

## JUDICIAL ADVISORY BOARD MINUTES

September 23, 2013

The Judicial Advisory Board of the City of Mesa met in the lower level meeting room of the Council Chambers, 57 East 1st Street, on September 23, 2013 at 7:55 a.m.

### BOARD PRESENT

Peter Lesar  
Kate Ali'varius  
Phil Austin  
David Brooks  
Robin Harris

### BOARD ABSENT

Margaret Downie  
Teresa Sanders

### STAFF PRESENT

Michael Claspell  
Lindsey Lueptow  
John Pombier  
Debbie Spinner  
Matt Tafoya  
Christy Trevino

(Chairman Lesar excused Boardmembers Downie and Sanders from the entire meeting. He excused Boardmember Brooks from the beginning of the meeting; he arrived at 8:09 a.m.)

1. Approve minutes from the August 12, 2013 Board meeting.

It was moved by Boardmember Ali'varius, seconded by Boardmember Harris, that the minutes from the August 12, 2013 Board meeting be approved.

Chairman Lesar declared the motion carried unanimously by those present.

2. Items from citizens present.

There were no items from citizens present.

3. Review, discuss and take action on items related to the compensation review for Mesa's City Magistrates.

Chairman Lesar reported that at the August 12, 2013 Judicial Advisory Board meeting, the Boardmembers began to discuss the salaries for the City Magistrates and noted that staff provided a variety of documents for their review. He explained that at the conclusion of the meeting, staff was asked to obtain additional materials, which have since been forwarded to the Board.

Chairman Lesar briefly highlighted the documents as follows: Statistical data of various Valley municipal courts **(See Attachment 1)**; A detailed list of “extracurricular activities” that the Mesa City Magistrates participate in **(See Attachment 2)**; Organizational charts of a series of municipal courts **(See Attachment 3)**; Job descriptions of the Presiding City Judge position in a number of Valley municipal courts **(See Attachment 4)**; A history of the Mesa City Magistrates’ salary increases **(See Attachment 5)**; Data collected by Personnel **(See Attachment 6)**; and the Administrative Order issued by the Supreme Court of the State of Arizona regarding the Presiding Judges Authority. **(See Attachment 7)**

Responding to a question from Chairman Lesar, Deputy City Clerk Michael Claspell verified that the City Council requested that the Boardmembers review the salaries of Mesa’s City Magistrates and make a recommendation in that regard.

In response to a series of questions from Chairman Lesar, City Attorney Debbie Spinner clarified that the Board is authorized to make a recommendation to the City Council relative to the City Magistrates’ salaries. She explained that per the Mesa City Code, the Board is responsible for making recommendations with respect to the appointment or reappointment of the City Magistrates, as well as any other matters that the City Council might direct that the Board review. She added that although the Board has not been asked in the past to consider the City Magistrates’ salaries, this year the City Council has made such a request.

Ms. Spinner further remarked that the Judicial Advisory Board is the only City board currently reviewing the salaries of City employees. She pointed out that the City Manager makes recommendations with respect to employee salaries, which are included in the budget and presented to the City Council for approval. She also noted that unlike Council-appointed positions, who receive an annual review by the City Council, the City Magistrates are reviewed on a periodic basis (i.e., two year or four-year contracts).

Chairman Lesar invited his fellow Boardmembers to pose questions or seek further clarification regarding this matter prior to commencing their discussion concerning the City Magistrates’ salaries.

An extensive discussion ensued among staff and the Board relative to this agenda item. Staff responded to numerous questions and their responses included, but were not limited to, the following:

City Attorney Debbie Spinner:

- The City Council is seeking a recommendation from the Boardmembers regarding what they believe is fair and just compensation for the City Magistrates. The City Manager and the City Council would address any budget issues associated with such a recommendation.
- The City Council has the ability to retain or not retain City Magistrates, but they cannot make any decisions based on a Magistrate’s judicial decision-making during that person’s term of appointment or reappointment.
- Per the City Charter, the Presiding City Magistrate would not be permitted to “divvy out” a certain percentage of salary increases to one judge over another based on performance.

Deputy City Manager John Pombier:

- Human Resources is currently reviewing a number of employee positions in various City Departments to assess which positions are “the most out of line” with Mesa’s competitor municipalities.
- The purpose of such a review is to ensure that Mesa does not lose good employees to other cities.
- Mesa’s City Magistrates are one of the first groups that staff is considering since those positions have not been reviewed in quite some time.
- He was unfamiliar with the process that the City undertook in the past to review the City Magistrates’ salaries.
- Staff currently reviews the City Magistrate salaries of similarly-situated municipalities to ensure that “it does not create any equity issues internally.”
- During the economic downturn in recent years, City employees were asked to take a 2% pay cut. The City Magistrates volunteered to have their salaries reduced by the same percentage as the other employees.
- In January 2012 when the City reinstated the 2% pay cut to the employees’ salaries, the judges received the same increase.
- With respect to employee compensation levels, the City’s philosophy is to conduct a comparison of its competitor municipalities; strive to be “better than the average” and in the top four or five of the salary comparison; and ensure that the employees are fairly compensated not only with salary, but also with benefits.
- City employees have not received a cost of living adjustment (COLA) since 2007.
- Over the past two years, City employees who were eligible, based upon their performance evaluation and where they fall within their salary range, received a step increase (5% each year).
- More than 50% of the City’s employees are “topped out” and have not received a salary adjustment in more than six years.
- The City of Mesa does not want to be in “an arms race” with the City of Phoenix with respect to salaries for its employees, but would prefer to provide fair compensation.
- City Magistrates are considered a separate class from other City employees since they are appointed by the City Council and their salaries are determined in a different manner.

Presiding City Magistrate Matt Tafoya:

- Under rule of law, a judge’s salary during his or her term cannot be lowered and one judge’s salary cannot be a different amount than that of a colleague.
- Two of Mesa’s City Magistrates are seeking employment elsewhere. He was uncertain whether it was due to salary issues or other matters.
- Being a judge “is a calling,” but the Mesa City Magistrates are concerned when they are “ridiculed” by judges in other courts with respect to their salaries.
- It is important to consider the major accomplishments undertaken by the City Magistrates in the past few years in an effort to establish the Mesa City Court as an innovative and technologically-advanced venue.

Chairman Lesar commented that he was struck by Mr. Pombier’s comment that 50% of the City employees are not eligible for a step increase which, in his estimation, is a similar situation to

that of the City Magistrates. He stated that those employees would only receive a pay raise if the City of Mesa agreed to increase all salaries, even if someone was topped out.

Mr. Pombier responded that if it was determined that the City was underpaying a certain group of employees, for instance, Meter Readers, by a fairly significant amount, as compared to other cities, Human Resources could conduct a salary survey to research the matter.

Boardmember Austin commented that it would be helpful if the Boardmembers were provided the salary ranges for the Maricopa County Superior Court Judges.

In response to a question from Boardmember Austin, Chairman Lesar clarified that it was his understanding that the City Council was expecting the Board to make a salary recommendation for the City Magistrates. He noted, however, that the City Council did not say that the Board could not recommend a range of salary.

Mr. Claspell confirmed Chairman Lesar's statement.

Chairman Lesar remarked that in reviewing the materials supplied to the Board, he learned the following: that in 2004, the City Magistrates were paid \$106,850; that during that period of time, the average salary of East Valley City Magistrates was approximately \$115,000; that the decision was made to increase Mesa's City Magistrates' salaries to \$117,000, which equated to a 9.5% increase, and approximately \$2,000 more than the average salary of their East Valley counterparts; and that there was an anticipated \$1,000 increase the following year, which did not occur.

Chairman Lesar further noted that in 2007, the City Magistrates earned \$119,000; that the average salary of East Valley City Magistrates was \$126,500; that Mesa's City Magistrates' salaries were increased to \$129,000, which amounted to an 8.3% increase, and approximately \$2,000 more than the average salaries of the East Valley City Magistrates. He also commented that at the same time, the Presiding City Magistrate earned approximately \$130,000 per year, while the average salary of East Valley Presiding City Magistrates was \$148,000; and that Mesa's Presiding City Magistrate's salary was increased to \$150,000, representing a 15.4% increase.

Chairman Lesar indicated that currently, the average salary for East Valley City Magistrates is \$145,000 and Mesa's City Magistrates earn \$130,000. He suggested that if the Board followed the same concept of "beating the average," Mesa's City Magistrates' salary would equate to \$147,000. He also stated that with respect to East Valley Presiding City Magistrates, the average salary is \$168,500 and said that Mesa's Presiding City Magistrate currently earns \$150,000. He noted that once again following the concept of "beating the average," the Presiding City Magistrate's salary would increase to an estimated \$170,000. He added that in both scenarios, this would amount to pay increases of 13.3% and 13.6% respectively which, in his opinion, "jumps out to him" due to the sizeable increase.

Boardmember Harris stated that it could be considered a six-year period of time, from 2007 to 2013, versus a three-year period of time from 2004 to 2007. He suggested that "the jump" is actually less if one considers the corresponding periods of time. He also thanked staff for providing such extensive data which, in his opinion, met the needs and desires of the Boardmembers.

Additional discussion ensued relative to the data provided by the Mesa Municipal Court, which includes relevant comparative statistics with nearby municipal courts; that relative to Case Activity (Lines 10 through 28 of Attachment 1), Line 25 reflects the total Civil Traffic filings and Line 26 reflects Civil Traffic as a percentage of the total caseload; that such data is significant since most Civil Traffic cases are typically resolved without judicial action through traffic school options; and that when the Board considers the City Magistrates' workload, it might be appropriate to not include Line 23, Total Non-Criminal Ordinance, which relates to Non-Criminal Parking, Non-Criminal Non-Parking, in order to obtain a better comparison; that the data is derived from the Arizona Supreme Court 2012 Statistical Reports for Municipal Courts; and the ratio of revenue to expenditures in Mesa as compared to the neighboring communities.

In response to an earlier request from Boardmember Austin, Senior Human Resources Analyst Christy Trevino clarified that in conducting a quick online search, she determined that the maximum salary for the Maricopa County Superior Court Commissioners is \$130,500; that for the Justice of the Peace, that amount is \$101,500; and that for the Maricopa County Superior Court Judges, the salary range peaks at \$145,000.

Boardmember Austin expressed concern regarding the cost of government. He inquired if the Board recommended a salary increase for the City Magistrates on an incremental basis, whether the City Council would accept it.

Ms. Spinner responded that the Board could recommend an incremental increase. She explained that legally, the City Council could take one vote, for example, to increase the City Magistrates' salaries a certain percentage this fiscal year and another percentage the next fiscal year.

Mr. Pombier noted that he could not speculate what the City Council might prefer with respect to the Board's recommendation. He pointed out that the biggest risk he could envision in implementing an incremental increase in salary is that a year from now, the economic situation might be much worse than it is today and the second increment might never occur.

Boardmember Austin restated that if the Board made a recommendation, which the City Council approved this year, there would be nothing to legally prevent them from requesting the Board to review the matter next year or in the next few years and make further salary recommendations.

Ms. Spinner confirmed Boardmember Austin's statement.

Boardmember Harris referred to Attachment 1 and pointed out that if the Board eliminates Line 23 (Non-Criminal Ordinance) data and considers the average caseload per magistrate for all of the nearby municipal courts, it demonstrates that the Mesa Municipal Court has the second highest caseload per magistrate, with Scottsdale having the highest caseload. He further noted that comparing caseloads to salaries, Mesa has the second highest caseload and the lowest salary per magistrate. He added that with respect to the Presiding City Magistrates, Mesa has the second highest caseload, but the sixth lowest salary.

Chairman Lesar stated that increasing the City Magistrates' salaries to the average, as he cited above, would equate to a difference of \$110,000 in the City's budget (i.e., \$15,000 increase for each City Magistrate and a \$20,000 increase for the Presiding City Magistrate).

Boardmember Harris commented that in his opinion, the \$110,000 increase would appear to be “pretty insignificant” with respect to the City of Mesa’s \$1.33 billion budget for this fiscal year. He also expressed concern regarding an incremental step increase since it would place the City Magistrates in the position of always being behind the other municipalities, which would most likely receive salary adjustments over time.

Responding to a question from Chairman Lesar, Court Administrator Paul Thomas referred to Line 25 of Attachment 1 (Total CV Traffic) and clarified that approximately 10% of those cases actually go to hearing. He explained that when one considers the total number of cases, that percentage does not represent a tremendous workload per judge on a per-judge basis.

Chairman Lesar restated that leaving that number in has the potential to skew the caseload of the City Magistrates.

Mr. Thomas acknowledged that the Court deals with Civil Traffic cases, but said that most of those cases are handled electronically, on the web, traffic school and added that the front counter staff are Civil Traffic Hearing Officers and address many routine issues.

Chairman Lesar commented that the City Magistrates generally work four 10-hour days and stated that regardless of the caseload, they put in their hours. He wondered whether caseload is “overblown” since it is not as if with a larger caseload the judges work 15 hours a day. He noted that the judges continue to work 10 hours a day and “chip away” at the caseload.

Mr. Thomas pointed out that beyond the caseload, the City Magistrates perform many other duties, such as conducting legal research and preparing for cases, which are not reflected in the caseload data. He reiterated that the Mesa Municipal Court has led in automated processes, scanned 1.2 million documents into the system and eliminated 96,000 case files. He said that such efforts are attributed not only to management and staff, but also the judges.

Boardmember Brooks stated that the caseload data does not reflect the “extracurricular activities” that the judges participate in, as summarized on Page 3 of Attachment 2. He said that the judges are on salary and exempt employees, so the number of hours they work really would not change anything. He also remarked that working four 10-hour days would not necessarily reflect the work they are doing, such as conducting legal research at home.

Responding to comments from Boardmember Ali’varius, Mr. Thomas explained that Court management is always looking at innovative ways to eliminate stress when the judges have an extensive caseload. He cited, by way of example, expediting case processes and settling cases during the time of arraignment. He said that such efforts work to alleviate the caseload “cascading back against the judges” and are an important element of customer service. He added that staff also have a heavy workload and said that they understand the circumstances related to the City Magistrates’ salary issue.

Boardmember Harris commented that the caseload as a factor was probably more useful as the Boardmembers share their recommendation with the City Council. He suggested that such data would help them understand that “they are getting their money’s worth” and Mesa’s City Magistrates have a heavy caseload as compared to their counterparts in other communities.

Chairman Lesar offered a series of comments with respect to the issue of compensation. His comments included, but were not limited to, the following: that through his professional work at Mesa Public Schools, he has concluded that there is “a new normal” in salaries; that he is aware of the fact that the employees in his district would like to be “fully completed,” based on hiring freezes and no salary increases over the last five years; that he does not envision a point in time that the district can, in fact, “make its employees complete;” and that he views the City of Mesa in a similar fashion when there have been limited increases for a variety of employee groups.

Chairman Lesar, in addition, respectfully disagreed with Boardmember Harris that although the possible budget impact on the City is \$110,000, “it’s \$110,000.” He stated that during these times when City employees have not received COLAs or pay increases, it will be noticeable.

Boardmember Harris commented that the “new normal” for a City Magistrate might be different than it is for another City employee, which is a potential consideration.

Boardmember Brooks respectfully disagreed with Chairman Lesar’s comment in terms of characterizing \$110,000 as “a big deal.” He explained that when the Mesa City Court has generated \$15.8 million in revenue and expended \$7.1 million, including making the Court an electronically operated court and a model for the State, he would assume if the Board recommended a \$110,000 salary increase or another amount, those monies would be derived from the Court’s budget.

Boardmember Brooks also commented that the requirements to serve as a judge include being a trained lawyer with significant experience and a member of the State Bar Association. He noted that during the appointment/reappointment process, the Board vets the judges very carefully. He pointed out that a trained lawyer in the private sector could earn significantly more than what the Board is considering and added that to bring the City Magistrates’ salaries to the average or just above the average is the least the Board could do.

Boardmember Brooks further indicated that it would be appropriate to recommend to the City Council that the City Magistrates’ salaries be reviewed every two or three years. He stated that this would prevent the City from getting so far behind in reviewing the salaries and requiring a double-digit increase in an economic scenario in which other employees do not receive the same kind of increases. He noted that the City Council could delegate that responsibility to the Board or conduct their own review. He acknowledged that the potential salary increase is significant, but added that if the amount is based on the number of years since the judges received an increase, “it is not that much of a percentage.”

Chairman Lesar, in response to Boardmembers Harris and Brooks’ comments, clarified that his statements are not about his final position of what he believes is right or wrong, but simply to “throw out some elements” for people to consider who are not in attendance at today’s meeting. He concurred with Boardmember Brooks’ statement that City employees have different scopes of responsibility. He said that in the scheme of salaries and competitiveness, those factors must be taken into consideration with respect to the magnitude of the responsibilities of Mesa’s City Magistrates.

Boardmember Ali’varius remarked that last year, she served on the Independent Commission on Compensation for Elected Officials and stated that the members recommended salary

increases for the Mayor and City Council, which they soundly rejected. She explained that the Commission attempted to bring the Mayor and City Council's salaries up to par and noted that they are paid abysmally low as compared to other cities. She pointed out that although the City Council may not reject the Board's proposal in this regard, she felt it was important to share a historical overview of their actions in the recent past.

Boardmember Harris reminded everyone that the City Council's decision with respect to their compensation, in his opinion, was politically motivated and may, in fact, play into this matter as well. He noted, however, that it was important for the Boardmembers to stay focused on their task of making a recommendation to the City Council with respect to the City Magistrates' salaries and offering their reasons for doing so.

Boardmember Austin stated that there was no doubt that the City Magistrates and the Mesa City Court should be held in high esteem for their leadership and the innovative technology that has been implemented to enhance the judicial process. He commented that he would hope that an element of the Board's recommendation would include that the City enter into discussions with other municipalities to maintain a reasonable level of salaries to ensure that the judges in one community are not demeaned for making a lesser salary than those in another. He also remarked that if the City Council approves salary increases for the City Magistrates, the Board should "sharpen our pencils" during the reappointment process. He added that he would support Boardmember Brooks' suggestion that the City Magistrates' salaries be reviewed in a more timely manner.

In response to an inquiry from Boardmember Ali'varius, Chairman Lesar advised that the last salary increases for the Presiding City Magistrate and City Magistrates were in 2007; that the City Magistrates received an 8.3% increase and the Presiding City Magistrate received a 15.4% increase; that the current average salary for East Valley City Magistrates is \$145,306; that if the Board used the same rationale with respect to "meeting the average or exceeding the average" and exceeded the average, for instance, to \$147,306, that would be a 13.3% increase from 2007; that the current average salary for East Valley Presiding City Magistrates is \$168,430; that if the Board were to exceed that average, for example, to \$170,430, that would be a 13.6% increase from 2007; that these amounts, as well as the averages cited, are base salary only; and that the \$2,000 increase was his suggestion simply because it was consistent with the increases in 2004 and 2007.

It was moved by Boardmember Brooks, to recommend to the City Council that the City Magistrates and Presiding City Magistrates' base salaries be increased, as listed above by Chairman Lesar; that there be a two to three-year review cycle of the Mesa City Magistrates' salaries; that if the Council chooses to have the Board involved in that process, it can do so; and that the City should not be in a position in which the salary evaluation of the City Magistrates is delayed for a period of six or seven years.

Chairman Lesar restated that the motion from Boardmember Brooks is to recommend to the City Council an increase of base salary for the City Magistrates from \$130,000 to \$147,306, which is \$2,000 more than the average of the other East Valley City Magistrates; that the base salary for the Presiding City Magistrate be increased from \$150,000 to \$170,430, which is \$2,000 more than the average of the other East Valley Presiding City Magistrates.

Boardmember Brooks confirmed Chairman Lesar's restatement of the motion.

Boardmember Austin stated that he would like to amend the motion to recommend that the City Council work with other municipalities to explore ways in which to manage the City Magistrates and Presiding City Magistrates' salaries.

Chairman Lesar inquired if the Board wanted to keep the recommendation for salaries "real clean" and if there were other recommendations, to add those separately.

Ms. Spinner clarified that it was the discretion of the Boardmembers to decide how they want to proceed. She stated that they could make a Recommendation No. 1, Recommendation No. 2 and Recommendation No. 3.

Boardmember Austin stated that it was up to the motion maker whether he would accept the amendment to the motion.

Boardmember Brooks responded that he would be fine with the motion being characterized as line item one being the recommended increases; line item two being a recommendation for a review cycle; and line item three being a recommendation that the City explores ways, if possible, to work with other municipalities to address these salaries, especially if the economy remains the way it is.

Boardmember Harris commented that the Boardmembers have been provided sufficient data, which causes them to believe that "something needs to happen." He suggested that it might be helpful if a summary of the data, along with the Board's recommendation, was forwarded on to the City Council to assist them in making the ultimate decision in this matter.

Boardmember Austin remarked that with the additional comments from his fellow Boardmembers, he would second the motion.

Boardmember Brooks briefly discussed his reasons for making the motion as follows: 1.) It has been many years since the City Magistrates received a salary increase. During that time, they have managed to develop the top municipal court in the State, which has received recognition from the Arizona Supreme Court and other municipalities; 2.) The City Magistrates' caseload is among the highest, if not the second highest, and yet they are paid one of the lowest salaries; 3.) Mesa, by population, is the second largest city in the survey group and the City Magistrates deal with many matters driven by population and yet the City has not stayed competitive with other communities in terms of their compensation; and 5.) Mesa's City Magistrates participate in many "extracurricular activities" in addition to handling their obligations on the bench.

Chairman Lesar restated the motion as follows: 1.) To increase the City Magistrates' base salary from \$130,000 to \$147,306; 2.) To increase the Presiding City Magistrate's base salary from \$150,000 to \$170,430; 3.) To recommend to the City Council a more regular review of the City Magistrates' salaries; and 4.) Explore conversations with other municipalities and court systems regarding the compensation of their judges.

Boardmember Austin clarified that the language should read "the increase in compensation."

Boardmember Brooks stated that as he understood Boardmember Austin's comment, it was to maintain a sense of not rapidly increasing the salaries so that the municipalities are not involved in an "arms race" with respect to compensation.

Chairman Lesar clarified that the fourth line item of the motion was to explore those conversations.

Boardmember Austin confirmed Chairman Lesar's statement.

Boardmember Ali'varius inquired whether, since 2007, the increase for the City Magistrates represented a 13.3% increase and a 13.6% increase for the Presiding City Magistrate.

Chairman Lesar confirmed Boardmember Ali'varius' comments.

In response to a question from Boardmember Harris, Boardmember Brooks stated that when he initially made the motion, he recommended a two or three-year review cycle. He stated that he was comfortable in amending the motion to include a two-year timeframe for such a review.

Responding to a question from Chairman Lesar, Ms. Spinner clarified that if the motion maker would like to change the motion to a two-year review cycle and the seconder accepts such a modification, the Board can move forward and vote on the motion. She noted that if the seconder does not approve the amendment, the Board should vote on the original motion, and if that fails, a new motion can be made.

Boardmember Austin concurred with the amendment to the motion.

Chairman Lesar commented that there is no doubt that Mesa's City Magistrates are significantly underpaid as compared to their East Valley counterparts. He stated that Mesa prides itself in having quality programs, providing excellent customer service and noted that it was imperative that the City remain competitive with other communities, including salaries and compensation for its employees.

Chairman Lesar noted, however, that he was struggling with the pending motion due to the significant salary increase which, in his opinion, is an effort to recoup everything that the judges have not received over a period of six years. He indicated that although he wants Mesa's City Magistrates to be in the arena of above average salaries, he was troubled by \$17,000 to \$20,000 raises at one time. He further stated that it was hard to believe that the City was no longer facing economic challenges and added that while he supports the concept of a salary increase, the proposed amounts are too steep at this time.

Boardmember Ali'varius stated that she would like to redress what is wrong with the salary structure and ensure that Mesa is competitive with the neighboring communities. She noted, however, that in her opinion, 13.3% and 13.6% respectively are "a bit high." She suggested a percentage somewhere in the 9% range, perhaps 9.9%, even though that percentage might be high to sell politically.

Boardmember Ali'varius further indicated that she hoped the Boardmembers would come to a point where they would agree to address the salary issue every two years instead of delaying the process for five or ten years. She also concurred with Chairman Lesar's comments that perhaps the pending motion is not the best way to go about resolving this issue.

Boardmember Ali'varius acknowledged the judges for their efforts and hard work and stated that she believes they should be compensated fairly just like Mesa's elected officials or any public

servant. She reiterated that the proposed salary increases are “a little tough to swallow” since people are still struggling economically and suggested that she would be more comfortable putting forth a number that is closer to 9.8% and revisiting the issue in two years.

Boardmember Austin concurred with Chairman Lesar and Boardmember Ali’varius’ comments and stated that he would support a motion that recommended salary increases that were less than the 13.3% and 13.6 % respectively.

Boardmember Brooks expressed appreciation for everyone’s comments. He also acknowledged the ongoing challenges in the economy and the fact that the proposed salary increases might be perceived as “too much.” He indicated, however, that it has been six years since the City Council reviewed this matter and noted that the recommended salary increases were not inappropriate, particularly with respect to the salaries of the City Magistrates’ counterparts in other East Valley communities.

Boardmember Austin called the question.

Chairman Lesar called for the vote.

Upon tabulation of votes, it showed;

AYES - Brooks-Harris  
NAYS - Lesar-Ali’varius-Austin  
ABSENT - Downie-Sanders

Chairman Lesar declared the motion failed for lack of a majority vote by those present.

It was moved by Boardmember Austin, to recommend to the City Council that the City Magistrates and Presiding City Magistrate’s base salaries be increased by 9.8% and that all of the non-monetary elements of the previous motion be included in this motion.

Chairman Lesar clarified that a 9.8% increase would be \$12,740 for the City Magistrates, which would equate to \$142,740. He said that with respect to the Presiding City Magistrate, the increase would be \$14,700, for a total of \$164,700.

Boardmember Ali’varius commented that she did not want the Board to set the example that it would wait another six years before it once again reviewed the City Magistrates’ salaries. She explained that her sense is that “when you go high, you then say that everybody is taken care of and we’re not going to touch this again.” She said that she would prefer to review the salaries on a regular basis, which is a better way to address this matter, and added that the approach is “more muted.”

Boardmember Austin stated that based on the salary increases outlined by Chairman Lesar, he would incorporate those amounts into the motion.

Boardmember Ali’varius seconded the motion.

Chairman Lesar restated the motion as follows: to increase the City Magistrates and the Presiding City Magistrate’s base salaries by 9.8%; that every two years, the City Magistrates

and Presiding City Magistrate's salaries be reviewed; and that the City of Mesa explore and communicate with other municipalities regarding the salaries associated with their respective City Magistrates and Presiding City Magistrates.

Boardmember Harris commented that it appears as though the Boardmembers were in agreement that they want to reach a comparative salary for the City Magistrates. He noted that the Board was "trying to soften the blow," not necessarily for the City economically, but how it appears to the citizens and perhaps other employees. He questioned whether that was necessarily the Board's charge and explained that the City Council would make the final decision. He stated that although he was not opposed to a number that is "somewhat arbitrary," as is currently being recommended, it was less than double-digit, but still a \$13,000 increase.

Chairman Lesar remarked that even though the Board would not make the final decision with respect to the salary increases, he wanted to forward a recommendation to the City Council that demonstrated the Board's thoughtful and reflective guidance.

Boardmember Harris stated that if the Boardmembers were in agreement that they wanted the City Magistrates' salaries to be competitive with their East Valley counterparts and forwarded a recommendation for a 9.8% increase to the City Council, he inquired whether it would be appropriate that the motion also convey that they would ultimately like to achieve the 13.3% and 13.6% salary increases respectively.

Boardmember Austin pointed out that the motion includes the recommendation that the salaries be reviewed in two years. He stated that he would be happy to add language to the motion that reflects that the Boardmembers are concerned about equity with other cities and would hope the City Council would take steps to address such matters.

Chairman Lesar inquired whether Boardmember Harris had particular language in mind that he would like included in the motion that would reflect Boardmember Austin's comments.

Boardmember Harris reiterated that in his opinion, the Board was doing the City Council's job. He commented that in the pending motion that the Boardmembers are considering, they are actually neglecting what they ultimately want to have occur, which is for the City Magistrates to have parity with the other municipalities. He suggested that perhaps in the introduction to the motion, wording could be included as follows: The Board's ultimate goal is to have parity with other cities and to do so would require City Council approval of a certain percentage just to achieve the average salary.

Chairman Lesar expressed caution about including that type of specificity (i.e., a specific percentage) into the motion since circumstances may be different in a year's time. He commented that Boardmember Harris' remarks concerning parity with other judicial systems is "the critical aspect" if the City is going to be consistent with what it has done in the past regarding how it determines salaries and compensation for its employees.

Boardmember Harris concurred that perhaps a certain percentage is not necessary. He noted, however, that the Boardmembers' ultimate objective would be to have parity and if their recommendation does not achieve that goal, they acknowledge that at this time.

Boardmember Brooks stated that the first request that came from the City Council was that the Boardmembers evaluate the salaries of Mesa's City Magistrates and determine if there should be some change. He stated that the Boardmembers concur that a salary increase is appropriate and noted that the remaining issue is the amount. He pointed out that ultimately, that is the City Council's decision and added that the Board was not charged with assessing whether there were sufficient monies with which to fund the salary increases.

Boardmember Brooks suggested that it might be more appropriate for the Board to draft a motion that would include a salary increase within a range, with the high range being slightly above the average. He explained that the motion would give the City Council a choice to approve a salary increase within certain ranges and added that they would be required to make the political and budgetary decisions whether "to take a big bite at one time or incremental increases." He added that he opposed the current motion since it was his belief that the 9.8% increase is too low.

Boardmember Austin disagreed with Boardmember Harris' comments that the Board's goal is to have equity and for the City of Mesa "to keep up" with other cities. He noted that a 9% raise is "a good chunk" to demonstrate that the Board honors the hard work and professionalism of the City Magistrates. He added that the City Council requested that the Board consider this matter and added that the Board did not ask for this task.

Boardmember Austin indicated that it was necessary for him to be excused from the meeting and called the question.

Chairman Lesar clarified that Boardmember Austin's recommendation of the 9.8% salary increase would take the City Magistrates above the lowest salaries of the East Valley City Magistrates and more toward the center of compensation for the Presiding City Magistrate.

Chairman Lesar restated that the motion is a 9.8% increase for City Magistrates and Presiding City Magistrate, which would take the base salary for City Magistrates to \$142,740 and \$164,700 for the Presiding City Magistrate; a three-year review cycle; and continued exploration of salaries with the adjacent communities.

Boardmember Ali'varius inquired if there could be a modification with respect to a two-year review cycle.

Boardmember Austin stated that he would prefer the three-year review cycle.

Chairman Lesar called for the vote.

Upon tabulation of votes, it showed:

AYES - Austin-Lesar  
NAYS - Ali'varius-Brooks-Harris  
ABSENT - Downie-Sanders

Chairman Lesar declared the motion failed for lack of a majority vote by those present.

(Boardmember Austin was excused from the meeting at 10:08 a.m.)

Further discussion ensued relative to the fact that with Boardmember Austin's departure from the meeting, the Boardmembers could continue their discussion; and that if a motion was made, it would require a unanimous vote of the four remaining Boardmembers.

Boardmember Brooks stated that he would recommend that the motion be modified to recommend a salary range and that the Council make the ultimate decision.

Boardmember Ali'varius stated that she appreciated Boardmember Brooks' recommendation, but suggested that it would be "throwing the football back in the lap of the Council" and that they would have to repeat the process that the Board has undertaken. She noted that she would suspect that the Council was expecting the Board to be more decisive, although she would be willing to recommend a salary range.

Boardmember Harris commented that he was comfortable with the two-year review of salaries and the 9.8% salary increase. He explained that the motion would recommend a specific number to the City Council and provide the Board a formal opportunity to come back in two years and recommend changes to ensure that the salaries are competitive with those of other municipalities.

Chairman Lesar concurred with Boardmember Harris' comments and stated that the 9.8% increase would place the City Magistrates' salary at above the lowest base salaries of the judges in the area. He also noted that the Presiding City Magistrate's salary would also be elevated to clearly above the lowest and close to the average. He stated that he was in favor of recommending a specific number since the City Council would have the ultimate discretion to either increase or decrease that amount. He also expressed support for a two-year review cycle to ensure that Mesa's City Magistrates' salaries are competitive with the surrounding communities.

Boardmember Brooks commented that as he understood the City Council's request, the Board was charged with researching this matter since the City Council did not want to do "all the legwork." He acknowledged that staff and the Board have conducted such research.

Boardmember Brooks further noted that he did not believe the 9.8% increase was a sufficient amount. He explained that if the Board does not reach consensus on a motion today or continues the matter to a future date, neither option is good since there is not much more that the Board or staff can do. He also pointed out that neither Boardmembers Sanders or Downie, both of whom serve as judges, have given their input which, he would suspect, would be very helpful.

Boardmember Brooks reiterated that the City Council must evaluate the budget and the political or City impacts associated with it. He also suggested that it was appropriate for the Boardmembers to convey their beliefs that an increase is fair and just and to demonstrate a range that at the low end would increase the salary and at the higher end would place the judges where historically Mesa has tried to place its employees. He added that with no motion on the table, "a motion that gets something is better than a motion that gets nothing."

Chairman Lesar concurred with Boardmember Brooks' comments and stated that if the Board was going to recommend a range, he would be supportive of a range between 9% and 14%.

Boardmember Brooks clarified that he was agreeable with a two-year cycle for the salaries to be reviewed and said that he would assume the City Council would place the burden on the Board to conduct such reviews.

It was moved by Chairman Lesar, seconded by Boardmember Brooks, to recommend to the City Council that the City Magistrates and Presiding City Magistrate's base salaries be increased within a range of 9% to 14%; that every two years, the City Magistrates and Presiding City Magistrate's salaries be reviewed; and that the City of Mesa explore and communicate with other municipalities regarding the salaries of their respective City Magistrates and Presiding City Magistrates.

Upon tabulation of votes, it showed:

AYES - Ali'varius-Brooks-Harris-Lesar  
ABSENT - Austin-Downie-Sanders

Chairman Lesar declared the motion carried unanimously by those present.

4. Scheduling of meetings and general information:

Next meeting:

November 4, 2013, 7:45 a.m.

5. Adjournment.

It was moved by Boardmember Ali'varius, seconded by Boardmember Harris, that the meeting of the Judicial Advisory Board be adjourned at 10:20 a.m.

Chairman Lesar declared the motion carried unanimously by those present.

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Judicial Advisory Board meeting of the City of Mesa, Arizona, held on the 23<sup>rd</sup> day of September 2013. I further certify that the meeting was duly called and held and that a quorum was present.

---

DEE ANN MICKELSEN, CITY CLERK

	A	B	C	D	E	F	G	
1								
2								
3								
4								
5								
6								
7								
8		<b>CHANDLER</b>	<b>GLENDALE</b>	<b>GILBERT</b>	<b>TEMPE</b>	<b>MESA</b>	<b>SCOTTSDALE</b>	<b>PHOENIX</b>
9	<b>GENERAL POPULATION*</b>	245,628	232,143	221,140	166,842	452,084	223,514	1,488,750
10								
11	<b>PERSONNEL</b>							
12	# MAGISTRATES (INCLUDING PRESIDING)	4	3	4	3	7	4	23
13	# OTHER MAGISTRATES (PRO TEM, CIVIL TRAFFIC HEARING OFFICER)	1	1	0	2	1	2	4
			2 Magistrates; 1 Hearing Officer;			6 Magistrates; 1 Court Commissioner; 1 Court Administrator;		22 Judges; 4 Hearing Officers; Management Staff (3); varied # Pro Tems as needed
14	# DIRECT REPORTS TO PRESIDING MAGISTRATE	3 Magistrates; 6 Pro Tems; 1 Court Administrator; 1 Hearing Officer	1 Court Administrator; on-call Pro Tems	3 Magistrates; 3 Pro Tems; 2 Administration	2 Magistrates; 2 Commissioners; 1 Court Administrator	varied # Pro Tems as needed	3 Associate Judges; 2 Hearing Officers; 1 Court Administrator	
15								
16	<b>CASE ACTIVITY (CHARGES)</b>							
17	DUI	2,379	1,494	2,099	4,166	5,536	7,404	15,720
18	SERIOUS TRAFFIC	295	263	226	302	303	439	936
19	OTHER TRAFFIC	986	2,301	1,666	2,615	7,202	4,258	22,720
20	<b>TOTAL CR TRAFFIC</b>	<b>3,660</b>	<b>4,058</b>	<b>3,991</b>	<b>7,083</b>	<b>13,041</b>	<b>12,101</b>	<b>39,376</b>
21								
22	MISDEMEANOR	6,186	6,546	2,689	10,525	16,530	9,105	26,989
23	MISDEMEANOR FTA	485	329	0	1,722	1,798	795	3,207
24	TRAFFIC FTA	328	388	0	590	1,434	954	4,014
25	<b>TOTAL MISDEMEANOR</b>	<b>6,999</b>	<b>7,263</b>	<b>2,689</b>	<b>12,837</b>	<b>19,762</b>	<b>10,854</b>	<b>34,210</b>
26								
27	NON CRIMINAL PARKING	194	1,750	1,050	21,719	2,563	3,499	15,658
28	NON CRIMINAL NON-PARKING	113	40	136	2,252	0	114	10,886
29	<b>TOTAL NON CRIMINAL ORDINANCE</b>	<b>307</b>	<b>1,790</b>	<b>1,186</b>	<b>23,971</b>	<b>2,563</b>	<b>3,613</b>	<b>26,544</b>
30								
31	<b>TOTAL CV TRAFFIC</b>	<b>20,843</b>	<b>20,774</b>	<b>17,688</b>	<b>32,660</b>	<b>91,132</b>	<b>75,271</b>	<b>179,940</b>
32	<b>% of TOTAL CASES=CV TRAFFIC</b>	<b>66%</b>	<b>61%</b>	<b>69%</b>	<b>43%</b>	<b>72%</b>	<b>74%</b>	<b>64%</b>
33								
34	<b>TOTAL CASE ACTIVITY</b>	<b>31,809</b>	<b>33,885</b>	<b>25,554</b>	<b>76,551</b>	<b>126,498</b>	<b>101,839</b>	<b>280,070</b>
35								
36	<b>AVG CASES PER MAGISTRATE</b>	<b>6,362</b>	<b>8,471</b>	<b>6,389</b>	<b>15,310</b>	<b>15,812</b>	<b>16,973</b>	<b>10,373</b>
37								
38	ORDER OF PROTECTION	743	1,873	495	613	1,150	624	2,438
39	INJUNCTION HARASSMENT	358	962	222	306	681	370	1,313
40								
41	<b>FINANCIAL</b>							
42	<b>TOTAL COURT REVENUE</b>	\$6,106,007	\$6,507,769	\$7,051,858	\$10,773,069	\$15,873,338	\$18,179,820	\$48,777,446
43	<b>TOTAL COURT EXPENDITURES</b>	\$3,571,766	\$4,177,582	\$2,947,154	\$3,790,230	\$7,101,180	\$5,661,433	\$30,598,812
44								
45	<a href="#">*2012 estimate from US Census Bureau Data</a>							
46	Note: Personnel Information derived from each Valley Court Administrator via email							
47	<a href="#">Note: Case and financial data derived from AZ Supreme Court 2012 Statistical Reports for Municipal Courts as of 6/30/2012</a>							

## MEMORANDUM

September 9, 2013

**TO:** City of Mesa  
Judicial Advisory Board

**FR:** Paul Thomas  
Court Administrator

**RE:** Request for background information

Please note the attached background information as requested for evaluation of Magistrate salaries. This includes relevant comparative statistics with nearby municipal courts, and Arizona Supreme Court Administrative Order 2005-32, which specifies the duties of Presiding Judges for Superior Courts, Justice Courts, and Municipal Courts.

Special attention should be focused on key elements of the comparative statistics.

Lines 6 and 7 reflect the total of full time judicial officers in each court devoted to the primary caseloads in each court. The total filings for each court are divided by this number reflecting the total average of cases per judge in each court (line 30). This includes the Presiding Judges, regardless of whether or not the Presiding Judge handles a full or limited caseload.

Line 27 reflects the total Civil Traffic filings and line 28 reflects Civil Traffic as a percentage of the total caseload. This is significant since most Civil Traffic cases are typically resolved without judicial action through traffic school options.

Line 21 indicates an exceptionally high number of parking violations for Tempe. These are typically handled without judicial action and represent little judicial work load.

Comment on technologies:

The Mesa Municipal Court makes use of a broad range of technologies to enhance customer service, improve work processes, and to facilitate the judicial process. The Court's web-services provide options for scheduling traffic school, paying fines, obtaining case information as well as other services. As a result, web-services reduce the number of routine matters that would otherwise need judicial attention.

Improvements to the court's automated case management system, such as automated "checks" to validate the basis for issuing an arrest warrant save judicial time. Recently, converting to completely electronic case files has increased the speed and availability of case information for judges.

Court room technology has also improved the presentation of evidence onto large court room screens from all popular media, such as lap top computers, DVD's, and several police audio and video devices. Court rooms also have high resolution evidence presentation cameras for documents. These court room technologies greatly improve and speed up in court hearings in which evidence may be presented.

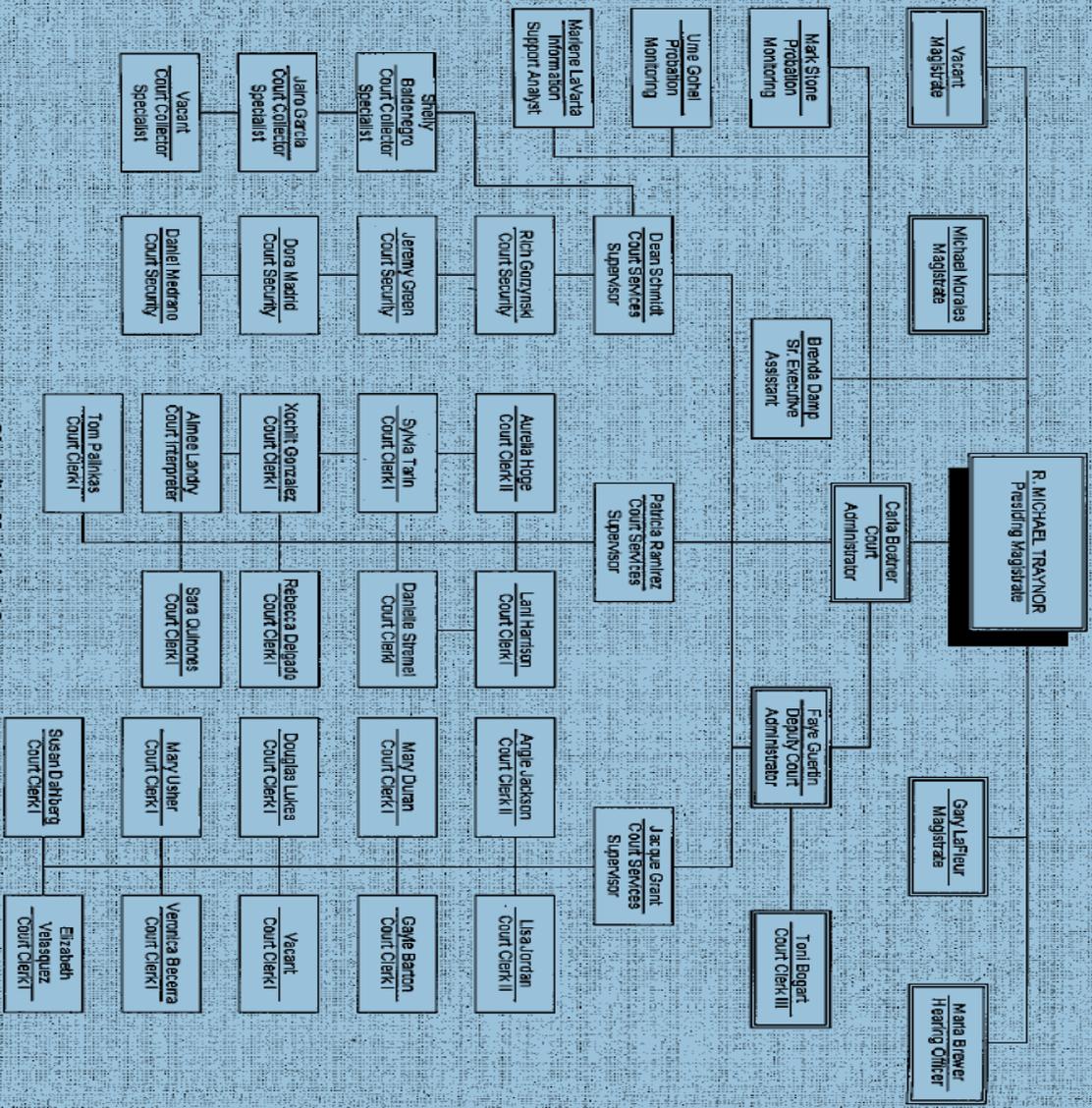
Comment on Pro-tem Judges:

Pro-tem judges are used to step in for a regular magistrate whenever the regular judge needs to take time off, such as vacation, or sick time, family matters etc. The number of pro-tem judges relates to availability, such that when one is needed, there is a sufficient number that can be called to assure availability. Consequently, pro-tem judges should not be considered as additional resources applied to case load.

## List of Extracurricular Activities

Mesa Magistrates are active as follows:

- Volunteer for mock trials
- Presentations to Driver's Ed Classes at local High Schools
- Instructors for the Supreme Court's New Judge Program
- Serving on the Judicial Ethics Advisory Committee
- Serving on the State Bar Professionalism Committee
- Serving on the State Bar Appointments Committee
- Serving as President of Arizona Magistrates Association
- Keynote speaker for Professional Development Conference, Central Arizona Chapter of the National Forum of Black Public Administrators
- Balance of Justice Award Recipient, Sigma Gamma Rho Sorority
- Phoenix Job Corps Leadership Banquet Guest Speaker
- Award recipient: Civil Justice Leader, George Washington Carver Museum and Cultural Center
- Fundraiser through donation of bras for textile recycling in return for financial donation to the Susan G. Komen Breast Cancer Foundation
- Lifetime Achievement Award, Black Women Lawyer's Association
- Appointment by the Chief Justice as a member of the Supreme Court's Limited Jurisdiction Courts Committee
- Appointed as a member of the State-wide DUI Case Processing Committee
- Appointed to the Judicial Oversight Committee
- Participated in a program to improve English skills for 8<sup>th</sup> to 10<sup>th</sup> graders
- Various speaking engagements
- Conducting educational tours of the court house
- Minority Judges Caucus
- Los Abogados Hispanic Lawyers Asso.
- Arizona Asian American Bar Asso.
- Mesa Asso. Of Hispanic Citizens
- Magistrates Association
- Justice of the Peace Asso.



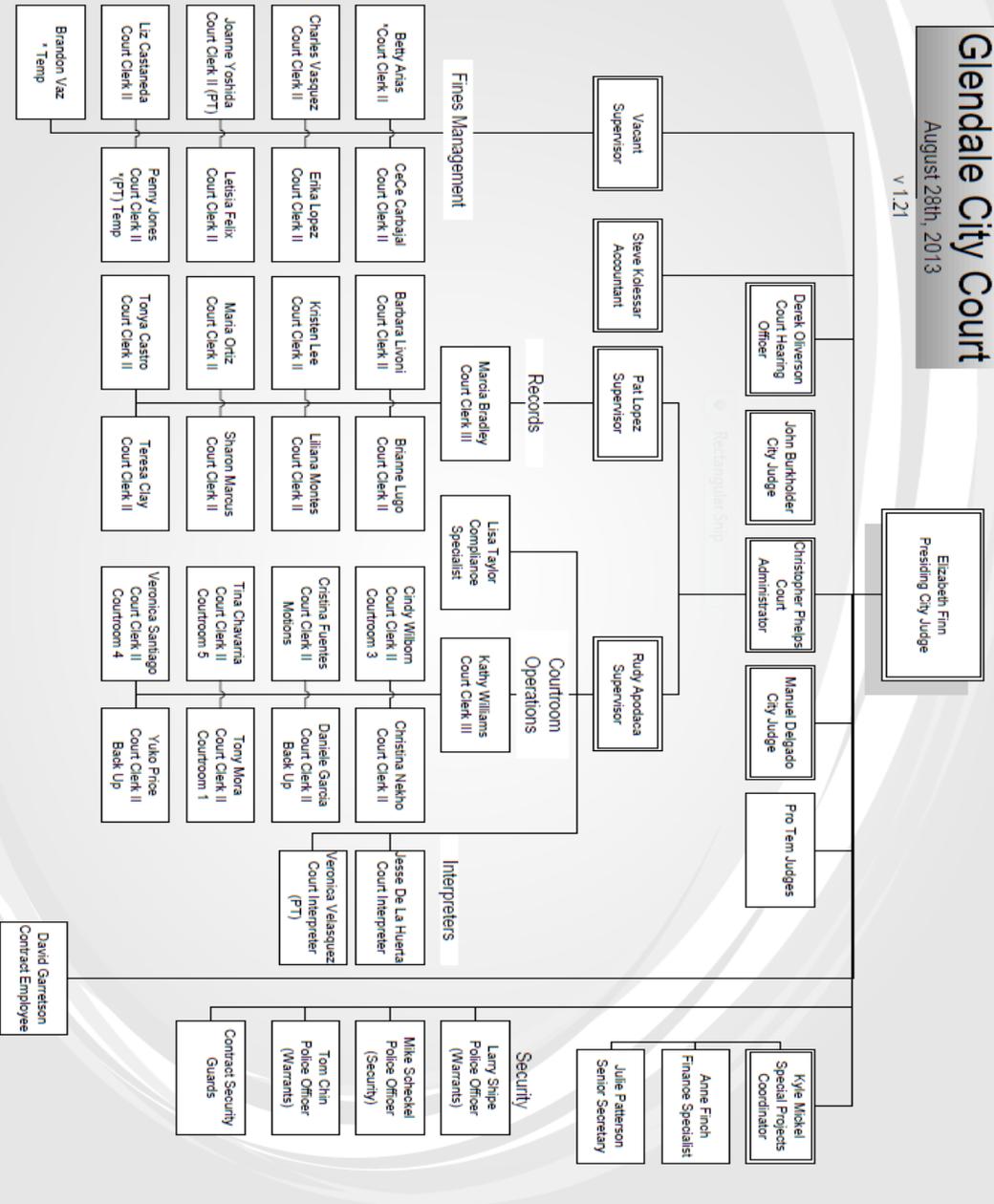
Chandler Municipal Court  
 Organizational Chart

June 2013

# Glendale City Court

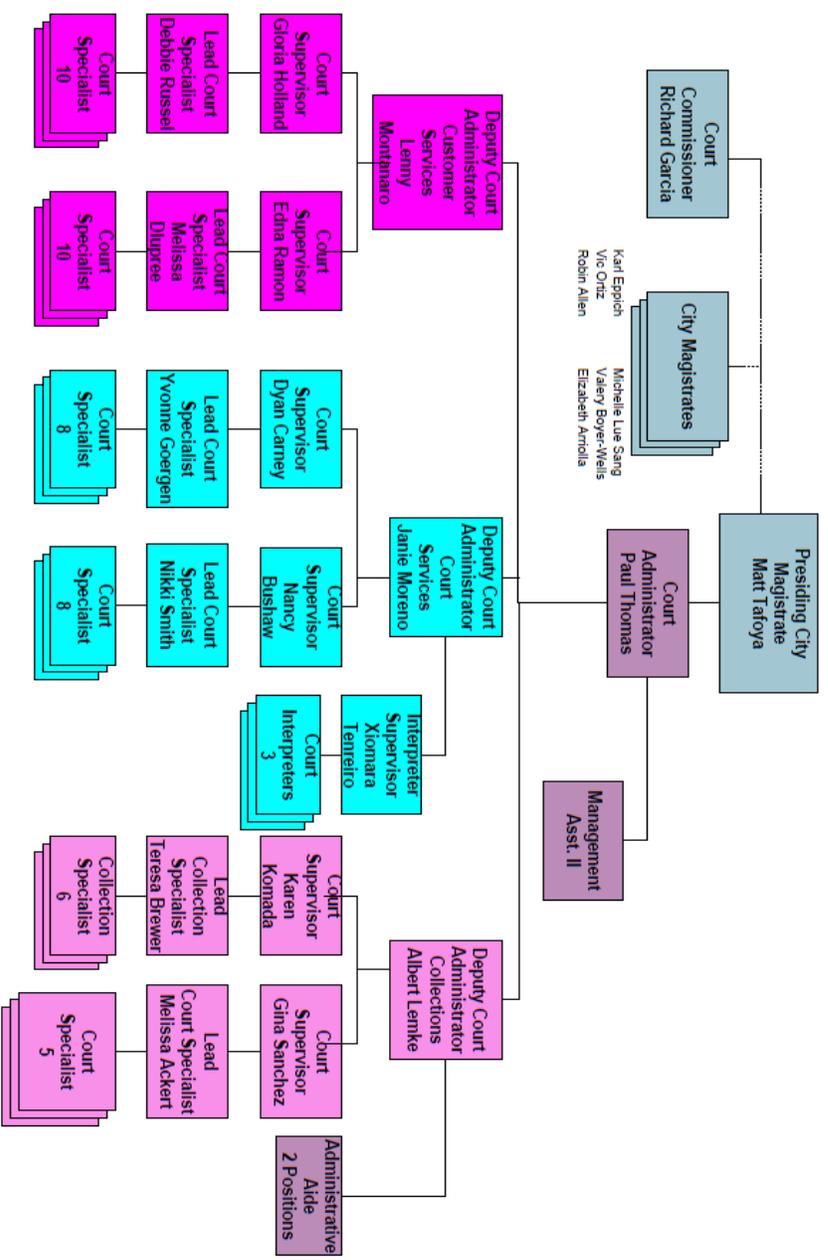
August 28th, 2013

v 1.21

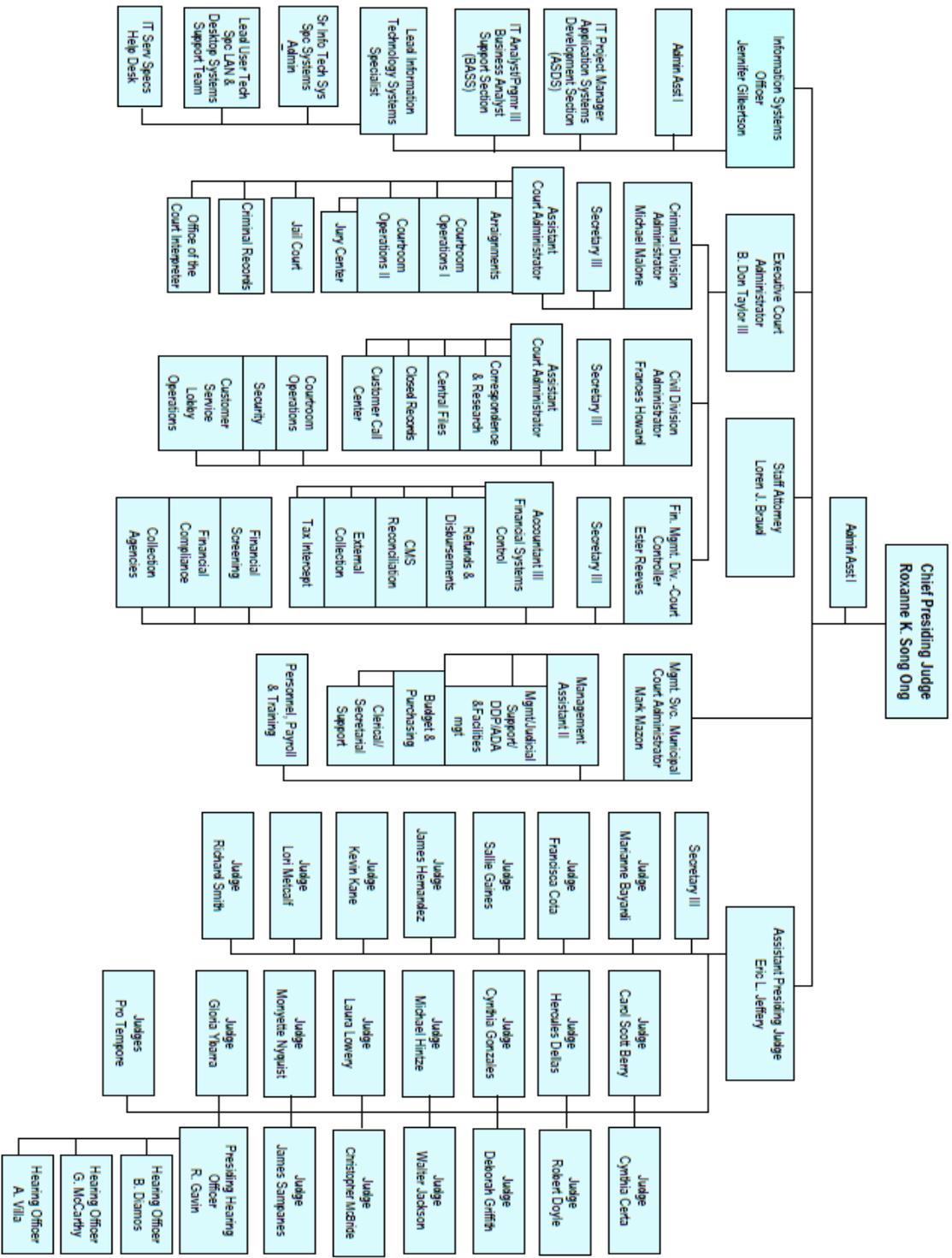


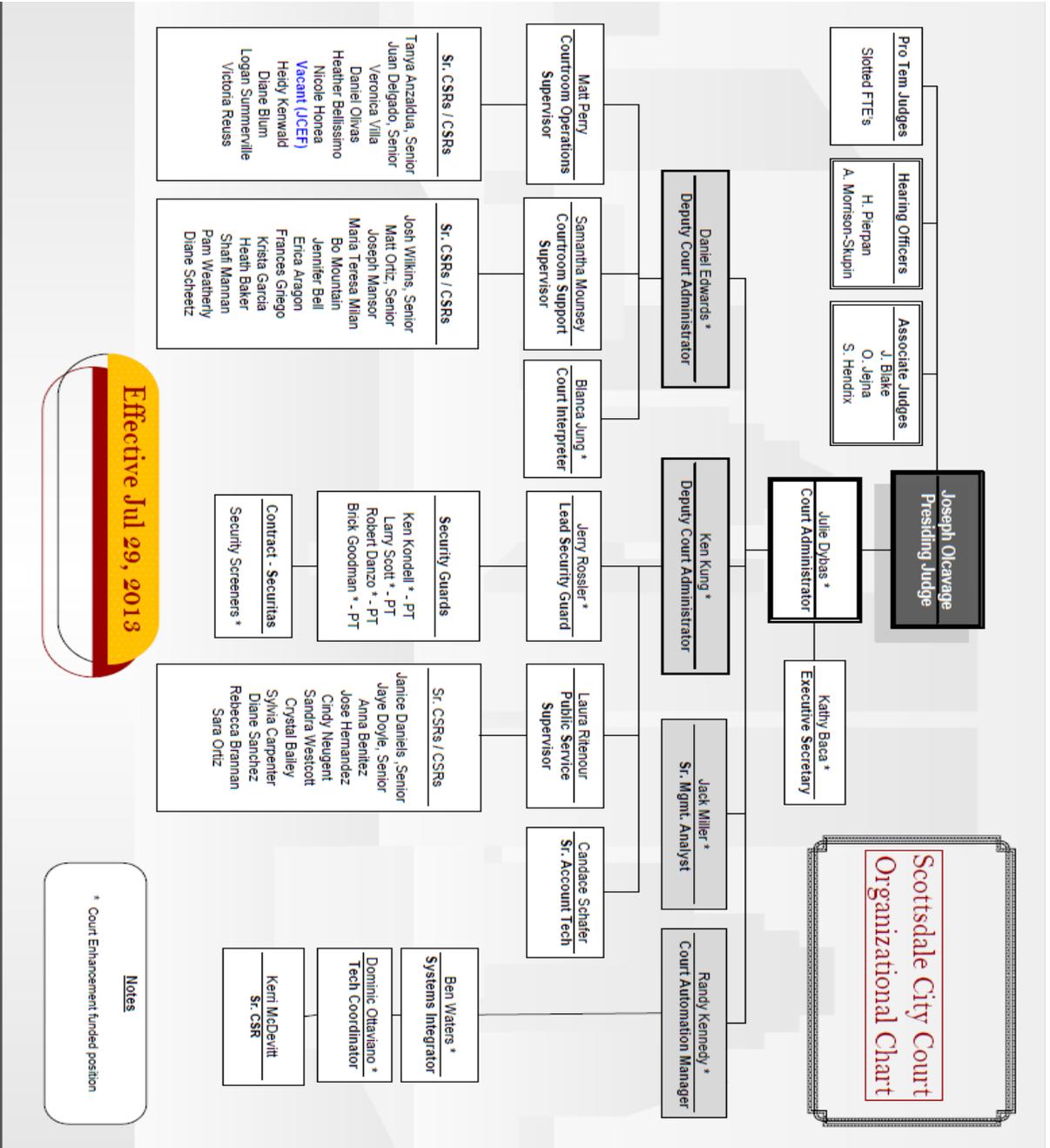
\* Position Funded By JCEF

## MESA MUNICIPAL COURT ORGANIZATIONAL CHART



**City of Phoenix Municipal Court**  
 Organizational Chart  
 July 2013





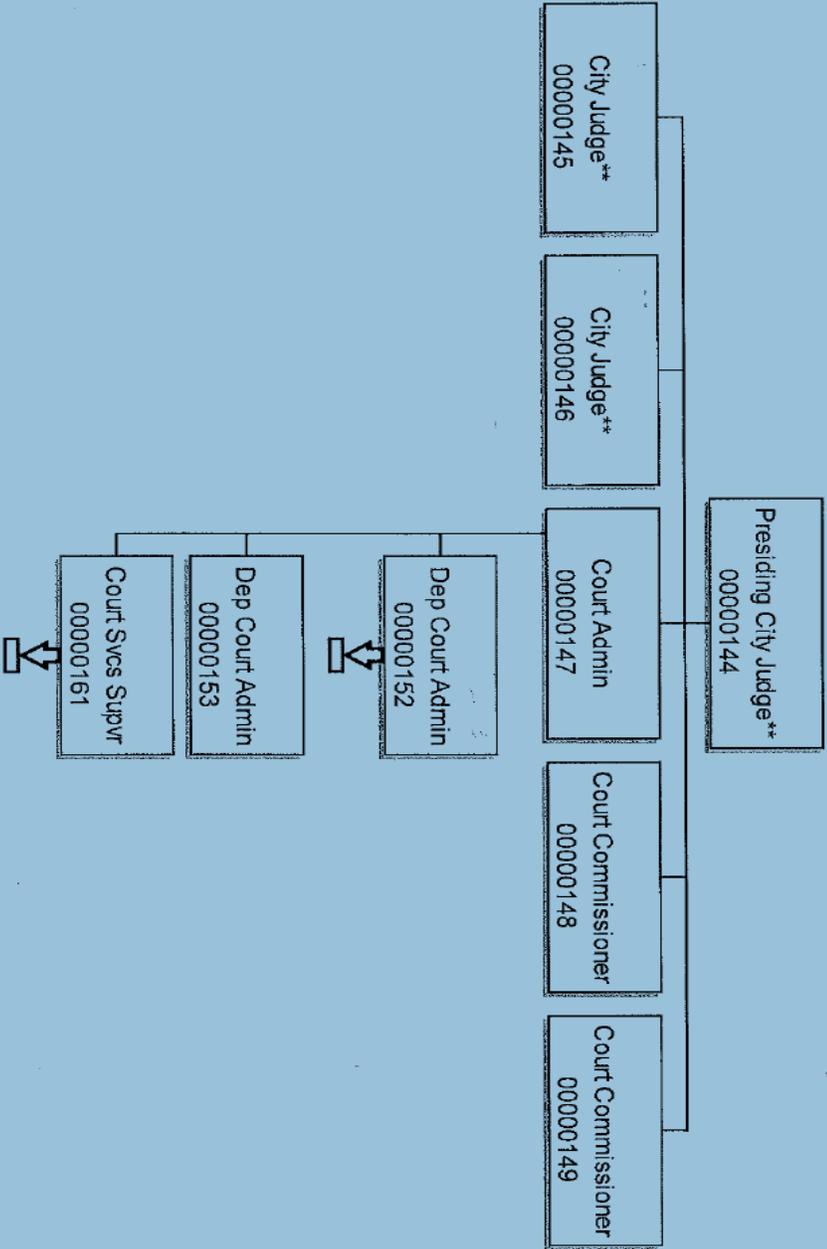
Scottsdale City Court  
 Organizational Chart

Effective Jul 29, 2013

Notes  
 \* Court Enhancement funded position

City of Tempe:

Creation Date 06/11/2013



## City of Tempe – Job Description:

*Effective February 1994 Revised February 2010 (Updated job duties)*

### **PRESIDING CITY JUDGE**

#### **Purpose:**

To actively support and uphold the City's stated mission and values. To direct, organize and supervise the administration of the judicial and internal administrative functions of the Municipal Court. The Presiding City Judge shall perform administrative duties as set forth in Arizona Supreme Court Administrative Order 93-30-Revised. Administrative Rule VII-A Section 2 and as may be delegated by the Presiding Superior Court Judge. Serves as chief executive officer of the City of Tempe Municipal Court.

#### **Supervision Received and Exercised:**

Exercises direct supervision over judicial and non-judicial staff.

#### **Examples of Duties:**

This class specification is intended to indicate the basic nature of positions allocated to the class and examples of typical duties that may be assigned. It does not imply that all positions within the class perform all of the duties listed, nor does it necessarily list all possible duties that may be assigned.

Duties may include, but are not limited to, the following:

- Determine judicial assignments for assigned judicial officers and establish and maintain standard working hours and times to discharge those assignments.
- Supervise judicial and non-judicial personnel; delegate duties and responsibilities as necessary.
- Establish docketing, calendaring and case management policies and procedures.
- Develop and supervise the administration of the Municipal Court budget.
- Assist the Presiding Superior Court Judge with the establishment of bond schedules in coordination with the justices of the peace in the county.
- Establish and implement standards and parameters for indigency screening, and guidelines for determination of indigency for the purposes of appointing a public defender.
- Define and establish specific parameters within the bounds of the law and sound management practice, under which a defendant shall be granted the time to pay monetary sentences imposed; establish the standards for payment amounts.
- Comply with statistical reporting, jury management and records management policies and procedures established by the Supreme Court.
- Cooperate and coordinate with the Presiding Superior Court Judge concerning the administration of the Municipal Court.

- Provide regular communications to the Mayor and Council.
- Perform related duties as assigned by the Presiding Judge of the Superior Court or the Supreme Court.
- May appoint a Court Administrator in accordance with ordinance provisions.
- Perform duties of City Judge.

### **Experience and Training Guidelines:**

Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. The hiring department may include job related experience, training or license and certification preferences at the time of recruitment. A typical way to obtain the knowledge and abilities would be:

An LLB or JD is required and judicial and administrative experience is preferred.

**The presiding judge of the city court and such other judges as deemed necessary shall be appointed by the city council. The length of term of office for such judges shall be a minimum of two (2) years as determined by the city council.**

**(Ord. No. 1145, § I, 2-12, 5-16-85, in part; Ord. No. 94.14, 6-30-94)**

**Job Code: 002**

**FLSA: Exempt**

Effective February 1994 Revised February 2010 (Updated job duties)



CITY OF SCOTTSDALE  
Established Date: May 17, 2010  
Revision Date: Jun 17, 2013

# City Judge

Class Code:  
1026

## SALARY RANGE

\$150,009.60 Annually

### FLSA:

Exempt

### CLASS SUMMARY:

The City Judge is responsible for the executive leadership, direction and management for the City's Court System and administering justice in cases involving alleged violations of Arizona Statutes and Scottsdale City Ordinances. This position supports the operating division programs by assuring that administrative and operational services are responsive to the needs of program management.

[Brochure](#)

[Judicial Application](#)

### DISTINGUISHING CHARACTERISTICS:

This is a stand-alone executive level position, reporting to the Mayor and City Council for administrative and operational matters and to the Presiding Judge of the Superior Court for judicial matters. This position is supervisory. See 'Essential Functions' for list of possible duties.

### MINIMUM QUALIFICATIONS:

#### **Education and Experience**

Requires graduation from an American Bar Association accredited law school, admission to the Arizona State Bar and ten (10) years experience as a lawyer or judge.

#### **Knowledge, Skills and Abilities**

##### **Knowledge of:**

Substantive criminal law, Arizona and local rules of criminal procedure and the rules of evidence.

Court policies and procedures.

Case management techniques.

Microsoft Office products and other relevant technologies.

##### **Ability to:**

- Perform a broad range of supervisory responsibilities over others. Supervise, train and mentor

employees, to include organizing, prioritizing and scheduling work assignments.

- Conduct Court proceedings, elicit pertinent information and confine witnesses and litigants to relevant issues.
- Comprehend and make inferences from written material.
- Appraise factual situations and make appropriate decisions promptly and in accordance with the law.
- Manage the cases scheduled in the courtroom in an effective and efficient manner.
- Proficiently perform computerized word processing, comprehension, summarizing and writing/editing.
- Communicate orally by telephone or in a one-to-one or group setting.
- Make evaluative judgments.
- Develop and implement strategic business and operating plans.
- Synthesize complex and diverse information.
- Problem solve and use reason even when dealing with emotional topics.
- Write and speak clearly.
- Inspire and motivate others to perform well, effectively influence actions and opinions of others.
- Understand business implications of decisions; align work with strategic goals.
- Work within approved budget; develop and implement cost saving measures.
- Establish and maintain effective working relationships with City staff and the general public.

### **Licensing, Certifications and Other Requirements**

A valid driver license with no major driving citations in the last 39 months may be required.

*Other pertinent licenses and/or certifications may be required of some positions depending on department/section assignment.*

### **ESSENTIAL FUNCTIONS:**

*Performs duties and responsibilities commensurate with assigned area which may include, but are not limited to, any combination of the following tasks:*

- Works closely with the City Council, City Manager and the executive team to define and accomplish established strategic goals and objectives and to execute successful business strategies. Act as a sounding board for the City Council, City Manager and key managers on critical proposals.
- Develops support systems that encourage cross-functional cooperation and support initiative taking. Assists in creation of a learning organization that encourages mentoring and professional development.
- Mentors staff to elevate their roles to that of strategic partners and is responsible for the overall direction, coordination and evaluation of these units that have managers and staff. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws.
- Is responsible for overall leadership of Court staff and Associate Judges, including night juvenile court program. Demonstrates mutual respect for all persons at all levels.
- Presides over courtroom proceedings through trial for misdemeanor and traffic offenses as well as contested domestic relations injunctions. Executes and issues court processes in

the form of warrants for arrest, search warrants, body attachments, subpoenas, long form complaints and civil injunctions.

- Determines pleas, motions and sentencing issues, authorizes collection procedures, decides restitution awards, revocation of probation and bond forfeitures. Enforces victim's rights.
- Appoints attorneys for indigents and may teach or lecture at schools, training seminars or conferences.
- Researches legal problems and prepares legal opinions; interprets City, State and Federal laws, ordinances, statutes and court decisions; analyzes evidence presented in court and applies existing law with the objective that justice shall prevail. Attends legal education programs.
- Creates a culture by which each employee has the opportunity to make a full organizational contribution to the department and encourages opportunities through open door/open communication techniques.
- Performs other duties as assigned.

**FOUNDATIONAL SKILLS:**

[General Mgr & Director](#)

**WORK ENVIRONMENT/PHYSICAL DEMANDS:**

*The physical demands and work environment characteristics described here are representative of those that must be met by an employee to successfully perform the essential functions of this position or that an employee encounters while performing the essential functions of this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

- Sit in a courtroom setting for extended time periods. Other work is performed in a normal office environment.
- Operate a variety of standard office equipment including computer, telephone, calculator, copy and fax machine requiring continuous and repetitive arm, hand, and eye movement.
- Travel to/from meetings and to various locations.

*This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the position change.*

# City of Phoenix Job Description:

## CHIEF PRESIDING JUDGE (Non-classified)

**JOB CODE 10590**

Effective Date: 12/92

### **DISTINGUISHING FEATURES OF THE CLASS:**

The fundamental reason this classification exists is to perform professional legal and administrative work while serving as the administrative head of the Municipal Court. Responsibilities include complying with the Constitution and laws of the State, rules and directives of the Supreme Court, and charter provisions and ordinances of the City. The Court has an exercised original jurisdiction of all proceedings for the violation of any ordinance of the City and concurrent jurisdiction over all misdemeanor violations of the law of the State, committed within the City. The Municipal Court tries both jury and nonjury cases. The Court is not a court of record. Duties require the exercise of considerable independent judgement in adjudicating cases. Work is performed in accordance with law and is subject to review by a higher court by way of an appeal of special action. Supervision is exercised over City Judges and management staff. This class reports to the Mayor and City Council.

### **ESSENTIAL FUNCTIONS:**

- Supervises the work of other City Judges and the management staff, counsels them regarding all matter of policy, procedures and effective sentencing and offers suggestions and corrections;
- Supervises the work of other employees concerned with Court operations;
- Presides at arraignments, pre-trial conferences, trials and other special hearings in court and hears and disposes of cases;
- Performs extensive public relations activities;
- Reviews and supervises the maintenance of the trial docket;
- Approves bonds and signs criminal warrants and other legal documents;
- Assigns City Court Judges to serve in the divisions of the City Court;
- Records actions of the City Court;
- Appoints and removes, subject to the civil service of the City of Phoenix, for cause, all Court officers and personnel except City Court Judges;
- Prepares and supervises all arraignment, trial and sentencing schedules and other Court schedules as deems necessary;
- Collects, safekeeps and transfers to the City Treasurer, all fines, penalties and fees collected in City Court except as otherwise provided by law;
- Files all reports required by the Constitution and Statutes of the State, and Charter and Ordinances of the City;

- Adopts regulations for the internal administration of the Court such as: records management, access and safekeeping; information dissemination; public relations; Court security; personnel conduct and intra-departmental contact;
- Prepares and administers the annual budget;
- Maintains regular and reliable attendance.
- Demonstrates superior seamless customer service, integrity, and commitment to innovation, efficiency, and fiscally responsible activity.
- Works more than forty hours in a workweek without additional compensation to perform assigned job duties, including weekends, evenings, early morning hours, and holidays as required.

### **Required Knowledge, Skills and Abilities:**

Knowledge of:

- Substantive criminal law, Arizona and local rules of criminal procedure and the rules of evidence.

Ability to:

- Perform a broad range of supervisory responsibilities over others.
- Conduct Court, elicit pertinent information and confine witnesses and litigants to relevant issues.
- Produce written documents in the English language with clearly organized thoughts using proper sentence construction, punctuation, and grammar.
- Appraise situations and make appropriate decisions rapidly.
- Communicate orally in the English language by telephone or in a one-to-one or group setting.
- Work cooperatively with other City employees and the public.
- Work safely without presenting a direct threat to self or others.

### **Additional Requirements:**

- Admission to the bar in the State of Arizona.
- Some positions require the use of personal or City vehicles on City business. Individuals must be physically capable of operating the vehicles safely, possess a valid driver's license and have an acceptable driving record. Use of a personal vehicle for City business will be prohibited if the employee is not authorized to drive a City vehicle or if the employee does not have personal insurance coverage.
- Some positions will require the performance of other essential or marginal functions.

**ACCEPTABLE EXPERIENCE AND TRAINING:** Five years of experience in work involving considerable public contact, with responsible experience in community or civic organizations, including at least three years of judicial experience to that of City Judge or higher and possession of a law degree. Other combinations of education and experience which meet the minimum requirements may be substituted.



TOWN OF GILBERT  
Established Date: Feb 1, 2008  
Revision Date: Jul 1, 2011

# Presiding Judge, Municipal Court

Class Code:  
1013

## SALARY RANGE

\$156,000.00 Annually

### PURPOSE OF CLASSIFICATION:

The purpose of this classification is to manage the staff, resources, and adjudication activities of the Municipal Court and to perform duties of a municipal judge.

### ESSENTIAL FUNCTIONS:

**The following duties are essential functions for this position. The omission of a specific statement of an essential function does not exclude it from the classification if the work is integral to the reason the position is established and is similar, related, or a logical assignment for this classification.**

Participates in the accomplishment of organizational, departmental and workgroup goals and objectives.

Exhibits a service orientation toward customers and maintains productive working relationships.

Manages the Municipal Court Department in accordance with published standards and requirements of the Arizona Supreme Court and the Maricopa County Superior Court Presiding Judge; establishes court policies and procedures; establishes and implements a case management system for the office; assigns and re-assigns cases to judges; reviews operations; ensures compliance with applicable statutory mandates such as U.S. and State Constitution, Arizona Revised Statutes; Rules of the Court and State and federal case law; evaluates Court performance; and implements continuous quality improvement practices.

Directs the Court's operational and administrative functions including the adjudication of Court cases and proceedings, the Court's accounting functions, court docket, jury functions; establishment and maintenance of court files, records and databases; and the receipt, processing and preparation of legal documents, forms and correspondence.

Manages the department's resources; prepares and manages the Court's financial and human resources in accordance with approved budget from the Council; reviews expenditures; and identifies and justifies the need for additional resources and support.

Performs the work of a Municipal Judge; conducts and presides over legal proceedings and cases; explains charges, rights and procedures; appoints counsel to defendants; determines public defender fees; selects court dates; determines conditions of release for charged defendants; issues arrest warrants or modifies/revokes bond or release conditions when a defendant has violated conditions of release.

Supervises, directs, and evaluates assigned staff, processing employee concerns and problems, directing work, counseling, disciplining, and completing employee performance appraisals.

Prepares and submits court activity reports to the Arizona Supreme Court's administrative office and Town Clerk in accordance with published requirements from those agencies.

Receives and reviews all case/proceeding related communications, orders, motions, letters and reports; ensures all parties receive copies and are afforded opportunity to respond; reviews original documents; and ensures they are filed in accordance with constitutional, procedural and ethical rules.

Reads and analyzes legal documents and supporting documentation for each case/type of legal proceeding; operates tape recorder during proceedings; oversees jury selection; provides instructions to jurors; calls each case; identifies parties present; administers oaths; listens to arguments; analyzes admitted evidence; applies applicable laws, statutes and other legal instructions; ensures there are no potential conflicts of interest; controls verbal communications between parties; and ensures court operations comply with legal and ethical rules.

Based upon evidence, arguments, constitutional rights, procedures and the rules of law, makes decisions throughout the lifecycle of each proceeding; makes final decision/ruling on proceedings, motions and appeals; and renders a verdict or receives and pronounces the jury's verdict.

Conducts guilty and no contest plea proceedings and sentencing; discusses settlement negotiations.

Conducts sentencing hearings; explains verdicts, procedures, and sentences; calculates fines, fees and restitution; selects payment due dates; selects confinement dates and determines whether to permit work release; and explains probationary terms.

Prepares and submits necessary legal forms, records and paperwork required to document each decision and each step/phase of the legal proceedings/cases.

Responds to questions, complaints, inquiries pertaining to the Court, its policies and procedures, and actions taken; resolves complaints and sensitive issues; interacts with Town management, prosecutors, law enforcement personnel and other municipal courts; represents the Court to professional and community groups, the general public and the media; and appears before the Town Council upon request.

Oversees the design and functionality of the new constructed of and/or renovations to court facilities.

Operates a personal computer and general office equipment as necessary to complete essential functions, to include the use of word processing, spreadsheet, database, or other system software.

Performs other related duties as required.

**MINIMUM QUALIFICATIONS:**

A Presiding Municipal Court Judge shall be a member in good standing of State Bar of Arizona; and have at least five years of experience as a full time judge in an Arizona Court of limited jurisdiction.

**PERFORMANCE APTITUDES:**

Data Utilization: Requires the ability to coordinate, manage, and/or correlate data. Includes exercising judgment in determining time, place and/or sequence of operations, referencing data analyses to determine necessity for revision of organizational components, and in the formulation of operational strategy.

Human Interaction: Requires the ability to apply principles of negotiation. Performs such in formal situations within the context of legal guidelines.

Equipment, Machinery, Tools, and Materials Utilization: Requires the ability to operate, maneuver and/or control the actions of equipment, machinery, tools, and/or materials used in performing essential functions.

Verbal Aptitude: Requires the ability to utilize consulting and advisory data and information, as well as reference, descriptive and/or design data and information as applicable.

Mathematical Aptitude: Requires the ability to perform addition, subtraction, multiplication and division; ability to calculate decimals and percentages; may include ability to perform mathematical operations with fractions; may include ability to compute discount, interest, and ratios; may include ability to calculate surface areas, volumes, weights, and measures.

Functional Reasoning: Requires the ability to apply principles of logical or scientific thinking to implement both intellectual and practical relationships. Involves responsibility for consideration and analysis of complex organizational problems of major functions.

Situational Reasoning: Requires the ability to exercise judgment, decisiveness and creativity in situations involving broader aspects of organizational programs and operations, moderately unstable situations, or the direction, control and planning of an entire program or set of programs.

**ADA COMPLIANCE:**

Physical Ability: Tasks require the ability to exert light physical effort in sedentary to light work, but which may involve some lifting, carrying, pushing and/or pulling of objects and materials of light weight (5-10 pounds). Tasks may involve extended periods of time at a keyboard or work station.

Sensory Requirements: Some tasks require the ability to perceive and discriminate sounds and visual cues or signals. Some tasks require the ability to communicate orally.

Environmental Factors: Performance of essential functions may require exposure to adverse environmental conditions such as violent, rude/irate customers.

**EQUAL OPPORTUNITY EMPLOYER:**

The Town of Gilbert, Arizona is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the Town will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective and current employees to discuss potential accommodations with the employer.

City of Mesa – Municipal Court

**PRESIDING CITY MAGISTRATE**

**JOB DESCRIPTION**

**Classification Responsibilities:** Subject to legislative, administrative policy guidance, and rulings from higher judicial bodies, the Presiding City Magistrate directs the Municipal Court operations. The Presiding City Magistrate shall take reasonable measures to assure prompt disposition of cases and proper performance of other judicial responsibilities. This class is also responsible for performing related duties as required.

**Distinguishing Features:** This classification has been designated as a non-classified, non-merit system, at-will position. Work is performed in accordance with the provisions of applicable laws and is subject to review by a higher court. The Presiding City Magistrate is appointed by the City Council to a specified term. This employee receives administrative direction from the City Manager who reviews work on the basis of overall results achieved. This class is FLSA exempt-executive.

**QUALIFICATIONS**

**Minimum Qualification(s) Required.** Graduation from an accredited school of law. Ten plus years of progressively responsible judicial experience or related work involving legal/law processes.

**Special Requirement(s).** Membership in the Arizona State Bar Association. For this position, an individual receiving a conditional offer of employment from the City of Mesa must pass a background investigation through the City of Mesa Police Department, the Arizona Department of Public Safety, and Federal Bureau of Investigation prior to commencing employment with the City of Mesa.

**Substance Abuse Testing.** None.

**Preferred/Desirable Qualification(s).** Some supervisory or administrative experience in a judicial environment is desirable.

**ESSENTIAL FUNCTIONS**

**Communications:** Conveys legal opinions to defendants, attorneys, and City Court staff. Elicits pertinent information and confines witnesses and litigants to relevant issues. Discusses the social implications of offenses with defendants. Confers with attorneys. Gives information on citizens' rights, and court procedures and policies. Responds to inquiries from the Mayor, City Council, and other public officials. Communicates with subordinates, other City employees, attorneys, representatives from other agencies, and the general public to establish and maintain effective working relationships.

**Manual/Physical:** Presides at arraignments, trials, and special hearings. Reviews and supervises the maintenance of the trial docket. Approves bonds and signs criminal warrants

and other legal documents. Represents the City Court at meetings with other agencies. Enters legal decisions into the court file.

**Mental:** Supervises and directs the activities of City Magistrates and the Court Administrator, including assigning case loads, counseling in procedural matters, and evaluating performance. Hears and disposes of cases, including determining fines, setting bail, and issuing orders regarding the disposition of arrested persons; and determining sentences to be imposed. Analyzes evidence and data presented in court and applies existing law. Conducts legal research to determine applicable laws to a given set of circumstances. Prepares the departmental budget and controls expenditures.

**Knowledge and Abilities:**

Knowledge of:

Arizona criminal law, Mesa City ordinances, and related laws and regulations applicable to a city court;  
city court procedures and operational practices;  
various correctional methods and their successes; and  
underlying social factors involved in cases coming before the court.

Ability to:

supervise and direct the activities of City Magistrates and the Court Administrator;  
preside at arraignments, trials, and special hearings;  
hear and dispose of cases;  
analyze evidence and data presented in court and apply existing law;  
review and supervise the maintenance of the trial docket;  
prepare and administer the City Court annual budget; and  
represent the City Court at meetings with other agencies.

The duties listed above are intended only as general illustrations of the various types of work that may be performed. Specific statements of duties not included does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Job descriptions are subject to change by the City as the needs of the City and requirements of the job change.

Revised to add Substance Abuse Testing 12/10  
KB/la  
CS1104.DOC                      PAY RANGE: 1104  
EEO-O/A                              SH-No  
NDOT Safety-No                      Security-No  
NDOT Random-No  
DOT Safety-No                      CDL-No  
RESP-No                              IND-9410  
JOB FCTN-ADM                      SWORN-No  
PAY STEPS-Special



## COUNCIL MINUTES

September 20, 2004

The City Council of the City of Mesa met in a Regular Council Meeting in the Council Chambers, 57 East 1st Street, on September 20, 2004 at 5:47 p.m.

### COUNCIL PRESENT

Mayor Keno Hawker  
Rex Griswold  
Kyle Jones  
Tom Rawles  
Janie Thom  
Claudia Walters  
Mike Whalen

### COUNCIL ABSENT

None

### OFFICERS PRESENT

Mike Hutchinson  
Barbara Jones  
Debbie Spinner

Invocation by Paul Covert, Prayer Pastor, Central Christian Church of the East Valley.

Pledge of Allegiance was led by Easton Spencer, Boy Scout Troop No. 798.

Presentation of the Don Cooper Memorial Award by the Mesa Public Safety Foundation.

Former Mayor Wayne Pomeroy, President of the Mesa Public Safety Foundation, stated that two of the Foundation's Vice Presidents were also present, Alex Finter and Milt Lee.

Mr. Pomeroy provided details of a "swift water" rescue performed by two Mesa Police Officers, Helicopter Pilot H. David Salem and Officer Steven Berry, and on behalf of the Public Safety Foundation, he presented each with a plaque in recognition of their accomplishment.

Mr. Lee presented the Don Cooper Memorial Award to Firefighter Gary Gallagher in recognition of his successful effort to restrain an individual who, despite being tazed, was out of control and poised to attack a Mesa Police Officer. He stated that Firefighter Gallagher tackled and restrained the individual until additional Police officers arrived on the scene. Mr. Lee also recalled a heroic incident several years ago when Firefighter Gallagher successfully restrained a woman who was attempting to commit suicide.

Vice Mayor Walters declared a potential conflict of interest and said she would refrain from discussion/participation in this agenda item.

Councilmember Rawles noted that the fund allocations are specifically identified, and he inquired what method was utilized to allocate the funds.

City Manager Mike Hutchinson stated that the City's list of proposed projects is reviewed by the Indian Community Board, and that the Indian Community makes the final decision regarding the allocation of funds. He confirmed that the new Gaming Compact requires revenue sharing in the amount of twelve percent.

In response to Councilmember Rawles' question as to whether the law requires that the Indian Community direct the fund allocation, Mr. Hutchinson advised that he was not familiar with the exact wording of the law, but that the majority of Indian communities have worked cooperatively with the cities regarding the allocation of funds.

Mayor Hawker suggested that fund allocation of Indian Gaming Revenues be a topic for discussion at a future study session.

It was moved by Councilmember Griswold, seconded by Councilmember Jones, that Resolution No. 8333 be adopted.

Upon tabulation of votes, it showed:

AYES - Hawker-Griswold-Jones- Rawles-Thom-Whalen  
NAYS - None  
ABSTAIN - Walters

Mayor Hawker declared the motion carried unanimously by those voting and Resolution No. 8333 adopted..

**9.1. Discuss and consider a salary increase for City Magistrates.**

Vice Mayor Walters noted that the City of Mesa Magistrates are paid considerably less than other magistrates throughout the Valley.

It was moved by Vice Mayor Walters, seconded by Councilmember Jones, that the salary for City Magistrates be increased to \$117,000 per year effective October 1, 2004.

**Carried unanimously.**

**10. Consider the following subdivision plats:**

- \*a. "BANNER BAYWOOD MEDICAL CENTER", – (Council District 5) – 6600 block of East Baywood Avenue (north side) located north and west of Broadway Road and Power Road. 1 C-2, R-4 BIZ, O-S lot (32.71 ac) Banner Health Systems, an Arizona Corporation, owner; Evans, Kuhn & Associates, Inc., engineer.



# City Council Report

**Date:** September 16, 2004  
**To:** City Council  
**From:** Mike Hutchinson  
**Subject:** Salary for City Magistrates  
Citywide impact

## Purpose and Recommendation

This report provides information regarding a salary increase for the City Magistrates. Currently, the annual salary is \$106,849.60. We ask that the City Council consider setting the annual salary for each of the City's six Magistrates at \$117,000, effective Oct. 1, 2004.

The increase would provide an appropriate and competitive salary level in line with City Magistrates in other communities. Mesa Municipal Court is the second largest municipal court in Maricopa County and the third largest in the state.

## Discussion

A survey of the annual salary data for City Magistrates in Chandler, Glendale, Phoenix, Scottsdale and Tempe has been conducted. Additional information related to future salary changes, which have already been approved in other communities, also has been provided. A summary of the data and a more detailed review of additional benefits are listed below and reflect approved salary increases. The results indicate that the current salary is below the market average.

### Chandler City Magistrate

**Salary** **\$109,583 (current)**  
**\$115,062 (effective 10/1/2004)**  
Additional Benefits: \$200/mo or \$2,400/yr car allowance  
2 months severance package

### Glendale City Judge

**Salary:** **\$110,500**  
Additional Benefits: none (standard City benefits)

### Mesa City Magistrate

**Salary:** **\$106,849.60**  
**Addl. Benefits:** **Executive physical**  
**1 1/2 life insurance**  
**.50% deferred compensation match**

Phoenix  
 City Judge

Salary: **\$120,756**  
 Additional Benefits: \$240/mo \$2,880/yr car allowance  
 \$80/mo or \$960/yr communications  
 1 1/2 life insurance  
 \$3,974 tuition reimbursement  
 (Manager or Executive)  
 Deferred Comp contribution (\$11,592 = 9.6%)

Note: City of Phoenix has an ordinance dictating that the City Judge will be paid 100% of the salary of a Superior Court Judge. The salary is set and is not eligible for the regular City COLA. The deferred compensation matching is as follows: the City contributes the greater amount of 9.6% of gross annual salary or 60% of the annual allowable maximum. The benefits outlined above are a part of Phoenix's Middle Management Benefits Program and Executive Benefits Program. These benefits are provided to various designated classifications within their respective pay plan.

Scottsdale  
 Assistant City Judge

Salary: **\$107,640**  
**\$110,884**  
**\$114,212 \***

Additional Benefits: None other than standard City benefits

\* Note: Each of the three City Judges negotiates salary at the time of their individual reappointments, which is the reason for three salaries for City Judge. Scottsdale is discussing that the amount of compensation will be the same to comply with state law.

Tempe  
 City Judge

Salary: **\$115,365 (effective 9/15/2004)**  
**\$119,979 (effective 9/15/2005)**

Additional Benefits: 7 days "exempt" leave

Note: The seven days of exempt leave is a benefit provided to managers and judges and is basically seven extra days of vacation per year

**Summary of City Magistrate Salary Data**

<u>City</u>	<u>Classification</u>	<u>Annual Salary Plus Additional Benefits</u>	<u>Annual Base Salary</u>
Chandler	City Magistrate	\$117,462	\$115,062
Glendale	City Judge	\$110,500	\$110,500
Phoenix	City Judge	\$140,162	\$120,756
Scottsdale	Assistant City Judge	\$114,212	\$114,212
Tempe	City Judge	\$115,365	\$115,365
		\$119,540 Average	\$115,179
		<b>Mesa's Current Salary:</b>	<b>\$106,850</b>
		<b>Mesa's Current Salary plus Benefits:</b>	<b>\$107,383</b>

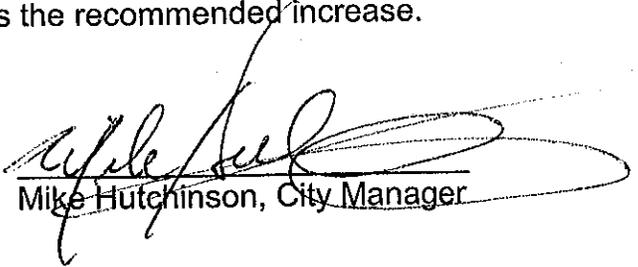
**Fiscal Impact**

The estimated fiscal impact for Fiscal Year 2004-05 to increase the salary of the City's six magistrates effective Oct. 1, 2004 is approximately \$52,236.

**Concurrence**

Presiding City Magistrate Matt Tafoya supports the recommended increase.

  
\_\_\_\_\_  
Ellen Pence, Assistant to City Manager

  
\_\_\_\_\_  
Mike Hutchinson, City Manager

CITY MAGISTRATE SURVEY OF VALLEY CITIES

<u>CITY</u>	<u>SALARY</u>	<u>CAR ALLOWANCE</u>	<u>CELL PHONE</u>	<u>LIFE INSURANCE</u>	<u>PHYSICAL</u>	<u>OTHER</u>	<u>ANNUAL SALARY PLUS BENEFITS</u>
Chandler	\$115,062 (10-1-04)	\$2,400 / Yr.	Yes			2-month severance	\$117,462
Glendale	\$110,500						\$110,500
Mesa	\$106,849.60	No	No	1-1/2	Yes	.50% City match of employee's salary to deferred compensation (available to all employees)	\$107,383.85
Phoenix	\$120,756	\$2,880 / Yr.	\$960 / Yr.	1-1/2	Yes	\$3,974 Tuition \$11,592 Def. Comp.	\$140,162
Scottsdale	\$114,212						\$114,212
Tempe	\$115,365 (9-15-04)					7 days exempt leave	\$115,365



# COUNCIL MINUTES

May 24, 2007

The City Council of the City of Mesa met in a Study Session in the lower level meeting room of the Council Chambers, 57 East 1st Street, on May 24, 2007 at 7:30 a.m.

## COUNCIL PRESENT

Mayor Keno Hawker  
Rex Griswold  
Kyle Jones  
Tom Rawles  
Scott Somers  
Claudia Walters  
Mike Whalen

## COUNCIL ABSENT

None

## OFFICERS PRESENT

Debra Dollar  
Debbie Spinner

(Councilmember Whalen participated in the meeting through the use of telephonic equipment.)

- Hear a presentation, discuss and provide direction on budget issues for Arts & Cultural including the status of financial support from the Mesa Arts Center Foundation, Arizona Museum for Youth Friends and Mesa Community College.

Executive Manager Trisha Sorensen introduced Interim Arts and Cultural Department Director Rob Schultz. She also acknowledged the presence of Dennis Kavanaugh, Chairman of the Mesa Arts Center Foundation, who was available to respond to any questions the Council may have.

Ms. Sorensen reported that due to various budget reductions implemented in the Arts and Cultural Department in FY 2006/07, a number of organizations have offered financial assistance in order to aid the City in preserving programming and services impacted by those cuts.

Ms. Sorensen referred to a PowerPoint presentation (available for review in the City Clerk's Office) and highlighted the following information and budget reductions:

### **Arizona Museum for Youth**

- \$422,248 was eliminated from the budget and the Arizona Museum for Youth Friends Organization committed \$188,000 this fiscal year to fund 4.7 Full Time Employees (FTEs) for gallery educators and 1 FTE for a Museum Exhibits Technician.
- The financial commitment from the organization has been implemented without issue.

Councilmember Somers concurred with Councilmember Rawles' comments.

Mayor Hawker stated that there is Council concurrence to accept staff's recommended Human Services funding levels as originally presented to the HSAB. He also noted that with regard to the EVSS utility costs, that the matter be included in the budget rollup discussions as part of the outstanding issues for FY 2006/07 and FY 2007/08.

Mayor Hawker thanked staff for the presentation.

3. Discuss and provide direction on the salaries for Presiding City Magistrate and City Magistrates.

Mayor Hawker commented that the Council received a memo from Presiding City Magistrate Matt Tafoya, which provides a comparison of current compensation for City Magistrates in Municipal Courts in several surrounding communities.

Councilmember Rawles stated that he is uncomfortable recommending an "anticipatory raise" of what salaries in other cities might be in the future. He recommended that the salary for the City Magistrates be increased to \$130,000 and \$150,000 for the Presiding City Magistrate. Councilmember Rawles added that the increases would be inclusive of the proposed Cost of Living Adjustment (COLA).

Mayor Hawker stated that there is Council concurrence with Councilmember Rawles' recommendation.

4. Acknowledge receipt of minutes of various boards and committees.

- a. Community & Neighborhood Services Committee meeting held on April 2, 2007
- b. Planning and Zoning Board meetings held on April 17, 2007 and April 19, 2007
- c. Public Safety Committee meeting held on April 23, 2007

It was moved by Vice Mayor Walters, seconded by Councilmember Rawles, that the above-referenced minutes be acknowledged.

Carried unanimously.

5. Hear reports on meetings and/or conferences attended.

There were no reports on meetings and/or conferences attended.

6. Scheduling of meetings and general information.

Assistant City Manager Debra Dollar stated that the meeting schedule is as follows:

Saturday, May 26, 2007, 10:00 a.m. – Dedication Ceremony for newly remodeled Carson Pool

Thursday, May 31, 2007, 7:30 a.m. – Study Session

Monday, June 4, 2007, 3:00 p.m. – Transportation and Infrastructure Committee

Monday, June 4, 2007, TBA – Study Session

**Mesa Municipal Court**

J. Matias Tafoya  
*Presiding Judge*

Paul E. Thomas  
*Court Administrator*

TO: Mayor Keno Hawker

FROM: J. Matias Tafoya *Jmt*

DATE: March 2, 2007

RE: Executive Session – Judicial Salaries

Thank you for meeting with me on Tuesday, February 27. As you requested, I am sending this memo requesting that a Council Executive Session be set in reference to judicial salaries.

The judges received their last salary increase in October of 2004, with another \$1000 per year increase to be considered by the City Council the following year. Due to the budget issues facing the City at that time, the judges unanimously agreed to forego requesting the additional \$1000 increase.

I understood from our meeting that you would consider setting the Executive Session on this issue in April or May. The judges very much appreciate the Council's consideration of a salary review.

JMT:scb



www.cityofmesa.org

DATE: January 29, 2007

TO: Mayor & City Council

THROUGH: Chris Brady, City Manager

FROM J. Matias Tafoya, Presiding Judge *JMT*

SUBJECT: City Magistrate Compensation

Mesa Municipal Court

J. Matias Tafoya  
 Presiding Judge

Paul E. Thomas  
 Court Administrator

Recommendation:

Increase the compensation for City Magistrates from \$119,350 to \$135,432.

Discussion

The table below reflects information relating to the current compensation for City Magistrates in the Municipal Courts in the surrounding cities:

COURT	Current Compensation	Additional Compensation	
Chandler	\$118,560	\$200/mo car allowance	Expect 6.05% increase in October to \$125,733 (currently in front of council)
Glendale	\$128,886	N/A	
Phoenix	\$135,844	\$280/mo car allowance; 9.6% of base annual salary in deferred comp. contribution; \$100/mo communication allowance	
Tempe	\$125,978	3 days "exempt" leave	5% increase expected in 2008 to \$132,277
Scottsdale	\$123,594		
<b>AVERAGE</b>	<b>\$126,572</b>		
Mesa	\$119,350	3 "personal" days	

Based upon the above comparison, the compensation for City Magistrates is below the average for Magistrates in courts in the surrounding cities. If the other municipalities increase the Magistrate salaries as expected, the average will change to \$129,267.

The recommended compensation is calculated at 7% of the current average and would be consistent with the city policy of compensation at an amount above the average for comparable positions.

JMT:scb

245 West Second Street  
 Mesa Arizona 85201-6599  
 480.644.2255 Tel  
 480.644.2927 Fax





**Mesa Municipal Court**

J. Matias Tafoya  
*Presiding Judge*

Paul E. Thomas  
*Court Administrator*

TO: Mayor Keno Hawker  
FROM: J. Matias Tafoya *JMT*  
DATE: March 2, 2007  
RE: Executive Session – Presiding Judge Salary

Thank you for meeting with me on Tuesday, February 27. As you requested, I am sending this memo requesting that a Council Executive Session be set in reference to my salary as Presiding Judge of the Mesa Municipal Court. Since my appointment to the bench on September 8, 2003, I have not received a salary increase.

I thank you, again, for meeting with me, and I sincerely appreciate Council's consideration of a salary review.

JMT:scb





**Mesa Municipal Court**

J. Matias Tafoya  
*Presiding Judge*

Paul E. Thomas  
*Court Administrator*

DATE: January 29, 2007  
 TO: Mayor & City Council  
 THROUGH: Chris Brady, City Manager  
 FROM: J. Matias Tafoya, Presiding Judge *JMT*  
 SUBJECT: Presiding City Magistrate Compensation

Recommendation:  
 Increase the compensation for Presiding City Magistrate from \$139,402 to \$159,045.

Discussion  
 The table below reflects information relating to the current compensation for Presiding Magistrates in the Municipal Courts in the surrounding cities:

COURT	Current Compensation	Additional Compensation	
Chandler	\$149,331	\$250/mo car allowance; \$6,700 deferred comp. contribution	Expect 5% increase in July to \$156,797
Glendale	\$151,631	\$325/mo car allowance; 10% of base annual salary in deferred comp. contribution	Expect 10% increase in March to \$166,794
Phoenix	\$150,200	\$435/mo car allowance; 9.6% of base annual salary in deferred comp. contribution; \$100/mo communication allowance	Expect 5% increase in February
Tempe	\$152,036	\$500 mo car allowance; 10% of base annual salary in deferred comp. contribution; 7 days "exempt" leave	5% increase expected in 2008 to \$159,638
Scottsdale	\$140,004	\$300/mo car allowance	
<b>AVERAGE</b>	<b>\$148,640</b>		
Mesa	\$139,402	\$300/mo car allowance; \$1,000 annual executive physical; 3 "personal" days	



Based upon the above comparison, the compensation for Presiding City Magistrates is below the average for Presiding Magistrates in courts in the surrounding cities. If the other municipalities increase the Presiding Magistrate salaries as expected, the average will change to \$156,189.

The recommended compensation is calculated at 7% of the current average and would be consistent with the city policy of compensation at an amount above the average for comparable positions.

JMT:scb

# Memo

**To:** Christopher Brady, City Manager  
**From:** Kathleen Broman, Sr. Human Resources Analyst, ext. 4417  
**Date:** 5/10/2007  
**Re:** Compensation for City Magistrate and Presiding City Magistrate

---

Regarding the salary information and additional compensation noted in the memo from the Mesa Municipal Court dated January 29, 2007. The data was re-confirmed by Human Resources and verified to be correct. Confirmation occurred in March 2007. While the Cities contacted would verify current salary and compensation package, none would confirm "expected" increases or changes to compensation.

Please contact me if further assistance is needed.

**Data Collected by Personnel:**

City:	Number of City Magistrates:	Pro-Tem Judges:	Number of reports to the Presiding Magistrate:	Scope of Responsibilities for Presiding Judge:
Mesa	1 Presiding Judge and 6 City Magistrates	Varies	8 (include 6 magistrates, 1 court commissioner, and 1 court administrator) Pro-tems as needed.	Directs municipal court operations, conveys legal opinions to defendants, attorneys, and City Court staff, responds to inquires from the Mayor, City Council, and other public officials, presides at arraignments, trials, special hearings, reviews and supervises the maintenance of the trial docket, represents City Court at meetings with other agencies, supervises and directs activities of City Magistrates and the Court Administrator, Conducts legal research, Prepares the dept budget.
Chandler	1 Presiding Judge, 2 Magistrates, 1 Magistrate Vacancy	3	9 (2 Magistrates and 1 Magistrate Vacancy, 3 Pro-Tem Judges, 1 Hearing Officer, 1 Sr. Executive Asst, and 1 Court Administrator)	City of Chandler does not have job descriptions for their Appointed Officials.
Glendale	1 Presiding Judge and 2 City Judges	12	23 (1 Vacant Supervisor, 1 Accountant, 1 Court Hearing Officer, 2 City Judges, 1 Court Administrator, 12 -Pro Tem Judges, 1 Contract Employee, 1 Special Projects Coordinator, 3 Police Officers) Contract Security Guards also listed on org chart. Number unknown.	City of Glendale does not have job descriptions for their Appointed Officials.
Phoenix	1 Chief Presiding Judge, 1 Assistant Presiding Judge, 20 full-time judges and 1 vacancy	28	6 (Include Admin Asst I, Information Systems Officer, Executive Court Administrator, Staff Attorney, Mgmt Svc. Municipal Court Administrator, Asst Presiding Judge)	Administrative head of the court, independent judgement in adjudicating cases, supervision over City Judges and management staff, presides at arraignments, performs public relations activities, reviews and supervises the maintenance of trial docket, prepares and supervises all arraignment, trial, and sentencing schedules, Collects, safekeeps, and transfers to the City Treasurer monies collected, Files reports, adopts regulations for the internal administration of the Court, prepares and administers the budget.
Scottsdale	1 Presiding Judge and 3 Associate City Judges	24	30 (Six (6) include the Court Administrator, Associate City Judges and Hearing Officers. The other twenty-four (24) are the Pro-Tem Judges.)	Executive leadership, direction and management for the City's Court System, administering justice in cases, supports operating division programs, leadership of Court staff and Associate Judges, presides over courtroom proceedings through trial of misdemeanor and traffic offenses, executes and issues court processes, determines pleas, motions and sentencing issues, Appoints attorneys for indigents, may teach or lecture at schools, training seminars or conferences, researches legal problems and prepares legal opinions.
Tempe	1 Presiding Judge and 2 City Judges	10	15 (2 City Judges, 10 Pro-Tem Judges, 1 Court Administrator, 2 Court Commissioners)	Direct, organize, and supervise the administration of the court, determines judicial assignments for assigned judicial officers, supervise judicial and non-judicial personnel, establish case management policies and procedures, develop and supervise the administration fo the Court budget, assist with establishment of bond schedules, establish and implement standards and parameters for indigency screening for purposes of appointing a public defender.
Gilbert	1 Presiding Judge and 3 Municipal Judges	6	12 (3 Municipal Judges, 6 Pro-Tem judges, 1 Court Administrator, 1 Civil Hearing Officer, 1 System Analyst)	Manage the staff, resources, and adjudication activities of the Municipal Court. Manages Municipal Court Dept, establishes court policies and procedures, establishes and implements case management system, assigns cases to judges, reviews operations, evaluates court performance, implements continuous quality improvement practices. Directs Court Operational and administrative functions, Manages depts resources, Presides over legal proceedings and cases, prepares and submits court activity reports, supervises, directs, and evaluates assigned staff.

## City Judge

City	Population	Actual Base Salary	Salary Range	Deferred Comp	Vehicle Allowance (Yearly)	Communication Allowance (Yearly)	Total Compensation
Mesa*	463,162	\$130,000	flat salary, no range	\$650	\$0	\$0	\$130,650
Chandler**	253,352	\$142,661	flat salary, no range	\$750	\$0	\$0	\$143,411
Glendale***	226,721	\$150,217	flat salary, no range	\$0	\$0	\$0	\$150,217
Phoenix****	1,469,471	\$144,999	flat salary, no range	\$15,104	\$3,360	\$1,200	\$164,663
Scottsdale	234,628	\$146,848	unknown	\$0	\$0	\$0	\$146,848
Tempe	161,719	<b>\$144,448</b>	flat salary, no range	\$0	\$0	\$0	\$144,448
Gilbert*****	208,453	\$142,661	flat salary, no range	\$0	\$0	\$50	\$142,711

\*Mesa Deferred comp is optional based on participation eligible for half of 1%

\*\*Chandler Deferred comp is \$750.00 per year

\*\*\*Glendale The City Judge salary is a percentage of what their Presiding City Judge gets

\*\*\*\*Phoenix Receive 9.6% of base salary from the City, pre-tax, in a 401 deferred comp fund

\*\*\*\*\*Gilbert monthly cell phone stipend is available if they are on call. Eligible employees have the option of not receiving the stipend.

**Summary:**

Market Avgs based on Total Compensation and including Gilbert:

\$148,716.33

Mesa:

\$130,650.00

-18,066.33

Market Avgs based on Total Compensation excluding Gilbert:

\$149,917.40

Mesa:

\$130,650.00

-19,267.40

Market Avgs based on Actual Salary Including Gilbert:

\$145,305.67

Mesa:

\$130,000.00

-15,305.67

Market Avgs based on Actual Salary excluding Gilbert:

\$145,834.60

Mesa:

\$130,000.00

-15,834.60

### Presiding Judge

City	Population	Years in Position	Actual Base Salary	Salary Range	Deferred Comp	Vehicle Allowance (Yearly)	Communication Allowance (Yearly)	Total Compensation
Mesa*	463,162	9	\$150,000	flat salary, no range	\$750	\$3,600	\$0	\$154,350
Chandler	253,352	26	\$174,680	flat salary, no range	\$6,700	\$0	\$0	\$181,380
Glendale**	226,721	8.5	<b>\$176,726</b>	flat salary, no range	\$16,500	\$4,800	\$1,200	\$199,226
Phoenix	1,469,471	less 1yr	\$177,199	flat salary, no range	\$18,458	\$5,220	\$1,200	\$202,078
Scottsdale	234,628	unknown	\$150,010	unknown	\$0	\$0	\$0	\$150,010
Tempe***	161,719	2yrs	<b>\$157,724</b>	\$120,611 - \$162,825	\$15,313	\$0	Cell phones may be offered at the discretion of the department	\$173,037
Gilbert	208,453	1yr/9mths	\$174,241	flat salary, no range	\$0	\$0	\$50	\$174,291

\*Mesa Deferred comp is optional based on participation eligible for half of 1%

\*\*Glendale Deferred comp is 10% of base salary, to max of \$16,500

\*\*\*Tempe Deferred comp is 10% of base salary. Also Presiding Judge will receive a \$500 per month contribution into a 401k/457B defined contribution account in lieu of restoring car allowances

\*\*\*\*Phoenix Deferred comp is 9.6% of base salary.

\*\*\*\*\*Gilbert monthly cell phone stipend is available if they are on call. Eligible employees have the option of not receiving the stipend.

**Summary:**

Market Avgs based on Total Compensation and Including Gilbert:

Mesa: \$180,003.67

Mesa: \$154,350.00

-25,653.67

Market Avgs based on Total Compensation excluding Gilbert:

Mesa: \$181,146.20

Mesa: \$154,350.00

-26,796.20

Market Avgs based on Actual Salary Including Gilbert:

Mesa: \$168,430.00

Mesa: \$150,000.00

-18,430.00

Market Avgs based on Actual Salary excluding Gilbert:

Mesa: \$167,267.80

Mesa: \$150,000.00

-17,267.80

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of: )  
 )  
PRESIDING JUDGES AUTHORITY ) Administrative Order  
 ) No. 2005 - 32  
 ) (Replacing Administrative  
 ) Order No. 96-32)  
 )  
\_\_\_\_\_ )

On July 12, 1996, Administrative Order No. 96-32 replaced Administrative Order No. 93-30 which had adopted a set of administrative rules that provided separately the powers and duties of presiding judges of the superior court (Rule V-A), presiding justices of the peace (Rule VI-A, Section 2) and presiding municipal court judges (Rule VII-A, Section 2).

On March 24, 2005, by Administrative Order No. 2005-22, this Court repealed and replaced Administrative Rule VI-A, Section 2 concerning the presiding justice of the peace.

Amendments to Rule V-A that clarify the authority of the presiding judge over the administration of the superior court were considered and recommended for adoption by the presiding judges of each county at a meeting on March 29, 2005 and by the Arizona Judicial Council at a meeting on March 30, 2005.

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that Administrative Rule V-A is repealed and replaced by the attached provision of this Order entitled Presiding Judge of the County that contains the recommended amendments.

IT IS FURTHER ORDERED that Administrative Rule VII-A is repealed and replaced by the attached provision of this Order entitled Presiding Judge - Municipal Court that contains only formatting changes.

Dated this 16th day of May, 2005.

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CHARLES E. JONES  
Chief Justice

## PRESIDING JUDGE OF THE COUNTY

**A. Appointment.** In each county with two or more superior court judges, the Supreme Court shall appoint one of such judges presiding judge. The presiding judge shall serve as the presiding judge of the county. Presiding judges may be reappointed.

**B. Term of Office** - The presiding judge of the superior court in each county shall serve a term of five (5) years. The term of the presiding judge may be extended as determined by the Supreme Court.

### **C. Duties**

1. Presiding judges shall be the Chief Judicial Executive Officers of their respective counties and shall exercise administrative supervision over the superior court including all of its divisions and judges thereof in their counties. As a division of the superior court, the juvenile court is subject to this authority. Presiding judges shall also exercise administrative supervision over the clerk of the superior court; give direction to the court administrator; exercise administrative supervision over the justice of the peace courts in their counties; and exercise administrative supervision over the municipal courts in their counties. In counties with an associate presiding judge, and when so designated by the presiding judge, the associate presiding judge shall perform the duties of presiding judge of the superior court.
2. Administrative supervision of the superior court shall include authority to:
  - a. Determine the administrative structure of the superior court and all of its divisions and make regular and special assignments of all superior court judges and, unless otherwise directed by the Chief Justice and in cooperation with other presiding judges, assign judges within the county to other counties.
  - b. Exercise general supervision over the personnel of all divisions of the superior court.
  - c. Prescribe the powers and duties of the clerk of the court, in addition to those prescribed by law and the Supreme Court.
  - d. Appoint with the approval of the Supreme Court an associate presiding judge to act during the absence or unavailability of the presiding judge or as defined above. The presiding judges may delegate any and all of their powers to the associate presiding judge. The associate presiding judge shall serve at the pleasure of the presiding judge and shall exercise and discharge all powers and duties of the presiding judge, except appointing court commissioners or appointing judges permanently to special assignments. In order to facilitate the business of the court the presiding judges or associate presiding judge may delegate their duties to other judges.

- e. Appoint a presiding judge of the juvenile court to perform under the administrative supervision of the presiding judge administrative duties as provided by statutes, rules, and administrative code provisions.
  - f. Promulgate such local rules as a majority of the judges of the county may approve or as the Supreme Court shall direct.
  - g. Identify and develop programs that provide alternative methods for the resolution of civil disputes to which actions may be referred pursuant to the authority conferred by Rule 16(g) of the Arizona Rules of Civil Procedure, and promulgate such local rules as a majority of judges of the county may approve establishing and governing such alternative-dispute resolution programs.
  - h. Appoint a chief adult probation officer and provide advice and consent to the presiding judge of the juvenile court concerning the appointment of the juvenile court director.
  - i. Appoint a law library director.
  - j. Establish court security policies and procedures to provide a safe work environment for judicial employees, litigants and users of the court. Court security may include procedures, technology, security personnel or architectural features needed to provide a safe work environment. The presiding judge may also prohibit or regulate the possession of weapons or potential weapons in an area assigned to or controlled by the court.
3. Presiding judges may develop and implement judicial branch personnel systems for the courts in their counties.
  4. Presiding judges shall determine the need for, and approve, the allocation of space and furnishings in the court building; the construction of new court buildings, courtrooms and related physical facilities; and the modification of existing court buildings, courtrooms and related physical facilities. This authority extends, but is not limited to, superior court and all of its divisions, clerk of the superior court, adult probation, justice courts and municipal courts.
  5. Presiding judges shall meet on a regular basis with the presiding justices of the peace, presiding judges in the municipal courts, and justice court and municipal court administrators to discuss separation of powers, resources, use of technology and legal, administrative and other relevant issues to ensure proper functions and independence of the courts in the county.
  6. In counties with four or more justices of the peace, a presiding justice of the peace will be chosen by vote of the justices of the peace in the particular county, with the advice and consent of the presiding judge of the county. In case of a tie vote of the justices of the peace, the presiding judge of the county shall make the selection.

7. Presiding judges shall appoint a superior court administrator and establish and maintain an administrative structure for the superior court and all of its divisions that provides administrative support, as the presiding judge deems necessary, in the areas of human resources, finance, technology, training and whatever other services are required for the administration of justice.
8. Presiding judges shall submit to the Board of Supervisors a coordinated budget for the superior court, clerk of the superior court, adult probation, juvenile court, juvenile probation and justice of the peace courts in their counties.
9. Presiding judges shall assist the presiding justice of the peace and presiding municipal court judges in coordinating uniform bond schedules.
10. Presiding judges shall obtain compliance with statistical reporting requirements from superior court, adult probation, juvenile court, justice courts and magistrate courts.
11. Presiding judges shall coordinate and implement compatible information systems and technology at the local level for all jurisdictions within the county, improve information sharing, and encourage projects which utilize technology to increase accessibility and improve efficiency and court management within their jurisdictions.
12. Presiding judges shall submit a written report, not less than every 18 months, to the Supreme Court and Arizona Judicial Council concerning plans made and progress achieved toward implementation of Admin Order 91-40, Access to Court Services.
13. Presiding judges shall approve and coordinate applications for grant funds from all courts in their respective counties.
14. Presiding judges shall, yearly, certify compliance, non-compliance and exemptions with Educational Policies and Standards.
15. Presiding judges shall approve procedures for implementing sexual harassment policies in the courts in their counties.
16. Presiding judges shall approve plans to implement the policy on access to court services by persons with disabilities, for the courts in their respective counties and report such plans to the Supreme Court.
17. Presiding judges may delegate any part of this order, as appropriate, to the presiding justice of the peace and presiding municipal court judges.

## PRESIDING JUDGE - MUNICIPAL COURT

**A. Appointment.** Presiding municipal court judges shall be selected in a manner provided by the charter or ordinances of the city or town, except in cities and towns which transfer that responsibility to the presiding judge of the county.

**B. Term of Office.** The presiding municipal court judge shall serve a term as established by the appointing authority.

### **C. Duties:**

1. Presiding municipal court judges shall perform administrative duties delegated to them by the presiding judge of the county. Such duties as are appropriate, may be delegated to a municipal court administrator.
2. Presiding municipal court judges may appoint a court administrator according to local charter or ordinance provisions.
3. Presiding municipal court judges shall supervise the administration of the judicial and internal administrative functions of the municipal court including:
  - a. Determining judicial assignments for each judge and, within guidelines established by city or town council, establishing and maintaining standard working hours and times to effectively discharge those assignments;
  - b. Being responsible for the supervision of judges and judicial and nonjudicial staff who directly affect the operation of the court; and
  - c. Delegating duties and responsibilities to judges, judicial and nonjudicial personnel as necessary.
4. Presiding municipal court judges shall work with the presiding judge of the county to assure selection of judges pro tempore in the municipal court is consistent with Administrative Order No. 93-17.
5. In cities without a court administrator or where the duty is not delegated to one:
  - a. Presiding judges of the municipal court shall prepare the annual budget request for the court,
  - b. Presiding municipal court judges shall supervise the administration of the judicial and internal administrative functions of the municipal courts in a professional manner, using appropriate management techniques to organize and direct the efficient operation of the court in the following areas:

- (1) Personnel
- (2) Training
- (3) Facilities
- (4) Procurement
- (5) Finance

That supervision includes supervision of the judges and judicial staff, and non-judicial staff, while they are performing work for the court.

- c. Presiding municipal court judges shall establish docketing, calendaring and case management policies and procedures.
- d. Presiding municipal court judges shall establish automation systems with the assistance and concurrence of the presiding judge of the county.
- e. With the assistance of the presiding judge of the county, presiding municipal court judges shall establish bond schedules in coordination with the justices of the peace in the county.
- f. Presiding municipal court judges shall comply with statistical reporting, jury management and records management policies and procedures established by the Supreme Court.
- g. Presiding municipal court judges may establish court security policies and procedures to provide a safe work environment for judicial employees, litigants and users of the court. Court security may include procedures, technology, security personnel or architectural features needed to provide a safe work environment. The presiding judge may also prohibit or regulate the possession of weapons or potential weapons in an area assigned to or controlled by the court.

*In 1991, the Arizona Judicial Council recommended that court security standards developed by the Committee on Risk Management/Court Security be used as guidelines to implement court security policies and procedures. These standards are found in the Final Report, AJC Committee on Risk Management/Court Security, Appendix G, 1991.*