

**AO Review of Reports and Plans
For the Judicial Conference Subcommittee on Court Administration**

District: District of Arizona

Date: December 29, 1993

Upon reviewing the Advisory Group Report and the Expense and Delay Reduction Plan for the District of Arizona, staff has the following observations. The Advisory Group made a study of local and national court statistics and interviewed all judicial officers. The court carefully considered the group's individual recommendations, and adopted almost all of them. The recommendations and the plan do address specific causes of cost and delay although the Advisory Group adopted a minimalist approach to reform, preferring to await the results of reform efforts on both the federal level and on the state level in Arizona. It is noteworthy that this state has been particularly active in the areas of case management, discovery controls, and ADR. While the court in many instances merely formalized existing informal policies, it did directly address all guidelines, principles, and techniques of the Act, in addition to the Advisory Group's recommendations, and went beyond them.

- This plan is responsive to the tenor of the report of the Advisory Group, and adopts nearly all of its recommendations for immediate implementation. The Court provides specific reasons for its rejection of those it decides not to adopt, and has added others not suggested by the Advisory Group.
- The plan specifically provides for early and firm trial dates, in concert with Advisory Group recommendations.
- The plan does not specifically address presumptive limits on the amount of discovery, although the court will address disclosure requirements on a case by case basis until a mandatory approach is formulated.
- The plan reaffirms existing certification burdens on counsel regarding motions filings, and restates the requirement that requests for extensions be accompanied by a statement listing previous requests in that case.
- The court has formalized rules in place requiring that only trial counsel with authority to bind appear at pretrial and settlement conferences.
- The plan expands on Advisory Group approval of ADR, adopting an implementation plan and timeline for mediation and early neutral evaluation programs.

- Both the Advisory Group and the court endorsed a formal Differentiated Case Management (DCM) program, and such a program was adopted by the court containing five separate tracks.

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