

FILED  
GARY L. HARRISON  
CLERK OF THE COURT

IN THE SUPERIOR COURT

NOV 8 PM 4:21

IN AND FOR THE COUNTY OF PIMA

S. CASTILLO, DEPUTY

IN THE MATTER OF: )  
ESTABLISHMENT OF A ) ADMINISTRATIVE ORDER  
CONSOLIDATED MISDEMEANOR )  
PROBLEM SOLVING COURT ) NO. 2019-04  
\_\_\_\_\_ )

WHEREAS, A.R.S. § 22-601 allows the Presiding Judge of the Superior Court ("**Presiding Judge**") to establish a homeless court, veterans' court and mental health court to adjudicate cases filed in any justice court or municipal court in the county; and

WHEREAS, A.R.S. § 22-602(1)(B) requires the Presiding Judge to establish the eligibility criteria for referral to such a court; and

WHEREAS, the existing mental-health courts within Pima County do not address co-occurring substance-abuse issues; and

WHEREAS, there are individuals with co-occurring mental-health and substance use disorders with active cases in multiple justice and municipal courts within Pima County; and

WHEREAS, consolidating those cases in a court that can address both mental-health and substance-abuse issues will assist both the individuals and the community as a whole, and

WHEREAS, the Pima County Attorney's Office has applied for and received an award of federal grant funds to pay some of the expenses associated with formation of such a court; and

WHEREAS, representatives of the consolidated justice court and a number of the municipal courts in Pima County ("**Participating Courts**") have been working together to formulate a memorandum of understanding ("**MOU**") outlining the process for participating in a Consolidated Misdemeanor Problem-Solving Court ("**CMPS Court**") to be located in the Pima County Public Service Center;

IT IS ORDERED as follows:

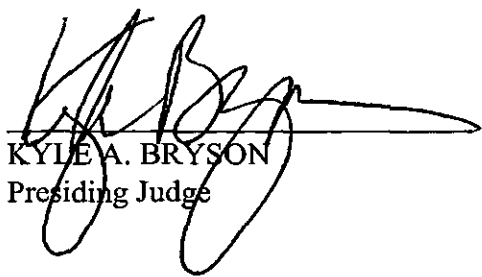
**1. Consolidated Misdemeanor Problem Solving Court**

- 1.1. Any judge within a Participating Court may refer to CMPS Court any misdemeanor case that the judge has determined involves a high-risk/high-need defendant who has co-occurring mental-health and substance use disorders and has no pending felony charges. The individual must be willing to waive Rule 8 time limits.

- 1.2. Pursuant to A.R.S. § 22-602, the court that refers the case (the “Referring Court”) will maintain jurisdiction of the case, and any successfully referred case will be returned to the Referring Court for final disposition.
- 1.3. The referred individual will be assessed by a clinically trained professional engaged by CMPS Court using a statistically validated standardized assessment tool and either referred back to the Referring Court or accepted into CMPS Court.
- 1.4. If the individual is accepted into CMPS Court, the Referring Court will notify the prosecutor of the referral and will prepare appropriate paperwork documenting the individual’s waiver of Rule 8 time limits and any jurisdictional issues. Staff assigned to CMPS Court will determine whether the individual has cases pending in other Participating Courts, and if so will seek to have those courts refer those cases to CMPS Court.
- 1.5. If the individual at any time fails to participate in CMPS Court, or desires a trial, the case will be transferred back to the Referring Court.
- 1.6. The cases will be adjudicated in accordance with procedures agreed upon by the Participating Courts.
- 1.7. Any judicial officer in Pima County may be assigned to adjudicate cases referred to the CMPS Court. The Presiding Superior Court Judge, with input from the presiding judges of the Participating Courts, will determine which judge(s) will be assigned to the CMPS Court. Hon. Susan Shetter, Tucson City Court judge, is hereby appointed as the initial primary CMPS Court judge. Hon. Susan Bacal and Hon. Vince Roberts, of the Consolidated Justice Court, are also appointed to serve on the CMPS bench. The judges will work together and with other program participants to determine how to staff and assign cases.
2. **CMPS Court Steering Committee:** The individuals listed in **Exhibit A** to this Order are hereby appointed to serve on the CMPS Court Steering Committee. This Committee will oversee the development and implementation of the CMPS Court, including the creation of program guidelines, including eligibility criteria for participants, compliance standards, conditions of diversion, and other programmatic requirements.
3. **CMPS Court Logistics Committee:** The individuals listed in **Exhibit B** to this Order are hereby appointed to the CMPS Court Logistics Committee. This Committee will establish logistics and develop procedures for case consolidation, including creating a mechanism for referral of cases and case files, for accommodating case files coming in from differing computer systems used by the various misdemeanor courts, prosecutors’ offices, and indigent defense offices, as well as procedures for pre-court staffing meetings, court hearings, pre-plea diversion and diversion monitoring, as well as for post-plea probation and probation monitoring.
4. **CMPS Court Services Committee:** The individuals listed in **Exhibit C** to this Order are hereby appointed to the CMPS Court Services Committee. These individuals will develop

procedures for the assessment of individuals referred to CMPS Court and for the selection and provision of services for them. They will help define expectations and develop procedures for resource management, treatment services, drug testing services, wraparound recovery support services, and payment for services.

DATED this 8th day of February, 2019



KYLE A. BRYSON  
Presiding Judge

cc: Superior Court Administration  
Justice Court Administration  
City Court Administration  
Hon. Danelle Liwski- Criminal Bench Presiding  
Amelia Cramer – Pima County Attorney  
Kate Lawson – Pima County Attorney's Office  
M.J. Raciti, Assistant Tucson City Prosecutor  
Mary Trejo, Tucson City Public Defender  
Paul Skitzki, Misdemeanor Supervisor, Pima County Public Defender's Office

**EXHIBIT A**

**Consolidated Misdemeanor Problem Solving Court (CMPS Court) Steering Committee**

Hon. Kyle Bryson, Presiding Judge Pima County Superior Court – Chair

Ron Overholt, Superior Court Administrator – Vice Chair

Hon. Danelle Liwski, Presiding Criminal Judge Pima County Superior Court

Cassandra Urias, Superior Court Administration

Jennifer Thorson, Superior Court

Lisa Royal, Pima County Justice Court Administrator

Chris Hale, Tucson City Court Administrator

Amelia Craig Cramer, Chief Deputy Pima County Attorney

Kate Lawson, Director of Specialty Court Programs Pima County Attorney's Office

**EXHIBIT B**

**CMPS Court Logistics Committee**

Lisa Royal, Pima County Justice Court Administrator – Co-Chair

Amelia Craig Cramer, Chief Deputy Pima County Attorney – Co-Chair

Hon. Susan Shetter, Tucson City Court Judge/CMPS Court Judge - primary

Hon. Susan Bacal, Pima County Justice of the Peace/CMPS Court Judge – current alternate

Hon. Vince Roberts, Pima County Justice of the Peace/CMPS Court Judge – future alternate

Cassandra Urias, Superior Court Administration

Jennifer Thorson, Superior Court

Nancy Fraire, Assistant Tucson City Court Administrator

M.J. Raciti, Assistant Tucson City Prosecutor

Mary Trejo, Tucson City Public Defender

Lauren Deakin, Misdemeanor Supervisor, Pima County Attorney's Office

Paul Skitzki, Misdemeanor Supervisor, Pima County Public Defender's Office

Kate Lawson, Director of Specialty Court Programs, Pima County Attorney's Office

**EXHIBIT C**

**CMPS Court Services Committee**

Kate Lawson, Director of Specialty Court Programs Pima County Attorney's Office – Chair

Lisa Royal, Pima County Justice Court Administrator

Cassandra Urias, Superior Court Administration

Jennifer Thorson, Superior Court

Ken McCulloch, Pima County Adult Probation Supervisor

Adam Redding, Superior Court Procurement

Amelia Craig Cramer, Chief Deputy Pima County Attorney

Terrance Cheung, Safety + Justice Challenge Program Director, Pima County

Matt Pate, Pima County Criminal Justice Reform Unit Housing Program

Sally Stang, Director, Housing and Community Development, City of Tucson

Liana Condello, Director of Clinical Services, The Haven

Dane Binder, Regional Director of Program Operations, Community Bridges, Inc.

Alex Fernandez, CODAC

Leon Boyko, Adult Healthcare Administrator, United Healthcare

Juston Knight, Manager of Justice Systems, Arizona Complete Health

Veronica Valencia, Court Liaison, Banner University Health Plans

Hon. Susan Shetter, Presiding Judge, Tucson City Mental Health Court

Sgt. Jason Winsky, Mental Health Support Team, Tucson Police Department