

IN THE SUPREME COURT OF THE STATE OF ARIZONA

**FILED**  
APR - 7 1994  
NOEL K. DESSAINT  
CLERK SUPREME COURT  
BY

In the Matter of: )  
)  
**SOUTH PHOENIX JUSTICE COURT** )  
)  
\_\_\_\_\_ )

Administrative Order

No. 94- 24

The Supreme Court, having administrative supervision over all courts of the state pursuant to the Constitution of Arizona, Article VI, periodically conducts reviews and audits of court operations. Pursuant to Article VI.I., the Commission on Judicial Conduct investigates complaints against a judge.

There have been numerous complaints to the Administrative Office of the Courts and to the Commission on Judicial Conduct about the operation of the South Phoenix Justice Court. Investigation of these complaints has been initiated. To assure the proper continuation of these investigations and at the request of the Commission on Judicial Conduct,

IT IS NOW ORDERED as follows:

Judge Robert M. Garcia, Justice of the Peace, is hereby reassigned to perform duties under the supervision of the Honorable C. Kimball Rose, Presiding Judge of the Superior Court in Maricopa County.

Until further order of the Court, all books and records of the South Phoenix Justice Court are placed in the constructive possession of the Presiding Judge of the Superior Court of Maricopa County, Arizona, and, in particular, in the constructive possession of the Honorable C. Kimball Rose, or his designees.

Although constructive possession of the books and records of the South Phoenix Justice Court is being hereby transferred to Judge Rose, the Court recognizes that physical possession of the books and records is presently at the South Phoenix Justice Court. Therefore,

IT IS FURTHER ORDERED that, until further order of the Court, no person, other than Honorable C. Kimball Rose or his designees, or the Administrative Director of the Courts or his designee, shall remove from the premises of the South Phoenix

Justice Court any paper or record of any type whatsoever for any reason whatsoever, nor shall any such paper or record be defaced, altered or destroyed. This order is intended to and does apply to all personnel of the South Phoenix Justice Court, including the judge, the clerk, the deputy clerks, all employees of the court, county officials and any agents or representatives of any of the foregoing named individuals. The Administrative Office of the Courts is to take immediate steps to secure the integrity of electronic records contained in the court's automated system. Service of this order is authorized by in-person delivery or by on-site delivery by Karen Karowski or any other Administrative Office of the Courts employee.

IT IS FURTHER ORDERED that administrative control of the Court shall be assumed by Judge Rose. Judge Rose may issue any order required to ensure the proper independent operation of the South Phoenix Justice Court. Judge Rose, in cooperation with the Administrative Office of the Courts, shall take appropriate steps to secure the court and its records, and provide for independent and proper operations of the court. Judge Robert Garcia, having been reassigned, shall not be allowed on court premises without the authorization of Judge Rose. Further, Judge Garcia is not to issue court orders without the approval of Judge Rose.

DATED this 7th day of April, 1994.

~~STANLEY G. FELDMAN~~  
Chief Justice