



PEORIA LEADERSHIP INSTITUTE
 MUNICIPAL COURT PRESENTATION
 Please Take "Virtual Tour" of Peoria Court Procedures at
http://peoriaaz.granicus.com/MediaPlayer.php?view_id=5&clip_id=239

I Arizona's Four-Tier Judicial System

THE ARIZONA SUPREME COURT Five Justices Appointed for 6-Year Terms	
THE COURT OF APPEALS Two Divisions - Phoenix and Tucson Approx 25 Judges Appointed for 6-Year Terms	
COUNTY SUPERIOR COURTS Maricopa and Pima Appointed, Rural Elected by Voters	
Justice of the Peace Elected by Precinct Voters	City Court Judges Appointed by City Council

- The appeal process moves up the page, from lower courts to Supreme Court
- Courts under supervision of Az. Supreme Court (Admin. Office of the Court or "AOC")
- City Courts also supervised by Superior Court Presiding Judge
- Judicial ethical conduct reviewed by Commission on Judicial Conduct
- State Agencies, e.g. workers comp, have Administrative Law Judges or "ALJs"
- Justice of the Peace qualifications: per Arizona Revised Statute § 11-402 must be at least 18 yrs of age and able to read and write English
- City Court Jurors are selected from a list provided by the County Jury Commissioner from registered voter and drivers license names

II Peoria City Court Structure

- Presiding Judge and four pro tem judges
- Court Administrator, Supervisors, Judicial Assistants, Security Officers

III Case Types and Case Management

Civil Traffic, Criminal Traffic, DUIs, Other Misdemeanors, City Code, Search Warrants, Restraining Orders

City Courts handle criminal Misdemeanors, not felonies. There are three classes of misdemeanors with increasing ranges of fines and jail terms not to exceed 180 days in county jail.

IV Court Services and Other Related Parties

- Probation, counseling • Dept Pub Safety, MVD, other agencies
- Prosecutors, victims, police • Maricopa County Jail

V References and Sources for Arizona Law

- *Arizona A History* by Thomas E. Sheridan (Univ. of Ariz. Press)
- *Understanding the Arizona Constitution* by Toni McClory (Univ. of Ariz. Press)

VI Frequently Asked Questions (FAQs)

How are Jurors Selected for Peoria City Court Trials? How many jury trials a year do you hold in the City Court? How Many Jurors Sit on a City Court Jury?

- For a nominal fee, the City receives juror names from a master mailing list of Peoria residents based on registered voters and drivers licenses from Maricopa County. When a jury trial is set, the court will send out a jury summons to approx. 100 jurors selected at random. The City conducts approx. 5 jury trials a year for DUI cases. Normally, only about 30 people show up when summonsed. (Low juror turnout is a chronic

problem.) Jurors are questioned as to their qualifications to sit impartially in a process called "voir dire"; a panel of 12 is reached and then the attorneys use "strikes" to reach a trial jury of 6 six juror plus usually 1 alternate. At the end of the case, one juror is removed randomly, and the six jurors deliberate to a unanimous verdict of guilty or not guilty.

How does "city court" jurisdiction differ from Justice of the Court jurisdiction?

- Both courts handle similar cases regarding misdemeanor offenses, traffic offenses, and restraining orders. In addition, JP court also handle small claims (\$2500 limit), contract and landlord tenant claims up to \$10,000. City courts do not handle breach of contract or landlord tenant matters.

How do the Qualifications for City Court Judge and Justice of the Peace Differ?

- The basic difference is that cities, with one or two exceptions in city charters in the entire state, require city court judges to be lawyers. There is no requirement that a JP be a lawyer, although about 25% of them are. The minimum requirements to be a JP require a person to be at least 18 years old, a US citizen, and able to understand English.

How Do City Courts Receive and Process Fines? What Happens to Court Fines?

- The Arizona Legislature and Supreme Court have statutes and rules that impose "surcharges" on all fines collected by the court. Surcharges are used to fund the state's court system. The current surcharge is approx. 86%. This means that when a dollar fine is imposed, a surcharge of 86% is added. Thus, a \$100 fine is assessed as a \$186 fine. All fines are processed through city finance, but the surcharge

portion is remitted to the supreme court and state for various funds to pay for court programs, technology, continuing education classes for all court employees, and also to the state general fund and several special accounts such as the "clean election campaign", county probation fees, DPS expenses, and a "prison construction fund". The city's portion goes to the general fund, but only after proration.

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