

JUDICIAL ADVISORY BOARD MINUTES

January 31, 2024

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 January 31, 2024, at 7:50 a.m.

BOARD PRESENT

Kent Cattani, Chairperson
Theo McCalvin, Vice Chair
Kelley Durham
Kelli Flinchbaugh*
Sonia Martinez

BOARD ABSENT

Joshua Rogers

STAFF PRESENT

Lisa Anderson
Geoffrey Balon
Carrie Pile

(*Participated in the meeting through the use of video conference equipment.)

1. Meeting called to order.

Chairperson Cattani called the meeting to order at 7:50 a.m. and conducted a roll call.

2. Approve minutes from the October 25, 2023, meeting.

It was moved by Boardmember Durham, seconded by Boardmember Martinez, that the October 25, 2023, Judicial Advisory Board meeting minutes be approved.

Upon tabulation of votes, it showed:

AYES – Cattani–McCalvin–Durham–Flinchbaugh–Martinez

NAYS – None

ABSENT – Rogers

Chairperson Cattani declared the motion carried unanimously by those present.

3. Items from Citizens Present.

There were no items from citizens present.

4. Hear a presentation from LeCroy & Milligan Associates and discuss the judicial survey collection process.

Skyler Milligan-LeCroy, LeCroy & Milligan Associates Special Projects Manager, displayed a PowerPoint presentation regarding the Judicial Survey Services. **(See Attachment 1)**

Mr. Milligan-LeCroy stated LeCroy & Milligan Associates is contracted to work with the City of Mesa Municipal Court facilitating judicial surveys and obtain feedback on the City Magistrates. He provided background on LeCroy & Milligan and outlined areas of focus and expertise to

assist in development and management of the surveys and identified his team members. (See Pages 2 through 4 of Attachment 1)

Mr. Milligan-LeCroy informed the Board that LeCroy & Milligan have been collecting and supporting the City of Mesa (COM) in obtaining quality service feedback used for reappointing City Magistrates as mandated by the Judicial Advisory Board (JAB). He commented that feedback is collected from attorneys, defendants, jurors, and court staff via paper and online surveys which is then compiled into mid-term and reappointment reports. He shared the history of working with the COM. (See Pages 5 and 6 of Attachment 1)

Mr. Milligan-LeCroy provided samples of the types of questions asked in the surveys directed at defendants and attorneys. He pointed out feedback can be submitted through scanning a QR code, a drop box for paper surveys located in the lobby, as well as email. He discussed the challenges in collecting data. He added the main focus is to continue outreach in an effort to promote a higher response rate. He added that email has been the most effective, supplemented with the drop box and QR code options. (See Pages 7 through 10 of Attachment 1)

Mr. Milligan-LeCroy reported that mid-term reports are supplied in August at the mid-point of the judicial term, and the reports include survey responses as well as any open-ended comments included in the survey. He commented that reappointment reports are provided in January preceding the reappointment process and contain similar information as the mid-term reports. He illustrated how the information is presented within the reports. (See Pages 11 through 13 of Attachment 1)

Responding to a question from Chairperson Cattani regarding whether the response rate is typical compared to other cities, Mr. Milligan-LeCroy commented that overall, the response rates have been consistent since 2016. He mentioned the lowest response rates are from jurors and by doing direct outreach the rates can improve. He noted that having access to emails for outreach would assist the response rates and they could consider adding incentives to respond, depending on the budget.

In response to multiple questions posed by Boardmember Durham, Mr. Milligan-LeCroy explained that the survey does not identify the court staff who respond and mentioned specifying which court staff work with a particular judge for a better response rate. He stated he would follow up on the percentage of staff that are filling out the survey. He reported that false responses can occur and there are filters that limit the survey responses within a certain time period from a specific location.

Discussion ensued relative to the limited attorney responses, ways to target the surveys to those that have practiced recently before each judge, the frequency of updating email lists of attorneys and sending out surveys, and the current process for collecting surveys.

Deputy City Clerk Lisa Anderson confirmed that paper surveys are handed out to jurors and defendants when they appear in court and at the payment windows which can be placed in the drop box. She added there are QR codes throughout the building.

Chairperson Cattani thanked Mr. Milligan-LeCroy for the presentation.

5. Hear a presentation and discuss the State of the Court by Presiding Magistrate John Tatz.

Presiding Magistrate John Tatz displayed a PowerPoint presentation to discuss the State of the Court. **(See Attachment 2)**

Judge Tatz explained when Mesa Municipal Court is fully staffed, there are about 80 staff members. He commented roughly a third to half of the court staff respond to the survey.

Judge Tatz emphasized that the State of the Court is strong and is a pleasant working environment. He spoke about losing a court employee and the impact on the staff.

Judge Tatz mentioned court filings increased slightly from the previous year, adding Mesa Municipal Court is doing as many jury trials as any court in the state. He reported increasing access to justice, which is a State Supreme Court goal, is being accomplished by continuing to allow virtual hearings for certain proceedings, directing customers to e-court, and expanding walk-in hours to 8:00 a.m. to 5:00 p.m., Monday through Thursday. (See Pages 2 and 3 of Attachment 2)

Judge Tatz illustrated the number of virtual hearings and payments that are handled each month. (See Pages 4 and 5 of Attachment 2)

Judge Tatz stated the Domestic Violence Court is the newest specialty court. He said the majority of participants are placed on two to three years of unsupervised probation. He highlighted the low recidivism rate compared to the average and the outstanding effort of the staff. (See Pages 6 and 7 of Attachment 2)

Judge Tatz discussed the success of Community Court as the number of graduates continues to rise, even with the increase in caseload of 40%. He spoke about the partnership with Mesa Community College (MCC) and that six individuals have been referred for college classes free of charge. He spoke about the benefits of Veteran's Court. (See Pages 8 and 9 of Attachment 2)

Judge Tatz reviewed the engagement of the judges outside of court through teaching and volunteering to enhance the legal profession and the community. (See Pages 10 and 11 of Attachment 2)

Responding to a question from Chairperson Cattani regarding areas of focus for the Judicial Advisory Board, Judge Tatz indicated he appreciates the efforts being taken to increase the survey responses and the support of the Board.

Boardmember Martinez commented that she appreciates the willingness of the Court to work with indigenous service providers.

Chairperson Cattani thanked Judge Tatz for the presentation.

6. Review and discuss the reappointment process of Presiding Magistrate John Tatz, Magistrates David Allen and Raymond Schumacher, whose terms expire June 30, 2024.

Chairperson Cattani inquired whether the Boardmembers had any comments or questions prior to going into an executive session.

7. Convene an Executive Session.

It was moved by Boardmember Martinez, seconded by Boardmember Durham, that the Board enter into an Executive Session at 8:27 a.m.

AYES – Cattani–McCalvin–Durham–Flinchbaugh–Martinez
NAYS – None
ABSENT – Rogers

Chairperson Cattani declared the motion carried unanimously by those present.

- a. Discussion or consideration of employment, assignment, appointment, promotion or resignation of a public officer, appointee, or employee of the City. (A.R.S. § 38-431.03(A)(1));
 1. Review and discuss applications and background materials for the reappointments of Presiding Magistrate John Tatz, and Magistrate David Allen and Raymond Schumacher.

(At 9:10 a.m. the Executive Session adjourned, and the Board reconvened their regular meeting.)

8. Review, discuss, and take action on items related to the reappointment of Presiding Magistrate John Tatz, and Magistrates David Allen and Raymond Schumacher.

Chairperson Cattani announced assignments were discussed for the upcoming interview process at the next meeting regarding the reappointments of Presiding Magistrate Tatz and Magistrates Allen and Shumacher.

9. Scheduling of meetings and general information.

Next meeting:

March 13, 2024, 4:30 p.m.
Lower-Level Council Chambers
57 E. First Street

10. Adjourn.

Without objection, the Judicial Advisory Board adjourned at 9:11 a.m.

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 31st day of January 2024. I further certify that the meeting was duly called and held and that a quorum was present.



HOLLY MOSELEY, CITY CLERK



City of Mesa and Mesa Municipal Court: Judicial Survey Services

Presented at the Judicial Advisory Board:

January 31st, 2024



LeCroy & Milligan Associates

Founded in 1991, LeCroy & Milligan Associates (LMA), Inc. is a consulting firm **specializing in social services and education program evaluation and training** that is comprehensive, research-driven and useful. Our goal is to provide effective program evaluation and training that enables stakeholders to **document outcomes, provide accountability, and engage in continuous program improvement.**

With central offices located in Tucson, Arizona, LMA has worked at the **local, state and national level** with a broad spectrum of social services, criminal justice, education and behavioral health programs.

Areas of Experience and Expertise

The LeCroy & Milligan

Associates team has expertise in:

- Evaluation design
 - Statistical analysis
 - Qualitative analysis
 - Web and paper-based survey research
 - Quality assurance systems
 - Strategic planning
 - Needs assessments
 - Technical assistance
 - And more!
- Projects focus on a variety of subject areas including:
- Criminal justice issues
 - Mental health
 - Health equity
 - Early childhood home visitation
 - Child welfare and family preservation
 - Prevention programs
 - Early childhood and K-12 education

Team Introductions

- Skyler Milligan-LeCroy, BA, Technology & Innovation Manager
- Natalie Long, MSW, Evaluation Associate
- Frankie Valenzuela, Office Manager
- Olga Valenzuela, BA, Director of Operations

Overview of Judicial Survey Services Project

Purpose: LeCroy & Milligan Associates conducts ongoing evaluation activities regarding city magistrates to support the City of Mesa in ensuring quality service by the Mesa Municipal Court and to provide reappointment feedback to the Judicial Advisory Board as mandated.

Methodology: LMA collects feedback from **attorneys, defendants, jurors, and court staff** via paper and online surveys. The surveys ask questions about the city magistrates' legal abilities, integrity, communication skills, judicial temperament, and administrative performance.

Reports: LMA prepares mid-term and reappointment reports according to the magistrates' term cycles. For each reporting cycle, LMA includes a report on all magistrates for comparison.

Brief History

City of Mesa and the Mesa Municipal Courts have worked with LeCroy & Milligan Associates on this judicial survey project since 2016.

LeCroy & Milligan Associates was selected as the contractor for a new term of the project, which began October 1, 2021, and ends on September 30, 2024.

| | Unacceptable | Poor | Satisfactory | Very Good | Superior | Can't Rate |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Section I: Integrity | | | | | | |
| 1. Equal treatment regardless of race. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Equal treatment regardless of gender. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Equal treatment regardless of economic status. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Basic fairness and impartiality. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| COMMENTS: _____ _____ | | | | | | |
| Section II: Communication Skills | | | | | | |
| 5. Clear and logical oral communications/directions. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| COMMENTS: _____ _____ | | | | | | |

Excerpt from the survey for defendants

| | Unacceptable | Poor | Satisfactory | Very Good | Superior | Can't Rate |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Section I. Legal Ability | | | | | | |
| 1. Legal reasoning ability. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Knowledge of substantive law. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Knowledge of rules of evidence. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 4. Knowledge of rules of procedure. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. Knowledge of laws pertaining to sentencing. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. Keeps up to date. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| COMMENTS: _____ | | | | | | |
| _____ | | | | | | |
| _____ | | | | | | |

Excerpt from the survey for attorneys

Survey Distribution:

At least once per term, LMA distributes an online survey via e-mail to all Mesa Municipal Court staff & Attorneys who may have worked with the magistrates. Staff complete a separate survey for each magistrate.

| Method of Distribution | Attorneys | Defendants/Witnesses | Jurors | Staff |
|------------------------|-----------|----------------------|--------|-------|
| Dropbox in Courthouse* | ✓ | ✓ | ✓ | ✓ |
| QR Code-Online** | ✓ | ✓ | ✓ | ✓ |
| Email Code-Online | ✓ | | | ✓ |

Response Rates

Attorneys & Jurors remain challenging to collect data from; additional opportunities to collect surveys from courthouse drop-box and QR code have been helpful.

Party and Witness data collection has been effective with most responses being submitted by paper at the courthouse drop-box.

Staff have high survey completion rates for each magistrate.

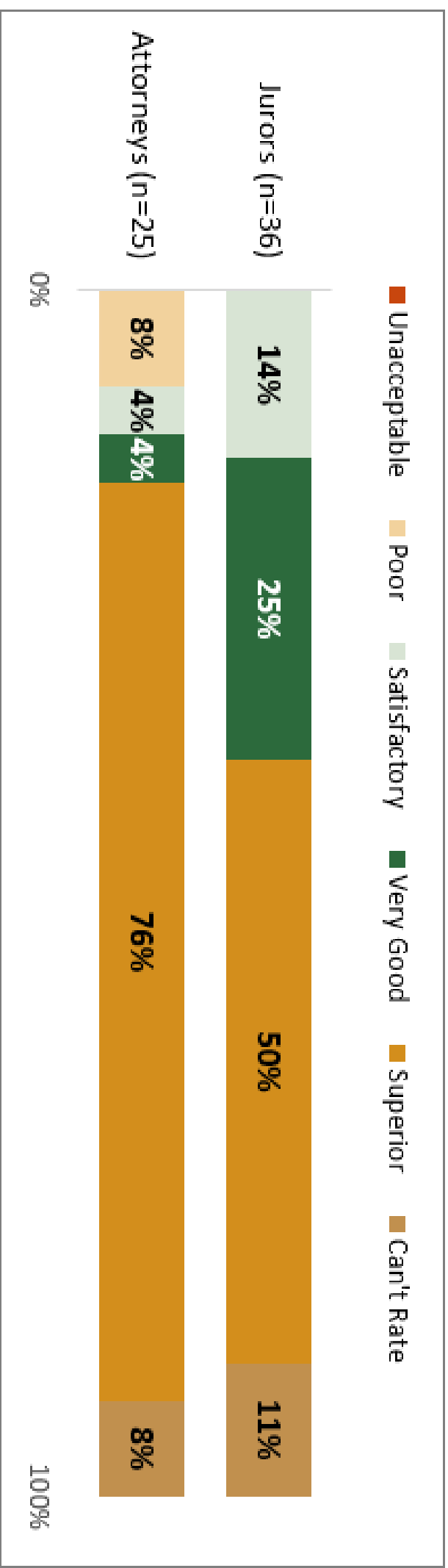
Mid-Term Reports

- LMA provides Mid-Term Reports at the mid-point of judicial appointments (i.e., after 1 year for 2-year terms and after 2 years for 4-year terms).
- Typically provide these reports in early August (relying on data through June 30th).
- Reports include data from all the respondent groups and quotes from the open-ended comments.
- Also provide an all-magistrate report for comparison.

Reappointment Reports

- For each Magistrate, LMA provides a Reappointment Report immediately preceding the reappointment decision-making process.
- Typically provide these reports in mid-January.
- The individual reports include tables with data from all respondent groups and quotes from the open-ended responses.
- Also provide an all-magistrate report for comparison, with tables only.

Exhibit 7: Avoid Prejudging outcome of Cases



Sample Table From Mid-Term Report

Questions?

Discussion: Potential Ways to Improve the Process

- Additional posters/flyers with QR code for the surveys?
- Email outreach for Jurors?
- Revising/updating the questionnaires?
- Changes to the report format, charts vs tables?
- Other Questions or Concerns?

Contact information

Please reach out to Skyler Milligan-LeCroy
with any questions:

Skyler@lecroymilligan.com

Phone: 520-419-1440

<https://www.lecroymilligan.com/>

State of the Court

1/31/24

John Tatz

Presiding Magistrate

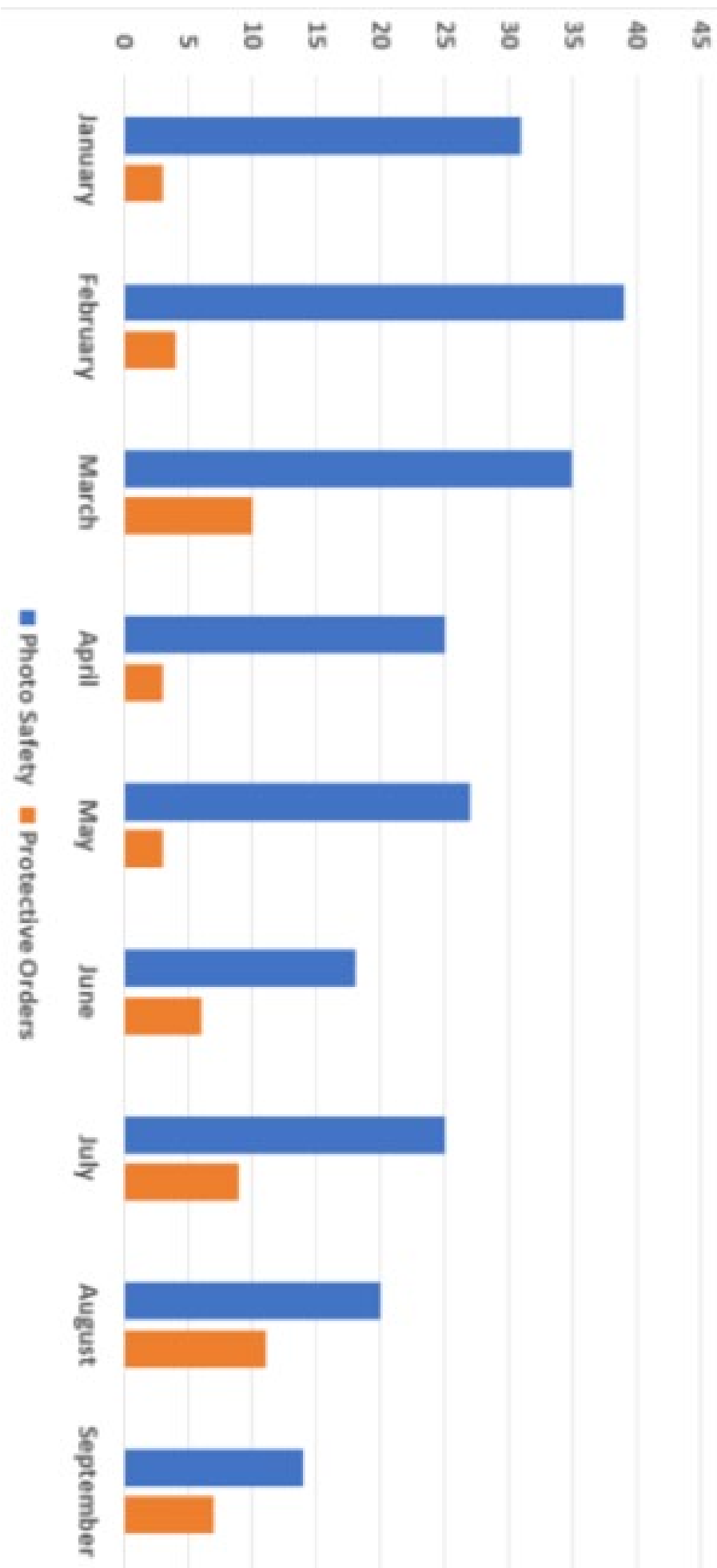
Court filings

| Fiscal Year | FY 19/20 | FY 20/21 | FY 21/22 | FY 22/23 |
|-------------|----------|----------|----------|----------|
| | 91,420 | 81,053 | 91,779 | 92,088 |

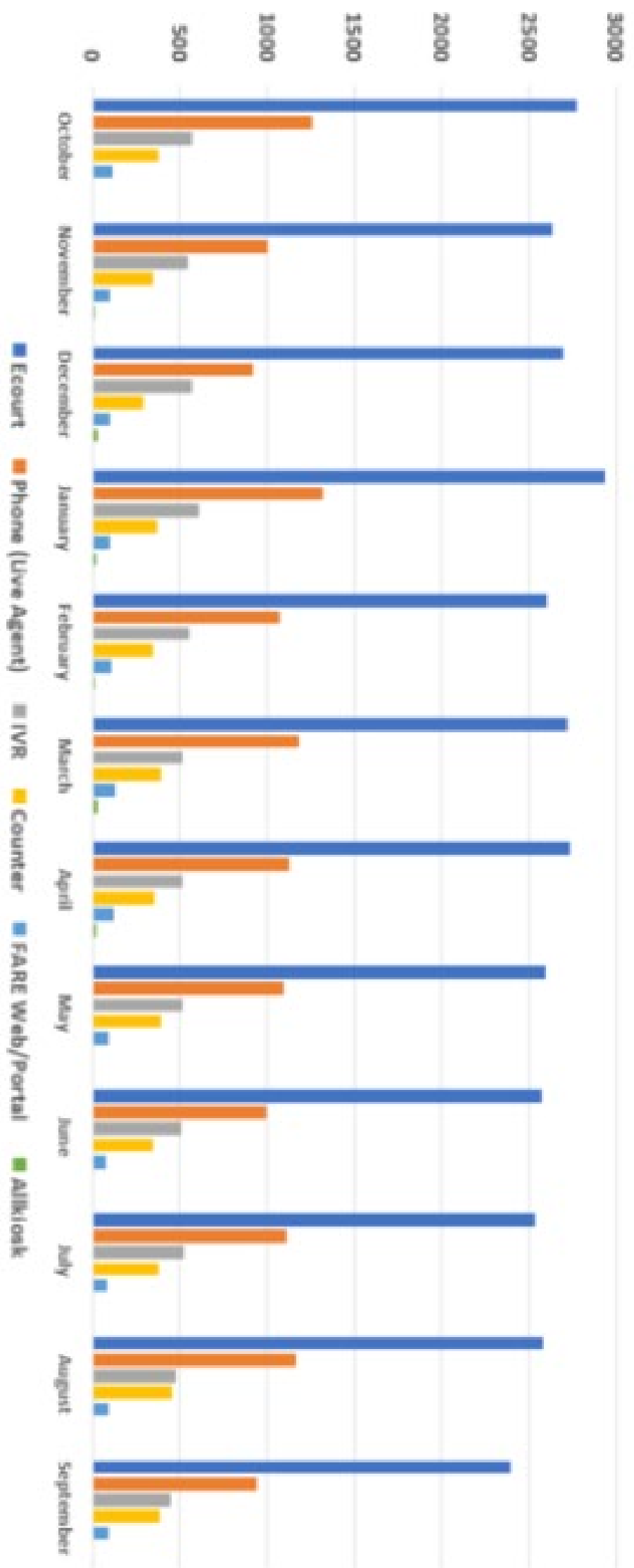
Increase Access to Justice

- Virtual Hearings
 - Photo safety hearings
 - Protective Order applications
 - Jury Trial Management Conferences
- Directing court customers to E-Court
- Expanded walk-in hours

Virtual Hearings



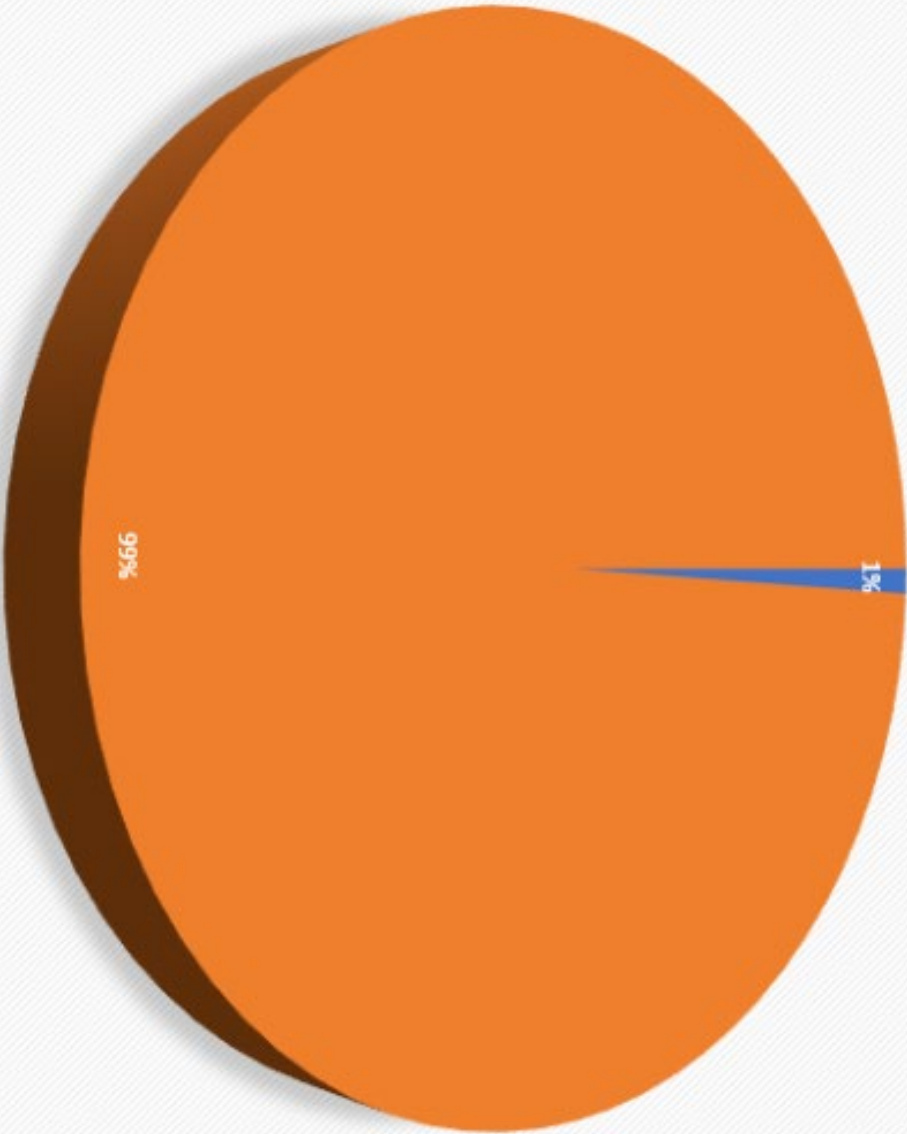
Payments



Domestic Violence Court Update

- ❖ Held first session July 2022
- ❖ Intimate partner injury assault cases
- ❖ Recidivism < 1% - Of the 237 participants, only 2 have been convicted of a new DV offense
 - ❖ Studies have shown the domestic violence recidivism rates within three years varies from 18% to 36%

Re-Offense Rate

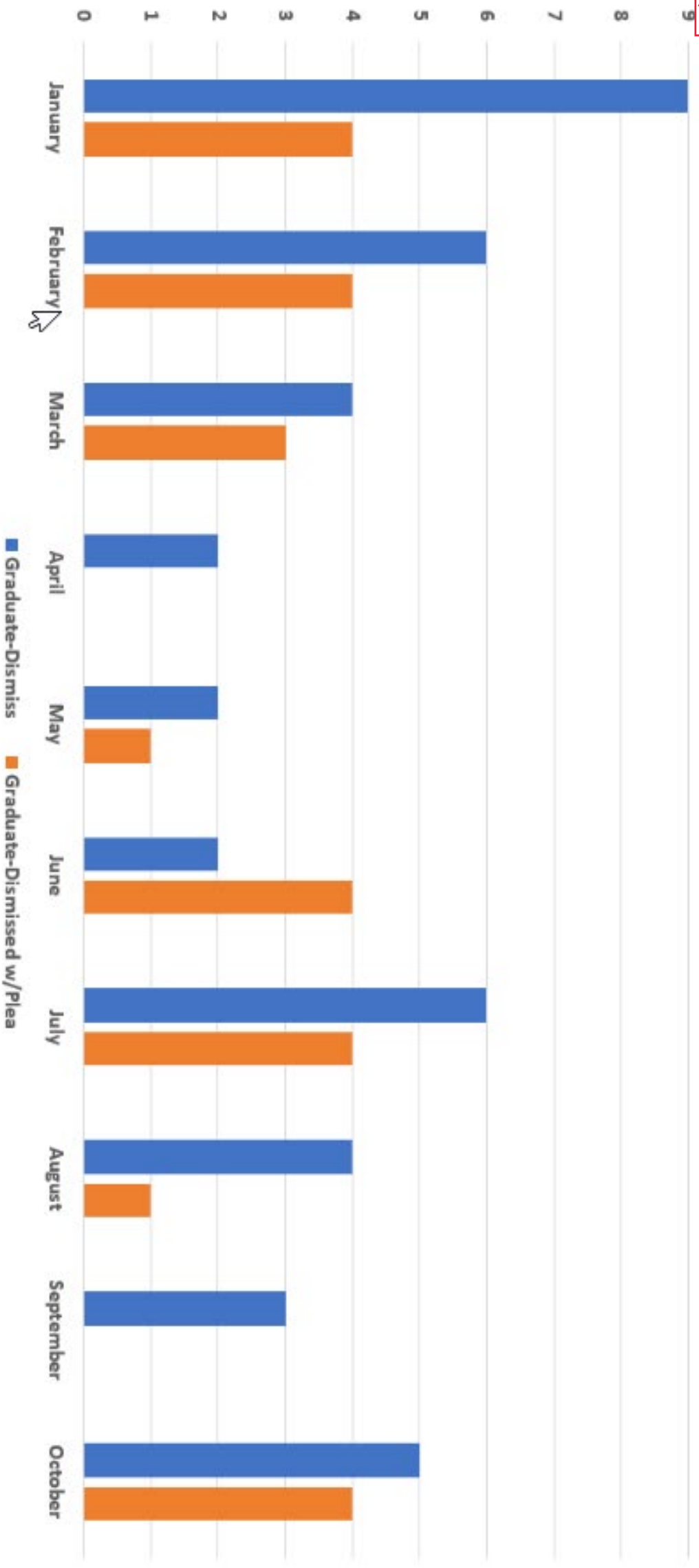


Community Court

Graduations

- 2020 – 61 (135 cases)
 - 2021 – 111 (227 cases)
 - 2022 – 121 (233 cases)
 - 2023 – 126 (246 cases)
- Increase in caseload of roughly 40%
 - Current appearance rate of 41.1%
 - Partnership with Mesa Community College

Veterans Court - Graduates



Judges' involvement outside the courthouse

- Teaching/Presenting
 - Judicial Conference
 - Limited Jurisdiction New Judge Orientation
 - Civil Traffic Hearing Officer Training
 - Governor's Office of Highway Safety Judicial Traffic Conference
- Boards and Committees
 - Maricopa County Regional Homeless Court Executive Board
 - Chair - Judicial Diversity and Mentoring Committee for the Arizona Black Bar
 - Mesa Community College President's Advisory Council
 - Arizona Women's Lawyer's Association member
 - Town of Gilbert Judicial Advisory Board
 - Vice Chair - Arizona Supreme Court Task Force on Rule 11 in Limited Jurisdiction Courts
 - Arizona Commission on Access to Justice's Self-Represented Litigants in Limited Jurisdiction Courts Workgroup
 - City of Mesa Homeless Advisory Committee

Judges' involvement outside the courthouse

- Other
 - Elementary and high school outreach programs and presentations
 - Swearing in new police officers and firefighters
 - Veterans Stand Down and Stand Up
 - Submitted Petition for Rule Change to Arizona Rules of Criminal Procedure
 - Attending and advocating for changes before the Arizona State Bar Board of Governors
 - Attending and providing input at meetings of court nominating commissions for other courts
 - Inn of Court member
 - Point-in-time count volunteer
 - Eagle Scout leader/mentor
 - Community service

Questions?