

October 23-24, 2019

# 2019 Court Leadership Conference



Little America Hotel  
2515 E. Butler Avenue  
Flagstaff, Arizona

# Week in Review

## Tuesday, October 22, 2019

- ◊ Arizona Association of Superior Court Administrators (Kip Anderson) ..... 8:30am - 4:30pm
- ◊ Arizona Chief Probation Officers Association Meeting (David Sanders) ..... 8:30am - 5:00pm
- ◊ Presiding Judges Meeting (Lorraine Smith)..... 10:00am - 4:00pm
- ◊ Clerks of Superior Court Association Meeting (Valerie Wyant) ..... 12:00pm - 5:00pm
- ◊ Appellate Meeting (Lorraine Smith) ..... 4:00pm - 5:00pm

## Wednesday, October 23, 2019

- ◊ Continental Breakfast & Registration .....7:00am - 8:00am
- ◊ Court Leadership Conference ..... 8:00am - 5:00pm
- ◊ Hosted Awards Luncheon ..... 12:00pm - 1:30pm
- ◊ Welcome Reception ..... 5:00pm - 6:30pm

## Thursday, October 24, 2019

- ◊ Continental Breakfast.....7:30am - 8:30am
- ◊ Court Leadership Conference ..... 8:30am - 12:00pm
- ◊ Committee Meeting Luncheon (Invitation Only)..... 12:00pm - 1:00pm
- ◊ Arizona Judicial Council Meeting (Lorraine Smith) ..... 12:00pm - 5:00pm
- ◊ Task Force..... 12:00pm - 5:00pm



## Conference and Lodging Site

This year's program will be held at the Little America Hotel located at 2515 E. Butler Avenue in Flagstaff, Arizona.

A block of rooms has been reserved at a rate of \$139+tax per night for the nights of Monday, October 21 - Thursday, October 24, 2019. Please contact the hotel directly at 1-800-352-4386 to make reservations. Rates and availability are good through September 30, 2019. To receive this conference rate, mention you are with the Arizona Supreme Court when making your reservations.

## Registration

Registration for this year's conference will be on-line through Eventbrite.com. To register for the conference, go to <https://2019courtleadershipconference.eventbrite.com>.

To protect the security of the program and its participants, a password is required to access this registration page. Please enter [REDACTED] when prompted.

**REGISTRATION DEADLINE**  
**Friday, October 4, 2019**

To cancel, contact Julee Bruno at [jbruno@courts.az.gov](mailto:jbruno@courts.az.gov).

There is no registration fee for this event.

**Session Information**

**Wednesday, October 23, 2019**

**8:00 am- 9:00am**

**Opening Plenary Session****Welcome Address*****Chief Justice Robert Brutinel*****New Strategic Priorities in Action: Data-Driven Leadership Demonstration*****Chief Justice Robert Brutinel, Humberto Cisneros, Karl Heckart, Marcus Reinkensmeyer***

The Supreme Court's new strategic agenda, Justice for the Future: Planning for Excellence, calls for data driven decision-making and the use of data analytics for case management, as well as administration of the Judicial Branch as a whole. In this opening session, Chief Justice Brutinel will share highlights of the strategic agenda and the critical role of management data, which can be leveraged for ongoing system improvements. The session will also provide a preview of new electronic dashboards and user-friendly statistical reports which will soon be made available to the courts.

**9:10 am - 10:10 am**

**Update: The Mentally Ill, Sequential Intercepts and the Justice Systems*****Paul Galdys, Honorable John Napper, Deputy David Rhodes, Michal Rudnick (invited)***

Since the beginning of Deinstitutionalization, individuals with mental health and co-occurring disorders have been removed from mental health institutions and onto the streets. Without the necessary services to support them, many end up becoming involved in the justice system, impacting all case types including civil, family, juvenile and criminal cases. After a brief examination of the need, this panel will discuss what efforts are being made to respond to the mental health crisis across a broad spectrum of community and justice system areas. Using the Sequential Intercept Model as a framework, the discussion will focus on recent efforts to divert people from the justice system, options being created for those individuals here in Arizona and the impact these efforts have on individuals and institutions both inside and outside the justice system. The discussion will also focus on why judicial system leadership is crucial to success in these efforts.

## Session Information

### 10:30 am - 12:00 pm Breakout Sessions

#### **Arizona Protective Order Initiation & Notification Tool: What Courts Need to Know**

*Elizabeth Finn, Michelle Gillich, Kay Radwanski*

The Arizona Judicial Branch Strategic Agenda, *Justice for the Future: Planning for Excellence*, identifies among its objectives "Promoting Access to Justice" (Goal 1) and "Protecting Children, Families, and Communities" (Goal 2). Initiatives to assist victims of domestic violence include implementation of an internet-based system for online completion of petitions for orders of protection; electronic transmission of orders for service between courts and law enforcement agencies; and maintenance of related case data in a central repository. This interactive session will provide participants with a demonstration of the newly developed [AZPoint.gov](http://AZPoint.gov) protective order web portal. Additionally, court leadership from Glendale Municipal Court will share insights garnered during the pilot project established by Administrative Directive No. 2019-09.

#### **Enacting Families First (FFPSA) - The Role of the Court**

*Anne Heiligenstein, Honorable Maurice Portley (Ret.), Honorable Anna Young*

Join this panel as they explore the Family First Prevent Services Act (FFPSA) of 2018. This legislation provides States and Tribes access to federal funding to prevent foster care placement. Courts will need to strictly evaluate efforts made to prevent a child's removal and, upon removal, those efforts made to finalize the permanency plan. Courts will also provide increased oversight of placement in a residential treatment setting to ensure that the child is in the least restrictive environment consistent with their needs and the acknowledged permanency plan.

#### **Risk-Need Responsivity (RNR) at the Systems Level**

*Dr. Faye Taxman, Ph.D.*

With the goal of using risk-need-responsivity to inform sentencing and conditions of release in the community, a critically important component is systemic responsivity. This requires attention to the capacity of the system to address the drivers of involvement in criminal conduct and to ensure quality in the delivery of program, services, and controls. Little attention is paid to systemic responsivity. This talk will highlight the importance of capacity and fidelity, as well as methods to assess capacity and fidelity. No longer can we ignore capacity and fidelity if we plan to reduce recidivism and improve outcomes at the individual, program, and system level.

#### **Work & Recommendations of the Task Force on Delivery of Legal Services**

*Don Bivens, Esq., Honorable Maria Elena Cruz, Vice Chief Justice Ann A. Scott Timmer*

Members of the Supreme Court's Task Force on Delivery of Legal Services will present that group's recommendations to improve the certified document preparer program, create a new tier of legal services provider, and amend ethical rules to permit lawyers to provide representation to a greater swath of our population.

## Session Information

12:00 - 1:30 pm

### **Awards and Hosted Luncheon**

*Chief Justice Robert Brutinel, Dave Byers, Rolf Eckel*

1:45 - 3:15 pm Breakout Sessions

### **Access to Fair Justice: Bail Reform and Mental Health Initiative Updates**

*Don Jacobson, Paul Julien, Tom O'Connell, Stacy Reinstein, Kathy Waters, David Withey*

Over the course of the last two years, Arizona's courts have actively taken a leadership role to improve the administration of justice for individuals who are faced with financial obligations beyond their means and working with those suffering from mental health conditions. This session will help participants discover more about the collaborative efforts taking place to lead change and improve the court's and community's response for people with mental health conditions, the progress of bail reform efforts, helping judges make decisions on release conditions and changes on mitigation of financial obligations which are being implemented as a result of recommendations of the Fair Justice Task Force. This will include discussion of progress made in these areas as well as challenges of statewide implementation.

### **Court Security Officer (CSO) Certification, Policy Considerations, and Effectively Addressing Cameras in the Courthouse**

*Jennifer Albright, Rolf Eckel, Jeff Schrade, David Withey*

This session will provide an update on the CSO training and certification program as well as an overview of the proposed ACJA code section implementing CSO policies (including arming). The session will also cover some policy issues that have emerged from the process, such as the role and use of contract CSOs. Lastly, the program will address the prevalent trend of those who wish to film inside the courthouse and some effective ways to implement local administrative orders and prepare staff and court security officers to effectively interface with the camera-wielding public.

### **Enhancing Strategies for Juveniles with Sexually Abusive Behaviors: Findings & Recommendations from the Statewide AOC Initiative**

*Dr. Kurt Bumby, Ph.D.*

Research-informed best practice guidelines regarding juveniles with sexually abusive behaviors (JSAB) were recently released, thus providing important direction nationwide. Accordingly, the Justice Services Division of the AOC embarked on a statewide initiative to promote alignment with these best practices. For the initial phase, a team of consultants conducted a multifaceted system review that included collecting extensive information from relevant policies and statutes, stakeholder interviews, a statewide survey, and probation files from a statewide cohort of JSAB on probation. The review yielded a series of findings and accompanying recommendations that were subsequently accepted by the AOC and the Arizona Judicial Council. This session is designed to highlight the findings, recommendations, implications, and next steps for the initiative.

## Session Information

### **Hot Topics - Making the Record, Digital Evidence, Epidemic Response, Technology and ODR Updates**

*Dave Byers, Rolf Eckel, Paul Embley, Karl Heckart, Vice Chief Justice Ann A. Scott Timmer, Karen Westover*

This fast-paced session will provide a high-level briefing on emerging trends and planned justice system improvement initiatives. The presenters will provide up-to-date information several hot topics, including court's response to pandemic outbreaks, technology trends, online dispute resolution, digital evidence, and making the record (electronic recording of court proceedings).

### *3:30 - 5:00 pm Plenary Session*

#### **First Amendment Follies: Can Critical Comments be Countered by Courts?**

*Mark Weaver*

What do you do when a comment appears on your social media feed that's contrary to your agency's values or ignites controversy with the public? Do you know what you can (and cannot) post on social media during/about court proceedings? Knowing how the First Amendment applies to your social media feeds can protect you from a lawsuit, legal fees, and damages. Get practical tips from a social media expert who is also an attorney who often advises public agencies. This won't be dry legal humdrum - expect funny, real life examples that will make your social media feeds better and smarter

### *5:00 - 6:30 pm Reception*



## Session Information

Thursday, October 24, 2019

8:30 am - 10:15 am Plenary Session

### **Legislative Updates**

*Representative John Allen, Senator Edwin Farnsworth (invited), Senator Martin Quezada, Senator Diego Rodriguez*

Virtually every issue discussed at the legislature that impacts the judicial branch is heard by the House and Senate Judiciary Committees. This discussion brings together the Chairs and Ranking Members of the Committees together to discuss topics that have been before the committees and what is on the horizon for the 2020 session, including criminal justice reform.

10:30 am - 12:00 pm Plenary Session

### **Beyond the Ballot...**

*Aaron Nash, Elizabeth Rindskopf-Parker*

The National Center for State Courts and former intelligence officers have disclosed that there is currently a concerted effort by state actors to undermine American citizens' confidence in the Justice system of America. Ms. Parker will brief the conference on these efforts and the various techniques to carry out the campaign. Aaron will explain Arizona's response to these attacks.

### **Closing Remarks**

*Chief Justice Robert Brutinel*

# Faculty

- Jennifer Albright  
*Administrative Office of the Courts*
- Representative John Allen  
*Arizona House of Representatives*
- Don Bivens, Esq.  
*Snell & Wilmer*
- Chief Justice Robert Brutinel  
*Arizona Supreme Court*
- Dr. Kurt Bumby, Ph.D.  
*Center for Effective Public Policy*
- Dave Byers  
*Administrative Office of the Courts*
- Dr. Marcus Carroll, M.D., F.A.A.P  
*The NARBHA Institute*
- Humberto "Bert" Cisneros  
*Administrative Office of the Courts*
- Honorable Maria Elena Cruz  
*Court of Appeals, Division One*
- Rolf Eckel  
*Superior Court in Yavapai County*
- Paul Embley  
*National Center for State Courts*
- Senator Edwin Farnsworth (invited)  
*Arizona State Senate*
- Honorable Elizabeth Finn  
*Glendale City Court*
- Paul Galdys  
*RI International*
- Michelle Gillich  
*Administrative Office of the Courts*
- Karl Heckart  
*Administrative Office of the Courts*
- Anne Heiligenstein  
*Casey Family Program*
- Don Jacobson  
*Administrative Office of the Courts*
- Paul Julien  
*Administrative Office of the Courts*
- Honorable John Napper  
*Superior Court in Yavapai County*
- Aaron Nash  
*Administrative Office of the Courts*
- Tom O'Connell  
*Administrative Office of the Courts*
- Honorable Maurice Portley (Ret.)  
*Casey Family Program*
- Senator Martin Quezada  
*Arizona State Senate*
- Kay Radwanski  
*Administrative Office of the Courts*
- Marcus Reinkensmeyer  
*Administrative Office of the Courts*
- Stacy Reinstein  
*Administrative Office of the Courts*
- Deputy David Rhodes  
*Yavapai County Sheriff's Office*
- Elizabeth Rindskopf-Parker  
*Pacific McGeorge School of Law*
- Michal Rudnick (invited)  
*AHCCCS*
- Jeffrey Schrade  
*Administrative Office of the Courts*
- Dr. Faye Taxman, Ph.D.  
*Center for Advancing Correctional Excellence*
- Vice Chief Justice Ann A. Scott Timmer  
*Arizona Supreme Court*
- Kathy Waters  
*Administrative Office of the Courts*
- Mark Weaver  
*Communications Counsel, Inc.*
- Karen Westover  
*Superior Court in Maricopa County*
- David Withey  
*Administrative Office of the Courts*
- Honorable Anna Young  
*Superior Court in Yavapai County*

## 2020 Court Leadership Planning Brainstorming:

- Lean In Program – Will/City of Phoenix (plenary or break-out)
- First Amendment – Mark Weaver – people liked him from last year
- Disinformation TF Recommendations per AN
- Deeper dive on data analytics (breakout on BI) per MB; data standards committee MR to include the dashboards
- Debriefing on the epidemic DB and DW
- Susan Peterson from ASU – emotional intelligence KW
- Mental Health – what is ACCHHS doing DB; Yavapai may have funding MR
- Delivery of Legal Services update
- Invite the Governor? JL
- Journalist roundtable DW
- EORP per DB; new deputy for retirement system. Update
- IVE – what are they doing with the money DB/CLO. Also Family First update
- ACES, trauma, social determinants – building on the access piece KW juv & adult
- Juveniles with sexually abusive behaviors JK
- Cybersecurity MR ... ransom ware and what to do
- Digital evidence MB
- Ideas to deal with budget cuts if applicable DB and KK
- Criminal justice reform ideas DB Sheila Polk Plenary session re: criminal code with JL and Ron Reinstein
- Fair Justice, bail bonds. Evaluation to see where we are DB
- Think about other sessions, presenters, etc. and feed to Jeff