

IN THE SUPREME COURT OF THE STATE OF ARIZONA

**FILED**  
JAN 10 1995  
NOEL K. DESSAINT  
CLERK SUPREME COURT  
BY

IN THE MATTER OF: )  
JUDGE PRO TEMPORE ) ADMINISTRATIVE ORDER  
FINANCIAL DISCLOSURE )  
\_\_\_\_\_ ) No. 95-1  
\_\_\_\_\_ )

This Court is required to provide "administrative supervision over all the courts in the State." Ariz. Const. Art. 6, Sec. 3. This includes issuing such orders as may be necessary to assure legislation is effectively implemented by the judicial department.

Justices of the Supreme Court and judges of the Court of Appeals and the superior court are required by A.R.S. §38-542 to file financial disclosure statements. These disclosure requirements have not been uniformly applied to full-time judges pro tempore. The statutory language provides no textual basis for this limitation.

For purposes of financial disclosure, judges pro tempore employed full time by the court are indistinguishable from judges who stand for election. Their qualifications, judicial powers and compensation are the same. Ariz. Const. Art. 6, Sec. 31. The public interest in the financial affairs of full-time judges pro tempore is significant. Therefore, it is likely the legislature intended these judges be covered by the financial disclosure law. Part-time judges pro tempore who serve repeatedly on a continuing, scheduled and compensated basis are in a similar position.

Judges pro tempore who serve once or only sporadically on a voluntary basis cannot be compared to elected or appointed judges or judges pro tempore who perform judicial duties full time or on a continuing, scheduled and compensated basis. The Court has previously recognized this in providing different ethical

provisions for these judges. Rules of the Supreme Court, Rule 82. It is unlikely the legislature intended that such judges pro tempore were required to comply with A.R.S. §38-542.

NOW THEREFORE, IT IS ORDERED

Judges pro tempore serving the appellate courts or the superior court full time or on a continuing, scheduled and compensated basis shall comply with A.R.S. §38-542.

DATED THIS 10th day of January, 1995.

STANLEY G. FEEDMAN  
Chief Justice