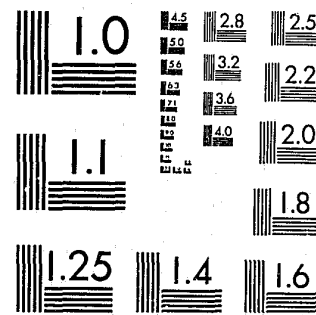


National Criminal Justice Reference Service

ncjrs

This microfiche was produced from documents received for inclusion in the NCJRS data base. Since NCJRS cannot exercise control over the physical condition of the documents submitted, the individual frame quality will vary. The resolution chart on this frame may be used to evaluate the document quality.



MICROCOPY RESOLUTION TEST CHART
NATIONAL BUREAU OF STANDARDS-1963-A

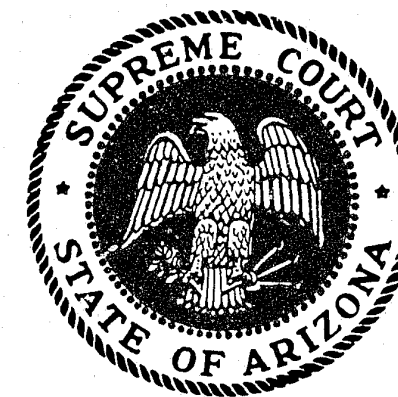
Microfilming procedures used to create this fiche comply with the standards set forth in 41CFR 101-11.504.

Points of view or opinions stated in this document are those of the author(s) and do not represent the official position or policies of the U. S. Department of Justice.

National Institute of Justice
United States Department of Justice
Washington, D. C. 20531

4-8-82

THE ARIZONA COURTS



1977 Annual Judicial Report

81117

Supreme Court
State Capitol
Phoenix, Arizona

PUBLISHED
ON BEHALF OF
THE ARIZONA SUPREME COURT

JAMES DUKE CAMERON, Chief Justice
FRED C. STRUCKMEYER, JR., Vice Chief Justice
JACK D. H. HAYS, Associate Justice
WILLIAM A. HOLOHAN, Associate Justice
FRANK X. GORDON, JR., Associate Justice

BY
THE ADMINISTRATIVE OFFICE OF THE COURTS

NOEL K. DESSAINT
Administrative Director of the Courts

WILLIAM L. McDONALD
Deputy Administrative Director

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this copyrighted material has been granted by

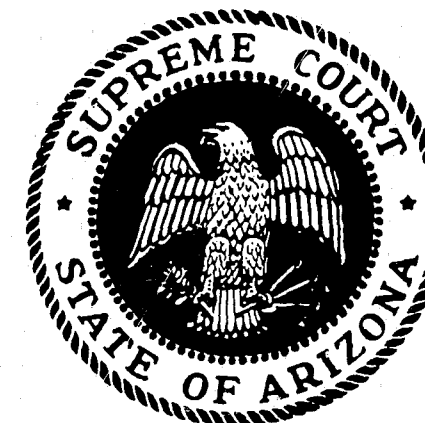
Arizona Supreme Court

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the copyright owner.

JUNE, 1978

THE ARIZONA COURTS



NCJRS

SEP 22 1981

ACQUISITION

1977 Annual Judicial Report

Supreme Court
State Capitol
Phoenix, Arizona

TABLE OF CONTENTS

	Page
INTRODUCTION	1
ADMINISTRATIVE DIRECTOR'S REPORT	1
THE JUDICIAL BRANCH OF GOVERNMENT	2
SUPREME COURT RULES	4
JUDICIAL PLANNING COMMITTEE	4
MEDICAL LIABILITY REVIEW PANELS	6
FAMILY COUNSELING PROGRAMS	6
STATE GRAND JURY	7
JUDICIAL EDUCATION	7
SELECTION OF JUDGES	9
COMMISSION ON JUDICIAL QUALIFICATIONS	10-11
STATE JUDICIAL AND GENERAL FUND EXPENDITURES	11-12
SUPREME COURT STATISTICS	13-15
COURT OF APPEALS — DIVISION 1 STATISTICS	16-20
COURT OF APPEALS — DIVISION 2 STATISTICS	21-23
SUPERIOR COURT STATISTICS	25
STATEWIDE CASE ACTIVITY	26-35
APACHE COUNTY	36
COCHISE COUNTY	37
COCONINO COUNTY	38
GILA COUNTY	39
GRAHAM COUNTY	40
GREENLEE COUNTY	41
MARICOPA COUNTY	42
MOHAVE COUNTY	43
NAVAJO COUNTY	44
PIMA COUNTY	45
PINAL COUNTY	46
SANTA CRUZ COUNTY	47
YAVAPAI COUNTY	48
YUMA COUNTY	49
JUSTICES OF THE PEACE STATISTICS	50-55
THE SUPERIOR COURT OF COCONINO COUNTY, 1912-1977	56-63
APPENDICES	
APPENDIX I, ORGANIZATIONAL CHART	64
APPENDIX II, SUPREME COURT JUSTICES, COURT OF APPEALS JUDGES, SUPERIOR COURT JUDGES AND CLERKS	65
APPENDIX III, MEMBERS OF THE COMMISSIONS ON JUDICIAL QUALIFICATIONS, APPELLATE COURT APPOINTMENTS, AND TRIAL COURT APPOINTMENTS	66
APPENDIX IV, THE ARIZONA CONSTITUTION	67

INTRODUCTION

As Arizona has grown from a rural, sparsely populated state to an urbanized and more sophisticated society, problems accompanying such growth have been reflected in not only the caseload of the state courts but in the nature of the cases the courts are asked to consider. To the relatively simple lawsuits of a less complicated society have been added the intricate multi-party and multi-issue lawsuits of the computer age. This is not to say that the more simple lawsuits have not remained. They have in increasing numbers; but there is also new work, and the courts must adapt to the new litigation while taking care of the old.

The 1977 Annual Report of the Arizona Judiciary is the first since 1963. The report shows, as accurately as possible, the operation of the Arizona court system for 1977. This report can be used to understand the operation of the judicial system in an age of increasing caseloads. This report can be

an aid in the improvement of the judicial process to assure that justice is promptly and fairly dispensed.

I wish to thank Noel Dessaint, Administrative Director of the Courts, William L. McDonald, Deputy Administrative Director of the Courts, and the Director's staff for the work that went into this report. The clerks of the various courts in the state also deserve our thanks not only for their cooperation in making these reports but their willingness to change their method of reporting to conform to one uniform state system. Their cooperation and help is greatly appreciated.

We hope that this Annual Report will be of aid to all who are interested in the court system.

James Duke Cameron
Chief Justice

ADMINISTRATIVE DIRECTOR'S REPORT

During 1977 the Supreme Court emphasized the need for an improved, more complete and more accurate caseload information system. It is essential that the public and other governmental institutions understand the Judiciary and its operations, and it is important that any branch of government account for itself. The collection and dissemination of reliable information permits a better understanding of the work and needs of the Judiciary and the personnel who serve in the Judiciary. Such information also supports the formulation of management, budget and policy plans. To these ends the Supreme Court ordered every court in the state to conduct caseload inventories to reflect the cases pending at the conclusion of 1977. This report reflects the statistics reported by the various courts to the Supreme Court. Inventory statistics for the Justice of the Peace and Municipal Courts will be reported in the 1978 annual report.

In order to commence 1978 with pending caseload figures as accurately as possible, the Supreme Court, on October 24, 1977, also authorized every Justice of the Peace and Municipal Court to dismiss on notice all inactive cases and matters pending over one year old. At the same time, the Court entered an order requiring all Municipal Courts to submit monthly case activity reports to the Administrative Director commencing in 1978. Previously, such reports were not required. The Chief Justice also directed that the monthly statistical report forms to be used in 1978 for all courts be revised and updated to more fully depict the work of the courts.

Since a statewide annual report had not been published since 1963, an historical summary report was published in December, 1977, primarily covering the period from 1965 through 1976. Resumption of the statewide annual report begins with this 1977 report.

Time restrictions involved with the publication of the Summary Report did not permit a complete historical recapitulation of caseload data for the Superior Courts since Statehood. The Chief Justice has therefore directed retrieval of this information on a county by county basis for publication in each annual report. The Coconino County Superior Court was selected as the first court for this project.

Whenever changes or new concepts are interjected into a system, some difficulty can be anticipated in coordinating all of the various aspects of that system. This is also true with the judicial system, particularly because of the many judicial units contained in the Judiciary. I anticipate that 1978 will be a year of marked progress in regard to the informational system but that refinements, problem solving and definitional adjustments will be necessary. To the extent possible with existing staff in the Administrative Office, these areas will be addressed.

The Supreme Court's rededication to the collection, use and dissemination of judicial statistical data has in many instances created additional workload burdens on the clerks and administrative staffs of the various courts. The many people who have responsibility for completing the monthly reports

are the essential element in a thorough and reliable information system. The Supreme Court and those of us in this office are extremely grateful to those clerks and administrative staffs who have cooperated in this effort, and who conscientiously take time from their busy schedules to complete the monthly reports.

The Administrative Office is staffed by the Director, Deputy Director, one secretary and two financial/statistical clerks. In 1977 the Supreme Court also placed its Planning Office under the supervision of the Administrative Director. The Planning Office, which is funded by a Law Enforcement Administration Assistance grant, consists of a Chief of Planning and two secretarial/clerical

THE JUDICIAL BRANCH OF GOVERNMENT

"The judicial power shall be vested in an integrated judicial department consisting of a supreme court, such intermediate appellate courts as may be provided by law, a superior court, such courts inferior to the superior court as may be provided by law, and justice courts."

Arizona Constitution, Article VI, Sec. 1

SUPREME COURT

The Supreme Court consists of five justices. The regular term of office is six years. The Chief Justice is elected by the justices for a term of five years. The Arizona Supreme Court is the State's Court of Last Resort and has appellate jurisdiction in all actions and proceedings except civil and criminal actions in the Justice of the Peace and Municipal Courts unless the action involves the validity of a tax, impost, assessment, toll, statute or municipal ordinance. Original jurisdiction of the Court includes causes concerning claims of one county against another. The Court also has the power to issue injunctions, writs of mandamus, review, habeas corpus and all other writs necessary to the complete exercise of its appellate and revisory jurisdiction.

Appeals from the Superior Court are filed with the Court of Appeals in most instances. The Supreme Court, however, hears direct appeals in criminal cases where the sentence of death or life imprisonment has actually been imposed. Decisions of the Court of Appeals may be reviewed at the discretion of the Supreme Court when a litigant has filed a Petition for Review. The Supreme Court on its own motion can and does transfer cases from the Court of Appeals to the Supreme Court for decision.

In addition to law clerks and secretarial and clerical staff, the Court appoints a Clerk of the Supreme Court, the Administrative Director of the Courts and a central staff of attorneys. All employees serve at the pleasure of the Court.

positions. The Planning Office assists in the writing of grant applications, research and information compilation for planning purposes and serves as staff to the Supreme Court's Judicial Planning Committee.

The Administrative Director's Office is charged with the responsibility of assisting the Chief Justice and the Supreme Court with their administrative duties. These duties include preparation of court budgets funded by the Arizona Legislature and financial management of the funds appropriated to the Supreme Court. Implementation of a continuing judicial education program has been assigned to this office. Various Court policies are also implemented by the Administrative Director.

COURT OF APPEALS

The Court of Appeals consists of two divisions. Division 1, with nine judges, is located in Phoenix; and Division 2, with three judges, presides in Tucson. The court has appellate jurisdiction to determine all matters appealed from the Superior Court with two exceptions. In criminal cases, where the sentence of death or life imprisonment has actually been imposed, the appeal is directly to the Arizona Supreme Court.

Division 2 receives its cases from the Superior Courts in the counties of Pima, Pinal, Cochise, Santa Cruz, Greenlee, Graham and Gila. The total new filings during 1977 in Division 2 were 668. Of that total 259 were originated from the Superior Court in Pima County.

The geographical jurisdiction of Division 1 covers appeals from the Superior Courts in the counties of Maricopa, Yuma, Coconino, Yavapai, Mohave, Navajo and Apache. During 1977, 584 new cases out of a total of 1,337 were initiated from the Maricopa County Superior Court. Division 1 also has statewide responsibility of reviewing decisions of the Industrial Commission.

In his State of the Judiciary message before the State Bar of Arizona, Chief Justice Cameron discussed the workload confronting Division 1 and stated:

"It appears that we now need another three judges on the Court of Appeals. We will ask for such an increase at the next session of the Legislature."

The proposal for an additional three judges will be presented to the Legislature at its first session in 1979.

SUPERIOR COURT

Judges

In 1977 the Superior Court consisted of 73 judges sitting in 14 counties. The Superior Court is a trial court of general jurisdiction. Judges of the Superior Court are empowered to hear cases of equity and law which involve title to, or possession of real property; civil cases where the claim for relief amounts to \$1,000 or more; felony prosecutions and misdemeanors not otherwise provided for by law; probate matters and cases involving dissolution or annulment of marriage. The Superior Court also has concurrent jurisdiction with the Justice of the Peace Court over claims between \$500 and \$1,000.

Superior Court judges must be at least thirty years of age, of good moral character and admitted to the practice of law in and a resident of Arizona for five years prior to taking office. (Arizona Constitution, Article VI, Sec. 22)

Court Commissioners

Commissioners may be appointed by the presiding judge of the Superior Court in counties with three or more judges, and they serve at the pleasure of the presiding judge. In 1977, six commissioners served in Maricopa County, three in Pima County and one in Pinal County. Commissioners perform such duties as may be provided by law or Supreme Court rules. Commissioners are not empowered to hear contested trials but can determine a matter where a default has been entered against a party. Commissioners may also preside at the initial appearance of a defendant charged with a crime; appoint counsel for indigent defendants; determine the conditions of release for a defendant and preside at criminal arraignments.

Clerks

In each county, the Superior Court is served by a Clerk of the Court who is elected at the general election. Pursuant to Article VI, Section 23 of the Arizona Constitution, "the Clerk shall have such powers and perform such duties as may be provided by law or by rule of the Supreme Court or superior court."

The responsibilities of the Clerk's office are many and varied. They include the maintenance of all court files, certification of documents, collection and distribution of fees and other authorized monies, attendance and minute-keeping at court proceedings and the issuance of summonses, subpoenas and marriage licenses.

Trial Court Administrators

The Superior Courts in Maricopa and Pima Counties also employ trial court administrators and administrative staffs. These offices assist the presid-

ing judges with their administrative responsibilities and are heavily involved in the assignment of cases to judges, budget preparation and management of funds expended by the court. Gordon W. Allison serves as the court administrator in Maricopa County, and Jim I. Martin is the administrator for the Superior Court in Pima County.

JUSTICE OF THE PEACE AND MUNICIPAL COURTS

On a statewide basis there are 84 Justices of the Peace sitting in the same number of precincts. The term of office is four years, and Justices of the Peace are elected at the general election by the voters in the precinct.

These courts of limited jurisdiction are empowered to hear certain civil and misdemeanor cases, including traffic violations, and felony preliminary examinations. Civil jurisdiction is currently limited to claims involving less than \$1,000. Misdemeanor jurisdiction includes such offenses as petty theft, simple assault or battery not committed upon a public officer, breaches of the peace and other misdemeanors punishable by a fine not exceeding \$300 or imprisonment in the county jail not to exceed six months or both. Justices of the Peace may also conduct preliminary examinations on felony complaints to determine if probable cause exists to hold a defendant for trial in the Superior Court.

Police courts, commonly referred to as municipal or city courts, are mandated by statute in each incorporated city or town. There are currently 70 such courts staffed by 90 municipal judges or city magistrates. These judges are appointed by city or town councils. Municipal Courts do not have civil jurisdiction except that a city or town may maintain a civil action in the police court for the recovery of a penalty or forfeiture provided for the violation of an ordinance. These courts do not have jurisdiction to conduct preliminary examinations in felony cases.

The Municipal Courts are empowered to hear matters arising out of the violation of city or town ordinances and have concurrent jurisdiction with the Justice of the Peace over violations of state laws committed within the city or town limits.

Virtually all traffic and low misdemeanor cases are filed in the Justice of the Peace and Municipal Courts. As the statistical data indicates the greatest contact Arizona citizens have with the judicial system is in these lower courts. Chief Justice Cameron, in his address to the judges at the 1977 Annual Judicial Conference for Justices of the Peace and Municipal Judges, stated:

"... the Justices of the Peace and City Magistrates' Courts are the courts closest to the people. Eighty to ninety percent of our people

have no other contact with the court system except through your courts, and you are the ones that set the tone, the stage and the image of the judicial system in this State."

SUPREME COURT RULES

Article VI, Section 5 of the Arizona Constitution provides that the Supreme Court shall have the power to make rules relative to all procedural matters in any court. Several rules of local applicability were approved by the Supreme Court in 1977 for various courts. In regard to its rule making authority, the Court devoted major attention to the development of the new Arizona Rules of Evidence and to revamping the Arizona Rules of Civil Appellate Procedure for the Court of Appeals and Supreme Court.

The State Bar Committee on Civil Practice and Procedure spent many hours working on draft proposals of both sets of rules for the Supreme Court's consideration and review.

Because of the many cases handled in the lower courts and for the reasons mentioned by the Chief Justice, the administration of justice at the lower court levels is extremely important.

The Arizona Rules of Evidence became effective September 1, 1977, and for the first time in Arizona, the law governing the admissibility of evidence in all actions, cases and proceedings in the trial courts was organized into a set of evidentiary rules. The Federal Rules of Evidence, governing federal courts, were used as the basis for the Arizona Rules.

The Rules of Civil Appellate Procedure were promulgated on November 1, 1977 to take effect on January 1, 1978. Major changes in the rules included elimination of the abstract of record, reduction of the time for appeal from 60 days to 30 days and the requirement that the Superior Court maintain a copy of the case file while the original record is in the appellate court.

JUDICIAL PLANNING COMMITTEE

Under the authority of amendments passed in 1976 by Congress to the Federal Crime Control and Safe Streets Act, the Arizona Supreme Court established the Arizona State Judicial Planning Com-

mittee. The Court's order, dated December 27, 1976, provides for the appointment of the following persons to serve on the Judicial Planning Committee:

Fred C. Struckmeyer, Jr.
Chairman
Vice Chief Justice
Arizona Supreme Court

Noel K. Dessaint
Administrative Director
Arizona Supreme Court

Donald F. Froeb
Judge
Court of Appeals
Division 1

Lawrence Howard
Judge
Court of Appeals
Division 2

Robert C. Broomfield
Judge
Maricopa County Superior Court

Harry Gin
Judge
Pima County Superior Court

Lloyd Fernandez
Judge
Greenlee County Superior Court

Henry C. Duffie
Chief Adult Probation Officer
Maricopa County

Travis Yancy
Yuma County Sheriff

Nancy West
Scottsdale Justice of the Peace

Eugene Mangum
Phoenix Municipal Judge

Ross P. Lee
Maricopa County Public Defender

David Babbitt
Mohave County Attorney

Jo Wycoff
Clerk
Coconino County Superior Court

Tim Barrow
(former Speaker
Arizona House of Representatives;
former Mayor of Phoenix)

The Judicial Planning Committee was formed for the purpose of preparing a judicial plan which addresses the needs of the judiciary and provides for the improvement of Arizona's judicial system.

The Committee met in 1977 to plan goals and objectives for use during 1978. While the concept of coordinated statewide judicial planning through the Committee is in its infancy, the Committee was able to draft a plan of goals and objectives which was approved by the Arizona Supreme Court and included in Arizona's 1978 Comprehensive Plan for Criminal Justice. The plan is designed to provide direction for court improvement projects and for the expenditure of federal, state and local funds available for assistance to the Judiciary.

The goals and objectives of the Judicial Planning Committee for 1978 are as follows:

Goal 1: Reduce court congestion and delay.

Objective 1.1: Continued improvement of processing court cases.

Goal 2: Development of a comprehensive state plan on the operation of the court system for recommendation to the Supreme Court.

Goal 3: Provide initial and in-service education programs for all judges and support personnel.

Objective 3.1: Obtaining expertise to instruct in an Arizona training environment.

Objective 3.2: Encourage programs at the Arizona institutions of higher learning.

Objective 3.3: To sponsor and establish training sessions, workshops and credit courses relating to continuing judicial education and court administration.

Objective 3.4: Establish a requirement that all judges attend courses on judicial education.

Objective 3.5: Provide in-service training and education for increasing the level of professional excellence of all court personnel.

Goal 4: Extend needed support services to courts of limited jurisdiction from the courts of general jurisdiction.

Objective 4.1: Develop methods and procedures as well as obtaining resources for extending probation and court reporter services to courts of limited jurisdiction.

Objective 4.2: Develop uniform forms, methods and procedures for application in the courts of limited jurisdiction.

Goal 5: Improve the organizational and legal structure of the court system.

Objective 5.1: Study, develop and implement programs, legislation and court rules for court structure improvement and alternatives to court jurisdiction.

Objective 5.2: Develop methods for re-aligning staff for increased efficiency.

Goal 6: Improve the operation of the appellate and trial courts through innovative applied technology for case processing and management.

Objective 6.1: Utilize data processing techniques for the transcription of court proceedings.

Objective 6.2: Utilize video techniques to court processes.

Objective 6.3: Obtain necessary office equipment for more efficient clerical work.

Objective 6.4: Apply data processing techniques for calendar, court management and legal research.

Goal 7: Construction and improvement of needed court facilities.

Objective 7.1: Construction of new court facilities.

Objective 7.2: Renovation of existing court facilities.

Goal 8: Improvement of juvenile court case processing.

Objective 8.1: Develop alternatives for processing status and delinquent offenders in the juvenile court.

Objective 8.2: Provide additional support personnel and facilities for expanded juvenile court services.

Many of the above stated goals will continue from year to year. For instance, the development of initial and in-service education programs for judges and court support personnel will continue to be a priority. Other goals may not be subject to accomplishment within one year. The plan, however, provides a starting point for consciously assessing the priority needs of the Judiciary and for addressing those needs.

MEDICAL LIABILITY REVIEW PANELS

On February 27, 1976, legislation became effective establishing medical liability review panels in the Superior Courts. (A.R.S. §12-567) Any lawsuit alleging medical malpractice must be referred to a medical liability review panel appointed by the presiding judge of the Superior Court in the county. The panels consist of one Superior Court judge, who also serves as chairman, one attorney and one physician.

The parties to the lawsuit may utilize discovery procedures provided for by the Rules of Civil Procedure in preparing the case for presentation to the panel. Witnesses may be called at the hearing before the panel. The panel determines whether the evidence presented to it supports a finding in favor of the plaintiff or the defendant. Regardless of the panel's determination, either party may proceed with litigation in the Superior Court. In that event the panel members, including the judge, may not participate in the trial proceedings.

FAMILY COUNSELING PROGRAMS

In 1973 legislation was enacted providing for the establishment of, and financial assistance for, family counseling programs in the juvenile divisions of the Superior Court. (A.R.S. §§ 8-261 to -265, as amended 1977)

The public and private family counseling services, utilized by the various juvenile court divisions in each county, are for the purpose of strengthening family relationships and preventing juvenile delinquency. Under family counseling, young offenders are diverted out of the juvenile justice system and into programs available in their own communities. Under this strategy young people and their parents can avail themselves of counseling services by which problems can be identified and discussed with the goal of reaching resolutions that will prevent recurring delinquent or incorrigible behavior. Family counseling is an alternative which provides the family with an opportunity to solve its own problems.

Each county may participate in family counseling programs by a resolution of the board of supervisors delivered to the Supreme Court by June 15th each year. Each juvenile division must also have on file with the Supreme Court for approval its Family Counseling Program. State monies are distributed on a four-to-one ratio provided by the State and the participating county respectively. The amount of funds distributed to each juvenile division is determined pursuant to a statutory formula based partially on the juvenile population in each county.

From 1973 through June 30, 1977, these state

The procedures governing these panels are set forth in A.R.S. Vol. 17A in the Uniform Rules of Procedure for Medical Liability Review Panels promulgated by the Arizona Supreme Court. The Supreme Court, through its Administrative Director, is also responsible for administering the state funds related to the expenses of panel members. Arizona Revised Statutes, §12-567(M) provides in part:

"The expenses and compensation for the members of the panel, other than the chairman, shall be paid by the state out of funds appropriated for this purpose, upon application by the county treasurer of the county in which a panel has been appointed, to the Arizona supreme court which shall certify and fix such amount. Members of the panel, other than the chairman, shall be compensated at the rate of fifty dollars per day. . . ."

In fiscal year 1976-1977, the Supreme Court expended \$8,555 to reimburse the counties for the compensation paid to panel members serving in the Superior Court.

funds were distributed by the State Treasurer. In 1977, however, the Legislature amended the statutes placing the state funds into the budget of the Supreme Court for purposes of distribution to the juvenile divisions of the Superior Court in each participating county. This responsibility has been assigned to the Supreme Court's Administrative Director.

For fiscal year 1976-77, the State Treasurer in his last year of responsibility for this fund distributed \$240,000 appropriated by the Legislature. For 1977-78, the Legislature appropriated \$250,000 for distribution. The funds allocated for each of these years is as follows:

County	State Funds	
	1976-77	1977-78
Apache	\$ 9,675	\$10,076
Cochise	10,950	10,904
Coconino	10,746	11,318
Gila	7,771	7,808
Graham	6,734	6,800
Greenlee	6,037	6,008
Maricopa	94,556	100,616
Mohave	7,822	8,078
Navajo	10,984	11,372
Pima	36,433	38,390
Pinal	12,769	12,956
Santa Cruz	6,598	6,656
Yavapai	8,145	8,240
Yuma	10,780	10,778
	\$240,000	\$250,000

The request to the Legislature for family counseling funds for fiscal 1978-79 will remain at \$250,000.

STATE GRAND JURY

On September 12, 1975, legislation became effective which authorized the establishment and impanelment of a state grand jury. (A.R.S. §§ 21-421 to -428 as amended 1977) A state grand jury is impaneled upon the written application of the Attorney General to the Supreme Court. The Superior Court judge, designated as a state grand jury assignment judge by the Chief Justice of the Arizona Supreme Court, impanels the jury. Additional state grand juries can be impaneled upon written application by the Attorney General to the Chief Justice.

The regular term of the state grand jury is six months. The types of offenses which can be investigated by the state grand jury are specifically enumerated by statute. (A.R.S. § 21-422 as amended 1977) The presentation of evidence to the state grand jury is made by the Attorney General or his designee, and the Office of the Attorney General is responsible for the prosecution of indictments returned by the grand jury.

The procedures governing state grand juries are set forth in the Arizona Supreme Court's Rules of Criminal Procedure. (17 A.R.S., Rules 12.21 to 12.29) The Arizona Supreme Court, through its Administrative Director, is also responsible for administering the state funds related to the operation of the state grand jury.

Arizona Revised Statutes §21-428 (B & C) provides:

- "B. The costs and expenses of impaneling a state grand jury and for the performing of its functions and duties shall be paid for by the state out of funds appropriated for this purpose upon application by the county treasurer of the county in which the assignment judge is serving to the Arizona supreme court which shall certify and fix such amount."
- "C. All costs and expenses incurred by a county arising out of the prosecution and trial of state grand jury indictments shall be paid for by the state out of funds appropriated for this purpose upon application by the county treasurer to the Arizona supreme court which shall certify and fix such amount."

Since state grand jury expenses are generated at the county level as a result of the activities of the Attorney General, the Supreme Court acts only to reimburse the claims of the Superior Court in the county. The above quoted statutes are written in broad terms and offer little guidance as to what are proper reimbursable expenses. More specific legislation would appear desirable for guidance to the Supreme Court in its administration of these funds.

State grand jury expenditures for fiscal year 1976-77 totaled \$75,240.

JUDICIAL EDUCATION

INTRODUCTION

Prior to the late 1950's, it was a generally accepted presumption that all individuals selected for judicial office had the necessary knowledge, skills and attitudes required for the office of judge. Since the early 1960's a more realistic perspective has developed that reflects the concern for the quality of judicial performance and administration of justice. Many lawyers who become judges may be very knowledgeable in some areas of the law due to the nature of their prior legal practice, but they may lack familiarity or experience in other areas of the law. Likewise, lawyers are not specifically trained in judicial methods, techniques and administration. The role of a judge is far different from that of a practicing advocate. In addition, many judges in courts of limited jurisdiction at the Justice of the Peace and Municipal Court level are not lawyers and have had no prior training or preparation for judicial office.

The 1967 report of the President's Commission on Law Enforcement and Administration of Justice emphasized in-service training for judges as both necessary and worthwhile. The National Advisory Commission on Criminal Justice Standards and

Goals in its 1973 report on courts recommended that every state develop and maintain a comprehensive program for continuing judicial education. The American Bar Association, in its Standards for Court Organization recommends the following:

"Judges should maintain and improve their professional competence through continuing professional education. Court systems should operate or support judges' participation in training and education, including programs of orientation for new judges and refresher education for experienced judges in developments in the law and in technique in judicial and administrative functions."

Recognition of the need for continuing professional education is not unique to the Judiciary. Many people in other professions, including educators, doctors, nurses, lawyers, accountants and law enforcement and military personnel are offered continuing professional training and education.

The Arizona Legislature, in recognition of this type of need, has established by law training funds for peace officers and prosecuting attorneys. These training efforts are funded by penalty surcharges assessed to all criminal fines imposed by the courts.

Continuing judicial education would assist judges in staying current with new developments in the law, would permit a greater exchange of ideas and information in the handling of judicial problems and would stimulate creative thinking on improvements in the administration of justice. At the present time, however, the Supreme Court does not have sufficient funds or staff to maintain and conduct a complete continuing educational program for judges. With current resources, the Court does provide for annual conferences and attempts to secure limited federal funding for national programs. In addition, the Legislature appropriated \$20,000 for 1977-78 toward developing an educational program.

ANNUAL JUDICIAL CONFERENCES

Since 1962 the Arizona Supreme Court, through its Administrative Director, has held two annual judicial conferences each year. One conference is for all Superior Court and Appellate Court judges in the state and the other conference is for all Justices of the Peace and Municipal Court judges in the state. Mandatory attendance is required by the Supreme Court at these conferences. Educational seminars and sessions of general interest are conducted at the conferences which are generally applicable to a majority of judges attending.

The 1977 Annual Judicial Conference for Superior Court and Appellate Court Judges featured Professor Robert A. Leflar, University of Arkansas College of Law, who discussed with the judges the American Bar Association's and Arizona's Code of Judicial Conduct. Professor Leflar had served on the ABA Committee which drafted the Code of Judicial Conduct. In 1977 the Arizona Supreme Court promulgated Uniform Rules of Evidence. Professor Edward W. Cleary, Arizona State University College of Law, and an authority in the field of evidence, discussed current developments in regard to the rules and highlighted several different areas of interest. Professor Cleary had served as a reporter for the United States Supreme Court's Advisory Committee on the Federal Rules of Evidence from 1965 to 1975. The Arizona Rules of Evidence are generally based on the federal rules. An innovative program was also introduced at this conference regarding human communication skills and dynamics. Dr. Kenneth Olson, a well-known psychologist and lecturer, presented insights into the field of communications and applied communication theories to the role of the trial court judge.

The 1977 Annual Conference for Justices of the Peace and Municipal Judges included a presentation on the new Criminal Code passed by the First Regular Session of the Thirty-Third Legislature, effective October 1, 1978. A major portion of the conference was devoted to the new Rules of Evi-

dence promulgated by the Supreme Court, which are also applicable to the Justice of the Peace and Municipal Courts. The instructors on the Rules of Evidence were the Honorable Charles L. Hardy, Maricopa County Superior Court Judge; Roger W. Kaufman, Esq.; and Ronald J. Cohen, Esq.

Judge Hardy and Mr. Kaufman were active in the Arizona State Bar Committee on the Uniform Rules of Evidence, and Mr. Cohen previously served as an instructor on the Law of Evidence at Indiana University School of Law and has been active in the State Bar's Continuing Legal Education program on evidence. The remainder of the conference included presentations on forcible entry and detainer and civil cases. Panel discussions were also conducted for municipal judges with representatives from law enforcement and the prosecution and defense bar.

The Supreme Court is dedicated to providing worthwhile and meaningful annual conferences for the members of the Judiciary, and the conferences are beneficial. These annual conferences do not, however, provide the best forum for specialized training and education because of the large numbers of judges attending the conference. There are presently 92 Superior and Appellate Court judges and 152 Justices of the Peace and Municipal Court judges in Arizona attending these annual conferences. Consequently other avenues of judicial education have been encouraged by the Arizona Supreme Court as related in the following sections of this report.

FEDERAL FUNDING OF JUDICIAL EDUCATION

In the past, reverted LEAA funds have been available through the Justice Planning Agency for some Arizona judges who seek judicial training or continuing education. These limited funds are available on an individual application basis. Supreme Court staff appears each month before the Justice Planning Agency's Training Committee to assist with judges' applications if necessary. These funds are also sought by personnel from law enforcement and correction agencies.

During 1977 the Training Committee granted a total of \$16,538 which permitted eight Superior Court judges, seven Justices of the Peace and five Municipal Court judges to attend national educational programs.

These training funds are reverted funds from other in-state federal grants, so it is unknown from time to time what funds will be available for education. It is evident, however, that these federal funds are insufficient to meet the educational needs of the Arizona Judiciary, which presently consists of 244 judges.

The Supreme Court also utilized \$8,443 in 1977 from its own LEAA grant to assist with the educational costs for two Court of Appeals judges, a court reporters' annual seminar and a special seminar for clerks of the courts of limited jurisdiction to familiarize them with the new 1978 Supreme Court statistical reporting forms.

CURRENT DEVELOPMENTS

In 1977 the Arizona Legislature appropriated to the Supreme Court for the first time \$20,000 for judicial education during fiscal year 1977-78. With this initial appropriation and continued support from the Legislature, the Arizona Supreme Court plans to develop and implement a more complete educational program for Arizona judges than is presently possible by means of the annual conferences. Because of staffing restrictions in the Administrative Director's office, the Court anticipates that the first two years experience with this appropriation will likely result in a rather modest beginning, but it is a beginning step in the right direction. To date the Supreme Court has used this fund primarily to pay conference registration fees for judges to attend State Bar Continuing Legal Education programs. In the spring of 1978 the Court plans to hold a special seminar on evidence for Justices of the Peace and Municipal Court judges holding office in Mohave, Coconino, Yavapai, Navajo and Apache counties, with the idea of repeating this seminar in other regions of the state.

SELECTION OF JUDGES

In 1974, the people amended the Arizona Constitution to provide for the merit selection of certain judges. Under this method justices of the Supreme Court and judges of the Court of Appeals must face a retention election toward the end of their respective terms of office. The same holds true for Superior Court judges in Maricopa and Pima counties. If a majority of those voting on the retention of a judge vote "yes", the judge shall remain in office for another term. If a majority vote "no", the office is declared vacant at the expiration of the present term. Vacancies in these jurisdictions are filled through the merit selection process.

There are currently three nominating Commissions; one for Maricopa county, one for Pima county and one for the appellate judges and justices. The Chief Justice serves as chairman of each Commission. When a vacancy occurs on a particular court, nominations and applications are accepted by the appropriate Commission. After careful screening, the Commission presents the names of at least three qualified nominees to the Gov-

In 1977 the Arizona Superior Court and Appellate Court judges joined the Southwestern Judicial Conference, formerly called the Tri-State Judicial Conference, made up of the judiciaries of Nevada, Utah, New Mexico and now Arizona. The Arizona Supreme Court will be hosting this educational conference in 1978.

The Arizona Judiciary possesses many competent, well-qualified and conscientious men and women who serve as judges. Many judges in the courts of limited jurisdiction, however, have no prior preparation for the responsibilities of the office. To the extent that its resources permit, the Arizona Supreme Court is committed to providing educational programs for these lay judges. In addition, many judges at every level in the court system are confronted with crowded court calendars and increasing caseloads which require the judges to focus their primary attention on processing and disposing of those cases. Consequently they have very little opportunity for any type of continuing self-education. Initial educational programs are also necessary for new judges.

Continuing education of judges and court personnel is a direct method designed to help attain the goal of improving the Arizona justice system. The Arizona Supreme Court is therefore appreciative of the Legislature's support in assisting with this goal.

error. The Governor is then required to appoint one of the nominees on the basis of merit alone, without regard to political affiliation.

Counties having a population of less than one-hundred-fifty-thousand persons, which includes the twelve remaining counties in Arizona, elect Superior Court judges in the traditional fashion at the general election. The voters of these counties can, however, adopt merit selection. Article VI, Sec. 40 of the Arizona Constitution provides:

"Such choice shall be determined by vote of the qualified electors of such county voting on the question at an election called for such purpose by resolution of the board of supervisors of such county."

Chief Justice Cameron, in an article published in the 1976 Arizona State Law Journal, discusses the merit selection process in detail. He concludes that merit selection is more preferable to the previous system of general election of members of the judiciary and states that, "the strength of the merit selection system is in the caliber of persons going onto the bench through the selection process."

COMMISSION ON JUDICIAL QUALIFICATIONS

The Arizona Commission on Judicial Qualifications was created in 1970 by Article VI.I of the Arizona Constitution. The Commission is charged with the responsibility of reviewing and investigating, when indicated, complaints against Justices of the Peace, Superior Court Judges, Court of Appeals Judges and Supreme Court Justices. The Commission does not have the power to remove judges from office but can make recommendations to the Supreme Court that a judge be removed from office.

The Commission is empowered to investigate the following matters only:

1. The disability of a judge that seriously interferes with the performance of his duties and is or is likely to become permanent.
2. Action by a judge that constitutes wilful misconduct in office.
3. Action by a judge that constitutes a wilful and persistent failure to perform his duties.
4. Action by a judge that constitutes habitual intemperance.
5. Conduct by a judge that is prejudicial to the administration of justice that brings the judicial office into disrepute.

The Commission is not a substitute for the appellate process. Any litigant aggrieved by a judge's legal ruling or decision must pursue whatever normal appeal rights may be available to correct alleged legal error.

The Administrative Director of the Courts, pursuant to the Rules of Procedure for the Commission on Judicial Qualifications, is authorized to receive complaints for distribution to Commission members. The Administrative Director also maintains the files of the Commission.

In almost all instances a complaint against a judge begins with a telephone call from a member of the public to the Administrative Director. After a discussion of the complaint, a CJQ information packet, which includes an explanation of the Commission, Article VI.I of the Arizona Constitution and the Commission's Rules of Procedure, is forwarded to the person.

Copies of any complaint received by the Administrative Director are distributed to members of the Commission by the Chairman, and a file is opened in the office of the Administrative Director.

In some instances, the Chairman of the Commission will poll the members by mail as to whether or not a preliminary investigation should commence. This occurs when the complaint is obviously being used as a substitute for the appeal process. Other complaints are discussed at Commission meetings called by the Chairman.

Preliminary investigations are often conducted by members of the Commission. If this investigation indicates that the complaint has merit, the Commission may hire a specially appointed attorney to continue with the investigation. If the matter cannot be resolved at this point, the Commission will initiate formal proceedings, and evidence will be presented at a formal hearing by the specially appointed attorney. The Commission would then make findings of fact and formulate a recommendation to the Supreme Court.

The Commission is also empowered to initiate preliminary investigations on its own motion, which happens occasionally when a matter of concern is brought to the attention of the Commission by means other than a written complaint. During the last three years, as indicated by the following statistics, 58 informational packets were distributed resulting in the filing of 40 complaints.

	Information Packets Distributed	Actual Complaints Filed
1975	15	10
1976	22	15
1977	21	15

The foregoing statistics do not include those matters initiated by the Commission on its own motion.

The activities of the Commission are confidential until such time as formal recommendations are filed with the Clerk of the Supreme Court. Although no case has yet reached the point where formal recommendations have been made to the Supreme Court, some judges, since the establishment of the Commission, have resigned from office in lieu of the formal proceedings and formal Commission hearing.

At the current time the Commission has no staff and no full time investigator. Clerical and secretarial functions are currently absorbed by the secretaries to the Administrative Director and Judge L. Ray Haire, Chairman of the Commission.

COMMISSION ON JUDICIAL QUALIFICATIONS MEMBERS

J. Thomas Brooks, Judge Coconino County Superior Court Courthouse Flagstaff, Arizona 86001	Martha Elias (Secretary) 402 N. LaCholla Blvd. Tucson, Arizona 85705	Robert O. Leshner (Attorney) 3773 E. Broadway Tucson, Arizona 85716
Arthur Doan 557 Noon Nogales, Arizona 85621	L. Ray Haire (Chairman) Judge, Court of Appeals Div. 1 Capitol Building Phoenix, Arizona 85013	Clyde A. McCune Justice of the Peace P.O. Box 29 Kingman, Arizona 85401
Clarence J. Duncan (Attorney) 111 W. Monroe Phoenix, Arizona 85003	James D. Hathaway (Vice-Chairman) Judge, Court of Appeals Div. 2 State Office Building Tucson, Arizona 85701	Alice Truman Judge Pima County Superior Court Tucson, Arizona 85701

STATE JUDICIAL EXPENDITURES

State general fund expenditures to support the Arizona Judiciary are limited to the Supreme Court, Court of Appeals, Superior Court, Commission on Judicial Qualifications and the Commissions on Appellate and Trial Court Appointments. State funding of superior courts is used for the payment of one-half of the judges' salaries and for providing judges pro-tempore for judicial assistance.

State judicial expenditures have increased 80.9% over the past five years, from \$1,924,304 in 1972-73 to \$3,481,691 in 1976-77. This increase, while significant, appears to be in line with the overall growth of Arizona state government, which increased by 77.5% over the same period in its total

general fund operating budget. Major factors contributing to the increased expenditure level of the Judiciary include the addition of a third panel of judges and supporting personnel in Division 1 of the Court of Appeals in 1974-75 and the addition of fourteen Superior Court judges over the five-year period.

While state expenditures to support the Judiciary have increased, state judicial expenditures for 1976-77 accounted for only 44/100ths of one percent of the total state general fund operating budget — the same percentage share as experienced in 1972-73. Overall, state expenditures to support the Arizona Judiciary resulted in a \$1.51 per capita tax cost in 1976-77.^(A)

STATE JUDICIAL EXPENDITURES

	1972-73	1975-76	1976-77
Supreme Court ^(B)	\$ 523,268	\$ 849,866	\$ 902,219
Court of Appeals			
Division 1	440,000	956,046	999,191
Division 2	248,387	361,127	391,547
Superior Court	710,096	1,143,951	1,183,846
Commission on Judicial Qualifications	2,553	2,735	3,984
Commission on Appellate and Trial Court Appointments	—	2,489	904
TOTAL	\$1,924,304	\$3,316,214	\$3,481,691

^(A) Based on population data contained in the 1977 Arizona Statistical Review; Valley National Bank of Arizona.

^(B) Does not include statewide Grand Jury and medical malpractice review panel expenditures.

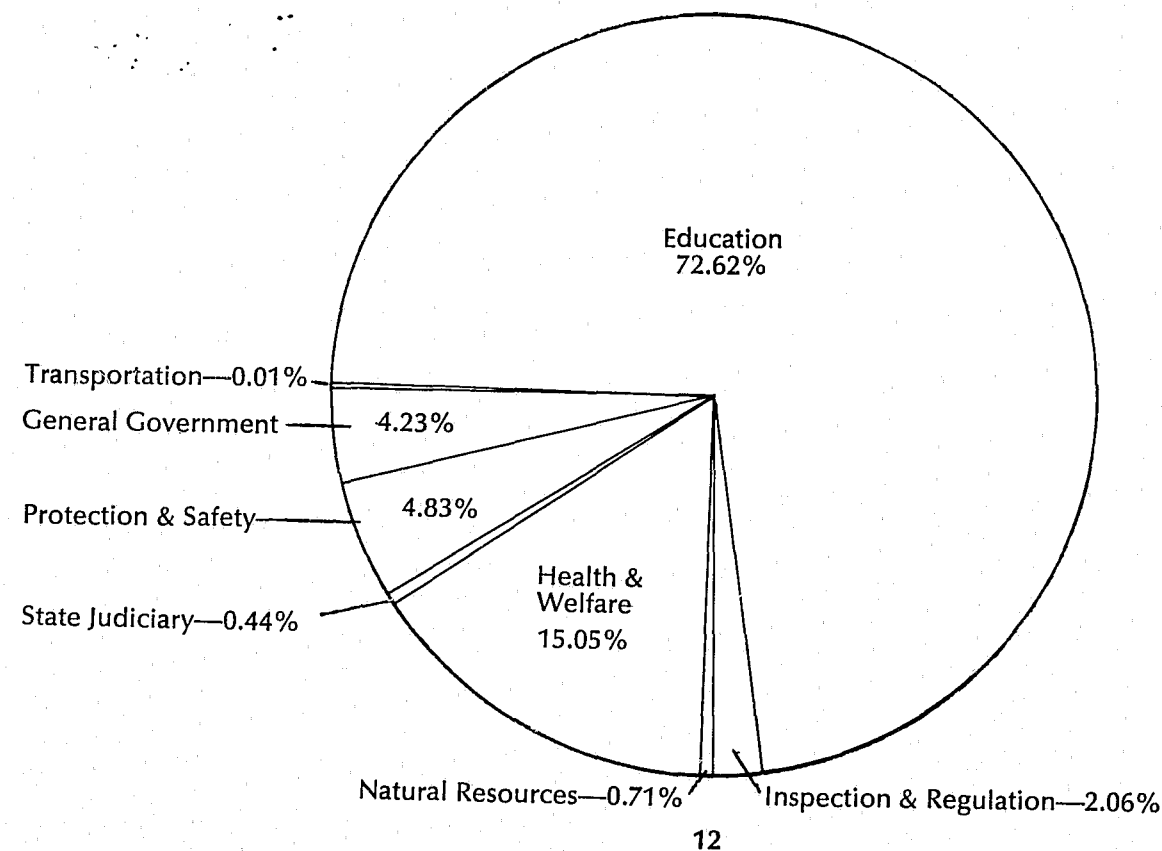
STATE GENERAL FUND EXPENDITURES

	EXPENDITURES*			% Increase 1972-73/ 1976-77	% Increase 1975-76/ 1976-77
	1972-73	1975-76	1976-77		
State Judicial Expenditures	\$ 1,924,304	3,316,214	3,481,691	80.9%	5.0%
State General Fund Operating Budget Expenditures	440,712,870	704,707,673	782,482,059	77.5%	11.0%
State Judicial Expenditures in Relation to Total State Operating Budget Expenditures	.0044	.0047	.0044		

	1976-77 Expenditures	% of Total
State Judiciary	\$ 3,481,691	0.44%
General Government	33,092,419	4.23
Inspection & Regulation	16,095,421	2.06
Education	568,216,151	72.62
Protection & Safety	38,215,189	4.88
Transportation	79,600	0.01
Natural Resources	5,529,725	0.71
Health & Welfare	117,771,863	15.05
TOTAL	\$782,482,059	100.00%

*Includes only State General Fund operating budget expenditures. Does not include capital construction expenditures, other appropriated and non-appropriated expenditures or federal funds.

SOURCE: State of Arizona, Annual Budgets and Appropriation Reports, Joint Legislative Budget Committee.



SUPREME COURT STATISTICS

While statistically 1977 virtually mirrored 1976 with respect to cases filed and terminated, the year-end pending caseload before the Court was reduced by some 42 cases. Case filings increased from 921 to 923 for the year. Total new cases before the Court in 1977, however, actually decreased because 60 less cases were transferred in from the Court of Appeals than in 1976. As can be seen by Table II of the following tables, the Supreme Court has transferred to itself a significant number of cases from the Court of Appeals in recent years. This has been done primarily to assist Division 1 of the Court of Appeals with its expanding caseload backlog. While 82 cases were transferred to the Supreme Court during 1977, workload requirements of the Court limited the amount of assistance that could be given to Division 1.

Petitions for review in 1977 continued to represent the largest caseload category before the Court. Sixty-seven percent of the filings and 58% of the terminations during 1977 were petition for review matters. Over the past five years petitions for review have represented half the case activity of the Court, accounting for 51.8% of filings and 49.9% of terminations.

Table II and Graph A reflect the filing and termination activity of the Court for the years 1970 through 1977. Summarily, filing activity (including cases transferred in) has increased 40.4% over the eight year period, while terminations have increased 43.2% over the same period.

Tables III and IV reflect the filing and termination activity of the Court for the years 1973 through 1977 on a by case type basis.

SUPREME COURT

TABLE I
1977 CASE ACTIVITY

TYPE OF ACTION	FILINGS	TRANSFERS IN FROM CT. APPEALS	TERMINATIONS BY:				PENDING (A) YEAR END
			WRITTEN OPINION	MEMO DECISION	OTHER	TOTAL	
CIVIL	2	31	31	1	2	34	23
CRIMINAL	35	50	93	42	4	139	45
PETITIONS FOR REVIEW	620		46	2	562	610	66
SPECIAL ACTIONS	149		14		135	149	20
DELAYED APPEALS	1	1	1	3	0	4	1
HABEAS CORPUS	42		2	1	35	38	6
STATE BAR MATTERS	33		4	1	30	35	4
MISCELLANEOUS	41		1		37	38	4
TOTAL	923	82 (B)	192	50	805	1,047	169

- (A). Pending year end figures have been adjusted based on an actual physical inventory of the Supreme Courts' pending caseload as of December 31, 1977.
- (B). Eighty-eight cases were actually transferred out of the Court of Appeals during 1977. Eight of the transferred cases were consolidated into four cases when docketed in at the Supreme Court, and two of the cases were docketed in as filings rather than transfers.

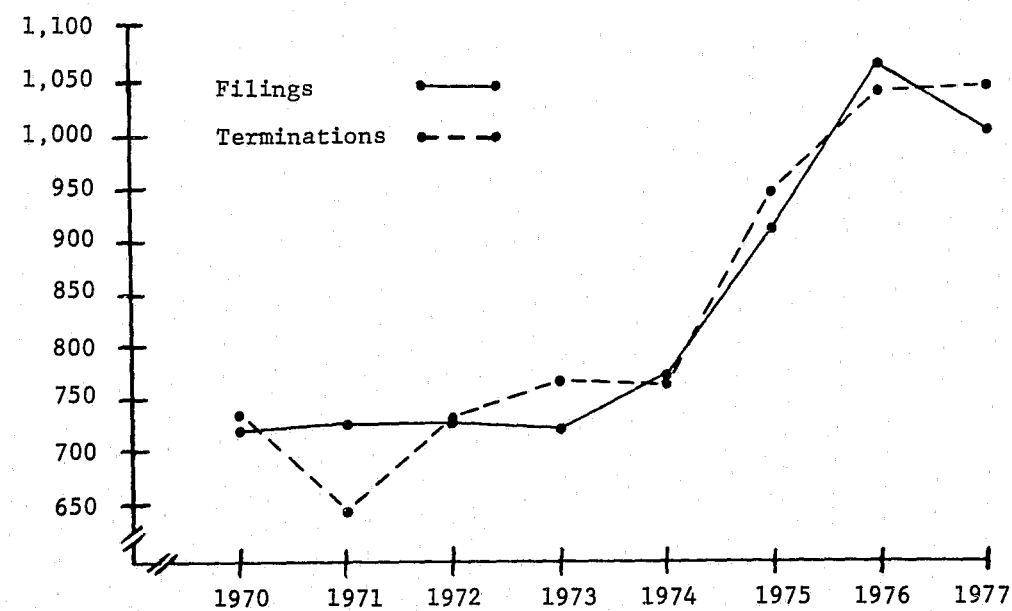
SUPREME COURT

TABLE II
SUMMARY CASE ACTIVITY
1970 - 1977

YEAR	FILINGS	TRANSFERS IN	TOTAL	TERMINATIONS BY:				TOTAL
				TRANSFER OUT	WRITTEN OPINION	MEMO* DECISION	WITHOUT OPINION	
1970	709	7	716	13	225	--	493	731
1971	690	33	723	1	190	--	453	644
1972	702	23	725	3	193	--	531	727
1973	714	6	720	0	234	56	474	764
1974	713	54	767	2	210	109	438	759
1975	799	107	906	0	222	68	659	949
1976	921	142	1,063	0	185	84	774	1,043
1977	923	82	1,005	0	192	50	805	1,047
TOTAL	6,171	454	6,625	19	1,651	367	4,627	6,662
AVG.	771.4	56.7	828.1	2.4	206.4	73.4	578.4	833.0

* First initiated in 1973.

GRAPH A
FILING AND TERMINATION ACTIVITY
1970 - 1977



Filing Activity - includes cases transferred in.
Termination Activity - includes cases transferred out.

SUPREME COURT

TABLE III
FILING ACTIVITY* 1973-1977

TYPE OF CASE	1973	1974	1975	1976	1977	TOTAL	AVG.	% OF TOTAL FILINGS
CIVIL	11	54	32	35	33	165	33.0	3.7%
CRIMINAL	203	195	141	169	85	793	158.6	17.8
PETITIONS FOR REVIEW	298	303	499	592	620	2,312	462.4	51.8
SPECIAL ACTIONS	77	153	174	170	149	723	144.6	16.2
DELAYED APPEALS	15	9	2	7	2	35	7.0	0.8
HABEAS CORPUS	64	10	13	21	42	150	30.0	3.4
STATE BAR MATTERS	18	27	29	29	33	136	27.2	3.0
MISCELLANEOUS	34	16	16	40	41	147	29.4	3.3
TOTAL	720	767	906	1,063	1,005	4,461	892.2	100.0%

* Includes cases transferred in from the Court of Appeals.

SUPREME COURT

TABLE IV
TERMINATION ACTIVITY 1973-1977

TYPE OF CASE	1973	1974	1975	1976	1977	TOTAL	AVG.	% OF TOTAL TERM.
CIVIL	30	15	56	26	34	161	32.2	3.5%
CRIMINAL	224	240	178	155	139	936	187.2	20.5
PETITIONS FOR REVIEW	303	287	474	603	610	2,277	455.4	49.9
SPECIAL ACTIONS	80	131	178	171	149	709	141.8	15.6
DELAYED APPEALS	19	19	4	4	4	50	10.0	1.1
HABEAS CORPUS	61	19	13	19	38	150	30.0	3.3
STATE BAR MATTERS	16	27	30	26	35	134	26.8	2.9
MISCELLANEOUS	31	21	16	39	38	145	29.0	3.2
TOTAL	764	759*	949	1,043	1,047	4,562	912.4	100.0%

* Includes two cases transferred out to the Court of Appeals.

COURT OF APPEALS
DIVISION 1 STATISTICS

Despite the efforts of Division 1, 1977 resulted in another losing battle in the attempt to reduce the burgeoning pending caseload of the court. While 1,137 cases were terminated during the year and another 87 cases were transferred to the Supreme Court, case filings totaled 1,337 — resulting in an increase from 1,098 pending cases at the end of 1976 to 1,211 pending cases at the close of 1977.

Statistically, 1977 was highlighted by an 8.2% increase in the number of civil terminations. The increase in disposing of civil cases partially accounts for the rise in pending cases at the end of 1977, because civil cases, due to their complexity, generally take longer to conclude than most other types of cases. The time from filing the notice of appeal to disposition of civil cases averaged about 18 months during 1977. The court's increased productivity in disposing of civil cases is therefore an encouraging sign to civil litigants. Additional resources will be needed, however, to continue to increase the court's rate of disposition in civil cases and to expand that effort, if possible, to all case categories.

Pending cases before the court have virtually doubled over the past five years. In 1973 Division 1 began the year with a pending caseload of 612. The pending caseload at the end of 1977 stood at 1,211 — an increase of 97.9% over the five year

period. Even with the addition of a third panel of judges in 1974, a 30.6% increase in pending cases has been experienced since the end of 1974.

Judge Donald F. Froeb, Chief Judge of Division 1, recently stated:

"It is very likely that civil case filings will increase significantly during 1978 and beyond, due in no small measure to the recent addition of new court divisions in the Maricopa County Superior Court, a primary contributor to the workload of the court. I also expect additional criminal appeals to occur when the new criminal code takes effect. For these reasons, the addition of a fourth three-judge panel for Division 1 of the Court of Appeals is imperative."

Table I of the following tables reflects the case activity of Division 1 for 1977.

Tables II and III reflect the filing and termination activity of Division 1 for 1973 through 1977.

Table IV and Graph A portray the filing and termination activity of the court for the past ten years and the resultant pending caseloads.

Civil and criminal cases represent approximately 80% of Division 1's caseload. Tables V and VI and the associated graphs reflect the civil and criminal case activity of the court for the years 1968 through 1977.

COURT OF APPEALS - DIVISION 1

TABLE I
1977 CASE ACTIVITY

TYPE OF CASE	FILINGS	TERMINATIONS BY:					PENDING YEAR END
		TRANSFER OUT	WRITTEN OPINION	MEMO DECISION	WITHOUT OPINION	TOTAL	
CIVIL	410	30	102	105	137	374	486
CRIMINAL	686	57	83	354	152	646	537
INDUSTRIAL COMMISSION	217		38	92	51	181	184
SPECIAL ACTIONS	15		1		14	15	0
HABEAS CORPUS	1		2	1		3	0
DELAYED APPEALS	0						0
JUVENILE APPEALS	8		3	2		5	4
TOTAL	1,337	87	229	554	354	1,224	1,211

COURT OF APPEALS - DIVISION 1

TABLE II
FILING ACTIVITY 1973-1977

TYPE OF CASE	1973	1974	1975	1976	1977	TOTAL	AVG.	% OF TOTAL
CIVIL	285	295	314	377	410	1,681	336.2	30.5%
CRIMINAL	117	360	692	750	686	2,605	521.0	47.3
INDUSTRIAL COMMISSION	175	185	157	243	217	977	195.4	17.7
SPECIAL ACTIONS	64	70	11	16	15	176	35.2	3.2
HABEAS CORPUS	5	3	2	2	1	13	2.6	0.2
DELAYED APPEALS	2	1	0	0	0	3	0.6	0.1
JUVENILE APPEALS	14	15	9	9	8	55	11.0	1.0
TOTAL	662*	929	1,185	1,397	1,337	5,510	1,102.0	100.0%

* Includes one case transferred in from the Supreme Court.

TABLE III
TERMINATION* ACTIVITY 1973-1977

TYPE OF CASE	1973	1974	1975	1976	1977	TOTAL	AVG.	% OF TOTAL
CIVIL	206	291	302	344	374	1,517	303.4	30.9%
CRIMINAL	138	148	437	790	646	2,159	431.8	44.0
INDUSTRIAL COMMISSION	160	165	252	217	181	975	195.0	19.8
SPECIAL ACTIONS	61	76	9	24	15	185	37.0	3.8
HABEAS CORPUS	4	2	3	2	3	14	2.8	0.3
DELAYED APPEALS	1	1	0	7	0	9	1.8	0.2
JUVENILE APPEALS	7	16	11	13	5	52	10.4	1.0
TOTAL	577	699	1,014	1,397	1,224	4,911	982.2	100.0%

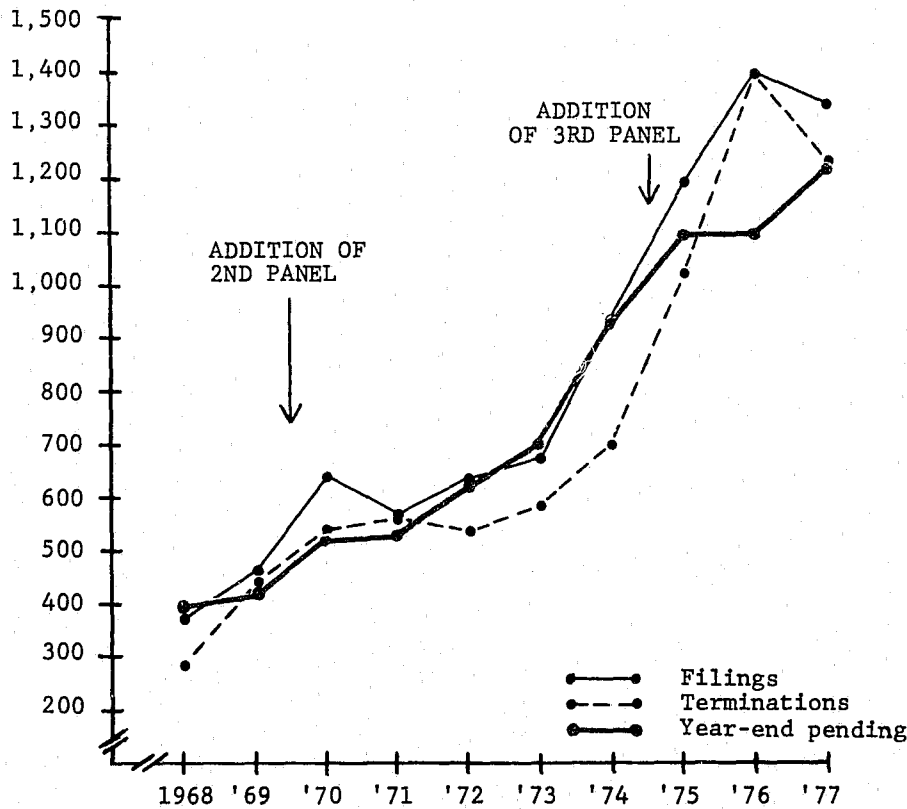
* Includes cases transferred to the Supreme Court.

COURT OF APPEALS - DIVISION 1

TABLE IV
FILING AND TERMINATION ACTIVITY*
1968 - 1977

	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977
FILINGS	364	456	633	559	629	662	929	1,185	1,397	1,337
TERMINATIONS	272	442	533	553	536	577	699	1,014	1,397	1,224
YEAR END PENDING	399	413	513	519	612	697	927	1,098	1,098	1,211

GRAPH A
FILING AND TERMINATION ACTIVITY*
1968 -- 1977



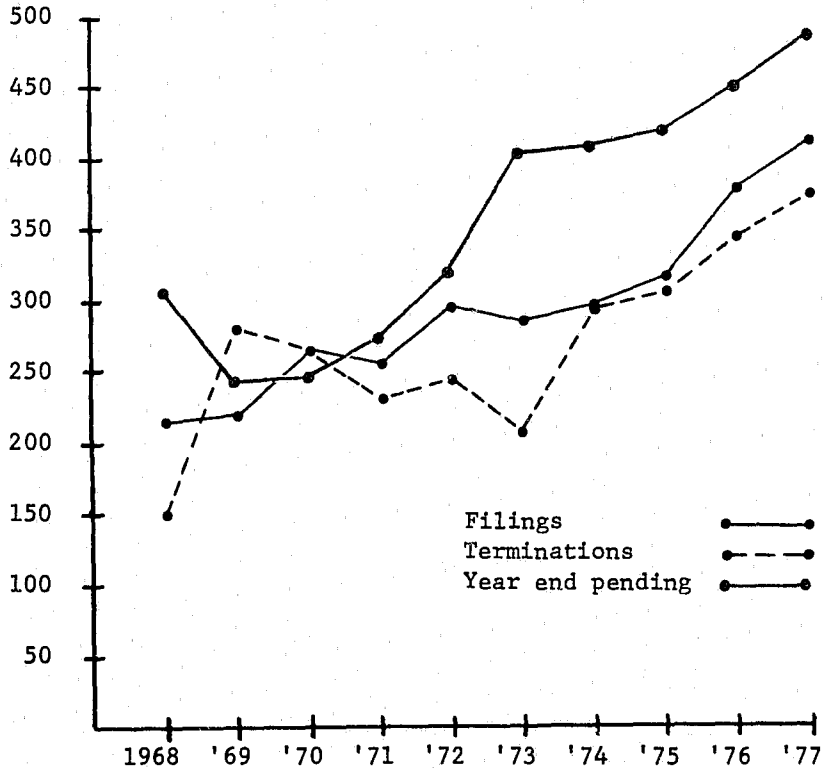
* Filings include cases transferred in.
Terminations include cases transferred out.

COURT OF APPEALS - DIVISION 1

TABLE V
CIVIL CASE ACTIVITY*
1968 - 1977

	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977
FILINGS	214	220	261	256	295	285	295	314	377	410
TERMINATIONS	149	278	260	229	245	206	291	302	344	374
YEAR END PENDING	302	244	245	272	322	401	405	417	450	486

GRAPH B
CIVIL CASE ACTIVITY
1968 -- 1977



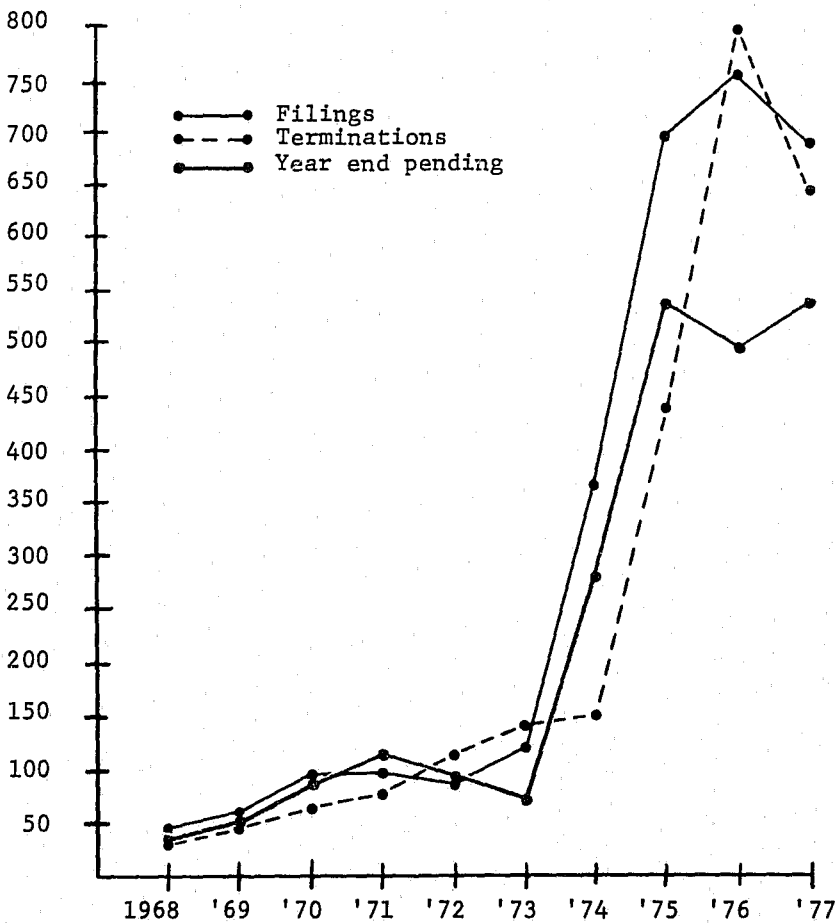
* Filings include cases transferred in from the Supreme Court.
Terminations include cases transferred to the Supreme Court.

COURT OF APPEALS - DIVISION 1

TABLE VI
CRIMINAL CASE ACTIVITY*
1968-1977

	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977
FILINGS	46	54	96	97	85	117	360	692	750	686
TERMINATIONS	32	45	54	74	108	138	148	437	790	646
YEAR END PENDING	40	49	91	114	91	70	282	537	497	537

GRAPH C
CRIMINAL CASE ACTIVITY
1968 -- 1977



* Filings include cases transferred in from the Supreme Court.
Terminations include cases transferred to the Supreme Court.

COURT OF APPEALS
DIVISION 2 STATISTICS

Caseload activity within Division 2 during 1977 can most aptly be described by Chief Judge Richmond's statement, "the court has run all year long but appears to have stood still." 1977 was highlighted by a 39.9% increase in the number of terminations, while filings increased by only 7.7% over 1976. Even with the significant increase in disposing of cases by the judges, the pending caseload from beginning to end of year remained virtually unchanged.

Filing activity increased from 620 filings in 1976 to 668 in 1977. Civil filings declined by 19% from 222 in 1976 to 179 in 1977, while criminal filings

rose by 26% from 250 to 315 for the same period. The court disposed of 479 cases in 1976. In 1977, by means of intense effort, the court was able to dispose of 670 cases which represents an increase in terminations of 191 cases. Significant termination increases occurred in both the civil and criminal categories, with civil terminations increasing by 59.4% and criminal terminations by 46.8% for 1977.

Tables II and III reflect the filing and termination activity of Division 2 for the years 1972 through 1977 on a by case type basis.

COURT OF APPEALS - DIVISION 2

TABLE I
1977 CASE ACTIVITY

TYPE OF CASE	FILINGS	TERMINATIONS BY:					PENDING YEAR END*
		TRANSFER OUT	WRITTEN OPINION	MEMO DECISION	WITHOUT OPINION	TOTAL	
CIVIL	179	1	106	61	52	220	113
CRIMINAL	315		60	149	67	276	197
SPECIAL ACTIONS	167		30	1	136	167	7
DELAYED APPEALS	0						0
PETITION FOR REVIEW POST CONVICTION	7				7	7	0
TOTAL	668	1	196	211	262	670	317

* Pending year end figures have been adjusted based on an actual physical inventory of the courts' pending caseload as of December 31, 1977.

COURT OF APPEALS - DIVISION 2

TABLE II
FILING ACTIVITY 1973-1977

TYPE OF CASE	1973	1974	1975	1976	1977	TOTAL	AVG.	% OF TOTAL
CIVIL	123	144	153	222	179	821	164.2	33.1
CRIMINAL	45	152	268	250	315	1,030	206.0	41.5
SPECIAL ACTIONS	91	95	119	144	167	616	123.2	24.8
DELAYED APPEALS	3	1	0	0	0	4	0.8	.2
PETITION FOR REVIEW (A) POST CONVICTION	-	-	-	4	7	11	2.2	.4
TOTAL	262 ^(B)	392	540	620	668	2,482	496.4	100.0%

(A). Included within the Criminal category prior to 1976.
(B). Includes one criminal and one delayed appeal case transferred in.

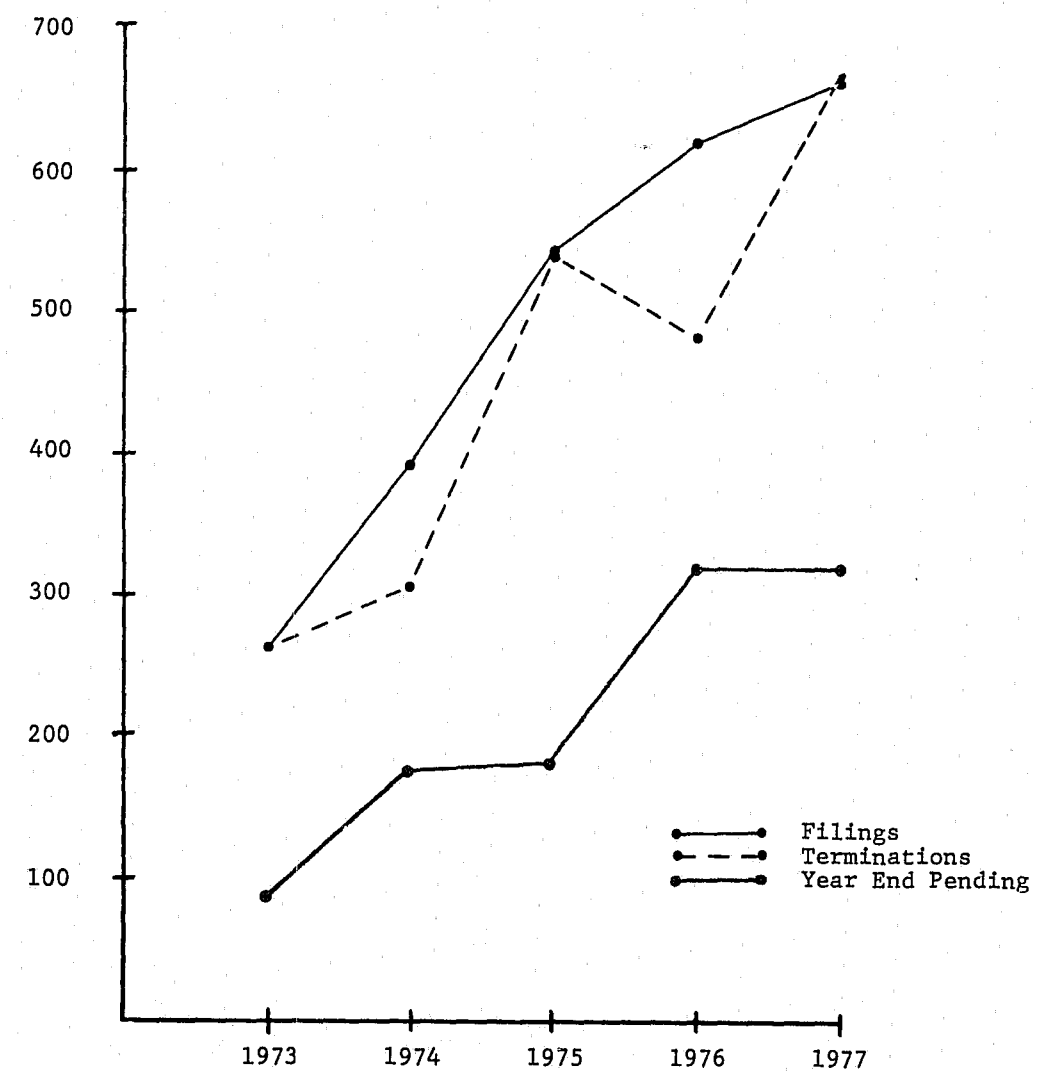
TABLE III
TERMINATION (A) ACTIVITY 1973-1977

TYPE OF CASE	1973	1974	1975	1976	1977	TOTAL	AVG.	% OF TOTAL
CIVIL	138	125	158	138	220	779	155.8	34.6
CRIMINAL	32	82	268	188	276	846	169.2	37.5
SPECIAL ACTIONS	90	94	112	149	167	612	122.4	27.2
DELAYED APPEALS	2	2	0	0	0	4	0.8	.2
PETITION FOR REVIEW (B) POST CONVICTION	-	-	-	4	7	11	2.2	.5
TOTAL	262	303	538	479	670	2,252	450.4	100.0%

(A). Includes cases transferred to the Supreme Court.
(B). Included within the Criminal category prior to 1976.

COURT OF APPEALS - DIVISION 2

1973-1977 CASELOAD ACTIVITY



SUPERIOR COURT STATISTICS

SPECIAL NOTES

1977

Statistical data presented in this section of the report is based on monthly statistical reports submitted by the Superior Court of each county to the Arizona Supreme Court. In preparing this annual report sufficient data was not always available in those monthly reports. An effort was made to retrieve the missing data, and thanks mainly to the efforts of the Superior Court staffs, most of the missing information has been collected and included in this report. Some data, however, due to time and personnel restraints, record keeping systems and a variety of other reasons could not be retrieved and is therefore not included. Statistics not included in the tables on the following pages have been footnoted to that effect.

In any event, the statistics presented represent in excess of 95% of the statewide Superior Court case activity and are considered representative of the caseload status of Arizona's Superior Courts.

Pending case figures for the beginning of 1977 have not been included on the Superior Court tables. Due to discovered statistical inaccuracies within the system, a caseload inventory at all court levels was required for year-end 1977. The pending figures shown on the following pages for year-end 1977 are a result of the inventory.

Filing and termination data for the years 1973 through 1977 is reported on both a county by county, and a by case type basis. Because this data is presented in a comparative manner, some statistics have been deleted where complete filing and termination data was not available for the five year period. Such omissions have been footnoted on the table pages.

Finally, in the process of preparing the Arizona Courts Summary Report in late 1977, and in compiling this report, it appears that some definitional differences exist within the court system in the reporting of case statistics. These differences seem to be primarily in the manner cases are statistically terminated but do not effect total termination statistics. Because of this problem and others encountered in working with the monthly statistical reports, revised statistical forms were implemented at all levels of the Judiciary on January 1, 1978. Hopefully, these revised forms will eliminate many of these statistical problems and will set the groundwork for uniform reporting of caseload statistics throughout the Judiciary in the future.

Based on available data, statewide Superior Court case activity during 1977 reflected increases in both filings and terminations. Total filing activity increased by 3.3% from 84,774 filings in 1976 to 87,562 filings in 1977, while terminations increased slightly from 82,986 to 83,167. Criminal filings and terminations declined in 1977 with filings decreasing 4.9% and terminations 3.8% over 1976 activity. Civil statewide case activity also declined in 1977, with filings and terminations decreasing 1.1% and 0.6% respectively from 1976. Statewide filings and terminations increased in the reciprocal support, mental health, probate, juvenile and adoption areas; domestic relations filings increased by 7.0%, and terminations decreased by 7.9%.

1973-1977

On a statewide basis, Superior Court filings have increased 15.9% over the past five years, while terminations have increased 13.2% over the same period. Civil filings and terminations increased by 25.5% and 30.1% respectively over the five year period. Domestic relations case activity also rose, with filings increasing by 30.8% and terminations up by 21.8% since 1973.

A significant decrease in misdemeanor and lower court appeal case activity has been experienced over the past five years. Filings of 2,911 in 1977 represented a 47.6% decline over the 1973 filing figure of 5,551, while terminations dropped by 44.7% from 5,381 in 1973 to 2,975 in 1977. This decline may be the result of A.R.S. § 22-371C and Supreme Court Rules permitting lower court appeals on the record to the Superior Court instead of a trial de novo.

Table I of the following tables reflects 1977 statewide Superior Court case activity on a county by county basis.

Table II reflects 1977 statewide Superior Court case activity on a by case type basis; and total statewide Superior Court filing and termination activity for the years 1973 through 1977.

Tables III A-E present 1977 statewide case activity on a by case type basis — by county. Each table also portrays the statewide filing and termination activity for that case category for the years 1973 through 1977.

Tables IV A-N reflect 1977 case activity on a county by county basis. Each table also presents filing and termination activity for the individual counties for the years 1973 through 1977.

TABLE I
SUPERIOR COURT
STATEWIDE CASE ACTIVITY*
1977 BY COUNTY SUMMARY

COUNTY	TERMINATIONS BY:								
	FILINGS	DEFAULT JUDGEMENTS	DISMISSALS	TRANSFERRED	OTHER DISPOSITIONS	COURT TRIAL	JURY TRIAL	TOTAL	PENDING
APACHE	528	47	91	3	199	59	2	401	773
COCHISE	2,940	346	233	393	1,281	417	32	2,702	2,418
COCONINO	3,374	72	299	2	2,509	624	18	3,524	1,435
GILA	1,373	199	437	1	867	81	39	1,624	1,208
GRAHAM	1,017	66	87	75	613	91	6	938	1,051
GREENLEE	516	63	34		358	21	3	479	193
MARICOPA	51,275	13,043	7,165	165	23,925	1,641	552	46,491	37,544
MOHAVE	1,897	434	385	5	806	63	19	1,712	1,248
NAVAJO	1,608	230	255	6	843	103	16	1,453	1,104
PIMA	19,569	2,689	2,684	103	8,658	3,200	474	17,808	20,560
PINAL	2,981	365	330	12	1,582	376	26	2,691	2,437
SANTA CRUZ	1,652	92	124	1	1,356	157	33	1,763	748
YAVAPAI	1,926	472	218	10	807	186	25	1,718	1,557
YUMA	3,614	364	445	11	2,402	235	92	3,549	2,718
TOTAL	94,270	18,482	12,787	787	46,206	7,254	1,337	86,853	74,994

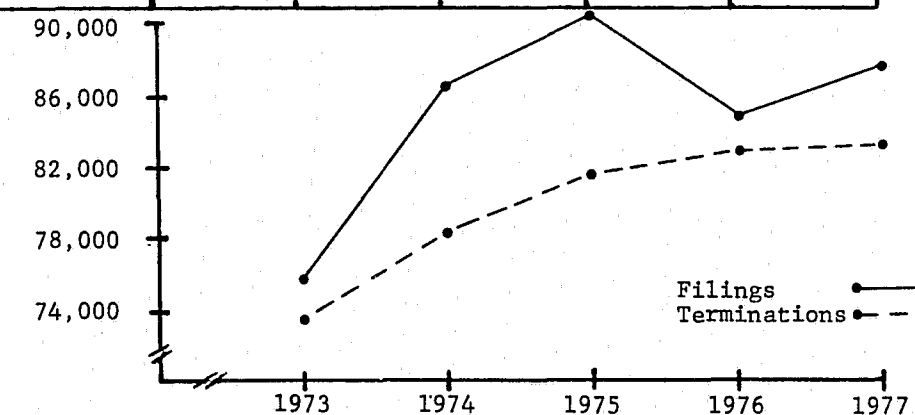
* Statistics presented in this table are based on the data contained in the individual county statistical tables (Table IV's). Figures footnoted on Table IV charts as not being included or not complete also would not be included or complete on this table.

TABLE II
SUPERIOR COURT
1977 STATEWIDE CASE ACTIVITY*
BY CASE TYPE SUMMARY

NATURE OF PROCEEDING	TERMINATIONS BY:								
	FILINGS	DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	PENDING (C)
CIVIL	28,678	5,885	5,442	487	13,992	2,582	565	28,953	27,711
DOMESTIC RELATIONS	23,571	12,597	3,075	146	1,739	3,838	2	21,397	11,173
RECIPROCAL SUPPORT	6,421		56		5,148			5,204	7,410
JUVENILE	12,404				9,655			9,655	2,480
ADOPTION	1,751			17	1,559			1,576	1,533
MENTAL HEALTH	879				469			469	1,336
PROBATE	7,335				6,356			6,356	17,506
FELONY (D)	10,320		2,384	117	6,822	192	753	10,268	4,891
MISDEMEANOR (E)	2,911		1,830	20	466	642	17	2,975	954
TOTAL	94,270	18,482	12,787	787	46,206	7,254	1,337	86,853	74,994

STATEWIDE CASE ACTIVITY** 1973-1977

	1973	1974	1975	1976	1977
FILINGS	75,538	86,464	90,575	84,774	87,562
TERMINATIONS	73,458	78,016	81,404	82,986	83,167



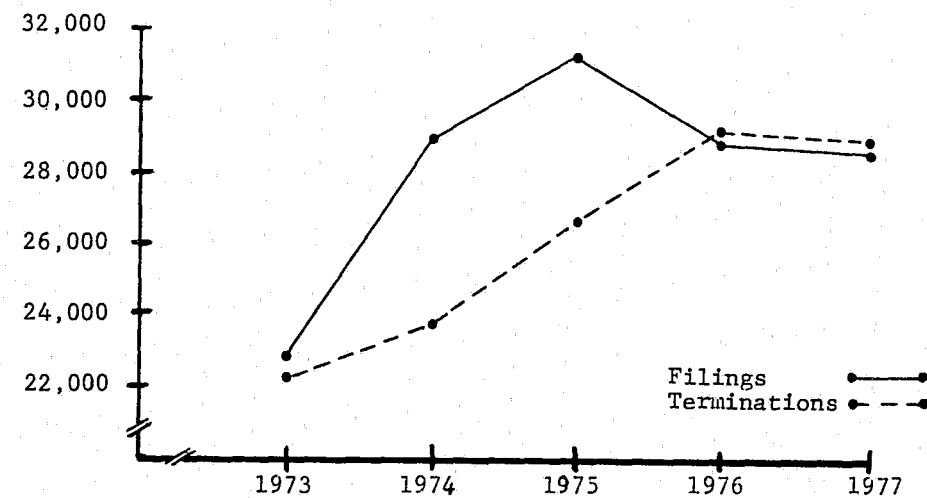
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
- (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
- (C). End of year pending figures have been adjusted as a result of a case-load inventory conducted in December, 1977 pursuant to Supreme Court order.
- (D). Statistics represent number of defendants.
- (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.
- (*) Statistics presented in this table are based on the data contained in the by case type tables (Table III).
- (**) Because the 1973-77 data is presented in a comparative manner, some statistics have been deleted where complete data was not available for the five year period.

TABLE III-A
SUPERIOR COURT
STATEWIDE CIVIL CASE ACTIVITY-1977

COUNTY	FILINGS	DEFAULT JUDGEMENTS	TERMINATIONS BY:					TOTAL	PENDING
			DISMISSALS (A)	TRANSFERRED	OTHER DISPOSITIONS	COURT TRIAL	JURY TRIAL		
APACHE	137	15	58	3	9	35	1	121	158
COCHISE	633	82	61	189	201	91	5	629	620
COCONINO	382	29	91	2	130	181	13	446	353
GILA	256	26	261	1	100	48	15	451	204
GRAHAM	101	9	22	2	7	21	1	62	326
GREENLEE	40	15	18		3	5	1	42	41
MARICOPA	18,410	4,031	3,064	165	10,528	819	271	18,878	17,173
MOHAVE	420	111	204	5	17	25	6	368	331
NAVAJO	246	47	90	6	91	62	5	301	266
PIMA	6,082	1,184	1,245	85	2,154	843	185	5,696	6,591
PINAL	690	71	99	12	278	160	11	631	513
SANTA CRUZ	232	68	71	1	38	71	15	264	168
YAVAPAI	445	110	63	7	143	100	10	433	415
YUMA	604	87	95	9	293	121	26	631	552
TOTAL	28,678	5,885	5,442	487	13,992	2,582	565	28,953	27,711

CIVIL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	22,850	29,008	31,216	28,992	28,678
TERMINATIONS	22,256	23,837	26,607	29,138	28,953



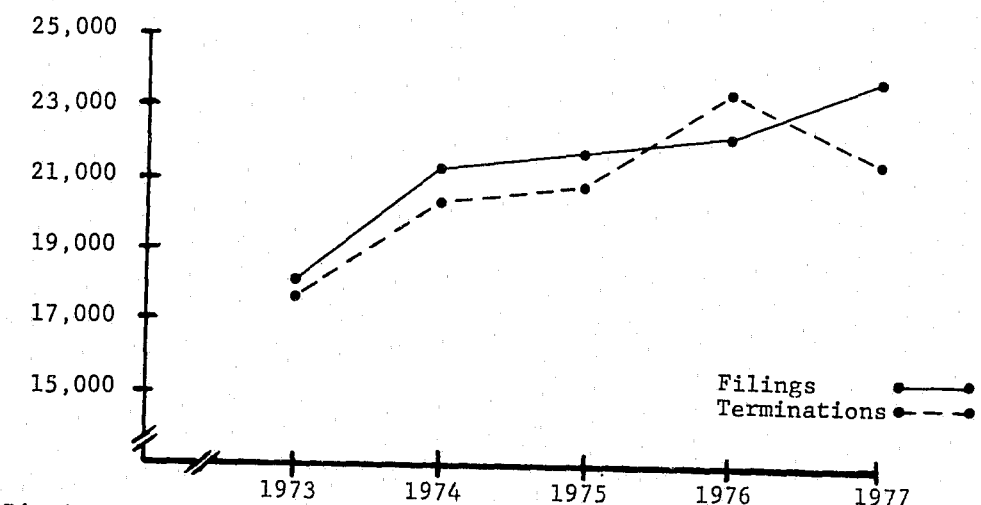
(A). Dismissals are for non-prosecution.

TABLE III-B
SUPERIOR COURT
STATEWIDE DOMESTIC RELATIONS CASE ACTIVITY-1977

COUNTY	FILINGS	DEFAULT JUDGEMENTS	TERMINATIONS BY:					TOTAL	PENDING
			DISMISSALS (A)	TRANSFERRED	OTHER DISPOSITIONS	COURT TRIAL	JURY TRIAL		
APACHE	67	32	7			19		58	38
COCHISE	986	264	89	122	49	309		833	523
COCONINO	496	43	56		23	362		484	194
GILA	301	173	50		7	31		261	174
GRAHAM	173	57	8	1	4	64		134	333
GREENLEE	88	48	13			14		75	52
MARICOPA	13,932	9,012	1,973		1,062	670	1	12,718	5,680
MOHAVE	522	323	78		2	25		431	191
NAVAJO	317	183	72			36		291	178
PIMA	4,538	1,505	440	18	206	1,946		4,115	2,426
PINAL	656	294	83		26	174		577	667
SANTA CRUZ	121	24	43		12	55		134	74
YAVAPAI	539	362	47	3	33	51		496	205
YUMA	835	277	116	2	315	79	1	790	438
TOTAL	23,571	12,597	3,075	146	1,739	3,838	2	21,397	11,173

DOMESTIC RELATIONS CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	18,016	21,153	21,623	22,025	23,571
TERMINATIONS	17,571	20,296	20,748	23,231	21,397



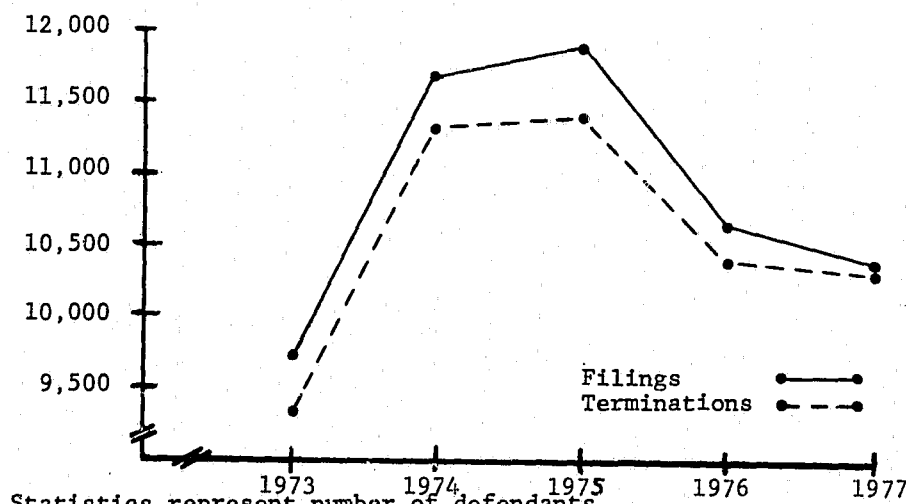
(A). Dismissals are for non-prosecution.

TABLE III-C
SUPERIOR COURT
STATEWIDE FELONY CASE (A) ACTIVITY-1977

COUNTY	FILINGS	TERMINATIONS BY:							PENDING
		DEFAULT JUDGEMENTS	DISMISSALS	TRANSFERRED	OTHER DISPOSITIONS	COURT TRIAL	JURY TRIAL	TOTAL	
APACHE	62		16		42	5	1	64	5
COCHISE	330		59	70	208	3	27	367	120
COCONINO	366		106		239	45	3	393	187
GILA	301		84		211		23	318	143
GRAHAM	77		7	47	54		5	113	14
GREENLEE	22		2		13		2	17	6
MARICOPA	5,209		911		3,828	38	273	5,050	2,589
MOHAVE	216		73		137	2	13	225	79
NAVAJO	361		56		241		11	308	184
PIMA	2,266		722		1,249	58	284	2,313	852
PINAL	361		65		227	1	15	308	212
SANTA CRUZ	89		6		46	24	18	94	35
YAVAPAI	192		74		116	4	15	209	96
YUMA	468		203		211	12	63	489	369
TOTAL	10,320		2,384	117	6,822	192	753	10,268	4,891

FELONY CASE (A) ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	9,724	11,665	11,814	10,556	10,320
TERMINATIONS	9,281	11,322	11,347	10,334	10,268



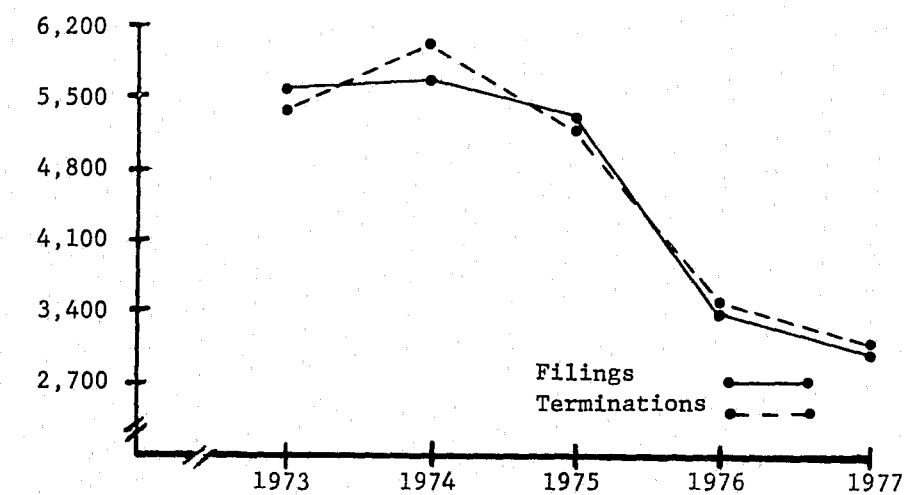
(A). Statistics represent number of defendants.

TABLE III-D
SUPERIOR COURT
STATEWIDE MISDEMEANOR (A) CASE ACTIVITY-1977

COUNTY	FILINGS	TERMINATIONS BY:							PENDING
		DEFAULT JUDGEMENTS	DISMISSALS	TRANSFERRED	OTHER DISPOSITIONS	COURT TRIAL	JURY TRIAL	TOTAL	
APACHE	11		10		2			12	7
COCHISE	70		24	12	15	14		65	19
COCONINO	121		46		40	36	2	124	55
GILA	40		42		14	2	1	59	23
GRAHAM	22		50	8	4	6		68	11
GREENLEE	5		1		1	2		4	1
MARICOPA	1,501		1,161		254	114	7	1,536	393
MOHAVE	57		30		7	8		45	22
NAVAJO	61		37		12	5		54	28
PIMA	697		277		62	353	5	697	211
PINAL	177		83		36	41		160	55
SANTA CRUZ	22		4		1	7		12	11
YAVAPAI	72		34		9	31		74	27
YUMA	55		31		9	23	2	65	91
TOTAL	2,911		1,830	20	466	642	17	2,975	954

MISDEMEANOR (A) CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	5,551	5,583	5,346	3,357	2,911
TERMINATIONS	5,381	6,055	5,204	3,431	2,975



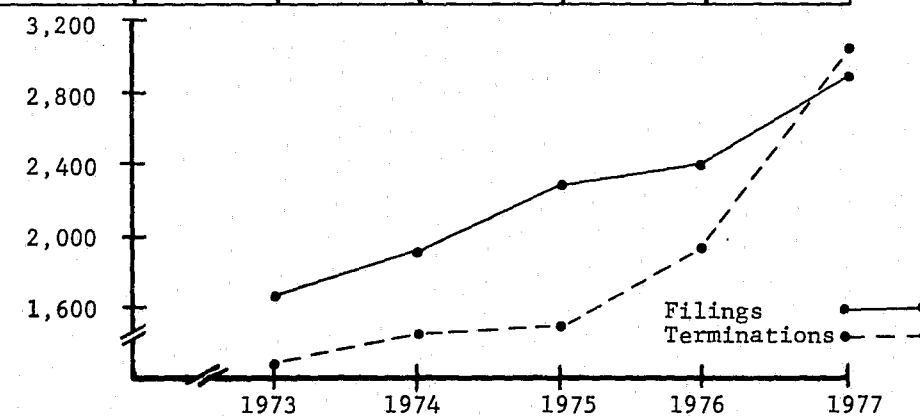
(A). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.

TABLE III-E
STATEWIDE SUPERIOR COURT-1977

COUNTY	RECIPROCAL SUPPORT			MENTAL HEALTH			PROBATE		
	FILINGS	TERMINATIONS	YEAR END PENDING	FILINGS	TERMINATIONS	YEAR END PENDING	FILINGS	TERMINATIONS	YEAR END PENDING
APACHE	45	68	68	2	2	0	21	57	80
COCHISE	254	257	194	43	42	0	302	130	777
COCONINO	153	129	99	51	50	0	130	202	419
GILA	147	207	50	23	23	0	109	151	352
GRAHAM	53	39	133	3	3	0	45	26	63
GREENLEE	27	18	9	2	2	0	22	23	53
MARICOPA	3,562	2,191	2,598	370	N/A	N/A	3,785	3,004	9,111
MOHAVE	201	215	79	7	3	6	236	182	453
NAVAJO	104	95	32	7	7	0	122	109	210
PIMA	1,018	1,291	3,359	128	104	1,279	1,708	1,747	3,871
PINAL	310	268	217	104	106	4	278	274	495
SANTA CRUZ	28	28	3	1	1	1	62	20	425
YAVAPAI	228	150	298	11	5	0	229	183	462
YUMA	291	248	271	127	121	46	286	248	735
TOTAL	6,421	5,204	7,410	879	469	1,336	7,335	6,356	17,506

RECIPROCAL SUPPORT CASE ACTIVITY* 1973-1977

	1973	1974	1975	1976	1977
FILINGS	1,632	1,895	2,278	2,389	2,859
TERMINATIONS	1,242	1,421	1,464	1,900	3,013



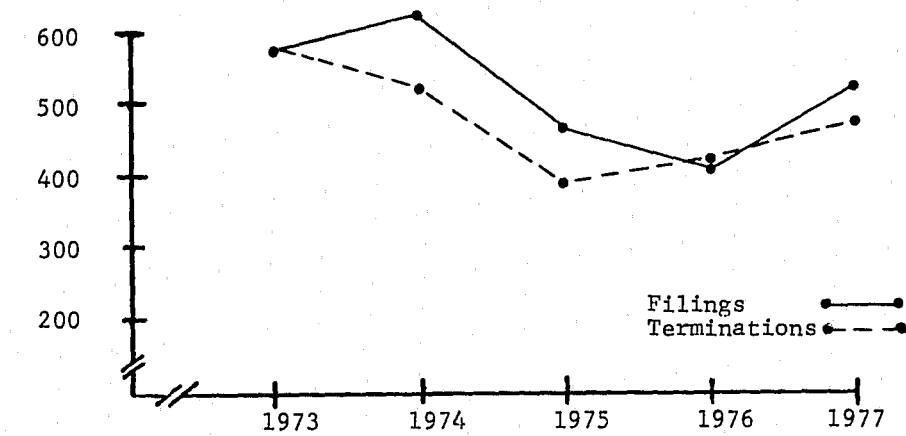
* Does not include statistics for Maricopa County as complete data for the five year period was not available.

STATEWIDE SUPERIOR COURT

MENTAL HEALTH CASE ACTIVITY* 1973-1977

	1973	1974	1975	1976	1977
FILINGS	572	620	460	400	509
TERMINATIONS	575	514	382	411	469

* Does not include statistics for Maricopa County as complete data for the 5 year period was not available.



PROBATE CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	8,353	6,755	7,174	7,130	7,335
TERMINATIONS	8,687	6,275	6,165	6,013	6,356

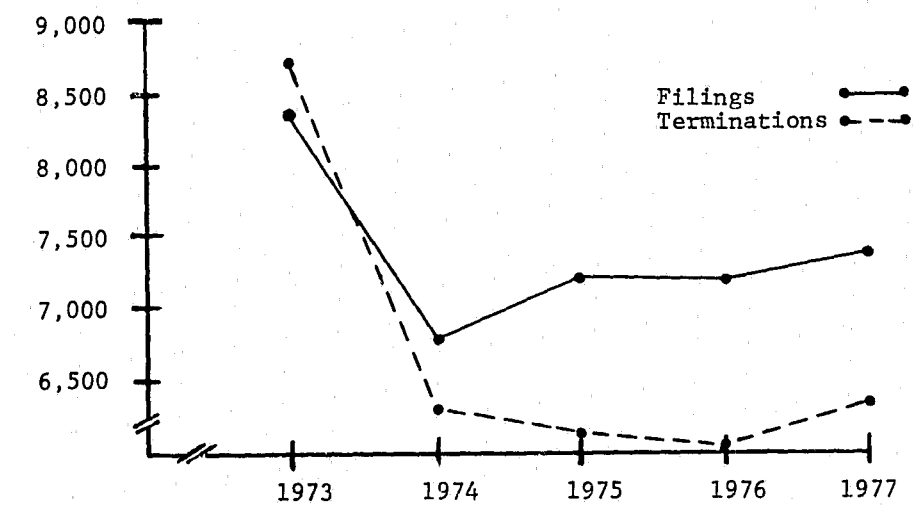


TABLE III-F
STATEWIDE SUPERIOR COURT 1977

COUNTY	JUVENILE			ADOPTION		
	FILINGS	TERMINATIONS	YEAR END PENDING	FILINGS	TERMINATIONS	YEAR END PENDING
APACHE	164	4	378	19	15	39
COCHISE	192	194	67	130	185	98
COCONINO	1,622	1,603	47	53	93	81
GILA	176	108	243	20	46	19
GRAHAM	516	451	159	27	42	12
GREENLEE	291	286	7	19	12	24
MARICOPA (A)	3,731	2,591	N/A	775	523	N/A
MOHAVE	194	198	42	44	45	45
NAVAJO	317	233	116	73	55	90
PIMA (B)	2,776	1,495	1,281	356	350	690
PINAL	325	298	298	80	69	221
SANTA CRUZ	1,069	1,178	5	28	32	26
YAVAPAI	153	138	32	57	30	22
YUMA	878	878	50	70	79	166
TOTAL	12,404	9,655	2,480	1,751	1,576	1,533

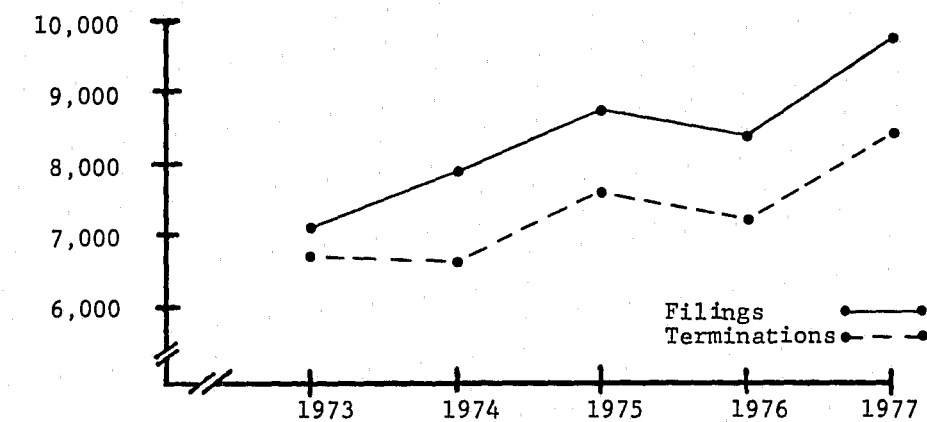
- (A). Does not include juvenile dependency and traffic statistics; end of year pending juvenile figures were not available. Adoption pending figures were not available.
(B). Does not include juvenile traffic statistics.

STATEWIDE SUPERIOR COURT

JUVENILE CASE ACTIVITY* 1973-1977

	1973	1974	1975	1976	1977
FILINGS	7,052	7,816	8,714	8,287	9,628
TERMINATIONS	6,737	6,618	7,574	7,088	8,160

* Does not include Pima county juvenile statistics as sufficient data was not available for reporting purposes; also does not include juvenile dependency and traffic statistics for Maricopa county.



ADOPTION CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	1,788	1,969	1,950	1,638	1,751
TERMINATIONS	1,728	1,678	1,913	1,440	1,576

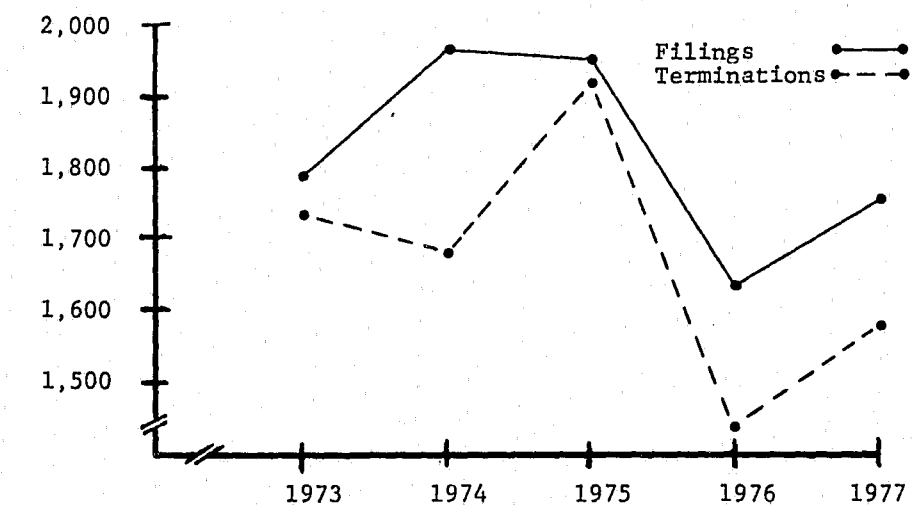
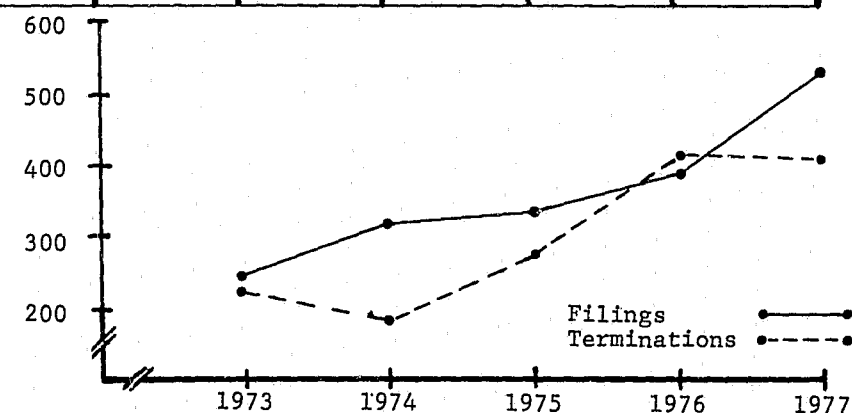


TABLE IV-A
APACHE COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	137	15	58	3	9	35	1	121	158
DOMESTIC RELATIONS	67	32	7			19		58	38
RECIPROCAL SUPPORT	45				68			68	68
JUVENILE	164				4			4	378
ADOPTION	19				15			15	39
MENTAL HEALTH	2				2			2	0
PROBATE	21				57			57	80
FELONY (D)	62		16		42	5	1	64	5
MISDEMEANOR (E)	11		10		2			12	7
TOTAL	528	47	91	3	199	59	2	401	773

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	246	317	329	388	528
TERMINATIONS	227	185	279	405	401



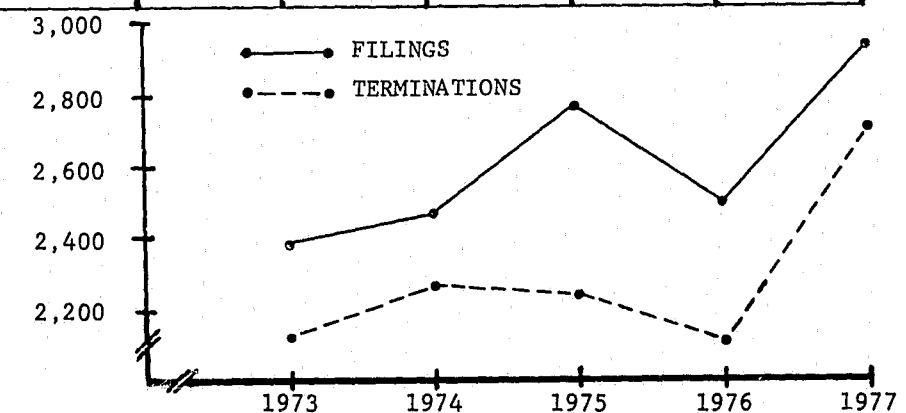
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court Order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.

TABLE IV-B
COCHISE COUNTY-1977

NATURE OF PROCEEDING	FILINGS (F)	TERMINATIONS BY:							PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	633	82	61	189	201	91	5	629	620
DOMESTIC RELATIONS	986	264	89	122	49	309		833	523
RECIPROCAL SUPPORT	254				257			257	194
JUVENILE	192				194			194	67
ADOPTION	130				185			185	98
MENTAL HEALTH	43				42			42	0
PROBATE	302				130			130	777
FELONY (D)	330		59	70	208	3	27	367	120
MISDEMEANOR (E)	70		24	12	15	14		65	19
TOTAL	2,940	346	233	393	1,281	417	32	2,702	2,418

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	2,392	2,466	2,789	2,496	2,940
TERMINATIONS	2,136	2,251	2,232	2,110	2,702



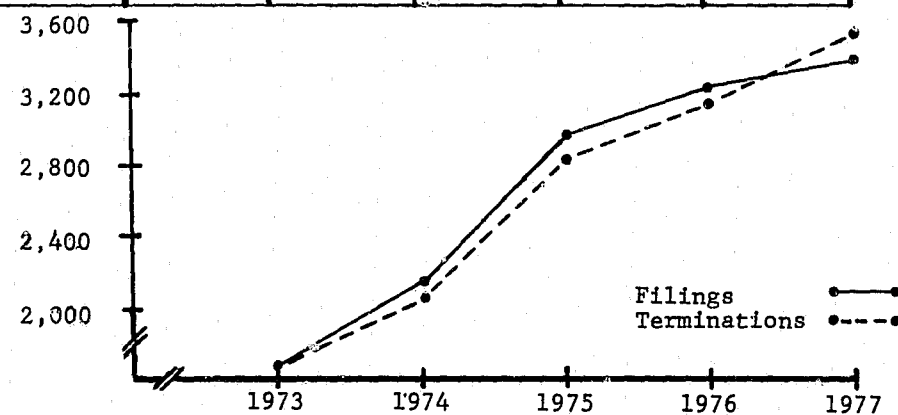
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes final order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.
 (F). Includes cases transferred in.

TABLE IV-C
COCONINO COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	382	29	91	2	130	181	13	446	353
DOMESTIC RELATIONS	496	43	56		23	362		484	194
RECIPROCAL SUPPORT	153				129			129	99
JUVENILE	1,622				1,603			1,603	47
ADOPTION	53				93			93	81
MENTAL HEALTH	51				50			50	0
PROBATE	130				202			202	419
FELONY (D)	366		106		239	45	3	393	187
MISDEMEANOR (E)	121		46		40	36	2	124	55
TOTAL	3,374	72	299	2	2,509	624	18	3,524	1,435

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	1,677	2,147	2,949	3,206	3,374
TERMINATIONS	1,675	2,036	2,810	3,143	3,524



- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.

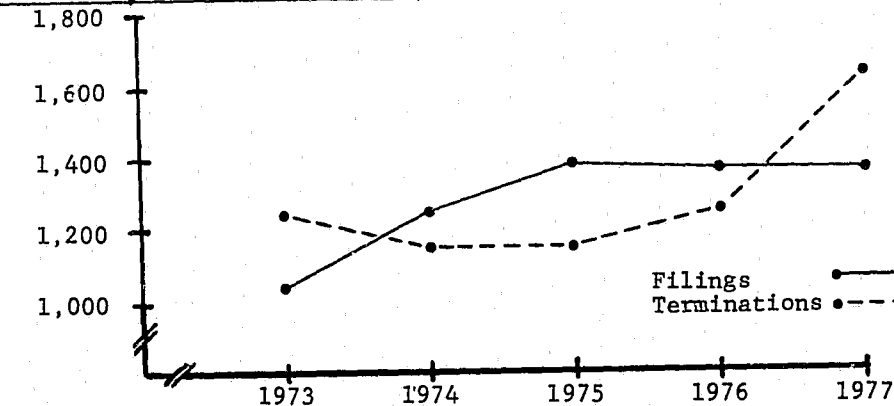
SPECIAL REPORT ON COCONINO COUNTY SUPERIOR COURT APPEARS ON PAGE 56

TABLE IV-D
GILA COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	256	26	261	1	100	48	15	451	204
DOMESTIC RELATIONS	301	173	50		7	31		261	174
RECIPROCAL SUPPORT	147				207			207	50
JUVENILE	176				108			108	243
ADOPTION	20				46			46	19
MENTAL HEALTH	23				23			23	0
PROBATE	109				151			151	352
FELONY (D)	301		84		211		23	318	143
MISDEMEANOR (E)	40		42		14	2	1	59	23
TOTAL	1,373	199	437	1	867	81	39	1,624	1,208

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	1,048	1,249	1,384	1,379	1,373
TERMINATIONS	1,232	1,154	1,154	1,246	1,624



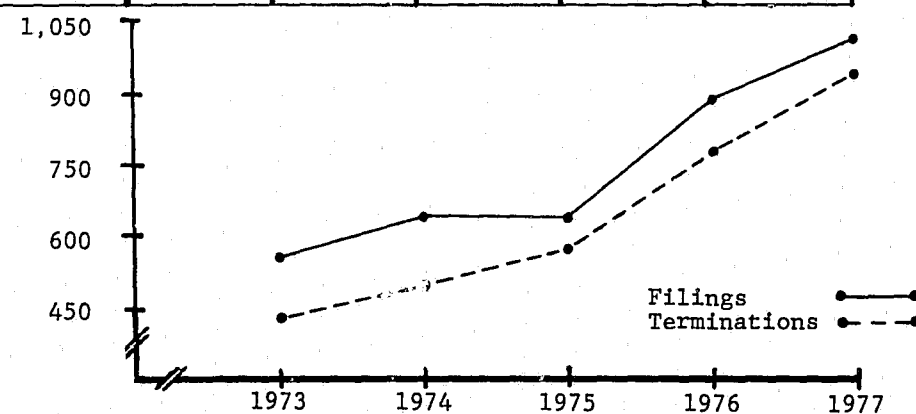
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.

TABLE IV-E
GRAHAM COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	101	9	22	2	7	21	1	62	326
DOMESTIC RELATIONS	173	57	8	1	4	64		134	333
RECIPROCAL SUPPORT	53				39			39	133
JUVENILE	516				451			451	159
ADOPTION	27			17	25			42	12
MENTAL HEALTH	3				3			3	0
PROBATE	45				26			26	63
FELONY (D)	77		7	47	54		5	113	14
MISDEMEANOR (E)	22		50	8	4	6		68	11
TOTAL	1,017	66	87	75	613	91	6	938	1,051

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	557	637	630	888	1,017
TERMINATIONS	424	490	568	762	938



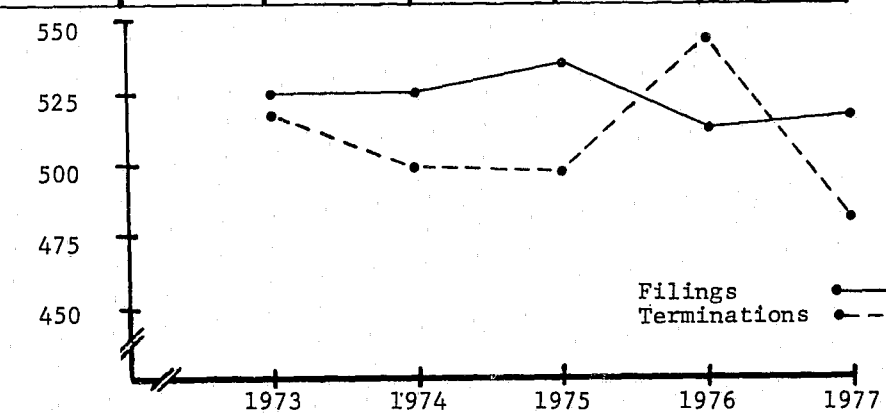
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.

TABLE IV-F
GREENLEE COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	40	15	18		3	5	1	42	41
DOMESTIC RELATIONS	88	48	13			14		75	52
RECIPROCAL SUPPORT	27				18			18	9
JUVENILE	291				286			286	7
ADOPTION	19				12			12	24
MENTAL HEALTH	2				2			2	0
PROBATE	22				23			23	53
FELONY (D)	22		2		13		2	17	6
MISDEMEANOR (E)	5		1		1	2		4	1
TOTAL	516	63	34		358	21	3	479	193

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	525	525	534	512	516
TERMINATIONS	516	499	498	543	479



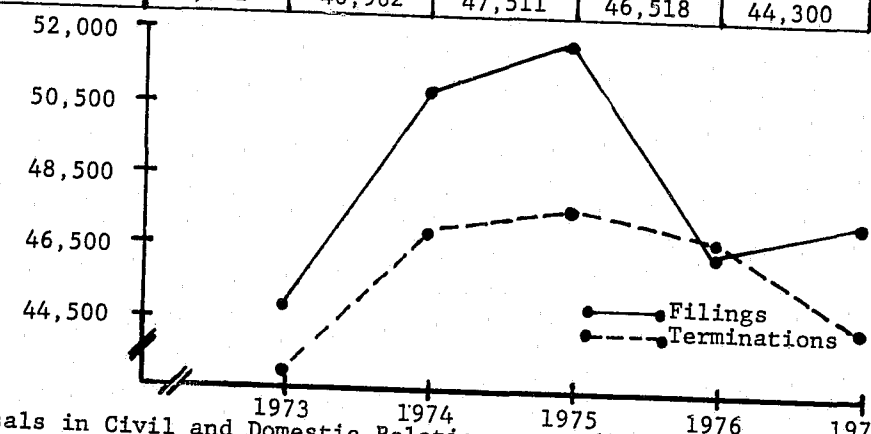
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.

TABLE IV-G
MARICOPA COUNTY-1977

MARICOPA COUNTY-1977										
N/A - DATA NOT AVAILABLE	FILINGS (H)	TERMINATIONS BY:								
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	PENDING (C)	
NATURE OF PROCEEDING										
CIVIL	18,410	4,031	3,064	165	10,528	819	271	18,878	17,173	
DOMESTIC RELATIONS	13,932	9,012	1,973		1,062	670	1	12,718	5,680	
RECIPROCAL SUPPORT	3,562		56		2,135			2,191	2,598	
JUVENILE (G)	3,731				2,591			2,591	N/A	
ADOPTION	775				523			523	N/A	
MENTAL HEALTH	370				N/A			N/A	N/A	
PROBATE	3,785				3,004			3,004	9,111	
FELONY (D)	5,209		911		3,828	38	273	5,050	2,589	
MISDEMEANOR (E)	1,501		1,161		254	114	7	1,536	393	
TOTAL	51,275	13,043	7,165	165	23,925	1,641	552	46,491	37,544	

PARTIAL CASE ACTIVITY (I) 1973-1977

	1973	1974	1975	1976	1977
FILINGS	44,571	50,732	52,175	46,414	47,343
TERMINATIONS	42,721	46,962	47,511	46,518	44,300



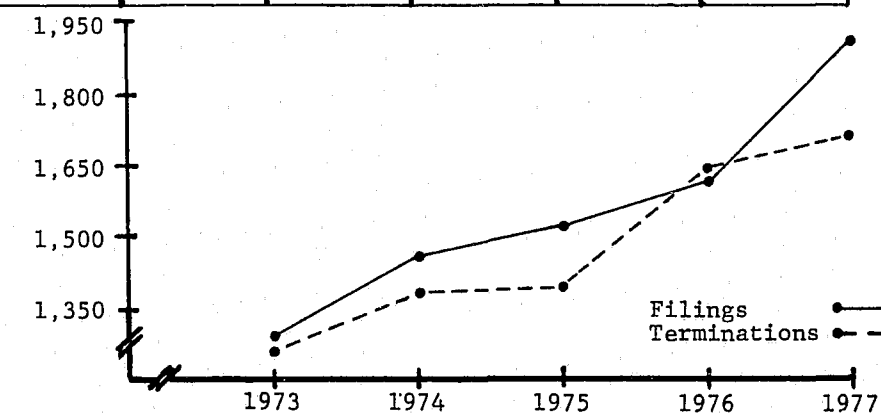
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a case-load inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.
 (F). Includes 894 arbitration terminations.
 (G). Does not include Juvenile Dependency on Traffic statistics.
 (H). Includes cases added and transferred in.
 (I). Includes statistical data on Civil, Domestic Relations, Juvenile (partial), Adoption, Probate and Criminal cases; does not include data on Reciprocal Support, Mental Health and Juvenile dependency and traffic cases as complete information was not available for reporting purposes.

TABLE IV-H
MOHAVE COUNTY-1977

NATURE OF PROCEEDING	FILINGS (F)	TERMINATIONS BY:							
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	PENDING (C)
CIVIL	420	111	204	5	17	25	6	368	331
DOMESTIC RELATIONS	522	323	78		2	28		431	191
RECIPROCAL SUPPORT	201				215			215	79
JUVENILE	194				198			198	42
ADOPTION	44				45			45	45
MENTAL HEALTH	7				3			3	6
PROBATE	236				182			182	453
FELONY (D)	216		73		137	2	13	225	79
MISDEMEANOR (E)	57		30		7	8		45	22
TOTAL	1,897	434	385	5	806	63	19	1,712	1,248

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	1,284	1,468	1,504	1,615	1,897
TERMINATIONS	1,246	1,383	1,389	1,640	1,712



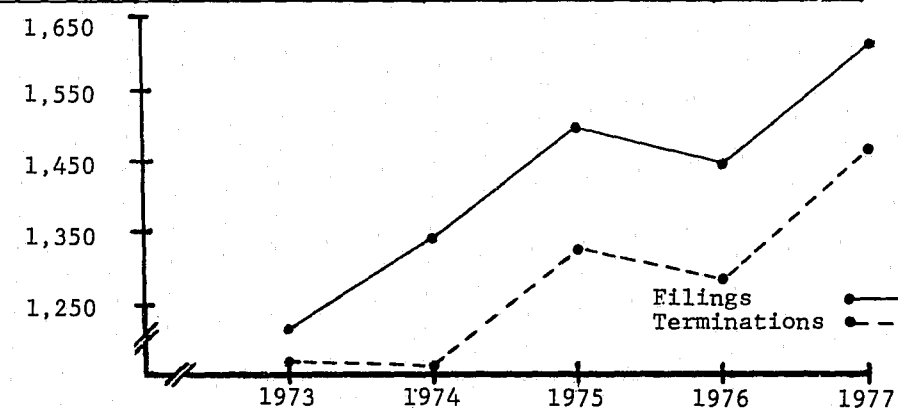
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a case-load inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.
 (F). Includes cases transferred in.

TABLE IV-I
NAVAJO COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	246	47	90	6	91	62	5	301	266
DOMESTIC RELATIONS	317	183	72			36		291	178
RECIPROCAL SUPPORT	104				95			95	32
JUVENILE	317				233			233	116
ADOPTION	73				55			55	90
MENTAL HEALTH	7				7			7	0
PROBATE	122				109			109	210
FELONY (D)	361		56		241		11	308	184
MISDEMEANOR (E)	61		37		12	5		54	28
TOTAL	1,608	230	255	6	843	103	16	1,453	1,104

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	1,217	1,342	1,493	1,446	1,608
TERMINATIONS	1,167	1,154	1,323	1,277	1,453



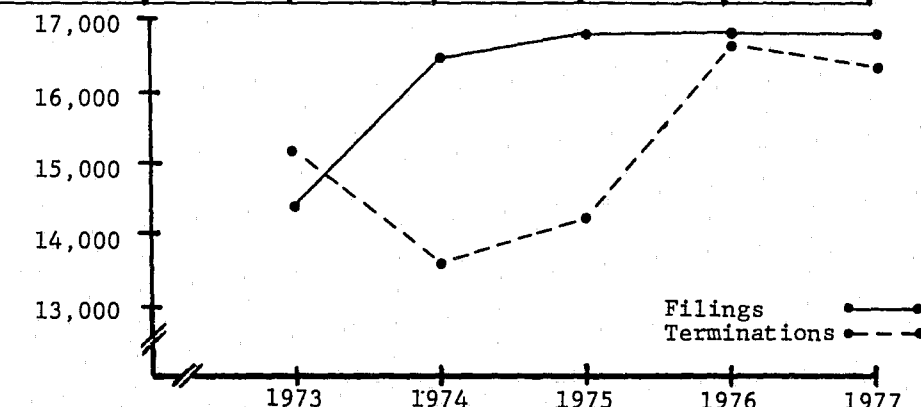
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.

TABLE IV-J
PIMA COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL (F)	6,082	1,184	1,245	85	2,154	843	185	5,696	6,591
DOMESTIC RELATIONS	4,538	1,505	440	18	206	1,946		4,115	2,426
RECIPROCAL SUPPORT	1,018				1,291			1,291	3,359
JUVENILE (G)	2,776				1,495			1,495	1,281
ADOPTION	356				350			350	690
MENTAL HEALTH	128				104			104	1,279
PROBATE	1,708				1,747			1,747	3,871
FELONY (D)	2,266		722		1,249	58	284	2,313	852
MISDEMEANOR (E)	697		277		62	353	5	697	211
TOTAL	19,569	2,689	2,684	103	8,658	3,200	474	17,808	20,560

TOTAL CASE ACTIVITY 1973-1977 (H)

	1973	1974	1975	1976	1977
FILINGS	14,376	16,450	16,773	16,819	16,793
TERMINATIONS	15,093	13,545	14,082	16,657	16,313



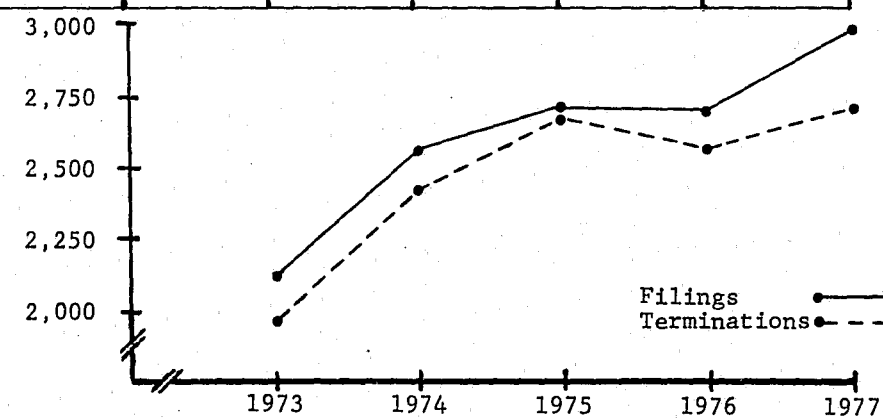
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.
 (F). Does not include statistical data on 437 cases filed that required compulsory arbitration; 57 Habeas Corpus petitions, and 311 miscellaneous petitions filed.
 (G). Includes Dependency and Delinquent/Incorrigible Juvenile statistics; does not include Juvenile-Traffic statistics as termination and year end pending figures were not available. 5,859 Juvenile traffic petitions were filed in 1977.
 (H). Does not include Juvenile statistics and cases that required compulsory arbitration.

TABLE IV-K
PINAL COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							TOTAL PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	690	71	99	12	278	160	11	631	513
DOMESTIC RELATIONS	656	294	83		26	174		577	667
RECIPROCAL SUPPORT	310				268			268	217
JUVENILE	325				298			298	53
ADOPTION	80				69			69	221
MENTAL HEALTH	104				106			106	4
PROBATE	278				274			274	495
FELONY (D)	361		65		227	1	15	308	212
MISDEMEANOR (E)	177		83		36	41		160	55
TOTAL	2,981	365	330	12	1,582	376	26	2,691	2,437

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	2,122	2,536	2,729	2,689	2,981
TERMINATIONS	1,969	2,408	2,677	2,546	2,691



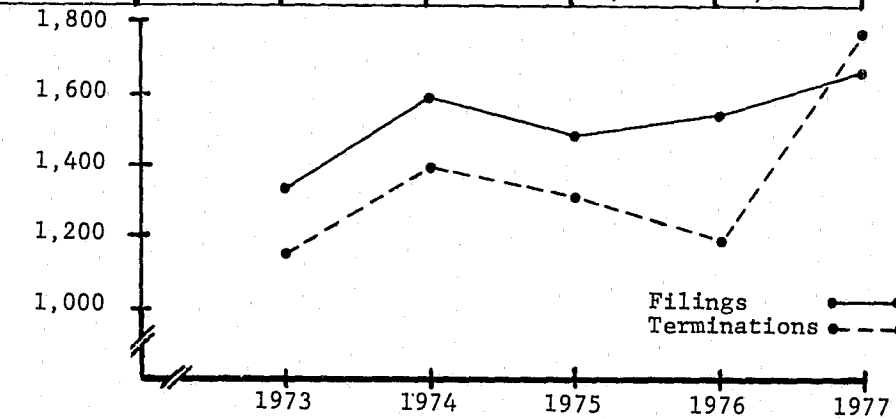
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.

TABLE IV-L
SANTA CRUZ COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							TOTAL PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	232	68	71	1	38	71	15	264	168
DOMESTIC RELATIONS	121	24	43		12	55		134	74
RECIPROCAL SUPPORT	28				28			28	3
JUVENILE	1,069				1,178			1,178	5
ADOPTION	28				32			32	26
MENTAL HEALTH	1				1			1	1
PROBATE	62				20			20	425
FELONY (D)	89		6		46	24	18	94	35
MISDEMEANOR (E)	22		4		1	7		12	11
TOTAL	1,652	92	124	1	1,356	157	33	1,763	748

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	1,333	1,592	1,484	1,537	1,652
TERMINATIONS	1,148	1,399	1,302	1,178	1,763



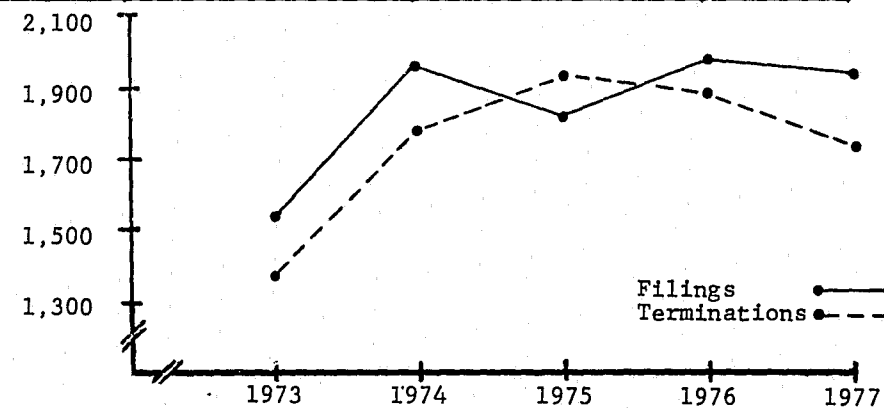
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.

TABLE IV-M
YAVAPAI COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							TOTAL PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	445	110	63	7	143	100	10	433	415
DOMESTIC RELATIONS	539	362	47	3	33	51		496	205
RECIPROCAL SUPPORT	228				150			150	298
JUVENILE	153				138			138	32
ADOPTION	57				30			30	22
MENTAL HEALTH	11				5			5	0
PROBATE	229				183			183	462
FELONY (D)	192		74		116	4	15	209	96
MISDEMEANOR (E)	72		34		9	31		74	27
TOTAL	1,926	472	218	10	807	186	25	1,718	1,557

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	1,532	1,964	1,809	1,979	1,926
TERMINATIONS	1,365	1,773	1,912	1,875	1,718



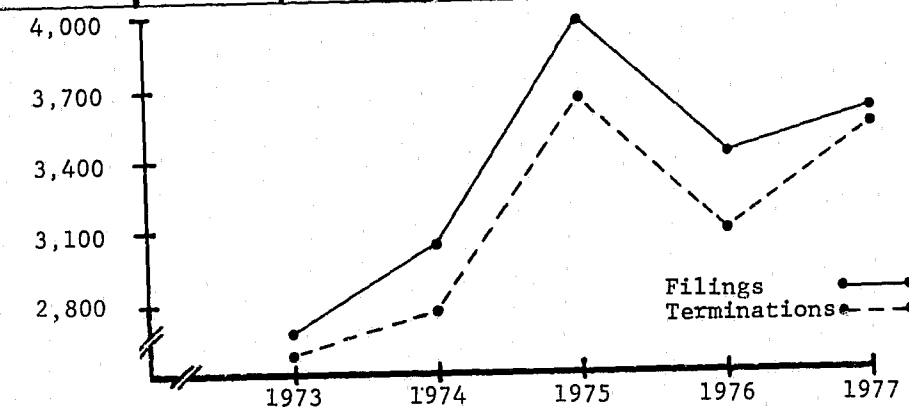
- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.

TABLE IV-N
YUMA COUNTY-1977

NATURE OF PROCEEDING	FILINGS	TERMINATIONS BY:							TOTAL PENDING (C)
		DEFAULT JUDGEMENTS	DISMISSALS (A)	TRANSFER	OTHER DISPOSITIONS (B)	COURT TRIAL	JURY TRIAL	TOTAL	
CIVIL	604	87	95	9	293	121	26	631	552
DOMESTIC RELATIONS	835	277	116	2	315	79	1	790	438
RECIPROCAL SUPPORT	291				248			248	271
JUVENILE (F)	878				878			878	50
ADOPTION	70				79			79	166
MENTAL HEALTH	127				121			121	46
PROBATE	286				248			248	735
FELONY (D)	468		203		211	12	63	489	369
MISDEMEANOR (E)	55		31		9	23	2	65	91
TOTAL	3,614	364	445	11	2,402	235	92	3,549	2,718

TOTAL CASE ACTIVITY 1973-1977

	1973	1974	1975	1976	1977
FILINGS	2,658	3,039	3,993	3,406	3,614
TERMINATIONS	2,539	2,777	3,667	3,086	3,549



- (A). Dismissals in Civil and Domestic Relation proceedings are for non-prosecution.
 (B). Includes Final Order dispositions for Reciprocal Support, Juvenile, Adoption, Mental Health and Probate categories; includes Plea dispositions for Felony and Misdemeanor categories.
 (C). End of year pending figures have been adjusted as a result of a caseload inventory conducted in December, 1977 pursuant to Supreme Court order.
 (D). Statistics represent number of defendants.
 (E). Includes lower court appeals and any other non-felony criminal cases; statistics represent number of defendants.
 (F). Figures are estimated, based on statistics kept for the first seven months of 1977.

JUSTICE OF THE PEACE STATISTICS

The following statistical report contains data on case filings and terminations for each justice court precinct in the state. Cases which have been disposed of are in the category labeled "Concluded". The criminal data reported represents the number of defendants in cases before the court. In some counties felony complaints are taken to the county grand jury prior to a preliminary hearing before the Justice of the Peace. In the preliminary hearing category this section is labeled "Grand Jury".

Because reliable data was not complete on pending caseloads at the beginning of 1977, pending caseloads have not been reported. Due to the Supreme Court's order requiring a pending caseload inventory, beginning and ending pending caseload figures will be included in the 1978 annual report. Some precincts also experienced large numbers of

cases terminated which is partially accounted for by the Supreme Court's order authorizing the dismissal of inactive cases over one year old.

The Supreme Court has also required Municipal Courts to submit monthly statistical reports commencing with January, 1978. The data reflecting the work of these courts will be included in the 1978 annual report.

The compilation of caseload data for the lower courts is prepared by the Supreme Court's Planning Office under the direction of the Administrative Director. The 1977 data contained in this report was compiled by the Planning Office based on the monthly reports prepared and submitted by each Justice of the Peace Court.

JUSTICE OF THE PEACE COURTS 1977

COUNTY PRECINCT	CIVIL		CRIMINAL					
	FILED	CONCLUDED	TRAFFIC FILED	OTHER MISDEMEANOR FILED	CONCLUDED	PRELIMINARY HEARINGS		
						FILED	CONCLUDED	
						FILED	GRAND JURY	J.P. COURT
<u>APACHE</u>								
Puerco ^(A)	11	12	3,687	193	3,142	50	0	71
Round Valley	32	29	336	265	651	96	0	98
St. Johns	20	16	520	67	499	92	0	90
Teec Nos Pos	2	0	522	7	1,046	3	0	1
<u>COCHISE</u>								
Benson	62	133	4,382	28	4,522	33	9	27
Bisbee	116	126	862	79	946	53	40	13
Bowie	5	5	4,098	67	3,815	23	8	3
Douglas	250	212	1,114	105	1,138	12	0	12
Sierra Vista	278	289	2,375	96	2,449	195	58	126
Wilcox	153	157	2,953	424	3,956	31	8	41
<u>COCONINO</u>								
Flagstaff	464	448	8,457	907	13,721	477	201	306
Fredonia	18	13	383	31	404	17	3	13
Page	57	68	1,422	151	1,792	44	17	20
Sedona	39	55	697	97	826	14	4	9
Williams	28	7	1,754	118	1,899	82	13	76

(A). Represents 11 months of the year.

JUSTICE OF THE PEACE COURTS 1977

COUNTY PRECINCT	CIVIL		CRIMINAL					
	FILED	CONCLUDED	TRAFFIC FILED	OTHER MISDEMEANOR FILED	CONCLUDED	PRELIMINARY HEARINGS		
						FILED	CONCLUDED	
						GRAND JURY	J. P. COURT	
<u>GILA</u>								
Globe (A)	--	--	--	--	--	--	--	--
Hayden (B)	15	14	52	2	52	1	0	1
Miami	115	119	1,360	174	1,562	85	73	23
Payson	62	111	724	155	1,283	112	65	75
Pine	2	3	79	8	86	19	19	3
<u>GRAHAM</u>								
Pima (C)	--	--	--	--	--	--	--	--
Safford	133	133	1,468	81	1,875	110	0	117
<u>GREENLEE</u>								
Clifton (C)	--	--	--	--	--	--	--	--
Duncan (C)	--	--	--	--	--	--	--	--
Morenci	3	0	287	65	369	8	0	11

(A) No reports were received from the Globe Precinct except for year end pending inventory report.

(B) Represents 11 months of the year.

(C) Pima, Clifton and Duncan Precincts filed only a December, 1977 report and year end pending inventory report.

JUSTICE OF THE PEACE COURTS
1977

COUNTY PRECINCT	CIVIL		CRIMINAL					
	FILED	CONCLUDED	TRAFFIC FILED	OTHER MISDEMEANOR FILED	CONCLUDED	PRELIMINARY HEARINGS		
						FILED	CONCLUDED	
						GRAND JURY	J.P. COURT	
<u>MARICOPA</u>								
Buckeye	57	58	2,784	220	3,574	50	0	61
Central	559	331	1,837	52	1,488	621	14	526
Chandler	269	197	3,585	184	2,546	242	1	204
(A) Gila Bend	41	14	3,627	39	2,443	83	2	53
Glendale	1,030	1,912	2,038	126	2,645	701	9	1,029
East Mesa	314	378	3,837	424	4,303	265	0	270
West Mesa	1,232	783	1,018	107	1,353	359	6	358
Peoria	257	425	4,592	688	5,430	197	3	218
E. Phx. 1	2,637	3,158	25	111	483	1,142	22	1,193
E. Phx. 2	3,276	2,566	20	84	468	772	12	1,085
N.E. Phoenix	2,799	2,289	2,061	262	2,174	398	21	444
N.W. (B) Phoenix	1,611	1,850	3,134	201	4,500	715	16	580
South Phoenix	590	573	1,772	654	2,632	1,231	9	1,247
West Phoenix	2,545	4,858	1,577	270	1,758	1,021	15	851
Scotts- dale	1,339	1,947	4,760	86	4,666	496	8	926
(C) Tempe	506	411	2,117	92	2,238	461	0	494
Tolleson	669	627	3,124	305	3,179	516	8	535
Wicken- burg	29	166	1,788	65	2,383	49	2	90

(A) Represents 11 months of the year.
(B) Represents 11 months of the year.
(C) Represents 7 months of the year.

JUSTICE OF THE PEACE COURTS
1977

COUNTY PRECINCT	CIVIL		CRIMINAL					
	FILED	CONCLUDED	TRAFFIC FILED	OTHER MISDEMEANOR FILED	CONCLUDED	PRELIMINARY HEARINGS		
						FILED	CONCLUDED	
						GRAND JURY	J.P. COURT	
<u>MOHAVE</u>								
Bullhead City (A)	249	343	1,170	242	1,377	84	39	59
Colorado	--	--	--	--	--	--	--	--
Kingman	453	370	9,758	1,032	11,074	317	134	157
Lake Havasut City	211	263	1,704	483	2,387	73	28	39
<u>NAVAJO</u>								
Holbrook	143	79	1,218	54	1,319	150	84	20
Pinetop	62	58	1,083	145	1,289	37	17	22
Show Low	85	102	934	8	839	6	6	0
(A) Snowflake	--	--	--	--	--	--	--	--
Winslow	150	298	1,022	33	1,110	104	89	26
<u>PIMA</u>								
Tucson Consol. Precincts 1,2,4,5	6,678	5,943	18,584	3,355	20,641	3,422	1,415	1,347
Ajo, No.3	87	121	561	96	722	90	12	70

(A) No reports were received from the Colorado and Snowflake Precincts.

JUSTICE OF THE PEACE COURTS
1977

COUNTY PRECINCT	CIVIL		CRIMINAL					
	FILED	CONCLUDED	TRAFFIC FILED	OTHER MISDEMEANOR FILED	CONCLUDED	PRELIMINARY HEARINGS		
						FILED	CONCLUDED	
						GRAND JURY	J. P. COURT	
<u>PINAL</u>								
Apache Junction (A)	43	102	1,823	145	2,188	43	31	16
Casa Grande	1,942	1,099	4,750	152	4,272	161	62	84
Coolidge (B)	138	816	615	135	878	155	36	113
Eloy	43	39	2,392	110	3,001	103	31	35
Florence	61	46	419	74	393	55	20	17
Kearny	116	102	118	17	122	17	1	19
Mammoth	40	47	452	103	497	22	15	7
Maricopa (C)	--	--	--	--	--	--	--	--
Oracle	320	311	1,395	189	1,576	4	2	7
San Manuel	108	187	423	309	764	7	6	1
Stanfield (C)	--	--	--	--	--	--	--	--
Superior	366	294	1,108	145	1,164	65	24	38

(A) Represents 10 months of the year.

(B) Represents 9 months of the year.

(C) No reports were received from Maricopa and Stanfield Precincts except for the year end pending inventory report.

JUSTICE OF THE PEACE COURTS
1977

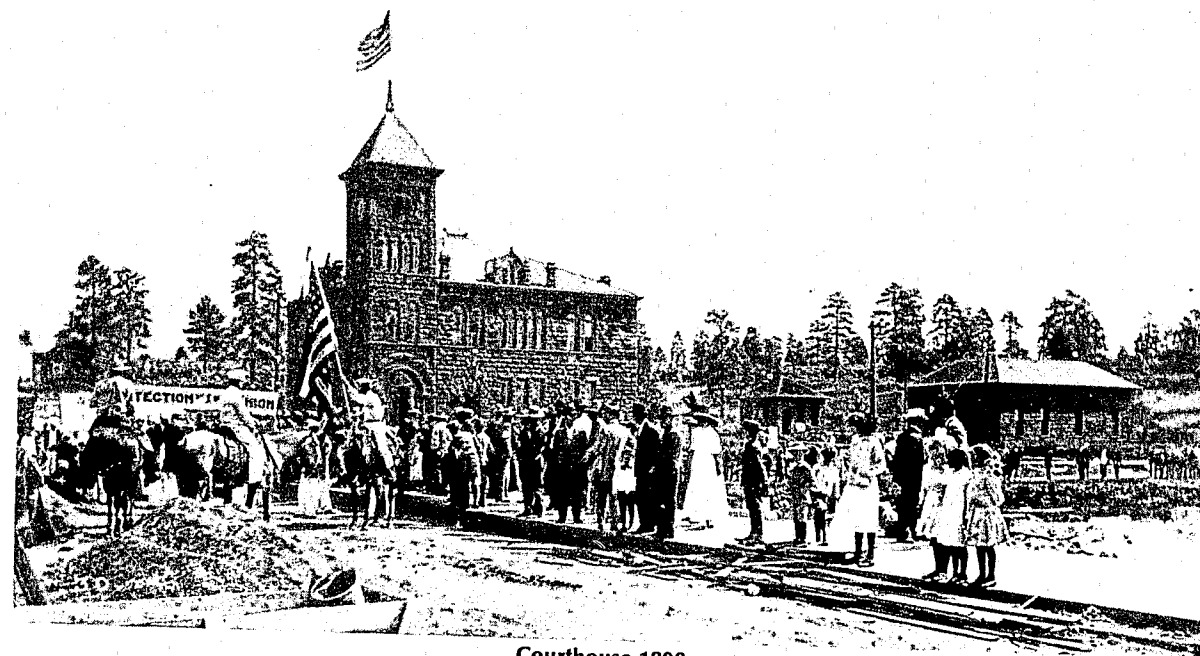
COUNTY PRECINCT	CIVIL		CRIMINAL					
	FILED	CONCLUDED	TRAFFIC FILED	OTHER MISDEMEANOR FILED	CONCLUDED	PRELIMINARY HEARINGS		
						FILED	CONCLUDED	
						GRAND JURY	J. P. COURT	
<u>SANTA CRUZ</u>								
Nogales	280	271	1,261	1,162	1,867	443	0	466
Patagonia	4	0	105	155	187	10	0	9
<u>YAVAPAI</u>								
Bagdad (A)	11	0	570	36	351	4	0	2
Camp Verde	18	19	1,635	129	1,711	22	8	8
Congress-Yarnell	10	12	547	89	615	6	6	1
Mayer	7	8	2,594	83	2,535	25	20	5
Prescott (A)	410	611	950	245	1,122	93	71	45
Seligman	2	3	2,033	7	1,488	12	3	12
Upper Verde	58	77	409	81	457	44	1	36
<u>YUMA</u>								
Parker	78	74	1,689	348	2,017	158	29	119
Quartzsite (A)	7	5	4,341	74	3,131	30	11	19
Somerton (B)	--	--	--	--	--	--	--	--
Wellton	17	17	2,754	661	3,223	33	19	14
Wenden (C)	--	--	--	--	--	--	--	--
Yuma	600	473	4,085	564	4,535	473	198	236

(A) Represents 11 months of the year.

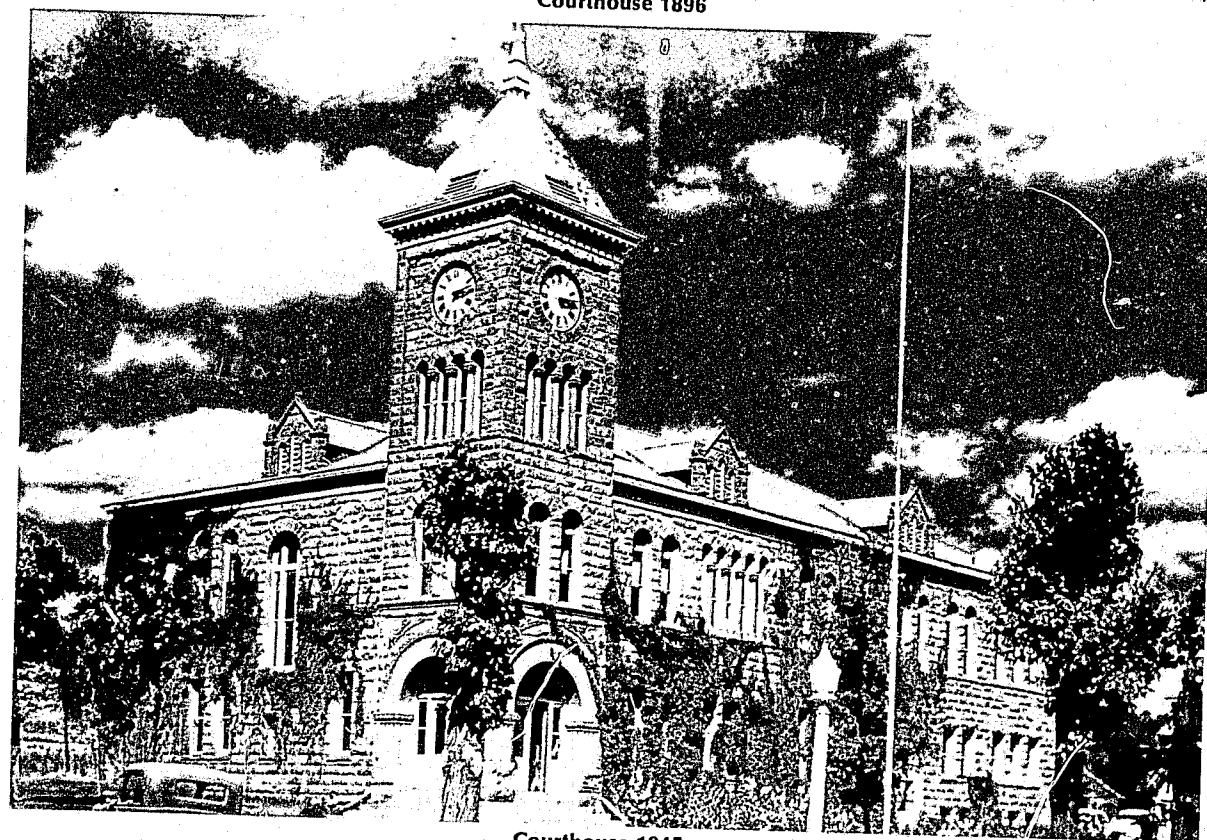
(B) Somerton Precinct filed only a December, 1977 report and year end pending inventory report.

(C) No reports were received from Wenden Precinct except for year end pending inventory report.

**SUPERIOR COURT
OF
COCONINO COUNTY
FLAGSTAFF, ARIZONA
1912-1977**

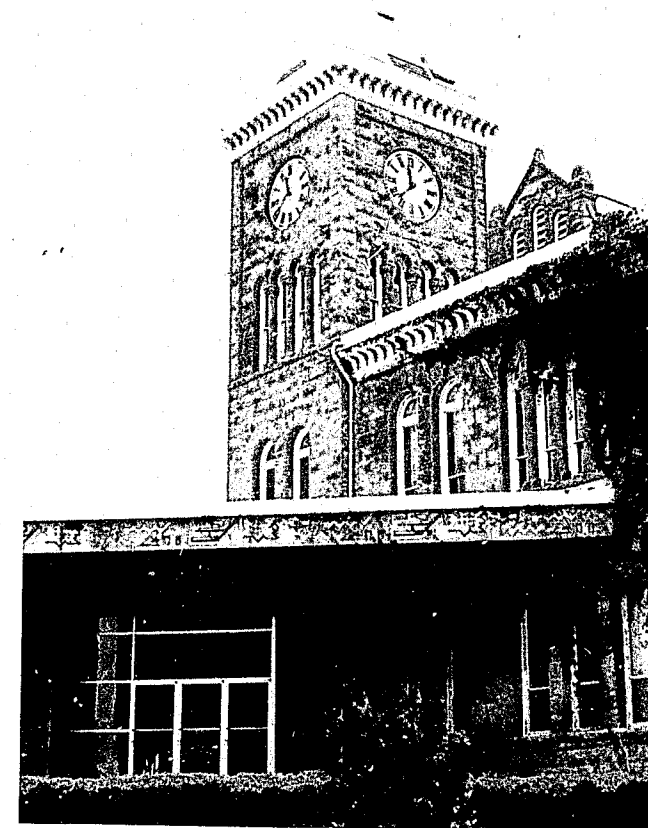


Courthouse 1896



Courthouse 1945

Courtesy of Northern Arizona Pioneers Historical Society.



Courthouse — 1977
Courtesy of the Arizona Daily Sun



J. Thomas Brooks
Presiding Judge



Richard K. Mangum
Judge



Jo Wycoff
Clerk

INTRODUCTION

The Arizona Supreme Court in December, 1977, published a Summary Report regarding the history, structure and operation of the Arizona Courts. Since an annual report had not been published for sometime, available statistical data from 1965 to 1976 was included in the Summary Report.

The Supreme Court has now resumed publication of an annual judicial report. One of the goals set by Chief Justice Cameron for these reports is the inclusion of caseload statistics for each Superior Court since Statehood. The purpose of this statistical retrieval is to preserve for historical purposes and future planning purposes the work and growth of our Superior Courts.

The Superior Court of Coconino County was chosen as the first court to commence this project. With the assistance of Mr. Christopher Bavasi of the Northern Arizona Council of Governments, arrangements were made with Northern Arizona

University for two graduate student interns to work on this project for course credit. Don Sorensen and Robert W. Montoya, candidates for masters degrees in police science and public administration respectively, were selected. On a day-to-day basis their work was supervised by Mrs. Jo Wycoff, Clerk of the Superior Court. Special acknowledgment is given to these two students who spent many hours reviewing court dockets and retrieving the case data reflected in this section of the report. In addition, the student interns conducted some historical research on the court which is included in this report. The Supreme Court very much appreciates the work of these students and all the people at the Coconino County Superior Court who cooperated in this effort.

In the 1978 annual report we plan to expand our statistical retrieval project to include the Superior Courts of Gila, Graham and Greenlee counties.

THE SUPERIOR COURT

Coconino County is the second largest county in the United States and the largest Arizona county in terms of square miles. It is located in north central Arizona. The county was created February 18, 1891, and in May of that year Flagstaff was confirmed in a special election as the county seat. Soon after the creation of the county, a red sandstone courthouse was constructed. Since 1925, the courthouse has undergone numerous remodelings, renovations and additions. The building still serves the county today.

From 1910 to Statehood, Frederick W. Perkins served as the trial court judge in the county. He continued as judge from 1912 to 1918. At the time of Statehood, C. B. Wilson was the Coconino County Attorney and later served as a Superior Court judge. Judge Perkins was born in Milford, New Hampshire in 1850. He was admitted to the Bar of Missouri in 1876 and practiced law in that state until he moved to Flagstaff in 1903. Shortly after moving to Arizona, he entered the banking business with E. S. Gosney as the Gosney & Perkins Bank. He then developed a private practice in law and was later elected as Superior Court judge. Judge Perkins died on January 6, 1929, at the age of 78 following an automobile accident two months earlier. At the time of his death he was serving Coconino county as a member of the Arizona Legislature.

In 1919 Jerome E. Jones became the county's second Superior Court judge and served in that capacity until his death in 1929. He was born in Tennessee, lived in Arkansas and at 30 years of age moved to Flagstaff in 1888. Judge Jones was

appointed by the Territorial Governor as the first probate judge for Coconino county. He also served two terms as County Attorney. Zela Jones Harrison, a surviving daughter of Judge Jones, recalls that the case which her father was most concerned with involved the will and estate of Percival Lowell. The validity of the will, which established a trust for the benefit of the Lowell Observatory, was challenged by the widow. Judge Jones' decision to uphold the validity of the will was affirmed by the Arizona Supreme Court.

Charles B. Wilson was admitted to the practice of law in Illinois in 1903 and later in Arizona in 1910. He was Coconino's first County Attorney after Statehood and served in that capacity until 1919. He practiced law almost until the date of his death in 1964. The veteran attorney was well respected, and according to one newspaper account he was "regarded as the Dean of the Coconino County Bar". Charles B. Wilson served a brief interim period as Superior Court judge in 1929 after the death of Judge Jones.

Governor John C. Phillips then appointed a Phoenix attorney, Winfield S. Norviel, as Superior Court judge to complete the term of Judge Jones. Judge Norviel received his law degree from the University at Valparaiso, Indiana. He taught in public schools and colleges for a number of years and then moved to California where he was admitted to the practice of law in 1893. In 1898 he moved to Prescott, Arizona and was appointed in 1902 as the Reporter of the Fourth Judicial District of Arizona.

Judge Norviel held the office of Superior Court judge until the general election in November, 1930, when he was defeated by Frank Harrison. George O. Nolan then served as judge for the last two months of the term until Frank Harrison could be sworn into office in January, 1931. During that two month period, Norviel filed a lawsuit contesting the election of Frank Harrison. Judge Lee N. Stratton from the Superior Court of Graham County heard the case and dismissed Norviel's complaint. In 1931 Frank Harrison became the Superior Court judge.

Judge Harrison held the office of Superior Court judge until 1939. Judge Harrison was born in South Carolina in 1883. He taught school for a time in Colorado and then entered into the practice of law in Flagstaff in 1919. He was elected in 1922 as County Attorney and served in that capacity four years.

In 1938 H. Karl Mangum was elected to the Superior Court bench at the age of 29. He held that office from 1939 to 1944 when he resigned to serve in the U. S. Navy. Judge Mangum was the first native born Arizonan to serve as Superior Court judge in Coconino county. He received his law degree from the University of Arizona in 1931 and began his law practice in Flagstaff. Judge Mangum also served as County Attorney from 1933 to 1938. In 1950 he re-entered the political arena and served two more terms as County Attorney.

Upon Judge Mangum's resignation in 1944, Hugh L. Russell was appointed to the bench and served until August 15, 1961, when he resigned for health reasons. Judge Russell was born in Sharpesville, Indiana in 1885. He came to Arizona in 1908 as a United States government engineer. Following an injury in his work, Judge Russell undertook the study of law and was admitted to practice in the early 1920's. He opened his law office in Flagstaff in 1926. During his 17 years on the bench the workload of the court, as revealed in the statistical report, began to increase significantly.

While Judge Russell was on the bench, the Coconino county courthouse became one of the principal sites for the investigation into the collision and crash of two airliners over the Grand Canyon on June 30, 1956. At that time the crash was reported as the worst disaster in the history of commercial aviation. The Deputy County Attorney, Laurence T. Wren, and Justice of the Peace, Shelby McCauley, as ex-officio coroner, participated in the investigation. A coroner's jury ruled that the 126 deaths in the tragedy were accidental.

Laurence T. Wren was appointed in 1961 by Governor Paul Fannin to the Coconino County Superior Court. Judge Wren was born in Chino

Valley near Prescott in 1926. After serving in the U.S. Navy during World War II, he returned to Flagstaff to complete his undergraduate studies at Northern Arizona University. He received his law degree at the U.C.L.A. Law School in 1955. In 1957 he was appointed to the office of County Attorney, and in 1959 he ran for that office to which he was elected.

As a visiting judge to the Maricopa County Superior Court, Wren presided at the trial of Ernesto Miranda. That case later went to the United States Supreme Court which promulgated the "Miranda Warnings" requiring police officers to advise criminal suspects of certain rights prior to interrogation. In 1974, Governor Jack Williams appointed Judge Wren to Division 1 of the Arizona Court of Appeals where he is presently serving.

While Judge Wren was Superior Court judge, the court was expanded in 1966 and a second judicial division was created. J. Thomas Brooks was appointed by Governor Sam Goddard to the new division. He was re-elected twice and served until his resignation in 1972 to return to private practice. Judge Brooks was born in Tucson in 1931. He received his law degree from the University of Arizona in 1955 and entered the practice of law in Flagstaff the following year. When Judge Wren was appointed to the Court of Appeals in 1974, Governor Jack Williams reappointed Brooks to the Superior Court bench on July 1, 1974. Judge Brooks is currently the presiding judge of the Coconino County Superior Court.

When Judge Brooks resigned from office in 1972, Governor Williams appointed William J. Meyers to complete the unexpired term. Judge Meyers was born in Iowa in 1926 and received his law degree in 1952 from the State University of Iowa. He was admitted to the Arizona bar in 1953. Judge Meyers was defeated in the 1974 election by Joyce Mangum, who then took office on January 6, 1975. Judge Mangum was born in 1938 in Oklahoma. She received her law degree from the University of Arizona in 1961 and was admitted to the Arizona bar that year. Prior to her election, Judge Mangum practiced law in Flagstaff. She resigned November 5, 1976 to move to New Mexico.

On November 8, 1976, Governor Raul Castro appointed Richard K. Mangum to Division 2 of the Coconino County Superior Court. Judge Mangum was born in Flagstaff in 1936. His father, H. Karl Mangum, had previously served as Superior Court judge. Richard Mangum also received his law degree from the University of Arizona and was admitted to the State Bar of Arizona in 1961. In that same year he entered the private practice of law in Flagstaff.

STATISTICS

The filing and termination statistical data contained on the following pages is based on information obtained from the Coconino County Superior Court docket books and statistical reports of the court. Some case filings were discovered primarily in the 1910's and 1920's era that had not been terminated according to the records available. These cases (approximately 200) have been terminated in the year of filing for purposes of this report.

The following pages present filing and termination data of the Coconino County Superior Court for the years 1912 through 1977. Caseload statistics

for Coconino County for the years 1965 through 1977 are presented in more detail in the Arizona Courts Summary Report, published in December, 1977 and in the Superior Court section of this report.

Juvenile statistics have not been included in this report as sufficient data was not available for reporting purposes.

The category, Domestic Relations, includes reciprocal support statistics; the Criminal category includes both felony and misdemeanor cases. Adoption and mental health data have been combined and reported in the "Other" case category.

COCONINO COUNTY SUPERIOR COURT
FILING ACTIVITY
1912 - 1945

YEAR	CIVIL	DOMESTIC RELATIONS	PROBATE	OTHER	CRIMINAL	TOTAL
1912	24	21	25	5	19	94
1913	38	20	24	3	20	105
1914	115	23	21	2	32	193
1915	68	25	19	14	48	174
1916	47	24	32	11	35	149
1917	45	24	23	11	146	249
1918	54	24	38	8	74	198
1919	53	31	47	8	65	204
1920	59	32	34	3	40	168
1921	51	39	41	8	53	192
1922	60	39	26	7	41	173
1923	78	51	41	7	34	211
1924	44	33	38	7	60	182
1925	34	38	47	8	50	177
1926	51	38	37	12	79	217
1927	44	41	53	8	58	204
1928	68	42	31	5	49	195
1929	55	37	49	7	35	183
1930	56	31	31	8	55	181
1931	89	41	31	11	129	301
1932	46	31	23	15	51	166
1933	29	34	30	12	39	144
1934	40	62	49	11	44	206
1935	47	50	29	13	47	186
1936	56	52	60	15	32	215
1937	44	51	45	18	42	200
1938	50	48	37	12	48	195
1939	42	46	47	6	67	208
1940	43	55	47	4	55	204
1941	54	67	44	11	57	233
1942	52	69	49	8	50	228
1943	41	76	53	6	59	235
1944	27	70	60	7	28	192
1945	29	113	59	5	50	256

COCONINO COUNTY
SUPERIOR COURT
TERMINATION ACTIVITY
1912 - 1945

YEAR	CIVIL	DOMESTIC RELATIONS	PROBATE	OTHER	CRIMINAL	TOTAL
1912	20	17	8	4	15	64
1913	26	19	6	2	20	73
1914	86	21	22	2	24	155
1915	78	28	19	12	43	180
1916	23	23	20	14	31	111
1917	44	24	13	9	67	157
1918	40	21	16	9	120	206
1919	33	27	42	3	88	193
1920	68	30	43	5	36	182
1921	71	40	30	7	67	215
1922	63	40	31	6	48	188
1923	71	53	48	6	32	210
1924	56	38	41	9	57	201
1925	59	36	39	7	54	195
1926	44	42	37	10	56	189
1927	39	38	47	7	75	206
1928	68	40	42	4	55	209
1929	41	31	32	7	24	135
1930	49	33	34	5	62	183
1931	58	36	25	9	133	261
1932	57	25	13	12	59	166
1933	42	35	20	12	20	129
1934	27	36	31	7	50	151
1935	35	54	21	15	50	175
1936	51	52	44	14	30	191
1937	36	45	31	9	37	158
1938	96	93	40	13	36	278
1939	50	46	62	15	84	257
1940	44	43	33	5	66	191
1941	46	62	46	3	49	206
1942	41	57	68	15	47	228
1943	50	77	45	8	73	253
1944	34	64	62	3	27	190
1945	25	107	132	10	38	312

COCONINO COUNTY
SUPERIOR COURT
FILING ACTIVITY
1946 - 1977

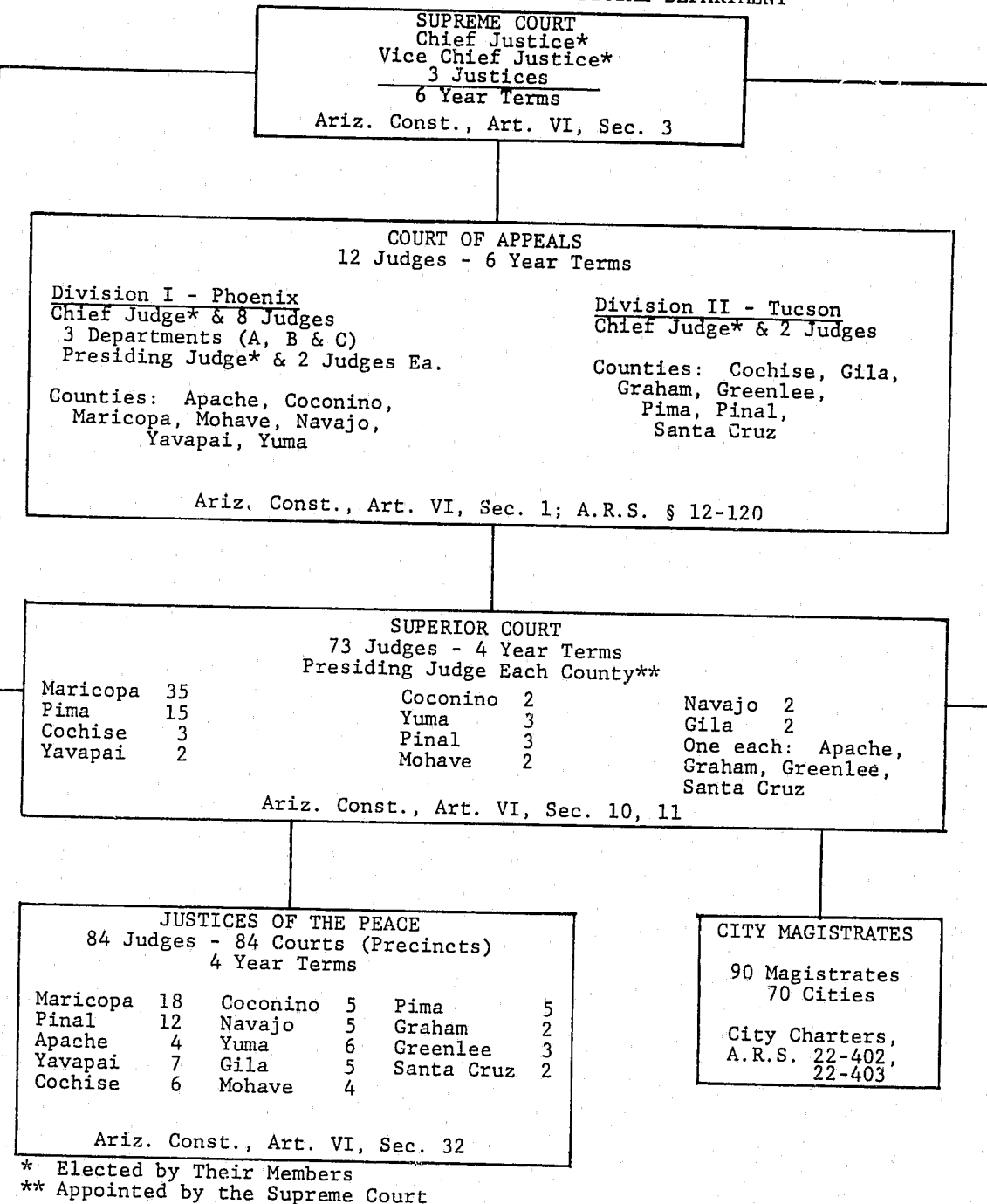
YEAR	CIVIL	DOMESTIC RELATIONS	PROBATE	OTHER	CRIMINAL	TOTAL
1946	58	141	78	8	70	355
1947	71	131	59	10	73	344
1948	106	135	62	7	56	366
1949	135	157	61	12	93	458
1950	102	120	50	8	91	371
1951	86	128	80	11	61	366
1952	95	101	71	13	79	359
1953	142	156	80	16	100	494
1954	160	160	77	15	108	520
1955	181	157	85	26	117	566
1956	164	150	113	27	114	568
1957	238	158	112	22	137	667
1958	243	168	125	35	157	728
1959	273	196	121	35	142	767
1960	298	239	141	35	144	857
1961	298	230	137	--	156	821
1962	321	239	152	--	160	872
1963	368	247	132	--	155	902
1964	267	226	158	--	179	830
1965	315	229	93	119	162	918
1966	283	272	126	105	148	934
1967	282	267	136	88	165	938
1968	296	322	175	56	137	986
1969	262	297	143	81	258	1,041
1970	256	339	238	96	154	1,083
1971	282	386	192	131	170	1,161
1972	314	426	170	85	272	1,267
1973	312	490	137	79	254	1,272
1974	407	518	88	102	399	1,514
1975	398	617	115	83	506	1,719
1976	413	559	117	87	554	1,730
1977	382	649	130	104	487	1,752

COCONINO COUNTY
SUPERIOR COURT
TERMINATION ACTIVITY
1946 - 1977

YEAR	CIVIL	DOMESTIC RELATIONS	PROBATE	OTHER	CRIMINAL	TOTAL
1946	61	152	65	10	72	360
1947	79	133	58	13	79	362
1948	76	119	52	4	53	304
1949	102	137	44	6	89	378
1950	114	122	57	11	84	388
1951	56	115	60	9	69	309
1952	107	122	64	10	75	378
1953	104	118	64	13	86	385
1954	116	150	95	10	101	472
1955	133	148	66	20	134	501
1956	175	150	87	20	115	547
1957	174	121	101	27	119	542
1958	182	155	95	30	148	610
1959	229	181	99	34	162	705
1960	290	239	101	32	118	780
1961	238	203	106	29	177	753
1962	425	333	132	13	142	1,045
1963	446	293	115	2	135	991
1964	278	223	108	1	185	795
1965	274	222	107	132	173	908
1966	257	242	103	117	130	849
1967	369	280	79	78	161	967
1968	284	298	124	76	175	957
1969	286	331	333	148	203	1,301
1970	229	350	119	112	163	973
1971	307	325	158	121	176	1,087
1972	274	450	303	86	233	1,346
1973	274	484	147	75	293	1,273
1974	361	519	79	87	363	1,409
1975	396	559	71	76	466	1,568
1976	405	621	81	70	505	1,682
1977	446	613	202	143	517	1,921

APPENDICES APPENDIX I

STATE OF ARIZONA - JUDICIAL DEPARTMENT



APPENDIX II 1977

ARIZONA SUPREME COURT

James Duke CameronChief Justice
Fred C. StruckmeyerVice Chief Justice
Jack D. H. HaysAssociate Justice
William A. HolohanAssociate Justice
Frank X. GordonAssociate Justice

Clifford H. Ward, Clerk

Mary Ann Hopkins, Chief Deputy Clerk

COURT OF APPEALS DIVISION 1

Donald F. FroebChief Judge
Jack L. OggVice Chief Judge
L. Ray HaireEino M. Jacobson
Gary K. NelsonFrancis J. Donofrio
William E. EubankMary M. Schroeder
Laurence T. Wren

Glen D. Clark, Clerk

DIVISION 2

James L. RichmondChief Judge
James D. HathawayLawrence Howard
Elizabeth U. Fritz, Clerk

SUPERIOR COURT JUDGES

Maricopa (Cont.)

Roger G. Strand
Paul W. LaPrade
Ed W. Hughes
Harold D. Martin
Marilyn A. Riddel
Frederic W. Heineman
Robert C. Broomfield
Philip W. Marquardt
Gerald J. Strick
Rufus C. Coulter, Jr.
Lawrence H. Doyle, Jr.
C. Kimball Rose
David J. Perry
Robert W. Pickrell
A. Melvin McDonald, Jr.
Dorothy Carson
Edward C. Rapp
Sandra O'Connor
Robert J. Corcoran
Stanley Z. Goodfarb
I. Sylvan Brown
Val A. Cordova
James Moeller
Thomas C. Kleinschmidt

PIMA COUNTY

John P. Collins
Gilbert Veliz, Jr.
Robert O. Royston
Lillian S. Fisher
James C. Carruth
Alice Truman
Richard N. Royston
Jack G. Marks
Ben C. Birdsall
Norman S. Fenton
William E. Druke
J. Richard Hannah
Robert B. Buchanan
Harry Gin
Jack T. Arnold

PINAL COUNTY

E. D. McBryde
T. J. Mahoney
Robert R. Bean

SANTA CRUZ COUNTY

Gordon Farley

YAVAPAI COUNTY

Paul Rosenblatt
James Hancock

YUMA COUNTY

William W. Nabours
B. L. Helm
Douglas W. Keddie

MOHAVE COUNTY

Leonard C. Langford
Gary R. Pope

NAVAJO COUNTY

Melvyn T. Shelley
John F. Taylor

CLERKS OF THE SUPERIOR COURT

Apache CountyJohn T. Crosby
Cochise CountyEllen M. Cline
Coconino CountyJo Wycoff
Gila CountyArnold M. Ambos
Graham CountyLena H. Garcia
Greenlee CountyElsie F. Simms
Maricopa CountyW. Don Palmer

Mohave CountyMary Jane Wienke
Navajo CountyEd J. Ferguson
Pima CountyNorma M. Felix
Pinal CountyAlma Jennings Haight
Santa Cruz CountyHazel Wise
Yavapai CountyBarbara Boyle
Yuma CountyC. Newman

APPENDIX III 1977

MEMBERS OF THE COMMISSION ON JUDICIAL QUALIFICATIONS

J. Thomas Brooks	Flagstaff
Arthur Doan	Nogales
Clarence J. Duncan	Phoenix
Martha Elias	Tucson
L. Ray Haire	Phoenix
James D. Hathaway	Tucson
Robert O. Leshner	Tucson
Alice Truman	Tucson
Clyde A. McCune	Kingman

MEMBERS OF THE COMMISSION ON APPELLATE COURT APPOINTMENTS

James Boyle	Prescott
William D. Browning	Tucson
John P. Frank	Phoenix
Billie Marshall	Tucson
Jean Matthews	Phoenix
Thomas C. Morse	Flagstaff
Robert A. Pancrazi	Yuma
Ernest E. Scott, Jr.	Kingman

MEMBERS OF THE COMMISSION ON TRIAL COURT APPOINTMENTS

MARICOPA COUNTY

Russell DeMont	Litchfield Park
Geraldine Emmett	Phoenix
Lawrence Fleming	Phoenix
Jean Hunnicutt	Tempe
John J. Kelley	Phoenix
Robert C. Shapiro	Phoenix
David Tierney	Phoenix
Nicholas Udall	Phoenix

MEMBERS OF THE COMMISSION ON TRIAL COURT APPOINTMENTS

PIMA COUNTY

Duane B. Anderson	Tucson
Joseph R. Cesare	Tucson
Jack Ettinger	Tucson
Dorothy S. Fannin	Tucson
Gilbert Gonzales	Tucson
Richard Flores	Tucson
Reginald Morrison	Tucson
D. Burr Udall	Tucson

APPENDIX IV ARIZONA CONSTITUTION

ARTICLE VI JUDICIAL DEPARTMENT

Sec. 1. Judicial power; courts

The judicial power shall be vested in an integrated judicial department consisting of a Supreme Court, such intermediate appellate courts as may be provided by law, a superior court, such courts inferior to the superior court as may be provided by law, and justice courts.

Sec. 2. Supreme court; composition; divisions; decisions, transaction of business

The Supreme Court shall consist of not less than five justices. The number of justices may be increased or decreased by law, but the court shall at all times be constituted of at least five justices.

The Supreme Court shall sit in accordance with rules adopted by it, either in banc or in divisions of not less than three justices, but the court shall not declare any law unconstitutional except when sitting in banc. The decisions of the court shall be in writing and the grounds stated.

The court shall be open at all times, except on nonjudicial days, for the transaction of business.

Sec. 3. Supreme court; administrative supervision; chief justice

The Supreme Court shall have administrative supervision over all the courts of the state. The chief justice shall be elected by the justices of the Supreme Court from one of their number for a term of five years, and may be reelected for like terms. The vice chief justice shall be elected by the justices of the Supreme Court from one of their number for a term determined by the court. A member of the court may resign the office of chief justice or vice chief justice without resigning from the court.

The chief justice, or in his absence or incapacity, the vice chief justice, shall exercise the court's administrative supervision over all the courts of the state. He may assign judges of intermediate appellate courts, superior courts, or courts inferior to the superior court to serve in other courts or counties. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 4. Supreme court; term of office

Justices of the Supreme Court shall hold office for a regular term of six years except as provided by this article. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 5. Supreme court; jurisdiction; writ; rules; habeas corpus

The Supreme Court shall have:

1. Original jurisdiction of habeas corpus, and quo warranto, mandamus, injunction and other extraordinary writs to state officers.

2. Original and exclusive jurisdiction to hear and determine causes between counties concerning disputed boundaries and surveys thereof or concerning claims of one county against another.

3. Appellate jurisdiction in all actions and proceedings except civil and criminal actions originating in courts not of record, unless the action involves the validity of a tax, impost, assessment, toll, statute or municipal ordinance.

4. Power to issue injunctions and writs of mandamus, review, prohibition, habeas corpus, certiorari, and all other writs necessary and proper to the complete exercise of its appellate and revisory jurisdiction.

5. Power to make rules relative to all procedural matters in any court.

6. Such other jurisdiction as may be provided by law.

Each justice of the Supreme Court may issue writs of habeas corpus to any part of the state upon petition by or on behalf of a person held in actual custody, and may make such writs returnable before himself, the Supreme Court, appellate court or superior court, or judge thereof.

Sec. 6. Supreme Court; qualifications of justices

A justice of the Supreme Court shall be a person of good moral character and admitted to the practice of law in and a resident of the State of Arizona for ten years next preceding his taking office.

Sec. 7. Supreme court; clerk and assistants; administrative director and staff

The Supreme Court shall appoint a clerk of the court and assistants thereto who shall serve at its pleasure, and who shall receive such compensation as may be provided by law.

The Supreme Court shall appoint an administrative director and staff to serve at its pleasure to assist the chief justice in discharging his administrative duties. The director and staff shall receive such compensation as may be provided by law.

Sec. 8. Supreme court; publication of opinions

Provision shall be made by law for the speedy publication of the opinions of the Supreme Court, and they shall be free for publication by any person.

Sec. 9. Intermediate appellate courts

The jurisdiction, powers, duties and composition of any intermediate appellate court shall be as provided by law.

Sec. 10. Superior court; number of judges

There shall be in each county at least one judge of the superior court. There shall be in each county such additional judges as may be provided by law, but not exceeding one judge for each thirty thousand inhabitants or majority fraction thereof. The number of inhabitants in a county for purposes of this section may be determined by census enumeration or by such other method as may be provided by law.

Sec. 11. Superior court; presiding judges; duties

There shall be in each county a presiding judge of the superior court. In each county in which there are two or more judges, the Supreme Court shall appoint one of such judges presiding judge. Presiding judges shall exercise administrative supervision over the superior court and judges thereof in their counties, and shall have such other duties as may be provided by law or by rules of the Supreme Court.

Sec. 12. Superior court; term of office

Judges of the superior court in counties having a population of less than one hundred fifty thousand persons according to the United States census shall be elected by the qualified electors of their counties at the general election. They shall hold office for a regular term of four years except as provided by this section from and after the first Monday in January next succeeding their election, and until their successors are elected and qualify. The names of all candidates for judge of the superior court in such counties shall be placed on the regular ballot without partisan or other designation except the division and title of the office.

The governor shall fill any vacancy in such counties by appointing a person to serve until the election and qualification of a successor. At the next succeeding general election following the appointment of a person to fill a vacancy, a judge shall be elected to serve for the remainder of the unexpired term.

Judges of the superior court in counties having a population of one hundred fifty thousand persons or more according to the United States census shall hold office for a regular term of four years except as provided by this article. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 13. Superior court; composition; salaries; judgments and proceedings; process

The superior courts provided for in this article shall constitute a single court, composed of all the duly elected or appointed judges in each of the counties of the state. The legislature may classify counties for the purpose of fixing salaries of judges or officers of the court.

The judgments, decrees, orders and proceedings of any session of the superior court held by one or more judges shall have the same force and effect as if all the judges of the court had presided.

The process of the court shall extend to all parts of the state. Added, election Nov. 8, 1960.

Sec. 14. Superior court; original jurisdiction

The superior court shall have original jurisdiction of:

1. Cases and proceedings in which exclusive jurisdiction is not vested by law in another court.
2. Cases of equity and at law which involve the title to or possession of real property, or the legality of any tax, impost, assessment, toll or municipal ordinance.
3. Other cases in which the demand or value of property in controversy amounts to one thousand dollars or more, exclusive of interest and costs.
4. Criminal cases amounting to felony, and cases of misdemeanor not otherwise provided for by law.
5. Actions of forcible entry and detainer.
6. Proceedings in insolvency.
7. Actions to prevent or abate nuisance.
8. Matters of probate.
9. Divorce and for annulment of marriage.
10. Naturalization and the issuance of papers therefor.

11. Special cases and proceedings not otherwise provided for, and such other jurisdiction as may be provided by law. Amendment referred by the Legislature; approved at regular election Nov. 7, 1972; effective Dec. 1, 1972.

Sec. 15. Superior court; proceedings affecting children

The superior court shall have exclusive original jurisdiction in all proceedings and matters affecting dependent, neglected, incorrigible or delinquent children, or children accused of crime, under the age of eighteen years. The judges shall hold examinations in chambers for all such children concerning whom proceedings are brought, in advance of any criminal prosecution of such children, and may, in their discretion, suspend criminal

prosecution of such children. The powers of the judges to control such children shall be as provided by law.

Sec. 16. Superior court; appellate jurisdiction

The superior court shall have appellate jurisdiction in cases arising in justice and other courts inferior to the superior court as may be provided by law.

Sec. 17. Superior court; conduct of business; trial juries; jury trial; grand juries

The superior court shall be open at all times, except on nonjudicial days, for the determination of non-jury civil cases and the transaction of business. For the determination of civil causes and matters in which a jury demand has been entered, and for the trial of criminal causes, a trial jury shall be drawn and summoned from the body of the county, as provided by law. The right of jury trial as provided by this constitution shall remain inviolate, but trial by jury may be waived by the parties in any civil cause or by the parties with the consent of the court in any criminal cause. Grand juries shall be drawn and summoned only by order of the superior court.

Sec. 18. Superior court; writs

The superior court or any judge thereof may issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus on petition by or on behalf of a person held in actual custody within the county. Injunctions, attachments, and writs of prohibition and habeas corpus may be issued and served on legal holidays and non-judicial days.

Sec. 19. Superior court; service of judge in another county

A judge of the superior court shall serve in another county at the direction of the chief justice of the Supreme Court or may serve in another county at the request of the presiding judge of the superior court thereof.

Sec. 20. Retirement and service of retired justices and judges

The legislature shall prescribe by law a plan of retirement for justices and judges of courts of record, including the basis and amount of retirement pay, and requiring except as provided in section 35 of this article, that justices and judges of courts of record be retired upon reaching the age of seventy. Any retired justice or judge of any court of record who is drawing retirement pay may serve as a justice or judge of any court. When serving outside his county of residence, any such retired justice or judge shall receive his necessary traveling and subsistence expenses. A retired judge who is temporarily called back to the active duties of a judge is entitled to receive the same compen-

sation and expenses as other like active judges less any amount received for such period in retirement benefits. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 21. Superior court; speedy decisions

Every matter submitted to a judge of the superior court for his decision shall be decided within sixty days from the date of submission thereof. The Supreme Court shall by rule provide for the speedy disposition of all matters not decided within such period.

Sec. 22. Superior and other courts; qualifications of judges

Judges of the superior court, intermediate appellate courts or courts inferior to the superior court having jurisdiction in civil cases of one thousand dollars or more, exclusive of interest and costs, established by law under the provisions of section 1 of this article, shall be at least thirty years of age, of good moral character and admitted to the practice of law in and a resident of the state for five years next preceding their taking office. Amendment referred by the Legislature; approved at regular election Nov. 7, 1972; effective Dec. 1, 1972.

Sec. 23. Superior court; clerk

There shall be in each county a clerk of the superior court. The clerk shall be elected by the qualified electors of his county at the general election and shall hold office for a term of four years from and after the first Monday in January next succeeding his election. The clerk shall have such powers and perform such duties as may be provided by law or by rule of the Supreme Court or superior court. He shall receive such compensation as may be provided by law.

Sec. 24. Superior court; court commissioners, masters and referees

Judges of the superior court may appoint court commissioners, masters and referees in their respective counties, who shall have such powers and perform such duties as may be provided by law or by rule of the Supreme Court. Court commissioners, masters and referees shall receive such compensation as may be provided by law.

Sec. 25. Style of process; conduct of prosecutions in name of state

The style of process shall be "The State of Arizona", and prosecutions shall be conducted in the name of the state and by its authority.

Sec. 26. Oath of office

Each justice, judge and justice of the peace shall, before entering upon the duties of his office, take and subscribe an oath that he will support the

Constitution of the United States and the Constitution of the State of Arizona, and that he will faithfully and impartially discharge the duties of his office to the best of his ability.

The oath of all judges of courts inferior to the superior court and the oath of justices of the peace shall be filed in the office of the county recorder, and the oath of all other justices and judges shall be filed in the office of the Secretary of State.

Sec. 27. Charge to juries; reversal of causes for technical error

Judges shall not charge juries with respect to matters of fact, nor comment thereon, but shall declare the law. No cause shall be reversed for technical error in pleadings or proceedings when upon the whole case it shall appear that substantial justice has been done.

Sec. 28. Justices and judges; dual office holdings; political activity; practice of law

Justices and judges of courts of record shall not be eligible for any other public office or for any other public employment during their term of office, except that they may assume another judicial office, and upon qualifying therefor, the office formerly held shall become vacant. No justice or judge of any court of record shall practice law during his continuance in office, nor shall he hold any office in a political party or actively take part in any political campaign other than his own for his reelection or retention in office. Any justice or judge who files nomination papers for an elective office, other than for judge of the superior court or a court of record inferior to the superior court in a county having a population of less than one hundred fifty thousand persons according to the United States census, forfeits his judicial office. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 29. Repealed, election Nov. 3, 1970

Sec. 30. Courts of record

The Supreme Court, the Court of Appeals and the superior court shall be courts of record. Other courts of record may be established by law, but justice courts shall not be courts of record.

All justices and judges of courts of record, except for judges of the superior court and other courts of record inferior to the superior court in counties having a population of less than one hundred fifty thousand persons according to the United States census, shall be appointed in the manner provided in section 37 of this article. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 31. Judges pro tempore

The legislature may provide for the appointment of members of the bar having the qualifications provided in section 22 of the article as judges pro tempore of courts inferior to the Supreme Court. When serving, any such person shall have all the judicial powers of a regular elected judge of the court to which he is appointed. A person so appointed shall receive such compensation as may be provided by law. The population limitation of section 10 of this article shall not apply to the appointment of judges pro tempore of the superior court.

Sec. 32. Justices of the peace and inferior courts; jurisdiction, powers and duties; terms of office; salaries

The number of justices of the peace to be elected in precincts shall be as provided by law. Justices of the peace may be police justices of incorporated cities and towns.

The jurisdiction, powers and duties of courts inferior to the superior court and of justice courts, and the terms of office of judges of such courts and justices of the peace shall be as provided by law. The legislature may classify counties and precincts for the purpose of fixing salaries of judges of courts inferior to the superior court and of justices of the peace.

The civil jurisdiction of courts inferior to the superior court and of justice courts shall not exceed the sum of two thousand five hundred dollars, exclusive of interest and costs. Criminal jurisdiction shall be limited to misdemeanors. The jurisdiction of such courts shall not encroach upon the jurisdiction of courts of record but may be made concurrent therewith, subject to the limitations provided in this section.

Sec. 33. Change by legislature in number of justices or judges; reduction of salary during term of office

No change made by the legislature in the number of justices or judges shall work the removal of any justice or judge from office. The salary of any justice or judge shall not be reduced during the term of office for which he was elected or appointed.

Sec. 34. Absence of judicial officer from state

Any judicial officer except a retired justice or judge who absents himself from the state for more than sixty consecutive days shall be deemed to have forfeited his office, but the Governor may extend the leave of absence for such time as reasonable necessity therefor exists.

Sec. 35. Continuance in office; continued existence of offices; application of prior statute and rules

All justices, judges, justices of the peace and officers of any court who are holding office as such by election or appointment at the time of the adoption of this section shall serve or continue in office for the respective terms for which they are so elected or for their respective unexpired terms, and until their successors are elected or appointed and qualify or they are retained in office pursuant to section 38 of this article; provided, however, that any justice or judge elected at the general election at which this section is adopted shall serve for the term for which he is so elected. The continued existence of any office heretofore legally established or held shall not be abolished or repealed by the adoption of this article. The statutes and rules relating to the authority, jurisdiction, practice and procedure of courts, judicial officers and offices in force at the time of the adoption of this article and not inconsistent herewith, shall, so far as applicable, apply to and govern such courts, judicial officers and offices until amended or repealed. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 36. Commissions on appellate and trial court appointments and terms, appointments and vacancies on such commissions

A. There shall be a nonpartisan commission on appellate court appointments which shall be composed of the chief justice of the Supreme Court, who shall be chairman, three attorney members, who shall be nominated by the Board of Governors of the State Bar of Arizona and appointed by the governor with the advice and consent of the Senate in the manner prescribed by law, and five nonattorney members who shall be appointed by the governor with the advice and consent of the Senate in the manner prescribed by law. Amendment referred by the Legislature; approved at the regular election Nov. 2, 1976; effective Nov. 22, 1976.

Attorney members of the commission shall have resided in the state and shall have been admitted to practice before the Supreme Court for not less than five years. Not more than two attorney members shall be members of the same political party and not more than one attorney member shall be a resident of any one county. Nonattorney members shall have resided in the state for not less than five years and shall not be judges, retired judges or admitted to practice before the Supreme Court. Not more than three nonattorney members shall be members of the same political party. Not more than one nonattorney member shall be a resident of any one county. None of the attorney or nonattorney members of the commission shall hold

any governmental office, elective or appointive, for profit, and no attorney member shall be eligible for appointment to any judicial office of the state until one year after he ceases to be a member. Attorney members of the commission shall serve staggered four-year terms, and nonattorney members shall serve staggered four-year terms, except that initial appointments for attorney members shall consist of one appointment for a two-year term, one appointment for a three-year term, and one appointment for a four-year term, and except that initial appointments for nonattorney members shall consist of two appointments for a one-year term, one appointment for a two-year term, one appointment for a three-year term and one appointment for a four-year term. Vacancies shall be filled for the unexpired terms in the same manner as the original appointments.

B. There shall be a nonpartisan commission on trial court appointments for each county having a population of one hundred fifty thousand persons or more according to the United States census which shall be composed of the chief justice of the Supreme Court, who shall be chairman, three attorney members, who shall be nominated by the Board of Governors of the State Bar of Arizona and appointed by the governor with the advice and consent of the Senate in the manner prescribed by law, and five nonattorney members, who shall be appointed by the governor and with the advice and consent of the Senate in the manner prescribed by law. Amendment referred by the Legislature; approved at the regular election Nov. 2, 1976; effective Nov. 22, 1976.

Attorney members of such commission shall have resided in the state and shall have been admitted to practice before the Supreme Court for not less than five years, and shall be residents of the county from which appointed. Nonattorney members shall have resided in the state for not less than five years and shall not be judges, retired judges or admitted to practice before the Supreme Court and shall be residents of the county from which appointed. On each of such commissions not more than two attorney members and not more than three nonattorney members shall be members of the same political party. None of the attorney or nonattorney members of any such commission shall hold any governmental office, elective or appointive, for profit, and no attorney member shall be eligible for appointment to any judicial office of the state until one year after he ceases to be a member. Attorney members shall serve staggered four-year terms, and nonattorney members shall serve staggered four-year terms, except that initial appointments for attorney members shall consist of one appointment for a two-year term, one appointment for a three-year term, and one appointment for a four-year term, and except that initial

appointments for nonattorney members shall consist of two appointments for a one-year term, one appointment for a two-year term, one appointment for a three-year term and one appointment for a four-year term. Vacancies shall be filled for the unexpired terms in the same manner as the original appointments.

C. No person other than the chief justice shall serve at the same time as a member of more than one of such commissions.

D. The chairman of such commissions shall cast votes only in the event of ties. In the event of the absence or incapacity of any such chairman the Supreme Court shall appoint a justice thereof to serve in his place and stead.

E. Prior to making recommendations to the governor as hereinafter provided, the one of such commissions having jurisdiction shall conduct such investigation and hold such hearings, either public or executive, as it deems advisable. Final decisions as to recommendations shall be made on the basis of merit alone without regard to political affiliation. Voting shall be by secret, written ballot. The expenses of meetings of such commissions and the attendance of members thereof for travel and subsistence shall be paid from the general fund of the state as state officers are paid, upon claims approved by the chairman. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 37. Judicial vacancies and appointments; initial terms; residence; age

Within sixty days from the occurrence of a vacancy in the office of a justice or judge of any court of record, except for vacancies occurring in the office of a judge of the superior court or a judge of a court of record inferior to the superior court in a county having a population of less than one hundred fifty thousand persons according to the United States census, the commission on appellate court appointments, if the vacancy is in the Supreme Court or an intermediate appellate court of record, or the commission on trial court appointments for the county in which the vacancy occurs, if the vacancy is in the superior court or a court of record inferior to the superior court, shall submit to the governor the names of not less than three persons nominated by it to fill such vacancy, no more than two of whom shall be members of the same political party unless there are more than four such nominees, in which event not more than sixty percentum of such nominees shall be members of the same political party.

A vacancy in the office of a justice or a judge of such court of record shall be filled by appointment by the governor on the basis of merit alone without regard to political affiliation from one of the nominees whose names shall be submitted to

him as hereinabove provided. If the governor shall not appoint one of such nominees to fill such vacancy within sixty days after their names are submitted to the governor by such commission, the chief justice of the Supreme Court forthwith shall appoint on the basis of merit alone without regard to political affiliation one of such nominees to fill such vacancy. If such commission shall not, within sixty days after such vacancy occurs, submit the names of nominees as hereinabove provided, the governor shall have the power to appoint any qualified person to fill such vacancy at any time thereafter prior to the time the names of three or more nominees to fill such vacancy shall be submitted to the governor as hereinabove provided.

Each justice or judge so appointed shall initially hold office for a term ending sixty days following the next regular general election after the expiration of a term of two years in office. Thereafter, the terms of justices or judges of the Supreme Court and the superior court shall be as provided by this article.

A person appointed to fill a vacancy on an intermediate appellate court, a superior court, or another court of record now existing or hereafter established by law shall have been a resident of the counties or county in which that vacancy exists for at least one year prior to his appointment, in addition to possessing the other required qualifications. A nominee shall be under sixty-five years of age at the time his name is submitted to the governor. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 38. Declaration of candidacy; form of judicial ballot, rejection and retention; failure to file declaration

A justice or judge of the Supreme Court or an intermediate appellate court shall file in the office of the secretary of state, and a judge of the superior court or other court of record including such justices or judges who are holding office as such by election or appointment at the time of the adoption of this section except for judges of the superior court and other courts of record inferior to the superior court in counties having a population of less than one hundred fifty thousand persons, according to the United States census, shall file in the office of the clerk of the board of supervisors of the county in which he regularly sits and resides, not less than sixty nor more than ninety days prior to the regular general election next preceding the expiration of his term of office, a declaration of his desire to be retained in office, and the secretary of state shall certify to the several boards of supervisors the appropriate names of the candidate or candidates appearing on such declarations filed in his office.

The name of any justice or judge whose declaration is filed as provided in this section shall be placed on the appropriate official ballot at the next regular general election under a nonpartisan designation and in substantially the following form:

Shall _____, (Name of Justice or Judge) of the _____ Court be retained in Office?
Yes _____ No _____ (Mark X after one).

If a majority of those voting on the question vote "No," then, upon the expiration of the term for which such justice or judge was serving, a vacancy shall exist, which shall be filled as provided by this article. If a majority of those voting on the question vote "Yes," such justice or judge shall remain in office for another term, subject to removal as provided by this Constitution.

The votes shall be counted and canvassed and the result declared as in the case of state and county elections, whereupon a certificate of retention or rejection of the incumbent justice or judge shall be delivered to him by the secretary of state or the clerk of the board of supervisors, as the case may be.

If a justice or judge shall fail to file a declaration of his desire to be retained in office, as required by this section, then his office shall become vacant upon expiration of the term for which such justice or judge was serving. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 39. Retirement of justices and judges; vacancies

On attaining the age of seventy years a justice or judge of a court of record shall retire and his judicial office shall be vacant, except as otherwise provided in section 35 of this article. In addition to becoming vacant as provided in this section, the office of a justice or judge of any court of record becomes vacant upon his death or his voluntary retirement pursuant to statute or his voluntary resignation, and also, as provided in section 38 of this article, upon the expiration of his term next following a general election at which a majority of those voting on the question of his retention vote in the negative or for which general election he is required, but fails, to file a declaration of his desire to be retained in office.

This section is alternative to and cumulative with the methods of removal of judges and justices provided in parts 1 and 2 of Article 8 and Article 6.1 of this Constitution. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

Sec. 40. Option for counties with less than one hundred fifty thousand persons

Notwithstanding any provision of this article to the contrary, any county having a population of less than one hundred fifty thousand persons, according to the United States census, may choose to select its judges of the superior court or of courts of record inferior to the superior court as if it had a population of one hundred fifty thousand or more persons. Such choice shall be determined by vote of the qualified electors of such county voting on the question at an election called for such purpose by resolution of the board of supervisors of such county. If such qualified electors approve, the provisions of sections 12, 28, 30 and 35 through 39 shall apply as if such county had a population of one hundred fifty thousand persons or more. Amendment initiated by the people; approved at regular election Nov. 5, 1974; effective Dec. 5, 1974.

ARTICLE VII

COMMISSION ON JUDICIAL QUALIFICATIONS

Sec. 1. Composition; appointment; term; vacancies

A commission on judicial qualifications is created to be composed of nine persons consisting of two judges of the court of appeals, two judges of the superior court and one justice of the peace, who shall be appointed by the supreme court, two members of the state bar of Arizona, who shall be appointed by the governing body of such bar association, and two citizens who are not judges, retired judges nor members of the state bar of Arizona, who shall be appointed by the governor subject to confirmation by the senate in the manner prescribed by law.

Terms of members of the commission shall be four years, except that if a member ceases to hold the position that qualified him for appointment his membership on the commission terminates. An appointment to fill a vacancy for an unexpired term shall be made for the remainder of the term by the appointing power of the original appointment. Amendment referred by the Legislature; approved at the regular election Nov. 2, 1976; effective Nov. 22, 1976.

Sec. 2. Disqualification of judge

A judge is disqualified from acting as a judge, without loss of salary, while there is pending an indictment or an information charging him in the United States with a crime punishable as a felony under Arizona or federal law, or a recommendation to the supreme court by the commission on judicial qualifications for his removal or retirement.

Sec. 3. Suspension or removal of judge

On recommendation of the commission on judicial qualifications, or on its own motion, the supreme court may suspend a judge from office without salary when, in the United States, he pleads guilty or no contest or is found guilty of a crime punishable as a felony under Arizona or federal law or of any other crime that involves moral turpitude under such law. If his conviction is reversed the suspension terminates, and he shall be paid his salary for the period of suspension. If he is suspended and his conviction becomes final the supreme court shall remove him from office.

Sec. 4. Retirement of judge

On recommendation of the commission on judicial qualifications, the supreme court may retire a judge for disability that seriously interferes with the performance of his duties and is or is likely to become permanent, and may censure or remove a judge for action by him that constitutes wilful misconduct in office, wilful and persistent failure to perform his duties, habitual intemperance or

conduct prejudicial to the administration of justice that brings the judicial office into disrepute.

A judge retired by the supreme court shall be considered to have retired voluntarily. A judge removed by the supreme court is ineligible for judicial office in this state.

Sec. 5. Definitions and rules implementing article

The term "judge" as used in this constitutional amendment shall apply to all justices of the peace, judges of the superior court, judges of the court of appeals and justices of the supreme court. The supreme court shall make rules implementing this article and providing for confidentiality of proceedings. A judge who is a member of the commission or supreme court shall not participate as a member in any proceedings hereunder involving his own censure, removal or involuntary retirement.

Sec. 6. Article self-executing

The provisions of this article shall be self-executing.

END