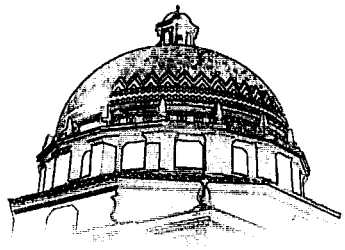
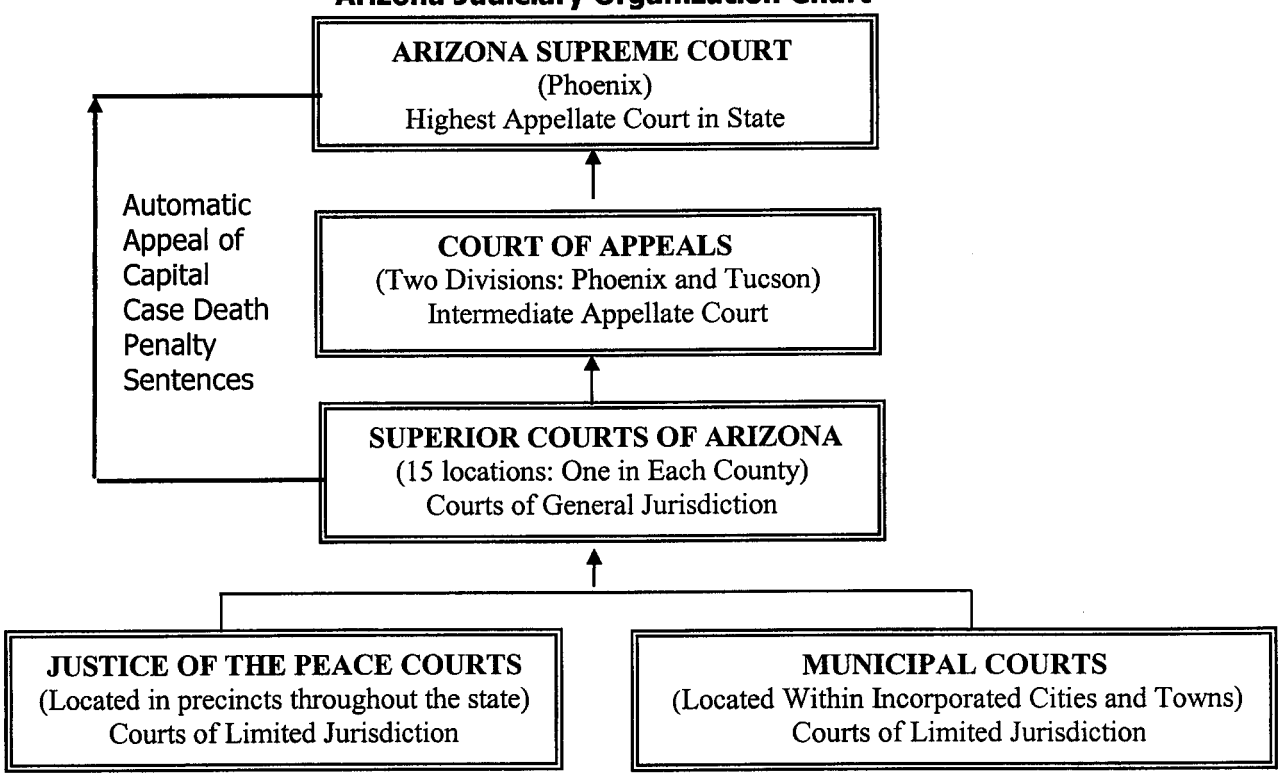


Pima County Consolidated Justice Court

The Pima County Consolidated Justice Court is a court of limited jurisdiction, which means that the court is limited to only hearing cases of a specific type. In the State of Arizona it also means that Justice and Magistrate (City) Courts are not a court of record, therefore we do not keep permanent records of all court proceedings; however automated and paper records are maintained for all cases processed in Justice Court.

In the Arizona constitution, Article 6, Section 1, defines the Judicial System as "The judicial power shall be vested in an integrated judicial department consisting of a Supreme Court such intermediate appellate courts as may be provided by law, a Superior Court such courts inferior to the Superior Court as may be provided by law, and Justice Courts." The following chart reflects the Judiciary Organization of the courts in Arizona.

Arizona Judiciary Organization Chart



This chart will help the reader to understand the organization of Arizona's judicial system. The connecting lines from the lower courts upward indicate the normal route of appeal. For example, an appeal of a decision from a Justice of the Peace Court is heard in Superior Court.

Each county's board of supervisors (BOS), with the approval of the Department of Justice sets the geographical boundaries of the county, known as precincts. In Pima County we have ten precincts. Eight of the ten precincts are in the Consolidated Justice court. The precincts in the Consolidated Justice Court are 1, 2, 4, 5, 6, 8, 9, and 10. Nine and 10 are the newest precincts. Precinct 3 is in Ajo, Arizona and Precinct 7 is in Green Valley, Arizona.

Why are 8 of the 10 precincts consolidated? They are consolidated because in 1979 the BOS approved the consolidation of the precincts that surround the Tucson metropolitan area, which allowed for an equitable distribution in caseload. The precincts in Ajo and Green Valley remain as individual limited jurisdiction courts and only hear cases that occur within their geographical boundary with the exception of the felony arrests. All felony initial appearance hearings are held in the Consolidated Justice Court along with felony preliminary hearings.

What is a Justice of the Peace (JP)? A JP is an elected official who serves a four-year term and under § 11- 402, in order to be an elected official you must be

- 18 years of age
- A resident of Arizona
- Qualified voter in the precinct in which duties of the office will be performed
- Must read and write English
- Need not be an attorney

JP's conduct felony initial appearances and preliminary hearings, they hear traffic cases, conduct misdemeanor criminal trials and certain civil cases. The civil jurisdiction is limited to cases involving claims of $10,000 or less (magistrates courts do not have legal authority to hear these type of cases). The Justice of the Peace may issue search warrants and handle orders of protection and injunctions against harassment. Justice Courts share jurisdiction with the Superior Court in cases of landlord tenants (as known as forcible detainers) where the rental value does not exceed $1,000 month and damages are $5,000 or less. The JP's can also hear matters regarding possession of, but not title to real property.

What is the venue and jurisdiction for Justice Court in comparison to City Magistrate Court?

Venue: **Justice Court Precinct**	**Incorporated City/Town Limits**
Jurisdiction: For trials:	Jurisdiction: For trials:
* Criminal misdemeanors	* Criminal misdemeanors
* Traffic violations	* Traffic violations
* Misdemeanors	* Misdemeanors
* County Ordinances	* City Ordinances
* Parking tickets	* Parking tickets
* Criminal felony initial appearances and preliminary hearings	
* Small claim matters of $2,500 or less	
* Civil matters of less than $10,000	

People issued a traffic ticket or criminal misdemeanor citation in the county outside a city limit, will go to a JP court to pay a fine or go to trial. However, there are law enforcement agencies within the city limits, which cite into the JP court. Examples of law enforcement agencies that

exist within the incorporated city limits are the university, community colleges, and airport authority, railroad, and cite into the Consolidated Justice Court.

The following five-year chart is a representation of the various arresting authorities that bring felony defendants who appear for initial appearances in the Consolidated Justice Court.

Arresting Agency	FY98/99	FY99/00	FY00/01	FY01/02	FY02/03	Total
Arizona Corporation Commission	0	0	1	0	0	**1**
Department of Game & Fish	0	1	0	0	0	**1**
Pima County Adult Probation	1	2	3	0	0	**6**
Department of Agriculture	1	0	2	0	0	**3**
Pima County Attorney	2	2	3	2	1	**10**
Department of Public Safety	392	407	337	356	355	**1,847**
Drug Enforcement Agency	3	17	25	17	17	**79**
Marana PD	167	170	127	142	172	**778**
Oro Valley PD	193	137	111	82	88	**611**
Pima County Parks & Recreation	8	5	2	1	0	**16**
Pascua Yaqui PD	10	42	28	40	40	**160**
Pima County Animal Control	0	0	2	3	2	**7**
Pima Community College	19	9	15	15	11	**69**
Pima County Sheriff's Department	1,924	2,048	2,101	2,277	2,467	**10,817**
Sahuarita PD	10	19	6	1	1	**37**
Southern Pacific Railroad	24	9	13	20	21	**87**
South Tucson	503	516	265	202	201	**1,687**
State Capital Police	1	0	1	0	0	**2**
Tohono O'Odham PD	32	17	24	35	97	**205**
Tucson Airport Authority	54	54	44	9	47	**208**
Tucson City PD	4,463	4,310	4,223	4,324	4,212	**21,532**
Union Pacific Railroad	2	3	2	2	0	**9**
University of Arizona	63	50	62	77	60	**312**
Unknown	39	93	113	89	58	**392**
Total	**7,911**	**7,911**	**7,510**	**7,694**	**7,850**	**38,876**

The total number of cases filed in the Consolidated Justice Court in the last eleven fiscal years is reflected in the chart below, and includes felony, civil, traffic, and misdemeanor filings.

Fiscal Year	*Total Case Filings*	*Felony Filings*	*Civil Filings*	*Traffic Filings*	*Misdemeanor Filings*
1992/93	95,859	6,645	18,979	64,449	12,212
1993/94	118,802	6,663	17,673	81,143	19,689
1994/95	123,549	6,950	18,047	82,730	14,434
1995/96	143,110	8,338	18,991	100,524	15,395
1996/97	160,997	8,200	19,788	116,768	16,025
1997/98	175,168	8,416	20,216	124,682	21,170
1998/99	176,053	9,100	20,149	129,334	17,977
1999/00	184,307	8,593	21,140	137,119	17,455
2000/01	184,206	8,018	22,769	134,917	18,502
2001/02	192,543	7,980	24,847	142,468	17,248
2002/03	188,429	8,400	24,675	136,929	18,425

The Consolidated Justice Court operates in three different facilities within the downtown area.

Two of the buildings are County owned and one is leased at approximately $190,000 per year. Our court operates six days a week and by law we participate in the weekend and holiday initial appearances at Tucson City Court. There are 95 full-time employees, including the six elected JP's, 81% of the employees work in the second floor and basement of the old courthouse. The courthouse "dome" is used for storage.

Main Courthouse

The main courthouse is the 115 No. Church location and the historical nature and design of the building are not conducive to a modern court environment. A court design should reflect dignity and respect for the court.

There are concerns that do not lend to a court environment and this presentation will cover the primary issues. First is security. The design of the courthouse has 23 separate entrances that can lead to you to the second floor without security measures. Almost daily weapons are recovered on the second floor and it is not uncommon to have individuals arrested in the courthouse, taken into custody in a non-custodial environment. The courts received several bomb threats and in one situation a planned gasoline spill. As of September 1, 2003, the court has five armed judicial security officers, and one sheriff officer with arresting authority.

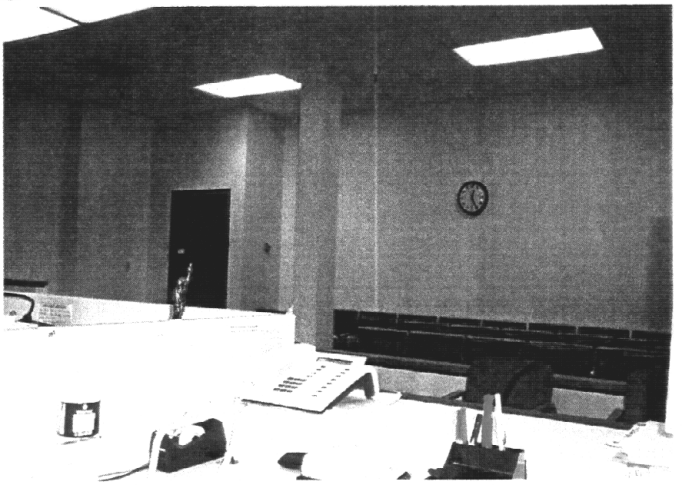
Second, the design of the building does not allow for separate functional circulation systems for the public, judges and employees, jurors, and inmates. In a courthouse you should have five functional traffic circulation systems to separate, employees, jurors, inmates, and the general public. We have two. This results in employees, jurors, in and out-of- custody defendants, victims, and witnesses and to be in close proximity to each other.

Third are deficiencies in courtroom design of the eight courtrooms at 115 N. Church. These deficiencies stem from the numerous remodeling of the second floor and the additions of courtrooms since1983, to accommodate increased caseloads and the relocation of Superior

Court arraignments and video initial appearance to the Consolidated Justice Court. Space limitations in this building required compromises in courtroom design that can be eliminated in a new facility. Public areas in the courtrooms are ADA accessible, space and structural limitations have prevented the court and County from addressing ADA needs of witnesses, jurors and judicial employees within the courtroom gallery. Seven of the eight courtrooms allow for jury trials, but only one courtroom has adequate seating for jurors. Seven of the jury trial courtrooms are not handicap accessible and none of these same courtrooms are handicap accessible to individuals who may testify. Two courtrooms have structural columns in areas that obstruct the view of the judge or parties involved in a case. Two of JP courtrooms do not have juror boxes and with the exception of courtroom (F) there is a shortage of spectator seating in each courtroom.

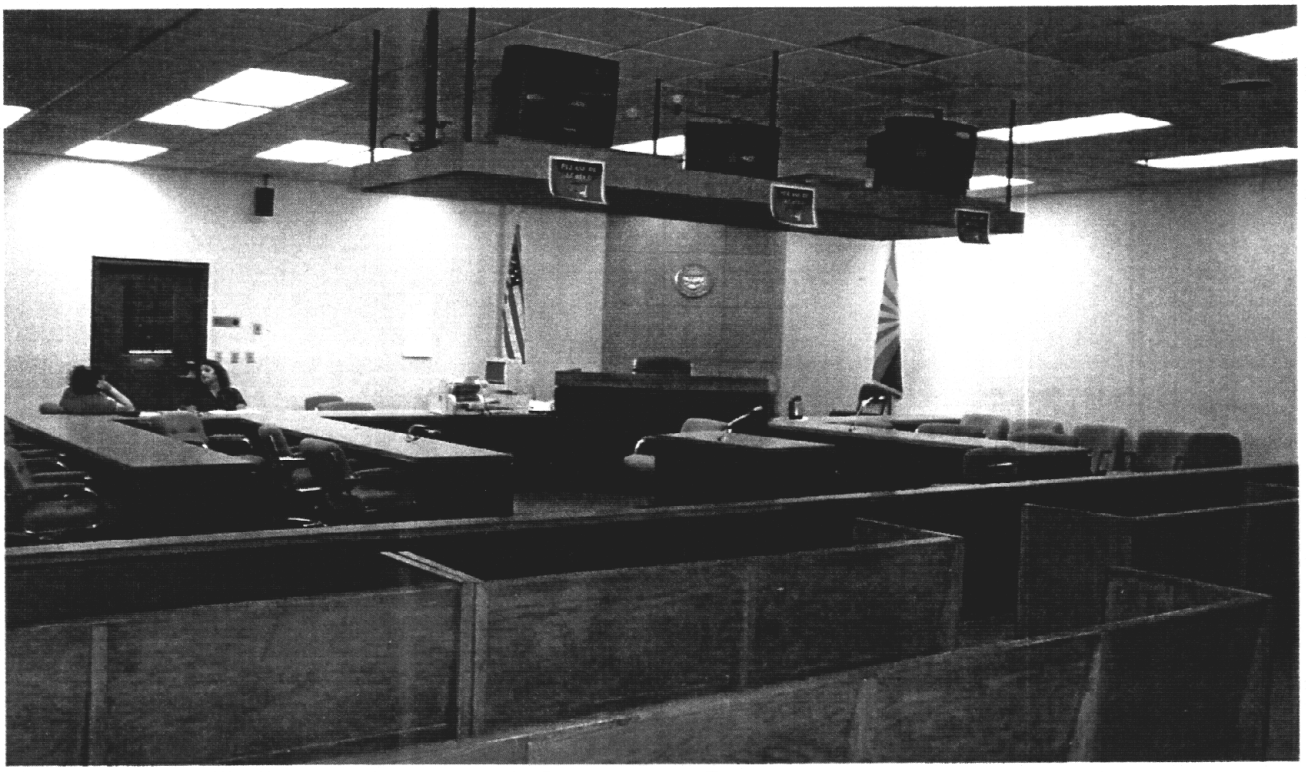
Courtroom I

Discussions with the National State Center Judicial Facility Consultant, Chang-Ming Yeh, an architect who has co-authored the Courthouse Design Guide, recommends a courtroom for the court events of a limited jurisdiction court should be 1300-1400 square feet with a minimum of 30 spectator seats. Existing courtrooms A, B, C, D, and E, have spectator seating for 19 and are about 800 square feet.



Courtroom A

Courtroom G is used for 8:30 a.m. out-of-custody arraignments, 1:00 p.m. Superior Court in-custody and out-of-custody arraignments and 2:00 daily video initial appearances, and is a high volume courtroom. It has shoulder-to-shoulder seating for 32 spectators and should have seating for at least 75 – 100 spectators. This courtroom also accommodates the media. The average number of defendants appearing for 8:30 arraignment is 158 and because of the limited seating, spectators and interested parties line-up in a 5'10" hallway.



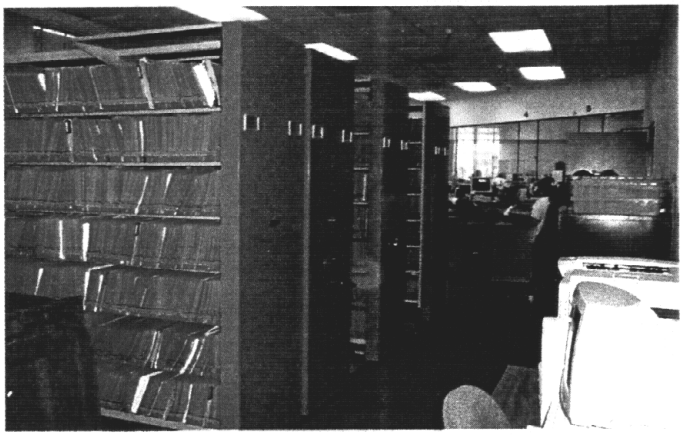
Courtroom G

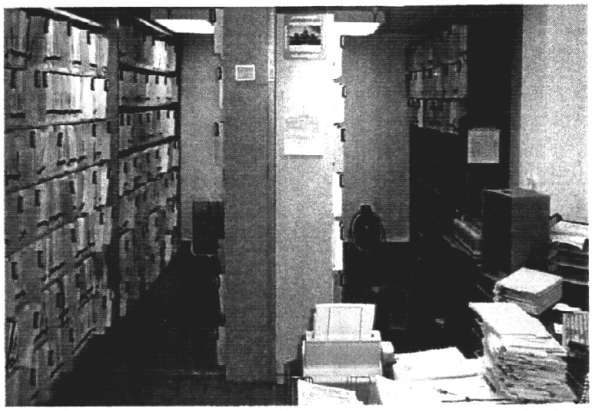
There is one evidence closet for seven of the eight trial courtrooms, which may increase the potential for misplacement or loss of evidence, if an alternative site is used to maintain key material to a case.

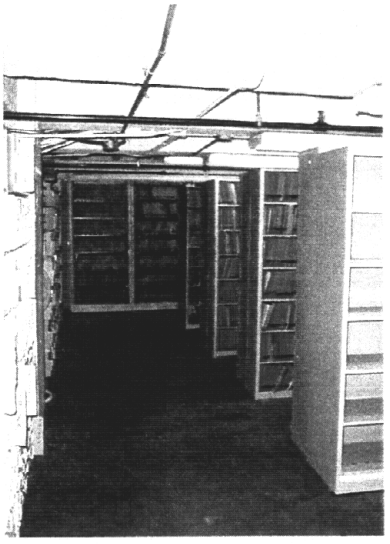
There is a lack of jury deliberation rooms (JDR), conference rooms, training rooms, and attorney/client/witness rooms. The standard ratio for JDR's' to courtrooms is, 1 to 2. The old courthouse has two JDR's for eight courtrooms. One of the two JDR's accommodates six jurors. These two JDR's are also used for interviews, settlement conferences rooms, attorney/client rooms, employee recruitment testing, training, conducting disciplinary actions, meeting rooms and performance evaluations.

There are six court managers and three of the six managers have private offices. None of the supervisors have private offices. There are seven courtroom clerks who do not have workspaces and work in the courtroom.

Restrooms – the judges have one unisex facility with one stall. The employees have one bathroom for each gender in the South lobby with three of the four stalls working. This restroom is shared with the public. The North lobby also has one bathroom per gender with three stalls and is shared with the public. This is the bathroom where you often find the homeless bathing.



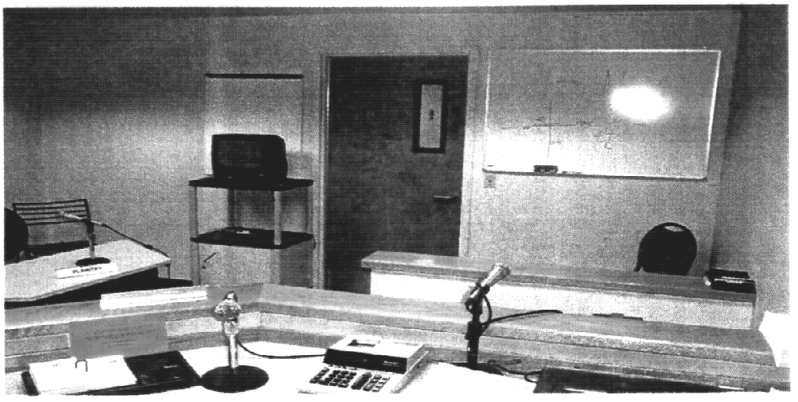




The court maintains approximately 82,000 active civil files, 48,500 criminal files and 44,000 traffic files. Files are stored in two separate areas on the second floor and the basement. In most office environments, files are always centralized, and for purposes of maintaining the integrity of documents contained in a file, the file never is physically removed from the courthouse, unless the case is on appeal or is archived. In our situation, files are transported between floors of the building and to two off site locations, twice a day.

Service Center

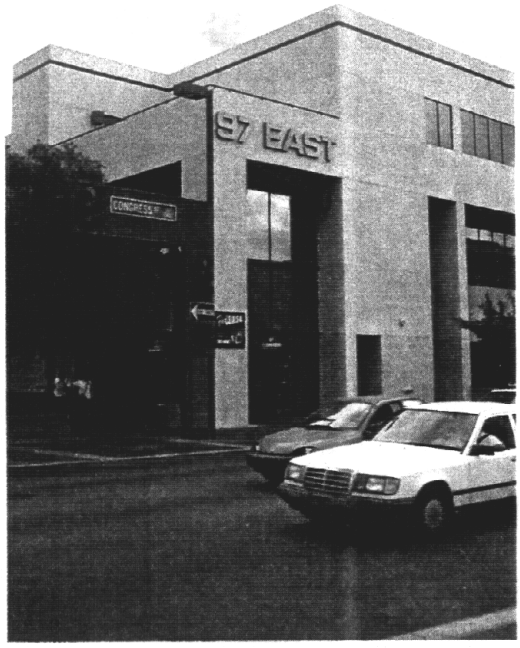
The Service Center is on the first floor of the County's Legal Services Building, at 32 N Stone. There are nine employees with a front counter, separate workstations and a small claims hearing room.



This courtroom is 235 square feet, allows seating for the hearing officer, one plaintiff, one defendant and two witnesses. There are no bathrooms on the first floor of this building, and there is one functional circulation system at this location.

97 E. Congress

This office and courtroom location was opened in February 2002 to serve two additional JP's, three additional clerical support, and security personnel. There are two courtrooms at 97 E. Congress and houses four to six employees. The two courtrooms are the larger courtrooms and measure 1,350 and 1,220 in square feet, however neither has a jury box and are therefore limited to non-jury cases.



There is a separate inmate holding facility and there are two functional circulation systems, there is one jury deliberation room and a large conference room that is shared with the Pima Vocational program. There is a kitchen, break room and a separate bathroom facility for the public and separate bathroom facility for employees that are shared with the Pima Vocational employees.

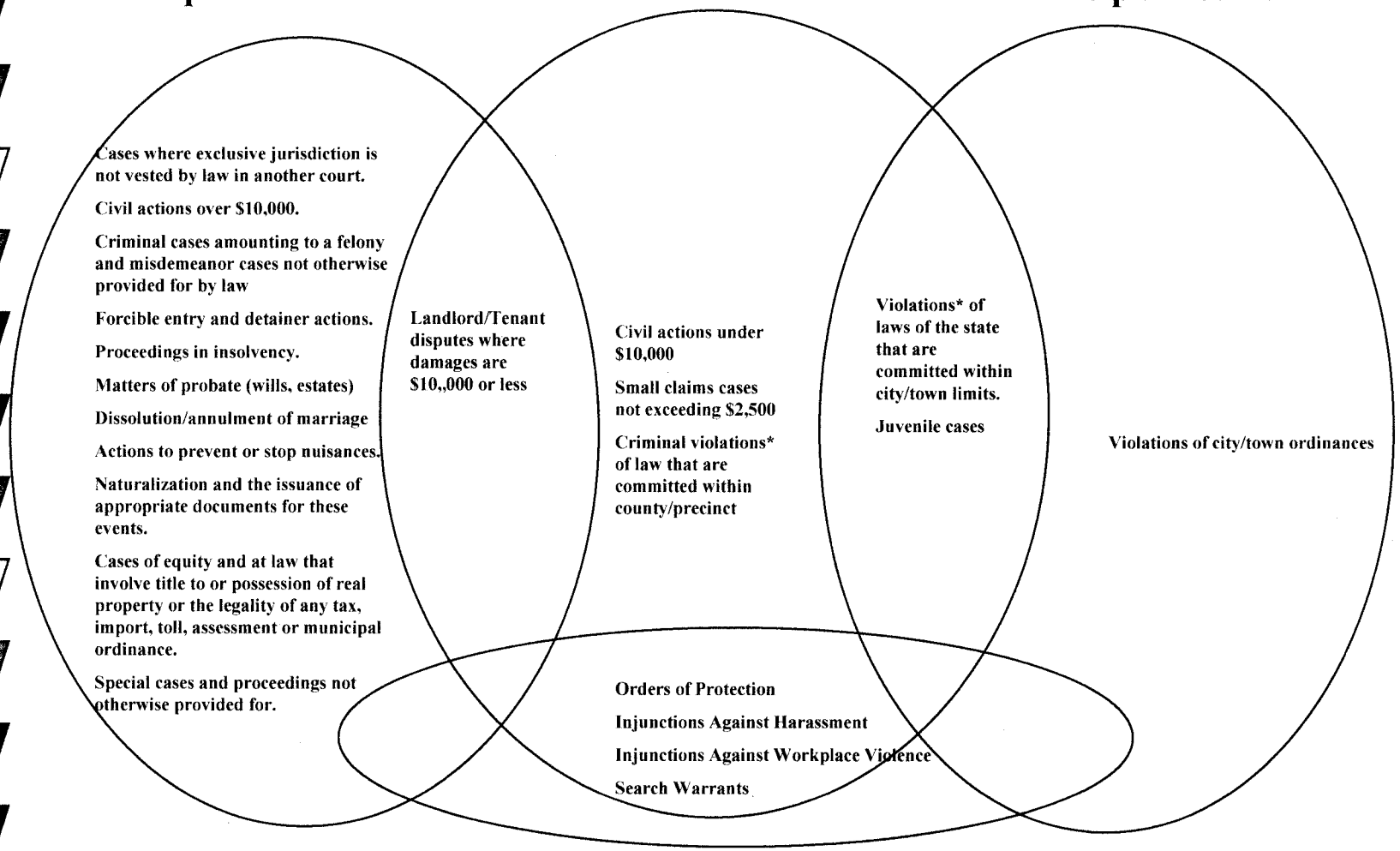
General Jurisdiction Court

Limited Jurisdiction Courts

Superior Courts

Justice of the Peace Courts

Municipal Courts



* Petty Offenses and misdemeanors; assault or battery (non-felony); breaches of peace and committing a willful injury to property; misdemeanors and criminal offenses punishable by a fine not exceeding $2,500 or imprisonment in county jail, not to exceed six months, or both fine and imprisonment; and felonies for the purpose of initiating action and conducting proceedings through preliminary examination.