

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
REESTABLISHMENT OF THE) Administrative Order
ARIZONA STATE, TRIBAL, AND) No. 2004-36
FEDERAL COURT FORUM) (Replacing Administrative
) Order No. 2001-70)
)

The interaction of federal court jurisdiction with tribal court and state court jurisdiction in Arizona results in unique opportunities for cooperation between state, federal and tribal judiciaries. Recognizing this interaction, the Arizona State and Tribal Court Forum, formed in 1990 under the auspices of the Conference of Chief Justices, recommended creation of an ongoing colloquium, which includes state, tribal and federal members. In response to this recommendation and the continuing work of the original Forum, in 1994 the chief judges of the United States Ninth Circuit Court of Appeals and the District Court of Arizona appointed judges to serve on such a body. Chief judges and justices of Indian tribes and nations throughout Arizona also expressed interest in participating in this court forum.

This Order updates forum membership by adding two more state trial judge members to accommodate interest in the Forum expressed by judges of state limited jurisdiction courts and increases the term of members from two to three years. This Order also reappoints members whose terms have expired and appoints new members. Therefore,

IT IS ORDERED that the "Arizona State, Tribal and Federal Court Forum" is hereby reestablished for the following purposes:

1. To foster mutual understanding and acceptance by state, tribal and federal judges of the similarities and differences between each other's courts and legal systems, particularly pertaining to the resolution of jurisdictional issues.
2. To promote improvement in the quality of justice delivered in the context of the overlapping jurisdiction of state, tribal and federal courts through judicial education, professional court administration, education of attorneys and the public about tribal courts, and the sharing of personnel, facilities and programs, as well as state, tribal and federal funding, as appropriate.
3. To promote respect for and recognition of the judicial proceedings and judgments among the three court systems in order to minimize the need for litigation regarding jurisdictional issues.

4. To increase operational communication, cooperation and coordination among state, tribal and federal courts and other justice agencies in Arizona.
5. To promote legislative, regulatory and court rule changes to further the coordination of and cooperation among the three court systems.
6. Any other purposes deemed by a majority of forum members to be in the best interests of state, tribal and federal courts and of the justice system serving the citizens of Arizona affected by the interaction of these three systems.

Organization

The Court Forum shall consist of four federal members, eight state members, at least eight tribal members, one State Bar member, and two public members. The federal members shall include a judge of the Ninth Circuit Court of Appeals appointed by the Chief Judge of the Circuit, a judge of the District of Arizona appointed by the Chief Judge of the District, the U.S. Attorney or designee, and the Federal Public Defender or designee. The state members shall include an appellate judge, five trial court judges of general and limited jurisdiction courts, and a clerk of the superior court or deputy clerk appointed by the Chief Justice and the Arizona Attorney General or designee. The tribal members shall include at least eight chief judges or justices or their designees and any additional chief judges or their designees who express interest in Forum membership and who are appointed by the Chief Justice. The Chief Justice shall appoint one of the members to chair the forum. The Chair shall appoint a member to serve as Vice-Chair.

Membership

State and tribal court members and the public members shall be subject to appointment for three year terms. Members serving due to office, by appointment of an officer other than the chief justice, or by designation of an officer, shall not have a term.

IT IS FURTHER ORDERED that this Order replaces Administrative Order No. 2001-70.

Dated this 1st day of July, 2004.

CHARLES E. JONES
Chief Justice