



NEWS RELEASE

ARIZONA SUPREME COURT
ADMINISTRATIVE OFFICE OF THE COURTS

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ARIZONA SUPREME COURT CHIEF JUSTICE RUTH V. MCGREGOR ADDRESSES JOINT SESSION OF LEGISLATURE, ANNOUNCES RETIREMENT

Phoenix-- Chief Justice Ruth McGregor announced during a joint session of the House and Senate gathered to hear the annual State of the Judiciary address that she would be retiring as Chief Justice and from the Supreme Court, effective June 30th, 2009.

“I have been so privileged to serve in the Arizona judicial system. I had the great good fortune to serve on both the Court of Appeals and the Supreme Court and, as a result, had the opportunity to learn with and from many judicial colleagues,” said McGregor. “My term as Chief Justice has allowed me to work with judges, clerks of court, court administrators, and court staff all across the state. I hope that Arizonans recognize and appreciate the incredibly talented and dedicated people that work in our court system: they all bring a commitment to do their best work for those we serve every day,” said McGregor. My work with the Legislature and with the Governor’s office also has been rewarding, as we have found ways to address our differences and capitalize on our agreements during these most difficult times in Arizona,” she said.

In addition to the announcement about her retirement, Chief Justice McGregor reported on the State of the Judiciary.

Selected Accomplishments

Chief Justice McGregor recognized some of the accomplishments the judicial branch has made in recent years including:

1. Expediting the processing of DUI cases and reduced DUI cases pending for more than 180 days by 77%.
2. Instituting new appellate proceedings that have substantially reduced the time needed to complete review of cases involving the termination of parental rights.
3. Better serving jurors, for when jurors are called on to serve at the courthouse, the judicial branch now offers an online service that allow jurors to select their most convenient jury service date.

General Fund Information

Chief Justice McGregor also noted Arizona’s significant fiscal crisis and also explained that, “Since 2000, the Judicial Branch’s General Fund allocation has actually decreased by 13% and the courts now receive only 1.25% of the General Fund. Working with the Legislature and the Governor during the past two years, the Courts have absorbed state funding cuts and fund sweeps of more than \$28 million. Given the combined effect of the decrease in Arizona’s General Fund and the state courts’ reduced proportion of that fund, we are limited in the difference we can make to the State’s bottom line.”

Budget Impact on Probation Services

Chief Justice McGregor continued, “Even though we play a limited role in the state budget, the Judicial Branch has stepped forward to propose a budget reduction plan that allows us to do our part while helping to keep the public safe. However, any cost-reducing efforts by the judicial branch must involve the costs of probation services, which account for 80% of the General Fund dollars we receive. To identify possible cost savings involving probation, our presiding judges are developing and implementing plans to determine whether we can

safely move offenders currently on probation to a lower level of probation, or terminate probation early. We also are re-engineering our probation pre-sentence reports to ensure that we have the most important information prioritized and readily available for public protection purposes. We cannot avoid the reality that additional cuts to the judicial branch budget will necessarily impact probation services, but we must move cautiously because reducing the level of supervision unwisely can impact public safety. For that reason, we have proposed to the Legislature some carefully-defined procedures to reduce the cost of probation.”

Caseload Increase

Regarding the role of the Judicial Branch as a fundamental part of government, Chief Justice McGregor stated that, “Our ability to absorb cuts is not without limits. The Judicial Branch of government is a separate, coequal branch of government, not a discretionary agency: we must operate no matter the economic climate. In fact, during bad economic times, people need the courts more than ever, and our caseloads increase even as our resources decrease. This economic downturn is no exception: we currently process 2.7 million cases each year and are experiencing an unprecedented growth in court filings. Based upon that growth, we project that, for the Fiscal Year 2009 through Fiscal Year 2009 period, statewide superior court civil filings will increase by 50%; we expect contract lawsuits to increase by 90%. Juvenile abuse and neglect cases are on track to increase by 53%.”

Potential Court Delay

The combined effect of reduced resources and increased court filings will result in the delay of case processing. The net effect of delaying the processing of court cases is quite broad. Chief Justice McGregor stated that, “Delay in criminal cases harms the State, harms defendants waiting for a speedy trial, and harms victims awaiting the prompt resolution of their cases, as guaranteed by the Arizona Constitution. Delay prevents the placement of abused and neglected children in permanent homes after parental rights are severed. Delay increases, sometimes to nearly unbearable levels, the stress experienced by those awaiting child custody or child support decisions. And delay harms businesses. The expected increase in eviction and foreclosure actions, construction litigation, and contract disputes, coupled with the decrease in resources available to our courts, assures that resolution of those disputes will take longer.”

Positive Court Opportunities

While Arizona is facing difficult times, there are some bright points on the horizon. Chief Justice McGregor announced that the Arizona Judicial Branch is bringing electronic filing to state courts, to be funded by court users, by negotiating a new public/private e-filing partnership called “AZ Turbo Court.”

AZ Turbo Court will:

- Increase court productivity, which currently is being negatively affected by staff shortages;
- Improve the productivity of the businesses and the lawyers who use our courts by allowing not only e-filing but also electronic storage and access to documents; and
- Greatly simplify the process for citizens filing matters for themselves.

Chief Justice McGregor also outlined four guiding principles upon which the court will rely during this fiscal crisis:

- First, we must maintain a quality civil case processing system to serve all courts users and to help attract business to the state.
- Second, we must preserve public protection by maintaining quality criminal case processing, and effective probation systems.
- Third, we must find ways to safely reduce probation revocations to save state prison costs; and
- Finally, the courts must increase revenues by expanding the FARE program. FARE is a public-private partnership through which we collect court-ordered fees, fines, and restitution and then return the collected amounts to state, county, and city coffers, as directed by statute. Over the past five years, our efforts through the FARE partnership have increased revenues by an impressive \$460 million, and we intend to further increase those revenues.