



NEWS RELEASE

ARIZONA SUPREME COURT

ADMINISTRATIVE OFFICE OF THE COURTS

January 7, 2003
FOR IMMEDIATE RELEASE

Contact: Tom Aughterton,
Public Information Officer
Telephone: (602) 542-9656
Fax: (602) 542-9484
email: taughterton@supreme.sp.state.az.us

New Complex Litigation Program Promises to Reduce Time and Cost of Going to Court

PHOENIX, Responding to concerns regarding the cost and length of time necessary to resolve complex civil disputes, the Arizona Supreme Court has approved the establishment of a special panel of judges in the Superior Court of Maricopa County to handle complex civil cases. The new complex litigation program is designed to handle these types of civil disputes more expeditiously. The program will help relieve congested calendars of those judges who hear more routine civil disputes by taking the time consuming complex cases off their plates. Superior court judges estimate that one to four percent of their civil caseload qualifies as procedurally or substantively complex, but these cases occupy as much as twenty percent of a judge's time to manage and resolve. Re-assigning complex cases to a dedicated panel of judges specially trained in complex case management will cut down on case processing times and save both judicial resources and costs to litigants.

Chief Justice Charles E. Jones said, "The establishment of a complex litigation component within the superior court represents a significant development in Arizona's system of justice. Experienced, well-trained judges will provide more expeditious resolution in complex cases and bring improvement to the judicial branch as a whole."

In December 2001, the Chief Justice appointed a committee of trial lawyers, corporate general counsel, judges, and court administrators to develop the program. The committee's chairman, Andy Federhar, an attorney with Fennemore Craig, said, "Arizona has now embraced the leading edge of court technology to help resolve complex disputes in a quicker, more cost effective way. It is critical to Arizona's future ability to attract and maintain major businesses to have such a system in place."

Tracy Nuckolls, Vice President and General Counsel of TMC HealthCare, says he is "excited by the prospects of a program that makes use of modern technological advances to further the expeditious resolution of conflicts and disputes among corporations and individuals alike, which is the hallmark of our judicial system."

Special divisions currently exist in some Arizona trial courts to handle first-time drug offenses, juveniles, domestic relations, tax disputes and water rights. Until now however, there was nothing in place to accommodate the needs of those involved in complex corporate, environmental, products liability, and other claims that may involve hundreds of parties or sophisticated evidentiary issues.

Parties in the complex litigation program will be able to take advantage of time and cost savings offered by: automated document management; electronic filing and storage of pleadings, motions and exhibits; computerized courtroom facilities; and e-mail notification systems.

The judges on the panel will receive additional training in judicial case management, information technology, and subject areas they expect to encounter. They will also be removed from the normal two-year rotation to be able to stay with their cases from pre-trial motions to the conclusion of the dispute. According to Judge Edward O. Burke, Presiding Judge of the Maricopa County Superior Court's Civil Court, one of the greatest benefits of the program will be the ability to see a case through to the end. "Nothing is more frustrating to the parties and the judge than having one judge rotate off the civil bench before the case is completed, and then having to educate the in-coming judge on a case that already fills forty file folders," as is often the situation with more complex matters. Most of the 91 superior court judges in Maricopa County rotate every two years between civil, criminal, domestic relations and juvenile court assignments.

--end--

1501 West Washington Street
Phoenix, Arizona 85007
(602) 542-9656
FAX (602) 542-9484