ensure that the sheriff is notified when an order of protection with a qualifying relationship is modified or affirmed at a hearing of which the defendant received actual notice. Further, court staff should enroll in training so that they have a better understanding as to when Brady criteria has been met and when the sheriff should be notified.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The court established Case Processing Policy #10 Brady Criteria Notification   * Following a hearing in an Order of Protection case that qualifies for a positive Brady indicator and in which the Order of Protection is affirmed or granted, Court staff will complete and electronically send the Arizona Supreme Court approved form to the PCSO at [pcsocivil@pinalcountyaz.gov](mailto:pcsocivil@pinalcountyaz.gov). * Court staff will retain the original form and proof of notification (the *sent* email) to the PCSO in the case file. The original shall be placed in the case file immediate after electronically notifying PCSO. * Court staff will create a docket entry in the case management system (CMS) to reflect that the notification was electronically transmitted to PCSO. Docket event code 5312. | 10/26/2015 Extended  03/01/2016 – After review of case files it was found that there is confusion with the Judge’s worksheet form. As of 02/01/2016 the form has been redrafted and staff have been instructed on its use/process. |  |
| Court Action | * Court staff responsible for handling protective orders shall attend training regarding protective order case processing and when notification to the sheriff of a positive Brady indicator is appropriate. * Upon receiving a protective order case that qualifies for a positive Brady indicator, court staff shall complete and fax the Supreme Court approved form to the sheriff. * Court staff shall retain the original and proof of notification to the sheriff in the case file. Specifically, the original shall be placed with the case file immediately after the fax is sent. * Court staff shall create a docket entry indicating that notification was faxed to the sheriff. * Court management shall hold staff accountable by establishing a deadline by which they must enroll in and attend training. * On a quarterly basis, court management shall randomly select five (5) Order of Protection cases in which Brady criteria have been met and review the cases to ensure that notification has been sent to the sheriff. |  |  |
| **Finding 15** | **The justice court needs to improve with respect to forwarding proof of service to the sheriff within 24 hours of filing.** |  |  |
| Remedy | * *The court should forward the proof of service and Order of Protection to the sheriff within 24 hours of the filing of the proof of service. Further, the court should retain a copy of the proof of service in the case file, indicate on the copy when the original was forwarded to the sheriff, and create a docket entry indicating when the proof of service was forwarded.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #5 – Forwarding Proof of Service and Protective Orders to the Sheriff’s Office  To ensure proper administration of justice, the Court shall ensure that proof of service and Protective Orders are forwarded to PCSO within 24 hours of filing.   * Court staff will upon receiving certificate/affidavit of Proof of Service or acceptance of service date- and time-stamp the document immediately. * Court staff will docket receipt and shall enter into the case management system’s (CMS) Protective Order Module the date and time of when the defendant was actually served. * Court staff will electronically forward a copy of the certificate/affidavit Proof of Service or acceptance of service and a copy of the Protective Order to PCSO at [pcsocivil@pinalcountyaz.gov](mailto:pcsocivil@pinalcountyaz.gov) within 24 hours of filing. * Court staff will create a docket indicating that the documents were electronically forwarded to PCSO and file proof of notification in the file.   Docket event 5311 – Proof sent to Sherriff’s Office |  | 10/26/2015 |
| Court Action | * Upon receipt, court staff shall date-stamp and docket all documents by the end of the business day. * All documents received shall be placed in the corresponding case file once it has been date-stamped and docketed. * Upon receiving a returned proof of service, court staff shall docket receipt and shall enter into the AZTEC Protective Order Module the date that the defendant was actually served. * Court staff shall forward a copy of the returned proof of service and a copy of the Order of the Protection to the sheriff’s office by the end of each business day. * Upon forwarding a copy of the returned proof of service and a copy of the Order of the Protection to the sheriff’s office, court staff shall create a docket entry in AZTEC that indicates that the documents were forwarded to the sheriff’s office. * Court management shall hold staff accountable by randomly selecting five (5) protective order cases each month that have had service executed and ensuring that: (1) the proof of service has been docketed, (2) the proof of service has been date-stamped, (3) the actual service date has been entered into the Protective Order module in AZTEC, (4) that a copy of the proof of service and a copy of the Order of Protection was forwarded to the sheriff by the end of the business day in which it was received, and (5) the act of forwarding a copy of the proof of service and a copy of the Order of Protection to the sheriff’s office was docketed in AZTEC. |  |  |
| **Finding 16** | **The justice court needs to improve with respect to verifying the protective order.** |  |  |
| Remedy | * *The court should ensure that petitions for orders of protection are verified by either the judge or the court staff who accepts the petition.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #9 – Protective Order Verification  To ensure proper administration of justice, the Courts will ensure that Protective Orders are verified by the Judicial Officer and court staff.   * The Judicial Officer will verify petitions for protective orders once the plaintiff has completed the form and is submitted to the Court. * During the ex-parte hearing, the Judicial Officer will verify the petition. * Following an ex-parte hearing, staff will ensure that the petition for a protective order was verified. * Court staff will verify petitions when a visiting pro tem is working on behalf of the Justice of the Peace of the precinct. |  | June 2015 |
| Court Action | * Court staff shall verify petitions for protective orders once the plaintiff has completed the form and hands it back to the clerk. * Upon conducting the ex-parte hearing, the judges should double check the petition to ensure that it has been verified. * Court management shall hold staff accountable by randomly selecting five (5) protective order cases each month and checking to ensure that the petitions have been verified. |  |  |
| **Finding 17** | **The courts need to improve their warrant processing practices with respect to timely issuing warrants.** |  |  |
| Remedy | * *The courts should issue warrants within 30 days of non-compliance.* * *The court should refrain from initiating contempt proceedings if more than one year has passed since the date of the act complained of.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #14 – Warrant Processing and Issuance  In addition to the policy created, staff were given a “warrants guide sheet” that provided what types of warrants to issue when along with their docket event codes. | 10/26/2015 | The Warrant Policy was recently revised to extend the time to issue from fourteen days to thirty. This revision was completed 01/19/2016 |
| Court Action | * The courts shall implement the actions outlined for Finding 5 regarding monitoring compliance with fingerprint orders. * The courts shall implement the procedures set forth in Findings 10-12 for monitoring payment plans and non-monetary obligations. * The courts shall designate one person who is responsible for issuing OSC’s and warrants. Ideally this person will be the same person who monitors payment plans. * The court shall tickle the due dates for all court-ordered obligations and schedule an OSC hearing by the end of the business day if the defendant fails to appear. If the defendant fails to appear at the OSC hearing, the court shall issue a warrant by the end of the business day. * Court staff shall schedule and attend training for issuing warrants in AZTEC. * Court staff shall reference the warrant cheat sheet provided by the AOC to determine which type of warrant to issue. * Court staff shall verify the date of non-compliance before issuing any warrant. If the date of non-compliance exceeds one year from the date that court staff intends to issue the warrant and no court action has been taken since the date of non-compliance, court staff shall not issue a warrant or an OSC. Instead, court staff should send a letter to the defendant requesting action to become compliant, e.g., file proof of counseling, make a payment, etc. * Court staff shall not disposition any warrant charge unless there is a written judicial order indicating the disposition of the charge. * Court management shall hold staff accountable by randomly selecting five (5) warrants issued each month and checking to ensure that the OSC’s and warrants have been timely scheduled within the timeframe set forth above, and to ensure that warrants charges have not been dispositioned without a judicial order. |  |  |
| **Finding 18** | **The courts needs to improve their warrant processing practices with respect** |  |  |
| Remedy | * *The courts should discontinue docketing the same warrant more than once so that an audit trail can be established, and the courts can easily identify whether a warrant is outstanding or has been quashed.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #14 – Warrant Processing and Issuance  In addition to the policy created, staff were given a “warrants guide sheet” that provided what types of warrants to issue when along with their docket event codes. | 10/26/2015 | The Warrant Policy was recently revised to extend the time to issue from fourteen days to thirty. This revision was completed 01/19/2016 |
| Court Action | * The court shall docket each warrant issuance only once. * Court management shall hold staff accountable by randomly selecting five (5) warrants issued each month and checking to ensure that the warrant issuance has not been docketed more than once, and to ensure that the docket entry date matches the date the warrant was issued (signed) by a judge. |  |  |
| **Finding 19** | **The municipal court needs to improve its warrant processing practices with respect to issuing ARS § 13-3904 warrants.** |  |  |
| Remedy | * *The court should file a complaint charging the defendant with a violation of ARS § 13-3904(A) before issuing a warrant when a defendant fails to appear at an initial court appearance for which the defendant provided a written promise to appear.* * *The court should refrain from sentencing warrant charges upon issuing the warrant. Specifically, the judicial officer must make a determination regarding the warrant charge before the charge can be sentenced.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #14 – Warrant Processing and Issuance  In addition to the policy created, staff were given a “warrants guide sheet” that provided what types of warrants to issue when along with their docket event codes. | 10/26/2015 | The Warrant Policy was recently revised to extend the time to issue from fourteen days to thirty. This revision was completed 01/19/2016 |
| Court Action | * Court staff shall issue warrants pursuant to ARS § 13-3904 only when the following criteria have been met:  1. The defendant failed to appear for a court appearance of which he or she provided a written promise to appear, and 2. The appearance for which the defendant failed to appear was the first scheduled appearance in the case.  * Court staff shall not disposition any warrant charge unless there is a written judicial order indicating the disposition of the charge. * Court management shall hold staff accountable by randomly selecting five (5) ARS 13-3904 warrants issued each month to ensure that the warrant was the correct warrant to issue in the circumstances, and to ensure that warrants charges have not been dispositioned without a judicial order. |  |  |
| **Finding 20** | **The courts needs to improve their warrant processing practices with respect to issuing ARS § 13-2506 warrants.** |  |  |
| Remedy | * *The courts should issue warrants pursuant to ARS § 13-2506(A) only when the prosecutor has filed a complaint charging the defendant with a violation of ARS § 13-2506(A). If a defendant fails to appear for a court appearance and the prosecutor has not filed a complaint, the court may issue an arrest warrant pursuant to Rule 3.1, ARCrP for pre-adjudicated cases and pursuant to Rule 26.12(c), ARCrP for post-adjudication cases.* * *The courts should enter the corresponding charges into AZTEC upon the prosecutor filing a complaint charging the defendant with a violation of ARS § 13-2506(A).* * *The courts should refrain from sentencing warrant charges upon issuing the warrant. Specifically, the judicial officer must make a determination regarding the warrant charge before the charge can be sentenced.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #14 – Warrant Processing and Issuance  In addition to the policy created, staff were given a “warrants guide sheet” that provided what types of warrants to issue when along with their docket event codes. | 10/26/2015 | The Warrant Policy was recently revised to extend the time to issue from fourteen days to thirty. This revision was completed 01/19/2016 |
| Court Action | * Before issuing any type of statutory warrant (with the exception of ARS § 13-810 warrants), court staff shall check the case file to ensure that a complaint has been filed for the warrant before proceeding with issuing the warrant. * Once the complaint in the case file has been verified, court staff shall proceed with issuing the warrant. * Once the warrant has been issued, court staff shall enter the corresponding criminal charge into AZTEC. * Court staff shall not disposition any warrant charge unless there is a written judicial order indicating the disposition of the charge. * Court management shall hold staff accountable by randomly selecting five (5) ARS § 13-2506 or § 13-2810 warrants issued each month to ensure that: (1) the warrant was the correct warrant to issue in the circumstances, (2) a complaint was filed before the warrant was issued, (3) that corresponding charges have been entered into AZTEC and (4) to ensure that warrants charges have not been dispositioned without a judicial order. |  |  |
| **Finding 21** | **The courts needs to improve their warrant processing practices with respect to entering warrant disposition codes into AZTEC and reporting them to MVD.** |  |  |
| Remedy | * *Upon issuing a warrant, the courts should enter the warrant issuance disposition code of “56” into AZTEC for underlying MVD reportable charges for pre-adjudication warrants, and should immediately report the disposition to MVD.* * *Upon quashing/terminating a warrant, the courts should enter the warrant quash/termination code of “60” into AZTEC* *for underlying MVD reportable charges for pre-adjudication warrants, and should immediately report the disposition to MVD.* * *For further information, a copy of the MVD and Courts Training Manual may be obtained online at:*   [*http://www.azcourts.gov/Portals/27/11Leg/Leg13/MVD%20and%20Courts%20Manual-revised%202013.pdf*](http://www.azcourts.gov/Portals/27/11Leg/Leg13/MVD%20and%20Courts%20Manual-revised%202013.pdf) |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #14 – Warrant Processing and Issuance  In addition to the policy created, staff were given a “warrants guide sheet” that provided what types of warrants to issue when along with their docket event codes. If the warrant is for Criminal Traffic staff have been instructed to use proper disposition codes to notify MVD. A Disposition sheet accompanied this policy. | 10/26/2015 | The Warrant Policy was recently revised to extend the time to issue from fourteen days to thirty. This revision was completed 01/19/2016 |
| Court Action | * When issuing pre-adjudicated warrants, court staff shall check the case file to determine whether there are any underlying Title 28 charges that are reportable to MVD. If there are civil traffic charges, the charges should be defaulted once the warrant is issued. If there are criminal charges, staff shall enter a disposition code of “56” into AZTEC and report it to MVD with the nightly batch so that MVD can suspend the driver license. * Once a warrant has been quashed or the court has received notice that the warrant has been executed, the court shall docket the quash in AZTEC and file the quash/termination in the case file. * Immediately after docketing the warrant quash/termination, court staff shall change the disposition code of any underlying reportable Title 28 charges to a “60” and report the disposition to MVD with the nightly batch. * Court management shall hold staff accountable by randomly selecting five (5) warrants issued each month that have underlying reportable Title 28 charges to ensure that: (1) the warrant issuance disposition code of “56” was entered, (2) the warrant quash/termination paperwork has been filed in the case file, if applicable, (3) that the warrant quash/termination was docketed in the date that the warrant was actually quashed or terminated and (4) that the warrant quash/termination disposition code of “60” was entered into AZTEC immediately and reported to MVD immediately for underlying reportable Title 28 charges. * If court staff are unsure which charge are reportable to MVD, they may consult the MVD and Courts Training Manual, which may be obtained online at:   <http://www.azcourts.gov/Portals/27/11Leg/Leg13/MVD%20and%20Courts%20Manual-revised%202013.pdf> |  |  |
| **Finding 22** | **The municipal court needs to improve its warrant processing practices with respect to assessing the local Warrant Fee.** |  |  |
| Remedy | * *When the municipal court issues a warrant for failure to appear, non-compliance with any court order, failure to pay a fine, failure to pay restitution, or failure to pay any other fees or penalties, the judge shall order an administrative fee of not more than $75.00 upon the person for whom the warrant is issued.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has elected to not to impose warrant fee while courts are co-located. The City Ordinance (Sec. 5-56) allows for a fee not more than$75.00. The court has the authority to waive fees according to Sec. 5-54 of the City Ordinance. Waiver of this fee will be noted on the Judgment and Sentence form. |  | 10/26/2015 |
| Court Action | * An administrative fee shall be ordered in all cases in which the municipal court issues a warrant for failure to appear, non-compliance with any court order, failure to pay a fine, failure to pay restitution, or failure to pay any other fees or penalties. * The judge may issue a standing order for the administrative fee, or the judge may issue orders for each case individually. * If the judge wishes to waive the fee, he or she shall clearly document the waiver in the case file. * If the judge issues a standing order for the administrative fee, court staff shall enter the fee into AZTEC upon issuing the warrant. * If the judge issues orders for the administrative fee in individual cases, court staff shall enter the fee once it has been ordered. * If the judge orders a waiver of the fee, court staff shall create a docket entry indicating that the fee has been waived by judicial order. * Court management shall hold staff accountable by randomly selecting five (5) municipal court warrants issued each month to ensure that: (1) the administrative fee has been ordered or has been waived, (2) to ensure that the amount entered is the amount that was ordered, and (3) that waivers have been correctly docketed when applicable. |  |  |
| **Finding 23** | **The courts need to improve their warrant processing practices with respect to notifying law enforcement of warrant quashes.** |  |  |
| Remedy | * *The courts should ensure that all law enforcement agencies are notified immediately when a warrant is quashed. Additionally, the court should document the notification in the case file and should create a docket entry.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policies #14, #15, #16, and #17 - Electronic Quash Warrant Reporting (individual to each agency). |  | 10/26/2015 |
| Court Action | * Immediately upon quashing a warrant or receiving notice that a warrant has been executed, court staff shall fax notification of the warrant quash/termination to all law enforcement agencies that have the warrant on file. * Court staff shall retain the fax confirmation page in the case file as proof that law enforcement was notified. The fax confirmation page shall immediately be stapled to the warrant and shall indicate “Warrant quashed/terminated. Law enforcement notified this date.” The confirmation page shall then be signed and dated by the person who notified law enforcement of the quash/termination. * Court staff shall create a docket entry indicating the date and method by which law enforcement was notified of the quash/termination. * Court management shall hold staff accountable by randomly selecting five (5 warrants issued each month to ensure that law enforcement was notified of the quash/termination immediately upon the court receiving notice of the quash/termination and to ensure that court staff has documented the notification to law enforcement on the fax confirmation page and in AZTEC. * Court management shall draft a policy that includes the above procedures. |  |  |
| **Finding 24** | **The courts need to improve with respect to entering civil traffic default judgments.** |  |  |
| Remedy | * *The courts should begin monitoring civil traffic cases and enter default judgments within 30 days of failure to appear.* * *The courts should develop a written procedure that details how they will determine whether cases have been paid. Further, the courts should notate in the Register of Actions (ROA) the steps taken to determine whether the case balance was actually paid by the defendant before the charges are defaulted and reported to MVD.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #11 – Civil Traffic Citations   * Court staff will pull citations after thirty days of the scheduled arraignment date. The defendant has failed to appear by the date indicated on the citations and a default judgment(s) shall be entered with all monetary fines, fees, and assessment into the CMS. Upon entering a default judgment, court staff will assess one $20.00 Time Payment Fee per case and assign the case to FARE. * Court staff will update the disposition in the CMS to reflect the correct disposition (see Disposition Sheet). The disposition shall be reported to MVD in the nightly batch to ensure that MVD will update their records and lift the driver license suspension. * Court staff will monitor civil traffic cases on payment plans, those that are not making scheduled payments are subject to suspension after thirty days of non-payment. |  | 10/26/20105 |
| Court Action | * The courts shall create a filing system that files citations according to the date that the defendant is scheduled to appear. * Court staff shall pull all citation daily for the previous day and if the defendant has failed to appear by the date indicated on the citation, court staff shall enter a default judgment on all charges, and shall enter all monetary fines, fees, and assessments into AZTEC. * Upon entering a default judgment, court staff shall assess one $20.00 Time Payment Fee per case. * To address the backlog of civil traffic cases, court management shall develop a process for determining whether payments were made in civil traffic cases or whether the cases should be defaulted. In doing so, court management shall set a cut-off date that will be applicable to a given set of cases. For example, “This procedure will only apply to cases with a court appearance on or before December 1, 2013”. The policy shall further include a section that details the information that must be included in the docket entry regarding the steps taken to determine whether the case should be defaulted. * Court management shall hold staff accountable by selecting 15 civil traffic default cases each month to determine whether the default judgment was entered by the end of the business day following the defendant’s failure to appear, and to determine whether all applicable fines, fees, and assessments have been correctly entered. * Court management shall create a cheat sheet that indicates all monetary assessments that should be entered into AZTEC for a default judgment. * Court management shall draft a policy that includes the above procedures. |  |  |
| **Finding 25** | **The justice court needs to improve with respect to updating dispositions in AZTEC.** |  |  |
| Remedy | * *The court should ensure that dispositions are updated in AZTEC and reported to MVD immediately upon a case being paid in full.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  In addition to Case Processing Policy #11 – Civil Traffic Citations, staff have been instructed to immediately update CMS with all disposition regarding defaults (55, 58, or 56). Also, staff have been assigned to run MVD Batch daily to ensure all records are reported.  Should staff had a customer an MVD Abstract, they are to make a docket event in the CMS (5542 – Abstract Issued). |  | 10/26/2015 |
| Court Action | * Upon a case being paid in full, court staff shall update the disposition in AZTEC to reflect a “12”, and the disposition shall be reported to MVD in the nightly batch to ensure that MVD receives the disposition and can lift the driver license suspension. * Court management shall hold staff accountable by ensuring that staff updates dispositions once defaulted cases are paid in full. |  |  |
| **Finding 26** | **The courts need to improve with respect to timely entering civil traffic citations into AZTEC.** |  |  |
| Remedy | * *Delays in entering the citations into AZTEC inhibit the ability to create an audit trail of the citation; can be a source for siphoning monies from the courts if a defendant makes a payment, but the citation is never entered into AZTEC; and has caused tension among the staff because the overtime hours authorized on the weekends is required to be spent catching up the civil traffic clerk’s desk instead of the clerks being permitted to catch up the backlog in their own areas. The courts should ensure that civil traffic citations are entered into AZTEC upon receipt or by the end of the business day.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #11 – Civil Traffic Citations   * The Court will ensure that a traffic citation log established and maintained for all citations that are filed. * Court staff will enter all civil traffic citations into the case management system (CMS) within ten business days after filing. * Court staff will file citations according to the date that the defendant is scheduled to appear. * Court staff will utilize the CMS calendaring system to calendar citations for the scheduled appearance date. |  | 10/26/2015 |
| Court Action | * Court staff shall enter all civil traffic citations into AZTEC by the end of the business day and then file the citation according to the appearance date. * Court management shall hold staff accountable by randomly selecting 15 civil traffic cases each month to determine whether the citations were entered by the end of the business day on which they were received. |  |  |
| **Finding 27** | **The municipal court needs to improve with respect to timely reporting dispositions to MVD.** |  |  |
| Remedy | * *The court should ensure that dispositions are reported to MVD within ten days of judgment or forfeiture of bail or deposit.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #11 – Civil Traffic Citations   * Court staff will update the disposition in the CMS to reflect the correct disposition (see Disposition Sheet). The disposition shall be reported to MVD in the nightly batch to ensure that MVD will update their records and lift the driver license suspension. | 10/26/2015 | A recent review found 9 of 10 - civil traffic defaults not reported to MVD. We have researched the issue and have address with staff. Progressive discipline has begun. |
| Court Action | Same procedures as set forth for Finding 7. |  |  |
| **Finding 28** | **The courts need to improve with respect to assessing the $20.00 Time Payment Fee.** |  |  |
| Remedy | * *The courts should ensure that the $20.00 Time Payment Fee is entered in cases in which the defendant does not pay the court-ordered penalty, fine, or sanction on the date it is imposed.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court established Case Processing Policy #11 (Implemented 10/26/2015 – revised 01/27/2016   * Court staff will pull citations thirty days after defendant has failed to appear by the date indicated on the citations and a default judgment(s) shall be entered with all monetary fines, fees, and assessment into the CMS. Upon entering a default judgment, court staff will assess one $20.00 Time Payment Fee per case and assign the case to FARE. | 10/26/2105 Extended  03/01/2016  While there have not been any additional findings by AOC, management have not been conducting weekly/month reviews. Internal reviews to begin 02/1/2016 |  |
| Court Action | * Upon entering a default judgment, court staff shall assess one $20.00 Time Payment Fee per case. * Court management shall hold staff accountable by selecting 15 civil traffic default cases each month to determine whether the default judgment was entered by the end of the business day following the defendant’s failure to appear, and to determine whether all applicable fines, fees, and assessments have been correctly entered. * In drafting the policy related to Finding 24, court management shall include policy provisions regarding the assessment of the $20.00 Time Payment Fee. |  |  |
| **Finding 29** | **The justice court needs to improve with respect to assessing base fines for violations of ARS § 28-2532(A).** |  |  |
| Remedy | *The court should ensure that the base fine assessed for violations of ARS § 28-2532(A) does not exceed $300.00.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Court Administration contacted AOC Automation Services to have their team updated both court data bases (1108 and 1144) with the updated Standard County Bond Schedule. | January 2015 | 03/01/2016  Allow time for Court Administration to verify AOC completed Bond Schedule updates in January 2015 |
| Court Action | * Court management shall contact AOC Automation Services to correct the base fine amount in the AZTEC tables for violations of ARS § 28-2532(A). |  |  |
| **Finding 30** | **The municipal court needs to improve with respect to assessing monies in AZTEC.** |  |  |
| Remedy | * *The court should ensure that the base fine amounts assessed comport with the statutory requirements.* * *The court should ensure that fines, fees, assessments, and surcharges are entered into AZTEC for all defaulted charges.* * *The court should ensure that local fees are assessed in accordance with its town code.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Both Court data bases should have been updated when the new standard bond schedule was sent to AOC (January 2015). Court Administration will verify that this did happen for the Maricopa Courts. | January 2015 | 03/01/2016  Allow time for Court Administration to verify AOC completed Bond Schedule updates in January 2015 |
| Court Action | * Court management shall review the courts’ bond cards to ensure that the amounts set forth are within the statutory allowances. The amounts shall then be compared to what is in the AZTEC tables and AOC Automation Services contacted for any necessary adjustments. * Court staff shall enter all monetary fines, fees, and assessments into AZTEC for all defaulted charges. * Court management shall review the town code and county ordinance to determine the fees that have been established and should be applied to civil traffic cases. Court management shall then communicate this information to court staff. If adjustments to event codes or fee amounts are needed, court management shall contact AOC Automation Services. * Court management shall hold staff accountable by selecting 15 civil traffic default cases each month to determine whether all applicable fines, fees, and assessments have been correctly entered. * Court management shall draft a policy that includes the above procedures. |  |  |
| **Finding 31** | **The courts need to improve with respect to monitoring and resolving civil traffic cases.** |  |  |
| Remedy | *The courts should research the pending cases and take appropriate action.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  There is no longer civil traffic back log. Court is current with civil traffic cases to include timely setting civil traffic hearings. The JOS will monitor the Civil Traffic Pending report to ensure compliance. |  | July 2015 |
| Court Action | * The civil traffic clerk shall obtain an updated list of the civil traffic cases pending more than 70 days. * The clerk shall research each case to determine why it is pending. * The clerk shall resolve at least 25 cases pending over 70 days per week, starting with the oldest case and moving forward. * Court management shall hold staff accountable by printing the Civil Traffic Pending report every Monday to ensure that the civil traffic clerk resolved at least 25 cases in the previous week. * In the event that the civil traffic clerk is unsure as to how to proceed with a given case, the clerk shall consult with court management for assistance. |  |  |
| **Finding 32** | **The court needs to improve with respect to monitoring timeliness in civil cases.** |  |  |
| Remedy | * *If a final judgment has not been entered within ten months from the date that a lawsuit was filed, or if a party has not filed a written motion to extend the time for entry of judgment to a particular date, the court should mail a notice to the plaintiff and to any defendant who has appeared in the lawsuit informing them that unless this requirement is met within two months from the date of mailing, the court will dismiss the lawsuit for failure to have judgment timely entered.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #31 – Civil Cases Guidelines (Attachment #4, #5 and #6)   * Pursuant to Rule 144(e) of the JCRCP, court staff shall set two calendar events during complaint initiation of civil cases (Civils and Small Claims). Court staff will shall use the Service Date Calculation Worksheet to calculate the dates.   1. Service Completion Date shall be set for 120 days (4 months) from case initiation.   Calendar event code 5726 – Cal: Dismiss Lack of Service   * 1. Notice of Dismissal Date shall be set for 300 days (10 months) from case initiation.   2. Calendar event code 5727 – Cal: Dismiss Fail to Complete * Court staff shall date stamp complaints as they are filed with the court. * Court staff shall enter the complaint in to the case management system (CMS) and write complaint case number on all copies of the complaint and on other documents filed with the complaint. * Court staff will generate dismissal paperwork at case initiation. * Court staff shall issue a summons for plaintiff to serve the defendant and docket the action in the CMS. Docket event code 5208 – Summons Issued |  | 10/26/2015 |
| Court Action | * Upon the filing of a civil case, court staff shall set a tickler in AZTEC for 10 months from the date of filing. Court staff shall review the cases that come up on the tickler on a daily basis and review the case to determine if either party has filed a motion to extend the time for entry of judgment. * If a motion to extend the time for entry of judgment, court staff shall set a tickler reflecting the revised date. * If neither party has filed a motion to extend the time for entry of judgment, court staff shall mail a letter to the plaintiff and any defendant who has appeared in the lawsuit informing them that unless judgment is entered or motion to extend the time for entry of judgment is filed, the case will be dismissed for lack of prosecution. * Court management shall create a template letter to be sent to parties if judgment has not been entered within 10 months. * Court staff shall create a docket entry indicating when the letter was sent. * Once the letter has been sent, court staff shall create a second tickler 2 months from the date of the letter. * When the tickler comes up, court staff shall review the case to determine whether a motion to extend the time for entry of judgment has been filed. * If a motion to extend the time for entry of judgment has not been filed, the court should forward the case to the judge to dismiss for lack of prosecution. * If a motion to extend the time for entry of judgment has been filed, court staff shall tickle the new date ordered by the court for entry of judgment. * Court management shall hold staff accountable by randomly selecting five (5) civil cases per month to ensure that (1) court staff is tickling the case for review for 10 months from the date of filing (2) to ensure that court staff has sent and docketed letters to parties in cases that have not have judgment entered within 10 months from the date of filing if no extension for time has been granted and (3) to ensure that cases are being given to the judge for dismissal if judgment has not been entered within 2 months of the Notice of Intent to Dismiss being sent if no extension of time was granted. Court management shall ensure that all docketing has been completed accurately and required dates have been tickled for review. |  |  |
| **Finding 33** | **The court needs to improve with respect to entering default judgments.** |  |  |
| Remedy | * *The court should wait at least ten days from the date of the filing of the Application for Entry of Default before entering a default judgment.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #31 – Civil Cases Guidelines (Attachment #6)   * Court staff shall ensure that default judgments are entered after the 10th day from the date of filing of the Application of Entry of Default. |  | 10/26/2015 |
| Court Action | * Upon the filing of an Application for Entry of Default, court staff shall date-stamp and docket the application. * Court staff shall then locate the case file and place the Application for Entry of Default in the case file. * Court staff shall then set a tickler 10 days from the date of filing. * Once the tickler comes up, court staff shall enter the case into default status, notate on the Application for Entry of Default and in AZTEC that default has been entered, and forward the case to the judge if a motion for judgment was filed with Application and Affidavit for Default. * Court management should hold staff accountable by randomly selecting five (5) civil default cases each month to ensure that (1) Applications for Entry of Default were date-stamped and docketed upon receipt, (2) the appropriate ticklers have been set, and (3) the case has been forwarded to the judge upon entering default if a motion for judgment has been filed. |  |  |
| **Finding 34** | **The court needs to improve with respect to judgment certification.** |  |  |
| Remedy | * *The court should discontinue certifying copies of documents on Judge McCarville’s behalf.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #31 – Civil Cases Guidelines   * Court staff shall ensure that civil case judgment certifications should reflect the Justice of the Peace of the precinct. |  | 10/26/2015 |
| Court Action | * Court management shall inform court staff that they shall not certify any document on behalf of Judge McCarville. * Court management shall select five (5) cases each month before court staff mails a copy of the judgment to the parties to ensure that court staff has not certified the copy in behalf of Judge McCarville. |  |  |
| **Finding 35** | **The court needs to improve with respect to ensuring that case documents are put with the correct case file upon receipt.** |  |  |
| Remedy | * *The courts should date-stamp and place case documents in the case file upon receipt and route the file accordingly.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #1 – Date Stamping and Docketing Documents  Court staff are allotted two weeks to locate the case, docket, sentence, calendar, and file away. |  | 10/26/2015 |
| Court Action | * Court staff shall date-stamp all documents upon receipt. * Court staff shall file all documents in their respective case file by the end of the business day. * Court management shall hold staff accountable by ensuring that all documents have been filed with their respective case files by the end of the business day. * In reviewing case files for accuracy in other areas, court management shall ensure that all documents in the case file have been docketed. |  |  |
| **Finding 36** | **The court needs to improve with respect to date-stamping.** |  |  |
| Remedy | * *The court should obtain a replacement date-stamp machine and ensure that the date-stamped on the documents accurately reflects the date that the documents were filed.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #1- Date Stamp and Docketing Documents   * Court staff will upon receipt of any document, date- and time-stamp the original filing and date-stamp all copies of documents submitted to the Court. * Court staff will ensure that the date-stamp and time-stamp are placed on the document so that they are legible and do not cover any written part of the received documents. * Documents that do not have sufficient space on the front to place a legible date- and time-stamp may be stamped on the back of the document. * Documents that are less than 8.5” x 11” in size may be affixed to a blank 8.5” x 11” sheet of paper and the date- and time-stamp may be placed on the blank sheet. * Court staff will docket all documents within two weeks of receipt.   The Court had the existing date-stamp machine fixed and it is working well. Staff have been instructed repeatedly that everything that comes into the court (whether from the counter or the mail) is to be date stamped. During the last review (01/15/2015) Katrina brought up that the date-stamp machine only lists the Justice Court (1108). Marretta had not noticed that but did state the court either needed to have the date-stamp list both courts, or purchase a separate date-stamp for the Municipal Court. JOS to see if we can re-word and if not get bids on a new date-stamp. | 10/26/2015 extended to 03/01/2016 |  |
| Court Action | * Court management shall obtain a replacement date-stamp machine and ensure that the correct date is being stamped on documents. * Court staff shall review the documents they have date-stamped and report any problems with the date-stamp to management as soon as they are discovered. |  |  |
| **Finding 37** | **The court needs to improve with respect to docketing.** |  |  |
| Remedy | * *The court should ensure that complaints are entered into AZTEC upon receipt.* * *The court should ensure that judgments are entered into AZTEC upon receipt and should develop a procedure for handling motions.* * *The court should ensure that all civil documents received are accurately docketed and placed in the correct case file after docketing.* * *Court staff should discontinue creating docket entries indicating that matters were held before or decided by Judge Sulley.* * *The court should ensure that all statutorily required elements are entered into the AZTEC docket.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy’s #1- Date Stamp and Docketing Documents and #31 – Civil Case Guidelines   * Court staff shall ensure that all statutorily required elements are entered into the CMS to reflect actions in the case file.  1. The title of actions commenced before the justice of the peace 2. The date the defendant was served, the date the return of service was filed, and the method of service. 3. The date when the parties, or either of them, appeared before the justice of the peace, either with or without summons. 4. A brief statement of the nature of the plaintiff’s demand or claim, or the amount claimed, and the nature of the defense made by the defendant. 5. Every adjournment, stating at whose request it was granted and to what time. 6. The date when the trial was had, and whether by jury or by the justice of the peace. 7. The verdict of the jury/judge. 8. The judgment and the date of giving the judgment. 9. All applications for setting aside judgment or granting a new trial, the order thereon and the date. 10. The date of issuing execution, to who directed and delivered, and the amount of debt, damages and costs. When execution is returned, the return thereof and a statement of the manner in which it was executed. 11. All stays and appeals and the date when taken, the amount f the bond and the names of the sureties. 12. The account of costs.   New Docket Events created are: 5720 – Cal Review; 5726 – Cal Dismiss Lack of Service; 5727 – Cal Dismiss Fail to Complete; 5732 – Cal 5 Year Civil Review |  | 10/26/2015 |
| Court Action | * Upon receiving civil complaints, court staff shall date-stamp and docket the complaint, and shall receipt the civil complaint payment in AZTEC. * Court management shall implement a method for handling motions that provides an “in-box” where the clerk will put case files that require rulings on motions. The civil clerk shall also have an “in-box” where the judge can place case files once motions have been ruled on. * Upon receiving a motion, the clerk shall docket the motion and set a tickler for the deadline for the opposing party’s opportunity to file a response. Once the tickler comes up, the clerk shall place the case file in the judge’s in-box for ruling. * Once the judge has ruled on the motion, the judge shall place the file in the clerk’s in-box. The clerk shall docket the ruling and send a copy of the ruling to the respective parties. Files in the in-box shall have rulings docketed and mailed to parties by the end of the business day in which the ruling is made. * Upon mailing a copy of the ruling to the parties, the clerk shall create a docket entry to that effect. * Court management shall draft a policy that outlines the above steps. * Court management shall hold staff accountable by selecting five (5) cases each month to ensure that staff is following the procedures outlined above. |  |  |
| **Finding 38** | **The court needs to improve with respect to handling motions.** |  |  |
| Remedy | *The court should develop a procedure for adequately handling motions.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy’s #1- Date Stamp and Docketing Documents and #31 – Civil Case Guidelines   * Court staff will upon receipt of any document, date- and time-stamp the original filing and date-stamp all copies of documents submitted to the Court. * Court staff will ensure that the date-stamp and time-stamp are placed on the document so that they are legible and do not cover any written part of the received documents. * Documents that do not have sufficient space on the front to place a legible date- and time-stamp may be stamped on the back of the document. * Documents that are less than 8.5” x 11” in size may be affixed to a blank 8.5” x 11” sheet of paper and the date- and time-stamp may be placed on the blank sheet. * Court staff will docket all documents within two weeks of receipt.   1. Court staff shall place all case motions and documents in case file upon receipt and route the file to the Civil Clerks including but not limited to: Renewals of Judgments; Satisfactions of Judgements; Answers of Garnishees; Affidavits for Renewals of Judgments; Writs of Garnishment; and Motions to Dismiss   New Docket Events created are: 5720 – Cal Review; 5726 – Cal Dismiss Lack of Service; 5727 – Cal Dismiss Fail to Complete; 5732 – Cal 5 Year Civil Review |  | 10/26/2015 |
| Court Action | * Same procedures as set forth for Finding 37. |  |  |
| **Finding 39** | **The court needs to improve with respect to scheduling civil hearings.** |  |  |
| Remedy | *The court should develop a procedure for setting civil hearings and should set hearings as soon as possible when a response has been filed.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Civil Hearings or currently scheduled Mondays and Fridays. Per Case Processing Policy #1, staff have two weeks to docket anything filed in the court. Part of AOC’s recommendations states “Hearings shall be set, docketed, and notices mailed and docketed by the end of the business day in which the response was filed.” This is the only difference from the Courts action and AOC’s recommended action.  New Docket Event codes created/implemented – 5200 – Small Claims Hearing Scheduled; 5316 – Hearing Notice Sent  Please see attachment #3 - Court calendar schedule | March 2015 the new calendar was implemented | 03/01/2016 More routine desk audits will have been completed as recommended by AOC. |
| Court Action | * Upon the filing of a response to a complaint in a civil matter, court staff shall set a hearing date and mail the hearing notice to the parties. Hearings should be set within a reasonable time from the date the response is filed. * Staff shall create a docket entry indicating when the hearing notice has been sent to the parties. * Hearings shall be set, docketed, and notices mailed and docketed by the end of the business day in which the response was filed. * Court management shall hold staff accountable by selecting five (5) civil matter each month which have had a response to the complaint filed, and shall determine compliance with the procedures outlined above. |  |  |
| **Finding 40** | **The court needs to improve with respect to ensuring documents are placed in the correct case file.** |  |  |
| Remedy | * *The court should ensure that documents are placed in the correct case file.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy’s #1- Date Stamp and Docketing Documents   * Court staff will upon receipt of any document, date- and time-stamp the original filing and date-stamp all copies of documents submitted to the Court. * Court staff will ensure that the date-stamp and time-stamp are placed on the document so that they are legible and do not cover any written part of the received documents. * Documents that do not have sufficient space on the front to place a legible date- and time-stamp may be stamped on the back of the document. * Documents that are less than 8.5” x 11” in size may be affixed to a blank 8.5” x 11” sheet of paper and the date- and time-stamp may be placed on the blank sheet. * Court staff will docket all documents within two weeks of receipt.   Court has elected to allow staff two weeks to docket and file away any filing, this is the only difference between the Courts action, AOC’s recommended action. |  | 10/26/2015 |
| Court Action | * Upon the filing of a document, court staff shall date-stamp, docket, and place the document in its respective case file or create a case file if it is a new case filing, by the end of the business day. * Court management shall hold staff accountable by ensuring that staff are placing documents with the case file by the end of the business day. Court management shall also pull five (5) civil cases each month to ensure that all documents are date-stamped and that the docket entry reflects the same date at the date-stamp. |  |  |
| **Finding 41** | **The court needs to improve with respect to its backlog of civil cases.** |  |  |
| Remedy | * *Court management should ensure that workloads are equally distributed among staff so that manageable amounts are assigned to each staff member.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  This project is ongoing with the help of temporary clerks. Staff have worked through 2015, 2014, and 2013 civil case files examining them as outlined in the court action below. Current temporary clerks are working 2012 and older files going back to 2008. | May 2016 |  |
| Court Action | * The court shall begin addressing its backlog of civil cases by docketing all loose documents and locating and placing them with the case file. Any documents that require judicial attention should be routed according to the procedure set forth in Finding 37. * Once all loose paperwork has been filed and placed with its case file, court management shall assign a staff person to begin reviewing case files according to the year of filing. Cases shall be examined to ensure that:   (1) all documents in the case file have been docketed;  (2) the ROA matches what is in the case file;  (3) all motions have been ruled on;  (4) any cases older than 10 months followed the procedure in Finding 32;  (5) all required documents have been mailed to the parties, e.g., notices, rulings, etc.;  (6) all motions have been ruled on; and  (7) all documents are in the correct case file.   * Court staff shall review at least one filing year per month. * Court management shall hold staff accountable by selecting five (5) cases each month from the year that staff reviewed that month and ensure that the procedures outlined above have been followed and to ensure that staff is on track with reviewing at least one filing year per month. |  |  |
| **Finding 42** | **The court needs to improve with respect to document management and filing processes.** |  |  |
| Remedy | * *The courts should locate the case files to which loose documents belong and file the documents accordingly. Further, the courts should develop a written procedure that details the steps that must be followed upon receiving a document and the expectations as to how documents are processed upon receipt.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy’s #1- Date Stamp and Docketing Documents and #31 – Civil Case Guidelines |  | 10/26/2015 |
| Court Action | * Court staff shall begin filing and docketing loose documents as indicated in Finding 41. * Court management shall draft a policy for handling documents received that includes the steps outlined in Finding 41. |  |  |
| **Finding 43** | **The court needs to improve with respect to scheduling eviction action hearings.** |  |  |
| Remedy | * *The court should ensure that eviction hearings are scheduled no less than three days and no more than six days after the Summons has been issued.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has implemented a new calendar schedule (see attachment #3). Eviction Actions are now being heard three times a week (Mondays, Wednesday and Friday) unless parties waive time. |  | March 2015 |
| Court Action | * The courts shall implement a set eviction calendar two days per week so that an eviction actions filed on a particular day will be set for hearing on a certain day. For example, if the court could create a Tuesday/Friday eviction calendar, and if the eviction action is filed on Mon/Tues/Wed, the hearing would be set for the following Tuesday. If the eviction is filed on Thurs/Fri, the hearing would be set for the following Friday. This scheduling will ensure that hearings are consistently set within the required timeframe. |  |  |
| **Finding 44** | **The court needs to improve with respect to ensuring service of the *Summons*.** |  |  |
| Remedy | * *The court should ensure that proof of service is docketed and retained in the case file upon filing.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy #31– Civil Cases Guidelines   * Court staff shall issue a summons for plaintiff to serve the defendant and docket the action in the CMS within fourteen days of filing date. Docket event code 5208 |  | 10/26/2015 |
| Court Action | * Court staff shall ensure that proof of service of the *Summons* is docketed and placed with case file upon receipt. * When pulling the case files to prepare for the eviction action hearings, court staff shall review the case file to ensure that proof of timely service of the *Summons* has been received, and to ensure that proper notices were given before the filing of the complaint. If the case file is lacking proof of timely service of the *Summons* or other notices, court staff shall inform the judge so that he or she can request the documentation before entering judgment. * Court management shall hold staff accountable by pulling five (5) eviction action cases each month to ensure that staff is following the procedures outlined above. |  |  |
| **Finding 45** | **The court needs to improve with respect to docketing.** |  |  |
| Remedy | * *The court should ensure that the civil dockets include all statutorily required elements.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy’s #1- Date Stamp and Docketing Documents and #31 – Civil Case Guidelines (Attachment #6)   * Court staff shall ensure that all statutorily required elements are entered into the CMS to reflect actions in the case file. * The title of actions commenced before the justice of the peace * The date the defendant was served, the date the return of service was filed, and the method of service. * The date when the parties, or either of them, appeared before the justice of the peace, either with or without summons. * A brief statement of the nature of the plaintiff’s demand or claim, or the amount claimed, and the nature of the defense made by the defendant. * Every adjournment, stating at whose request it was granted and to what time. * The date when the trial was had, and whether by jury or by the justice of the peace. * The verdict of the jury/judge. * The judgment and the date of giving the judgment. * All applications for setting aside judgment or granting a new trial, the order thereon and the date. * The date of issuing execution, to who directed and delivered, and the amount of debt, damages and costs. When execution is returned, the return thereof and a statement of the manner in which it was executed. * All stays and appeals and the date when taken, the amount of the bond and the names of the sureties. * The account of costs. * Court staff shall set civil hearings as soon as when an answer has been filed.   **Docketing/Date-stamp**   * Court staff will upon receipt of any document, date- and time-stamp the original filing and date-stamp all copies of documents submitted to the Court. * Court staff will ensure that the date-stamp and time-stamp are placed on the document so that they are legible and do not cover any written part of the received documents. * Documents that do not have sufficient space on the front to place a legible date- and time-stamp may be stamped on the back of the document. * Documents that are less than 8.5” x 11” in size may be affixed to a blank 8.5” x 11” sheet of paper and the date- and time-stamp may be placed on the blank sheet. * Court staff will docket all documents within two weeks of receipt. |  | 10/26/2015 |
| Court Action | * Court staff shall ensure that the following elements are docketed for all civil and eviction action cases:   1. The title of actions commenced before the justice of the peace.  2. The date the defendant was served, the date the return of service was filed, and the method of service.  3. The date when the parties, or either of them, appeared before the justice of the peace, either with or without summons.  4. A brief statement of the nature of the plaintiff's demand or claim, or the amount claimed, and the nature of the defense made by the defendant.  5. Every adjournment, stating at whose request it was granted and to what time.  6. The date when the trial was had, and whether by jury or by the justice of the peace.  7. The verdict of the jury.  8. The judgment and the date of giving the judgment.  9. All applications for setting aside judgment or granting a new trial, the order thereon and the date.  10. The date of issuing execution, to whom directed and delivered, and the amount of debt, damages and costs. When an execution is returned, the return thereof and a statement of the manner in which it was executed.  11. All stays and appeals and the date when taken, the amount of the bond and the names of the sureties.  12. The account of costs.   * Court management shall hold staff accountable by pulling five (5) eviction action cases each month to ensure that staff is docketing all statutorily required elements. |  |  |
| **Finding 46** | **The court needs to improve with respect to handling motions.** |  |  |
| Remedy | * *The court should develop a procedure for adequately handling motions.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  **How the court has implemented the Court Action as stated below:**  The Court has established Case Processing Policy’s #1- Date Stamp and Docketing Documents and #31 – Civil Case Guidelines  New Docket Events created/implemented: 5720 – Cal Review; 5726 – Cal Dismiss Lack of Service; 5727 – Cal Dismiss Fail to Complete; 5732 – Cal 5 Year Civil Review |  | 10/26/2015 |
| Court Action | * Same procedures as set forth for Finding 37. |  |  |
| **Finding 47** | **The courts’ receipting processes need improvement relative to the timeliness of receipting monies** |  |  |
| Remedy | * *The courts should ensure all payments received by mail each day are recorded in the courts’ mail payment logs.* * *The courts should receipt all monies received by the next business day.* * *The courts should date-stamp copies of checks or check stubs, bond receipts, and any supporting documentation received with bond payments received by the court.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  New “Mail Log” has been implemented – see attachment #7 |  | 01/15/2016 Per AOC problem has been resolved with new mail log. |
| Court Action | * Court management shall designate one staff member to get the courts’ mail on a daily basis. * The staff member responsible for getting the mail shall log all mail-in payments on the courts’ logs. * Upon logging the check into the mail log, the staff member shall receipt the money in AZTEC. * Upon receiving bond monies either over the counter or through the mail, the court shall receipt the monies in AZTEC, and shall date-stamp all documentation relating to the payment, including check stubs or any other documentation received with the monies. * Court management shall hold staff accountable by ensuring that the above procedures are being followed. * Court management shall draft a policy that outlines the procedures above. |  |  |
| **Finding 48** | **The courts’ receipting processes need improvement relative to voiding AZTEC receipts.** |  |  |
| Remedy | * *The courts should cross***–***reference in AZTEC the number of the AZTEC receipt voided on the replacement AZTEC receipt issued.* * *The replacement AZTEC receipt should be dated with the same date as the voided (original) receipt.* * *The courts should issue the replacement AZTEC receipt on the date the AZTEC receipt voided was voided.* * *The courts should ensure the reason for voiding the receipt that is recorded in AZTEC is accurate and complete so that an audit trail is established. When applicable, the new case number should be included.* * *The courts should ensure that a second person performs the void process in AZTEC.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Financial Control Policy #6 – Voiding Receipts  Pursuant to Minimum Accounting Standards the courts shall not alter a receipt in any way. If a receipt is incorrect it must be voided and reissued if necessary. The court shall follow proper segregation of duties as outline in the policy when voiding any payment receipt in the case management system (CMS). |  | 10/26/2015 |
| Court Action | * Upon voiding a receipt in AZTEC, court staff shall issue a new receipt immediately following the void, if a new receipt needs to be issued. Court staff shall write the new receipt number on the voided receipt and shall write the voided receipt number on the new receipt. * If the court voids a receipt on day other than the day that the original receipt was issued, court staff shall backdate the new receipt so that it reflects the original date. * Upon voiding a receipt in AZTEC, court staff shall give an adequate explanation for why the receipt was voided. * If a receipt is voided because it was receipted to the wrong case, court staff shall include the correct case number in the reason for the void. * Court staff shall refrain from voiding receipts in AZTEC if they are the person who generated the original receipt. Court staff shall inform another staff member that the receipts need to be voided and that person shall process the void in AZTEC. * Court management should consider having staff bring all voids to management for processing. If court management has staff process voids, court management shall hold staff accountable by randomly selecting five (5) voided receipts each month and review them to ensure that the procedures above are being followed. |  |  |
| **Finding 49** | **The municipal court’s receipting processes need improvement relative to manual receipts.** |  |  |
| Remedy | * *The court should enter manual receipts in AZTEC by the end of the business day.* * *The AZTEC receipt should be dated with the same date as the associated manual receipt.* * *The court should ensure that the number of the manual receipt issued is cross-referenced on the associated AZTEC receipt issued.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Financial Control Policy #9 – Manual Receipts/Audits  The Court shall process manual receipts as soon as the system becomes operable or by the end of the business day, whichever comes first.  Pursuant to Minimum Accounting Standards I.5.b, the court shall establish written guidelines to account for all unissued manual receipts at least quarterly.   1. The court shall enter manual receipts in AZTEC by the end of the business day. If the system does not become operable by the end of the business day, court shall back-date the AZTEC receipt to reflect the date that the manual receipt was issued. 2. Upon entering a manual receipt into AZTEC, the court staff shall reference the manual receipt number in AZTEC and shall write the AZTEC receipt number on the manual receipt. 3. Court Management will hold staff accountable by review up to five (5) issued manual receipt and corresponding issued receipts quarterly to ensure that staff are following the above procedure. |  | 10/26/2015 |
| Court Action | * Court staff shall enter manual receipts into AZTEC as soon as AZTEC become operable. * If the system does not become operable by the end of the business day, court shall back-date the AZTEC receipt to reflect the date that the manual receipt was issued. * Upon entering a manual receipt into AZTEC, court staff shall reference the manual receipt number in AZTEC and shall write the AZTEC receipt number on the manual receipt. * Court management shall hold staff accountable by reviewing up to five(5) issued manual receipts and corresponding issued receipts each month to ensure that staff is following the above procedures. |  |  |
| **Finding 50** | **The courts’ disbursement processes need improvement relative to the disbursement of bonds.** |  |  |
| Remedy | * *The municipal court should establish a written policy prescribing a timeframe for disbursing bond refunds, and both courts should disburse refunds within the timeframes prescribed by their written policies.* * *The courts should disburse bond refunds and/or forfeit bond monies to pay court-ordered financial obligations only upon a written order by a judicial officer.* * *The courts should ensure checks are issued to the correct party.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Financial Control Policy #14 – Bond Refund, Disbursement, and Reconciliation Guidelines.  To ensure proper administration of justice, the Court shall ensure that bond disbursements are processed in accordance to the MAS and ACJC. Court staff shall ensure that outstanding bonds be refunded or disbursed within 30 calendar days from the judicial decision (order).  Court management shall review all bonds outstanding over 90 days on the first of each month. Court management shall take appropriate action, which may include placing a stop payment on the check or issuing replacement checks. Any action taken shall be docketed in AZTEC.  Bond is refunded in the following situations:   * Appearance bond is refunded after the defendant appears at the required court proceeding and the judge has authorized the refund by written court order. * Bond has been posted for a defendant that is found not guilty or the case is dismissed.   Court management shall generate the AZTEC Bail/Bond Detail report and work through the report to reconcile it with its records of outstanding bonds.  The court has also revised the Bond Disposition form to include “Payable to”. Please see attachment #8. |  | 10/26/2015 |
| Court Action | * Court management shall draft a policy for bond disbursements in both courts that includes a timeframe within which court staff shall disburse bonds. * Court staff shall ensure that bonds are disbursed within the timeframe set forth by the policy by assigning one person to disburse bonds. Specifically, court staff shall forward judicial orders for the disbursement of a bond to a specified staff member, who shall then disburse the bond by the end of the week. * Court staff shall not disburse any bond monies without the written order of a judicial officer. * Court staff shall double check the name of the payee before generating a disbursement check by reviewing the bond paperwork contained in the case file. * Court management shall revise the bond paperwork to include a section for the disbursement that requires staff to indicate when the bond was disbursed, to whom the refund was issued, and the name of the staff member who issued the disbursement. * Court management shall hold staff accountable by having staff make a copy of the bond disbursement paperwork and provide it to management upon disbursing a bond. Court management shall then review the bonds disbursed to ensure that the above procedures were followed by court staff. |  |  |
| **Finding 51** | **The courts’ disbursement processes need improvement relative to the disbursement of restitution payments to victims.** |  |  |
| Remedy | * *The courts should disburse restitution payments to victims in accordance with ACJA § 5***–***204.* * *The courts should ensure restitution payments to victims are issued to the correct party.* * *The courts should ensure written judicial orders issued for restitution payable to victims are retained in the case file.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Financial Control Policy #12 – Restitution Disbursement Guidelines  Where a single disbursement is less than thirty dollars, the Court may hold funds received for the individual victims until the aggregate total in an account reaches a minimum of thirty dollars unless the restitution payment is the last payment to the victim(s).  The clerk of the court responsible for disbursing restitution shall run an event index report weekly to scan the case management system for all restitution payment. This report is ran weekly due to the ten business day requirement outlined in the Arizona Code of Judicial Administration  In cases where victims cannot be located, courts, clerks or other agencies responsible for restitution payments shall follow state unclaimed property provisions. |  | 10/26/2015 |
| Court Action | * Court management shall designate one person to disburse restitution payments every Friday. If the designated person is out of the office, court management shall disburse the payments or designate a back-up person to disburse the payments. * Court management shall create a disbursement form to be kept in the file that indicates the name of the victim. * Court staff shall review the disbursement form before issuing restitution checks to ensure that the correct victim name appears on the check. * Court staff shall not disburse restitution without the written order of a judicial officer. If an order for restitution disbursement is needed, the case file shall be placed in the judge’s in-box. Once the judge has issued the order for the disbursement, he or she shall return the file to the clerk, and the clerk shall disburse the restitution. * Court management shall hold staff accountable by reviewing restitution disbursements every Monday to ensure that all required disbursements were made the previous Friday, the check was issued to the correct victim, and to ensure that the judge issued an order for disbursement. |  |  |
| **Finding 52** | **The courts’ disbursement processes need improvement relative to the disbursement of overpayment refunds.** |  |  |
| Remedy | * *The justice court should disburse overpayment refunds within the timeframes prescribed by its written policy.* * *The municipal court should establish a written policy prescribing the threshold amount and the timeframe for disbursing overpayment refunds and should disburse refunds within the timeframes prescribed by its written policy.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Financial Control Policy #11 – Overpayment Refund and Disbursement Guidelines  To ensure proper administration of justice, the Court shall ensure that overpayment of $20.01 or more are refunded and disbursed in accordance to MAS and ACJC. **Court staff shall ensure that the overpayment is refunded and disbursed within 30 calendar days after the overpayment is recognized by court staff.**   * The Judicial Office Supervisor shall follow procedures to confirm the overpayment and prepare a refund/disbursement to the payer. * The refund/disbursement should immediately be docketed in the case management system (CMS). |  | 10/26/2015 |
| Court Action | * Court management shall draft a policy for overpayment disbursements in both courts that includes a timeframe within which court staff shall disburse overpayments and the threshold amount for overpayments. * Court staff shall ensure that overpayments are disbursed within the timeframe set forth by the policy by assigning one person to disburse overpayments. * Court management shall hold staff accountable by reviewing overpayments every Monday to ensure that all disbursements within the correct timeframe and within the threshold amount. |  |  |
| **Finding 53** | **The courts’ disbursement processes need improvement relative to checks voided.** |  |  |
| Remedy | * *The courts should cross*-*reference the number of the replacement check issued in AZTEC by updating the disbursement information screen in the voided check entry in AZTEC, when applicable, and in Quicken.* * *The courts should cross*-*reference the number of the voided check in the replacement check entry in AZTEC and in Quicken.* * *The courts should record the check date, payee, and amount of the voided checks in Quicken.* * *The courts should mark “Void” on the check entry in Quicken for a voided check.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  New Management is currently following AOC’s recommended court action regarding this finding. Court Administration to create a Financial Control Policy to ensure future management compliance. | 02/15/2016 |  |
| Court Action | * Upon voiding a check, court staff shall go into the disbursement information screen for the voided check, and they shall enter the check number of the replacement check. Immediately following, court staff go into Quicken and update the check number. * Upon re-issuing a check, court staff shall enter the voided check number into the disbursement information screen in AZTEC for the replacement check. * Upon issuing a check, court staff shall enter the check date, payee, and amount into Quicken. * Upon voiding any check, court staff shall go into Quicken and mark the check as “Void”. * Court management shall hold staff accountable by reviewing voided checks on a monthly basis to ensure that court staff is following the procedures set forth above. |  |  |
| **Finding 54** | **The courts’ disbursement processes need improvement relative to recording disbursements in AZTEC.** |  |  |
| Remedy | * *The courts should record disbursements in AZTEC by the end of the next business day.* * *The courts should enter the “actual” check information in AZTEC, including the check date, check number, payee, and amount, by updating the disbursement information event on the ROA or adding a docket entry in the case.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  New Management is currently following AOC’s recommended court action regarding this finding. Court Administration to create a Financial Control Policy to ensure future management compliance. | 02/15/2016 |  |
| Court Action | * Upon issuing a disbursement, court staff shall enter the disbursement into AZTEC. * Court staff shall enter the “actual” check information into AZTEC upon issuing a disbursement. This includes: (1) the check date, (2) the check number, (3) the payee, and (4) the amount. This shall be done by updating the on the event in the ROA or by creating a separate docket event. * Court management shall hold staff accountable by selecting ten (10) disbursements each month to ensure that the disbursements were timely entered into AZTEC and to ensure all required information was entered into AZTEC as well. |  |  |
| **Finding 55** | **The courts’ safeguarding and internal control procedures need improvement relative to securing court monies in the safe.** |  |  |
| Remedy | * *The courts should ensure the safe is locked at all times when not in use.* * *The courts should maintain and retain an unidentified monies file containing copies of checks/money orders, receipts, and any supporting documentation received with unidentified monies received by the court.* * *The courts should receipt all monies in AZTEC and deposit the monies with the bank by the next business day and report the monies as unidentified monies or overages, as applicable.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Financial Control Policy #5 – Safe Policy   * Display signs limiting admittance to areas where monies and financial records are stored, unless access is restricted by electronic access control; * The secured location of the safe should only be accessed by authorized court staff * Staff shall create BN case numbers/files for unidentified money and give said case to JOS to monitor/disburse money. * Deposits are done daily and verified by a second person. |  | Policy not implemented until October 2015 however this AOC’s recommended court action was in place prior to policy. |
| Court Action | * Court management shall ensure that the safe is locked before leaving the room that contains the safe. * Court management shall create an identified monies file. Court staff shall give all unidentified monies to court management for processing, and court management shall make retain copies of any checks/money orders, receipts, and other supporting documentation received with the unidentified monies. * Court management shall ensure that any unidentified monies received are receipted and deposited with the bank by the next business day. |  |  |
| **Finding 56** | **The courts’ safeguarding and internal control procedures need improvement relative to counterfeit monies.** |  |  |
| Remedy | * *The justice court should ensure the consistent implementation and compliance with its established written policy and procedure on identifying and handling counterfeit cash in accordance with U.S. Treasury, Office of Domestic Finance, Advanced Counterfeit Deterrence guidelines.* * *The municipal court should establish a written policy and procedure on identifying and handling counterfeit cash in accordance with U.S. Treasury, Office of Domestic Finance, Advanced Counterfeit Deterrence guidelines and ensure the consistent implementation and compliance with its written policy.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Financial Control Policy #13 – Identifying and Handling Counterfeit Cash   1. Each cashier who receives currency must test all $20, $50, and $100 bills for possible forgery. Every member of the cashiering staff should have access to a counterfeit detection pen, counterfeit detection machine, and/or ultra violet light which should be used to test for counterfeit bills. 2. Each cashier who receives currency suspected of being counterfeit should contact his/her supervisor or judicial office supervisor immediately. Care should be taken in discussing confiscation with the customer because of the risk of legal action and/or violence. Discussion with the customer should focus on ensuring that:    1. The customer understands that he/she is not being accused of counterfeiting; and    2. Federal regulations require confiscation of the currency; and    3. Additional payment methods will be accepted. 3. The judicial office supervisor or judge should call the local police department OR the local U.S. Secret Service Office (Tucson 520-670-4730; Phoenix 602-640-5580). 4. The Judicial Office Supervisor (JOS) will initial and date in the white border area of the suspected counterfeit note. 5. After confiscation and pending instructions from law enforcement, the JOS should put the suspect currency in a sealed envelope and place it under lock and key; handling of the currency should be minimized. The United States Secret Service or an appropriate law enforcement agency is responsible for returning any confiscated currency determined not to be counterfeit. 6. Under no circumstances are cashiers permitted to retain possession of counterfeit currency. |  | 10/26/2015 |
| Court Action | * Court management shall draft a policy regarding the identification of counterfeit monies and shall ensure the policy is communicated to all staff. * Court management shall hold staff accountable by randomly selecting one day per week to review the bills accepted by each clerk to determine whether the required bills have been checked with a counterfeit detection pen. |  |  |
| **Finding 57** | **The courts’ safeguarding and internal control procedures need improvement relative to deposit monies.** |  |  |
| Remedy | *The courts should ensure that courts’ deposit monies are kept in a locked bank bag, accessible only by the clerk assigned control of the “deposit” bank bag prior to and when transported to the bank.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Lockable bags ordered and in use as well as register drawers for front counter staff. |  | 07/01/2015 |
| Court Action | * Court management shall procure a lockable bank bag and shall keep the court deposit in the locked bank bag until it is deposited at the bank. |  |  |
| **Finding 58** | **The courts’ reconciliation processes need improvement relative to daily reconciliations.** |  |  |
| Remedy | * *The courts’ change fund reconciliations should be documented and verified by both the assigned custodian of the change fund and the second person verifying the fund at the start of and end of the shift, in the presence of both, and initialed by both the clerk and the verifier in a change fund log.* * *The courts should ensure that the AZTEC Fee Book reconciles with the AZTEC Banking Report each day. The reports should include the FARE payments received that day.* * *The courts should ensure that each clerk that receipts payments each day prepares a cash drawer fund reconciliation form, “Daily Cash & Checks Reconciliation”, and that the reconciliation documentation is retained.* * *The clerks’ cash drawer fund reconciliations should be verified by both the clerk assigned the cash drawer fund and the second person verifying the fund, in the presence of both, and initialed by both the clerk and the verifier.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  See attached Change/Petty Cash fund reconciliation form and Daily Reconciliation form. (Attachments #9 and #10) |  | 07/01/2015 |
| Court Action | * Court management shall ensure that the change fund is reconciled daily, and the person who reconciles the change fund shall initial and date a reconciliation log. A second person should verify the reconciliation and initial and date the reconciliation log as a second person verifier. * Court management shall ensure that the AZTEC Fee Book reconciles with the AZTEC Banking Report, and should include any FARE payments received for that day. Any discrepancies shall be researched and resolved. * Court management shall ensure that each clerk that receipts payments each day prepares a cash drawer fund reconciliation form, “Daily Cash & Checks Reconciliation”, and that the reconciliation documentation is retained. * Court management shall ensure that the clerks’ cash drawer fund reconciliations are verified by both the clerk assigned the cash drawer fund and the second person verifying the fund, in the presence of both, and initialed by both the clerk and the verifier. |  |  |
| **Finding 59** | **The courts’ reconciliation processes need improvement relative to the preparation and verification of monthly reconciliations.** |  |  |
| Remedy | * *The courts should have both the person who performs or prepares the monthly reconciliations and the second person who reviews and verifies the reconciliations document the verification by initialing the reconciliation documentation.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Financial Control Policy #2 – Monthly Remittance and Reconciliation Reports   * The Judicial Office Supervisor (JOS) shall ensure that all funds are accurately entered on the remittance report and shall have a second person verify that the funds have been correctly entered. Document the verification by initialing the reconciliation documentation. * The JOS shall ensure that monthly remittance reports for both courts are prepared and forwarded to the respective treasurers by the 10th of each month. * The JOS shall receive and retain documentation from the local treasurers that acknowledges receipt of the monthly remittance reports.   Because the JOS (Judicial Office Supervisor) prepares the monthly reports, the Court has designated the Judge and the individual verifying the reports. |  | 10/26/2015 |
| Court Action | * Court management shall ensure that the person who performs the monthly reconciliations initials and dates the reconciliations. * Court management shall ensure that a second person verifies the monthly reconciliations and documents the verification by initialing and dating the documents. |  |  |
| **Finding 60** | **The courts’ reconciliation processes need improvement relative to monthly bank account reconciliations.** |  |  |
| Remedy | * *The courts should reconcile their bank statements each month.* * *The courts should review the outstanding checks listed in their bank account reconciliations and verify the entries in Quicken and the entries on the bank statements with source documents for monies receipted and disbursed to determine their actual cash position.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Financial Control Policy #2 – Monthly Remittance and Reconciliation Reports   * The JOS or designated court staff will reconcile all bank account statements for the prior month on the first of each month. The reconciliation shall include the initials of the person who reconciled the bank account statements and the date they were reconciled, as well as the initials of the second person who verifies the reconciliation and the date of the second person verification. * The reconciliations will account for any pending deposits and credit card payments that have not posted. * The JOS or designated court staff will ensure that the bank account statements reconcile with Quicken and any discrepancies noted in both Quicken and on the bank account statement to reconcile the differences.   Because the JOS (Judicial Office Supervisor) prepares the monthly reports, the Court has designated the Judge and the individual verifying the reports |  | 10/26/2015 |
| Court Action | * Court management shall reconcile all bank account statements for the prior month on the first of each month. The reconciliation shall include the initials of the person who reconciled the bank account statements and the date they were reconciled, as well as the initials of the second person who verifies the reconciliation and the date of the second person verification. * The reconciliations shall account for any pending deposits and credit card payments that have not posted. * Court management shall ensure that the bank account statements reconcile with Quicken and any discrepancies noted in both Quicken and on the bank account statement to reconcile the differences. |  |  |
| **Finding 61** | **The courts’ reconciliation processes need improvement relative to outstanding checks.** |  |  |
| Remedy | * *The courts should review checks outstanding over six months on a monthly basis.* * *The courts should take the appropriate actions required to dispose of checks outstanding over six months, including recording a stop payment in AZTEC, the check register, and in any other financial records; or issuing replacements checks, if necessary, as part of its monthly review of outstanding checks.* * *The courts should document the specific actions taken, or to be taken, to dispose of each check outstanding over six months as part of its monthly review of outstanding checks.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The Court has established Financial Control Policy #4 – Reconciliation of Outstanding Checks   * The Judicial Office Supervisor (JOS) will review all checks outstanding over 90 days on the first of each month. The JOS shall take appropriate action, which may include placing a stop payment on the check or issuing replacement checks. Any action taken shall be docketed in AZTEC. * If the JOS must issue a stop payment on a check, he or she shall record the stop payment in AZTEC. * If court management issues a replacement check, he or she will ensure that all required elements are recorded in AZTEC. * In accordance with A.R.S. 22-116: Funds in possession of justice of the peace; deposit with county treasurer; payment to claimants; disposition of unclaimed funds.  1. On or before April 1st each year every justice of the peace who has funds in his possession arising from fees or any other source, which have been in his possession for more than two years before April 1st, shall pay such funds to the county treasurer with an itemized list showing the name of the person depositing the money with the justice, the date of the deposit, and the amount. 2. The Treasurer shall deposit the money in an account entitled the “suspension account”, and at any time within one year from deposit of the funds the amount owing any person shall be returned and paid to the person upon warrant/check (*if a new clerk is reading this they will confuse the term warrant as we in the court would use in a different text*) issued by the board of supervisors. The board of supervisors shall require strict proof that the money should be repaid to the person claiming it, and the warrant/check, if issued, shall be paid from the suspension fund. 3. One year after deposit of the money with the county treasurer all money remaining in the suspension account for which no claim has been filed shall be deposited in the general fund of the county. |  | 10/26/2015 |
| Court Action | * Court management shall develop a policy for tracking outstanding checks. * Court management shall review all checks outstanding over six months on the first of each month. Court management shall take appropriate action, which may include placing a stop payment on the check or issuing replacement checks. Any action taken shall be docketed in AZTEC. * If court management must issue a stop payment on a check, he or she shall record the stop payment in AZTEC. * If court management issues a replacement check, he or she shall ensure that the replacement check is issued and all required elements are recorded in AZTEC, as set forth in Finding 54. |  |  |
| **Finding 62** | **The courts’ reconciliation processes need improvement relative to outstanding bonds.** |  |  |
| Remedy | * *The courts should review bonds outstanding over 90 days and document the status or actions taken or to be taken to dispose of the bonds on a monthly basis.* * *The courts should reconcile their outstanding bonds on a monthly basis by conducting a thorough review of the AZTEC Bail/Bond Detail Report generated from inception to date (1/1/1995 through date of reconciliation) to ensure the reconciliation includes all outstanding bonds and the ending balance on the Bail/Bond Detail Report is in agreement with the courts’ record of outstanding bonds.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  The court is currently working old restitution (prior to January 2014). Once completed the court will begin outstanding bond reconciliation and will follow AOC’s recommended court action. | 07/01/2016 |  |
| Court Action | * Court management shall review all bonds outstanding over 90 days on the first of each month. Court management shall take appropriate action, which may include placing a stop payment on the check or issuing replacement checks. Any action taken shall be docketed in AZTEC. * Court management shall generate the AZTEC Bail/Bond Detail report and work through the report to reconcile it with its records of outstanding bonds. |  |  |
| **Finding 63** | **The courts’ reporting processes need improvement relative to their monthly remittance reports.** |  |  |
| Remedy | * *The justice court should ensure that the monthly remittance report to the Pinal County Treasurer is accurately prepared.* * *The municipal court should ensure that the monthly remittance report to the Town of Maricopa Treasurer is accurately and timely prepared and remitted.* * *The municipal court should work with the Town of Maricopa Treasurer to ensure that the State Remittance Report is timely remitted to the Arizona State Treasurer and to resolve any reporting errors.* * *The municipal court should ensure it receives documentation from the Town of Maricopa Treasurer acknowledging the court’s submission of the monthly remittance report.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Same response as Finding 59 |  | 10/26/2015 |
| Court Action | * Court management shall ensure that all funds are accurately entered on the remittance report and shall have a second person verify that the funds have been correctly entered. * Court management shall ensure that monthly remittance reports for both courts are prepared and forwarded to the respective treasurers by the 15th of each month. * Court management shall receive and retain documentation from the local treasurers that acknowledges receipt of the monthly remittance reports. |  |  |
| **Finding 64** | **The court’s administrative requirements processes need improvement relative to its payment acceptance policy.** |  |  |
| Remedy | * *The courts should revise their posted payment acceptance policies to include a provision for dishonored debit/credit card payments.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  All acceptable forms of payments signs posted. |  | 10/26/2015 |
| Court Action | * Court management shall revise the courts’ payment acceptance policies to include a statement regarding dishonored payments, for example a $25.00 for all returned checks, etc. |  |  |
| **Finding 65** | **The court’s administrative requirements processes need improvement relative to financial policies and procedures.** |  |  |
| Remedy | * *The courts should establish written financial policies and procedures or revise existing ones to reflect all current court financial practices and current MAS requirements.* |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Multiple Financial Control Policy’s in place. |  | 10/26/2015 |
| Court Action | * Court management shall draft policies for all financial procedures, including but not limited to:  1. Receipting payments in AZTEC; 2. Cash drawer overages/shortages; 3. Processing of bonds, restitution, and overpayments; 4. Voiding AZTEC receipts; 5. Issuing manual receipts; 6. Voiding manual receipts; 7. Unidentified monies; 8. Unclaimed funds; 9. Restitution; 10. Monthly remittances; and 11. Reconciliations of bank account statements, cash drawers, change funds, deposits, etc. |  |  |
| **Finding** | **Management Structure** |  |  |
| Remedy | Organizational structures provide the foundation upon which standard operating procedures and routines rest. As such, the courts should develop a streamlined organizational structure that facilitates an efficient and effective workflow by filling the chief clerk position with someone who has substantial work experience. Further, court staff should report directly to the chief clerk, who will then report directly to the judge. This will allow for effective and consistent communication between the judge and the chief clerk, which will subsequently create consistent communication and direction for court staff.  The chief clerk should have substantial management experience, as well as heightened personnel and organizational skills. Additionally, the salary should be adequate to compensate for being tasked with rebuilding the internal and operational structures of two courts. |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Staff currently report to the JOS. All staff, court, and case related management issues are handled by the JOS with updates to the Judge. All disciplinary actions will be delivered by the JOS. |  | 01/19/2016 |
| Court Action | * The courts shall develop a streamlined organizational structure by filling the chief clerk position with someone who has substantial work experience. * Court shall should report directly to the chief clerk. |  |  |
| **Finding** | **Roles and Responsibilities of Staff** |  |  |
| Remedy | Court management should develop job duties and expectations for each employee and should ensure that the workload is evenly distributed. Further, these job duties and expectations should be constructed and assigned so that workflow is efficient and productive. Additionally, court management should ensure that each staff member has a clear understanding of his or her job duties and expectations. The court can facilitate this by drafting policies to delineate the roles and responsibilities specific to each staff member, and then meeting with each staff member to ensure he or she has a clear understanding of the expectations.  Court management should also schedule monthly one-on-one meetings with staff to provide performance evaluation and feedback. During these meetings, court management should review the roles and responsibilities of the staff member; provide an evaluation on the aspect of each role; identify areas of improvement; identify the areas in which the staff member is doing well; specify the steps that can be taken to achieve the desired outcome; include specific measurable goals; and specify the timeframe in which the staff member should seek to accomplish the goals set forth in the identified areas of improvement.  Court management may decrease the frequency of one-on-one meetings when management deems it appropriate, but one-on-one meetings should be consistently maintained. This one-on-one interaction will assist the court in creating and maintaining healthy working relationships between staff and management.  Lastly, the courts needs to develop a phone schedule that sets forth which staff members will be assigned to answer the phones during specified times on certain days. This will allow for staff members to work on tasks that can be completed with intermittent interruptions, and it will allow other staff members to complete their work without having to stop what they are doing to answer the phone. |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  JOS is up to date with employee performance reviews. He is also conducting monthly one-on-one meetings with staff reinforcing staff goals and keeping the line of communication open for the betterment of the court. |  | 01/14/2016 |
| Court Action | * Court management shall develop clear job duties and expectation for each staff member. * Court management shall divvy up work to ensure that it is equally distributed. * Court management shall ensure that each staff has a clear understanding of his or her job duties and expectations by checking in with staff. * Court management shall schedule monthly one-on-one meetings with staff to ensure that they are doing will with their job duties and to offer support. Court management shall provide an assessment of each staff members’ ability to execute his or her job duties and to discuss and address any discrepancies. * During the one-on-one meetings, measurable goals shall be set for each staff member and a timeframe for meeting those goals shall be established. All goals and staff development shall be documented. * Court management shall develop a phone schedule that assigns no more two people to answer phones during any given time period. Court management may implement a “morning” shift and an “afternoon” shift if necessary. |  |  |
| **Finding** | **Policies, Procedures, and Communication** |  |  |
| Remedy | In drafting new policies and procedures, court management should elicit staff input to ensure accuracy and consistency with respect to how to complete particular tasks. This will assist in encouraging collaborative team work and will allow staff to gain a clear and consistent understanding of any new policies and procedures that may be implemented.  It is equally important to ensure that the courts have a process in place for periodic review to ensure that the policies and procedures are updated and are serving an effective purpose.  Further, communication between the judge and the chief clerk should take place regarding any proposed policies and procedures, or amendments thereto, to ensure that the workflow within the courts is efficient and productive.  Additionally, it is important that the courts have a procedure in place for notifying the judge when a newly drafted policy or a policy revision is awaiting approval and to have an established timeframe for which court staff can expect to receive approval from the judge.  The courts should further seek guidance from the AOC where necessary when drafting and implementing effective policies and procedures. |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  Policies and Procedures have been in place since October 2015. They continue to be revised to ensure each one is feasible for the staff and court. All staff were given all policies for comment prior to implementation. Staff have all been advised and trained on all policies. |  | 10/26/2015 |
| Court Action | * Court management shall review all existing policies and procedures and make the necessary revisions to bring the policies up-to-date. * Court management shall draft policies not currently in existence for all portions of this court action plan. * Court management shall review policies and procedures every six months to identify any necessary revisions. * Before finalizing a policy or procedure, court management shall solicit staff input and feedback. * Court management shall hold monthly meetings to update staff on any procedure or policy changes and to communicate important information. |  |  |
| **Finding** | **Training** |  |  |
| Remedy | Once the backlogs in both courts have been addressed, the courts should implement cross-training among court staff so that there is at least one back-up person to process each case type. To facilitate implementation, the courts should create a structured training schedule comprised of objectives, tasks, and projected mastery dates. |  |  |
| Court Response | The Court:  Agrees and will implement the remedy as stated in the report; **OR**  Agrees, but will resolve the issue in another manner; **OR**  Disagrees, but will implement the remedy as stated in the report or in another manner; **OR**  Disagrees and will not implement the remedy.  **How the court has implemented the Court Action as stated below:**  As of January, all staff have been trained on their current duties. There was a small change in clerk responsibility, those affected received training on their new duties. |  | 01/01/2016 |
| Court Action | * Court management shall implement the procedures set forth in this action plan to address the backlogs. * Court management shall ensure that each employee becomes proficient in his or her designated job duties and responsibilities. * Once the backlogs have been addressed and each staff member is proficient in his or her designated job duties, court management shall begin having staff cross-train in other areas of the courts. |  |  |

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| **Signature:** |  |
|  | Presiding Judge |
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| **Date:** |  |
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