

IN THE SUPREME COURT OF THE STATE OF ARIZONA
ADMINISTRATIVE OFFICE OF THE COURTS

In the Matter of:)
)
ADOPTION AND IMPLEMENTATION) Administrative Directive
OF PLAN B WORKGROUP) No. 2022 - 04
RECOMMENDATIONS AS)
PRESUMPTIVE STANDARDS FOR)
REMOTE AND IN-PERSON HEARINGS)
_____)

On April 27, 2022, the Supreme Court issued Administrative Order No. 2022-46 ordering that the Administrative Office of the Courts provide the presiding judge of the superior court in each county and the presiding judge of each municipal court a model template to use when issuing an administrative order as required by Administrative Order No. 2022-46.

Therefore, pursuant to Administrative Order No. 2022-46 and in the interest of the efficient administration of justice and good public service,

IT IS DIRECTED that the forms in the attached appendices are adopted for use by the presiding judge of the superior court in each county and the presiding judge of each municipal court to implement the requirements of Administrative Order No. 2022-46 regarding the adoption of standards for the presumptive manner in which each hearing type will be held in each court.

Dated this 3rd day of May, 2022.

DAVID K. BYERS
Administrative Director of the Courts

APPENDIX A - Hearings in the superior court

IN THE SUPERIOR COURT
IN THE COUNTY OF [NAME OF COUNTY], IN AND FOR THE STATE OF ARIZONA

In the Matter of:)
)
ADOPTION AND IMPLEMENTATION) Administrative Order
OF PRESUMPTIVE STANDARDS FOR) No. 2022 - XX
REMOTE AND IN-PERSON HEARINGS)
FOR THE SUPERIOR COURT IN)
[NAME OF COUNTY] COUNTY)
_____)

In June 2021, the Arizona Supreme Court’s COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup (Plan B Workgroup) recommended best practices that should be retained or adapted post-pandemic, which included a recommendation that courts continue to use and expand technology to conduct remote court proceedings. In January 2022 the workgroup reconvened and issued a report, *Recommended Remote and In-Person Hearings in Arizona State Courts in the Post-Pandemic World* (“Report”) which includes as Appendix 1 recommendations regarding which hearing types should be held remotely and which should be held in person (“Presumptive Standards”).

On April 27, 2022, the Supreme Court issued Administrative Order No. 2022-46 adopting the Presumptive Standards as set forth in Appendix 1 of the Report and requires the presiding judge of the superior court in each county to issue an administrative order adopting standards for the superior court in their county regarding which hearing types will be held remotely and which hearing types will be held in person. Administrative Order No. 2022-46 allows the presiding judge of the superior court to adapt the Presumptive Standards as necessary due to limitations in local court resources, bandwidth, technology hardware, software, and staffing or, for good cause, to meet unique needs in their respective counties.

Therefore, pursuant to Supreme Court Administrative Order No. 2022-46,

IT IS ORDERED adopting the Chart attached hereto as the presumptive manner for holding hearings set on or after [Month, Day (no later than October 1, 2022), 2022] in the superior court in [County name] County.

[IT IS FURTHER ORDERED adapting the Presumptive Standards adopted by the Supreme Court for the following hearing types and reasons:]

- [Name the hearing type and reason for adaptation]

IT IS FURTHER ORDERED that hearings in the superior court in [County name] County must be held in the presumptive manner, but a judge assigned to a case may make a hearing-specific deviation from the presumptive manner in which a hearing must be held if holding the hearing in the presumptive manner is not practical or otherwise not in the interest of justice. The court must provide notice to the parties when such an alternative is utilized.

Dated this ____ day of _____, 20__.

[Name]
Presiding Judge, Superior Court of [County name]
County

APPENDIX B
(Hearings in justice courts)

IN THE SUPERIOR COURT
IN THE COUNTY OF [NAME OF COUNTY], IN AND FOR THE STATE OF ARIZONA

In the Matter of:)	
)	
ADOPTION AND IMPLEMENTATION)	Administrative Order
OF PRESUMPTIVE STANDARDS FOR)	No. 2022 - <u>XX</u>
REMOTE AND IN-PERSON HEARINGS)	
FOR THE JUSTICE OF THE PEACE)	
COURTS IN [NAME OF COUNTY])	
COUNTY)	
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In June 2021, the Arizona Supreme Court’s COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup (Plan B Workgroup) recommended best practices that should be retained or adapted post-pandemic, which included a recommendation that courts continue to use and expand technology to conduct remote court proceedings. In January 2022 the workgroup reconvened and issued a report, *Recommended Remote and In-Person Hearings in Arizona State Courts in the Post-Pandemic World* (“Report”) which includes as Appendix 1 recommendations regarding which hearing types should be held remotely and which should be held in person (“Presumptive Standards”).

On April 27, 2022, the Supreme Court issued Administrative Order No. 2022-46 adopting the Presumptive Standards as set forth in Appendix 1 of the Report and requires the presiding judge of the superior court in each county to issue an administrative order adopting standards for the justice of the peace courts in their county regarding which hearing types will be held remotely and which hearing types will be held in person. Administrative Order No. 2022-46 allows the presiding judge of the superior court to adapt the Presumptive Standards as necessary due to limitations in local court resources, bandwidth, technology hardware, software, and staffing or, for good cause, to meet unique needs in their respective counties.

Therefore, having consulted with the presiding justice of the peace in [Name of county] County, pursuant to Supreme Court Administrative Order No. 2022-46,

IT IS ORDERED adopting the Chart attached hereto as the presumptive manner for holding hearings set on or after [Month, Day (no later than October 1, 2022), 2022] in the justice of the peace courts in [County name] County.

[IT IS FURTHER ORDERED adapting the Presumptive Standards adopted by the Supreme Court for the following hearing types and reasons:]

- [Name the hearing type and reason for adaptation]

IT IS FURTHER ORDERED that hearings in the justice of the peace courts in [County name] County must be held in the presumptive manner, but a judge assigned to a case may make a hearing-specific deviation from the presumptive manner in which a hearing must be held if holding the hearing in the presumptive manner is not practical or otherwise not in the interest of justice. The court must provide notice to the parties when such an alternative is utilized.

Dated this ____ day of _____, 20__.

[Name]
Presiding Judge, Superior Court of [County name]
County

APPENDIX C
(For use by municipal court presiding judges)

IN THE [NAME OF COURT] COURT
IN THE COUNTY OF [NAME OF COUNTY], IN AND FOR THE STATE OF ARIZONA

In the Matter of:)	
)	
ADOPTION AND IMPLEMENTATION)	Administrative Order
OF PRESUMPTIVE STANDARDS FOR)	No. 2022 - <u>XX</u>
REMOTE AND IN-PERSON HEARINGS)	
FOR THE [NAME OF COURT])	
MUNICIPAL COURT)	
_____)	

In June 2021, the Arizona Supreme Court’s COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup (Plan B Workgroup) recommended best practices that should be retained or adapted post-pandemic, which included a recommendation that courts continue to use and expand technology to conduct remote court proceedings. In January 2022 the workgroup reconvened and issued a report, *Recommended Remote and In-Person Hearings in Arizona State Courts in the Post-Pandemic World* (“Report”) which includes as Appendix 1 recommendations regarding which hearing types should be held remotely and which should be held in person (“Presumptive Standards”).

On April 27, 2022, the Supreme Court issued Administrative Order No. 2022-46 adopting the Presumptive Standards as set forth in Appendix 1 of the Report and requires the presiding judge of each municipal court to issue an administrative order adopting standards regarding which hearing types will be held remotely and which hearing types will be held in person. Administrative Order No. 2022-46 allows the presiding judge of the municipal court, after consultation and approval from the presiding judge of the superior court in the county, to adapt the Presumptive Standards as necessary due to limitations in local court resources, bandwidth, technology hardware, software, and staffing or, for good cause, to meet unique needs in their respective cities.

Upon consultation with and approval from the presiding judge of the superior court in [Name of county] County, pursuant to Supreme Court Administrative Order No. 2022-46,

IT IS ORDERED adopting the Chart attached hereto as the presumptive manner for holding hearings set on or after [Month, Day (no later than October 1, 2022), 2022] in the [Name of court] Court.

[IT IS FURTHER ORDERED adapting the Presumptive Standards adopted by the Supreme Court for the following hearing types and reasons:]

- [Name the hearing type and reason for adaptation]

IT IS FURTHER ORDERED that hearings in the [Name of court] Court must be held in the presumptive manner, but a judge assigned to a case may make a hearing-specific deviation from the presumptive manner in which a hearing must be held if holding the hearing in the presumptive manner is not practical or otherwise not in the interest of justice. The court must provide notice to the parties when such an alternative is utilized.

Dated this ____ day of _____, 20__.

[Name]
Presiding Judge, City of [Name of city], [Name of
county] County