

CITY COUNCIL REPORT



Meeting Date: May 6th, 2024
 General Plan Element: *Community Involvement*
 General Plan Goal: *Process city issues in a convenient manner for citizens*

ACTION

Reappointment of Pro Tem Judges for the City Court. Adopt Resolution No. 13108, approving the reappointment of 5 Pro Tem Judges for a four-year term for the period of May 17, 2024 through May 16, 2028.

The following individuals are requested for reappointment to a four-year term: Nathan Benedict, Catherine Gaudreau, Jacqueline Kochis-Chapman, Peter Reinstein, and Robert Ventrella.

BACKGROUND

The City Court utilizes judges *pro tempore* ('Pro Tems') as backup and temporary judicial officers to ensure prompt coverage for both routine and unexpected occurrences in conducting court calendars and proceedings. The *Pro Tem* names nominated constitute a roster of qualified candidates upon which the Court can draw to ensure temporary and on call judge coverage. The size of the roster is driven by the individuals' availability to serve. Those listed on the roster commonly have a private practice which limits their ability to serve for all *Pro Tem* requests; thus, the roster is of a size to provide the City Court with adequate resources for *Pro Tem* service. Regular City Court Judges are required to obtain judicial training each year, through conferences and attendance at orientations; additionally, permanent judges participate in judicial briefings and committees. Upon these absences, as well as unexpected absences for vacation or illness, a substitute is required. *Pro Tem* judges are considered part time, non-benefitted City employees and are paid \$74.84 per hour when they serve. The hourly rate for *Pro Tem* judges was approved by the City Council on January 23, 2024 by the adoption of Resolution 13015 and remains unchanged. The City Court budgets for these charges in the personnel services budget category, with approximately \$99,856. allocated in Fiscal Year 2022-2023. The City Court concertedly works to manage *Pro Tem* expenditures within the approved budget amount.

ANALYSIS & ASSESSMENT

Action Taken Approved on Consent

Recent Staff Action

Policy Implications

No policy implications exist.

Significant Issues to be Addressed

There are no significant issues to be addressed.

Community Involvement

Community involvement is not applicable.

RESOURCE IMPACTS

Available funding

The City Court has approximately \$99,856. in the personnel services budget for the express purpose of *Pro Tem* judge pay.

Staffing, Workload Impact

In Fiscal Year 2022/23 the City Court received 85,217 new case filings and adjudicated 95,473 cases. In Fiscal Year 2023/24, the estimated year end filings will be over 78,000 new filings. The use of *Pro Tem* judges assists the Court in providing timely and prompt conduct of the court calendars.

Maintenance Requirements

There are no foreseen maintenance requirements.

Future Budget Implications

There are no foreseen budget implications.

Cost Recovery Options

Cost recovery is not applicable.

OPTIONS & STAFF RECOMMENDATION

Recommended Approach

Adopt Resolution No. 13108 approving the reappointment of City Court *Pro Tem* Judges from the stated roster to a four-year term for the period of May 17th, 2024 through May 16th, 2028.

Description of Option B

There is no alternative either considered or proposed due to the critical nature of City Court operations. The City Court will work to contain budget expenditures within the approved budget.

Proposed Next Steps

The City Court will continue use as needed.

RESPONSIBLE DEPARTMENT(S)

City Court

STAFF CONTACTS (S)

Chris Phelps, Court Administrator, 480-312-2775 cphelps@scottsdaleaz.gov

APPROVED BY



Marianne T. Bayardi, Presiding Judge

4/22/24

Date

c/o Chris Phelps. Court Administrator, cphelps@scottsdaleaz.gov

ATTACHMENTS

1. Resolution No. 13108

RESOLUTION NO. 13108

A RESOLUTION OF THE COUNCIL OF THE CITY OF SCOTTSDALE,
MARICOPA COUNTY, ARIZONA, APPROVING THE REAPPOINTMENT
OF CERTAIN CITY COURT JUDGES PRO TEMPORE.

WHEREAS, Sections 9-2 and 9-3 of the Scottsdale Revised Code authorize the City Judge to submit, and the City Council to review and appoint, as necessary, names of members of the State Bar of Arizona who are available as additional judges or judges pro tempore;

WHEREAS, the City Court utilizes judges pro tempore as backup and temporary judicial officers to ensure prompt coverage for both routine and unexpected occurrences in conducting court calendars and proceedings;

WHEREAS, Section 9-2(b) of the Scottsdale Revised Code requires that the initial appointment of judges pro tempore shall be for a term of two years and any subsequent reappointment shall be for a term of four years;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. The following qualified members of the State Bar of Arizona are hereby reappointed as judges pro tempore of the Scottsdale City Court for a subsequent term of four years beginning on May 17, 2024, and ending on May 16, 2028: Nathan Benedict, Catherine Gaudreau, Jacqueline Kochis-Chapman, Peter Reinstein, and Robert Ventrella.

PASSED AND ADOPTED by the City Council of the City of Scottsdale, Maricopa County, Arizona, this ____ day of _____, 2024.

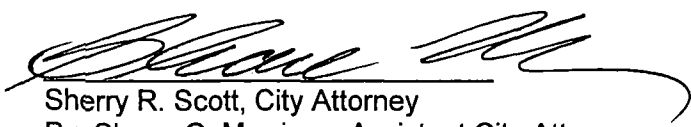
CITY OF SCOTTSDALE, an
Arizona municipal corporation

ATTEST:

Ben Lane, City Clerk

David D. Ortega, Mayor

APPROVED AS TO FORM:


Sherry R. Scott, City Attorney
By: Shane C. Morrison, Assistant City Attorney