

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ARIZONA CODE OF JUDICIAL) Administrative Order
ADMINISTRATION § 5-308:) No. 2020 - 224
COURT SECURITY GUARDS NOT)
ELIGIBLE FOR CERTIFICATION)
_____)

The above-captioned provision having come before the Arizona Judicial Council on December 17, 2020 and having been approved and recommended for adoption.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the above-captioned provision, attached hereto, is adopted as a section of the Arizona Code of Judicial Administration effective June 30, 2021.

Dated this 23rd day of December, 2020.

ROBERT BRUTINEL
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 5: Court Operations
Chapter 3: Court Security
Section: 5-308: Court Security Guards Not Eligible for Certification

A. Definitions. The following definitions apply to this section:

“Conducted Electrical Weapon” or “CEW” means a device using propelled wires that transmit electrical pulses to override the central nervous system and control the skeletal muscles, causing immediate incapacitation.

“Director” means the Administrative Director of the Administrative Office of Courts or designee.

“Security Guard” means any person providing court security, by contract or other agreement, who is not eligible under ASRS §12-299.10 and ACJA §5-304 to be certified as a court security officer.

“Presiding judge” means, for superior court, justice courts, and consolidated justice/municipal courts, the superior court presiding judge or a designee who may be an administrator; for municipal courts, the municipal court presiding judge or a designee who may be an administrator; for appellate courts, the chief justice or chief judge or a designee.

B. Authority. Pursuant to Az. Const. Art. 6, § 3, the supreme court is authorized to establish policies and procedures for court security.

C. Purpose. This section establishes standards for persons who provide security for an Arizona court by contract or other agreement and who are not eligible under ASRS §12-299.10 and ACJA §5-304 to be certified as a court security officer.

D. General Administration. The director shall:

1. Establish and oversee court security guard standards and training; and
2. Adopt administrative practices and procedures that are necessary to implement court security guard standards and administer court security guard training.

E. Authorized Court Security Guards.

1. The following persons may be authorized by a presiding judge to provide security services to an Arizona court:
 - a. Security guards licensed by the Arizona Department of Public Safety (DPS) and employed by a security guard agency licensed by DPS;
 - b. Law enforcement officers with current Arizona Police Officer Standards and

Training Board (AZPOST) certification;

- c. Other qualified persons, including law enforcement personnel not certified by AZPOST and court volunteers, who are not employed by a court, law enforcement agency or security guard agency licensed by DPS.

F. Security Guards Employed by a Security Guard Agency that is Licensed by DPS.

1. Security guards employed by a security guard agency licensed by DPS shall complete all training necessary to maintain DPS security guard licensing while providing court security.
2. Security guards shall attend and successfully complete the Court Security Guard Training Academy within 90 days of providing court security services to a court, and annual court security training updates approved by COJET, which may be offered virtually.
3. A presiding judge may authorize a person licensed by DPS as an armed security guard to be armed while providing court security.
 - a. The person shall complete all firearms training and qualifications necessary to maintain DPS armed security guard licensing to remain authorized to be armed while providing court security.
 - b. The presiding judge shall establish a written policy for armed security guards, which may incorporate the policies of a contracting body or security guard agency. The policy shall address the following: who is authorized to carry a firearm, process for obtaining authorization to be armed, the procedure for notifying the presiding judge or designee of the status of being armed, the type of firearm(s) and ammunition allowed within the courthouse, and requirements in conformity with the ACJA §5-306 and state and local laws regulating firearms.
4. A presiding judge may authorize a DPS-licensed security guard to carry a Conducted Electrical Weapon (CEW) while providing court security. The presiding judge shall establish a written policy addressing who is authorized to carry a CEW, process for obtaining authorization to carry a CEW and requirements in conformity with the ACJA §5-307 and state and local laws regulating CEWs.

G. Law enforcement officers with current AZPOST certification.

1. Law enforcement officers with current AZPOST certification may attend and complete court security training provided by the Arizona judicial branch.
2. A presiding judge may authorize a law enforcement officer with current AZPOST certification to provide armed court security. The presiding judge shall establish a written policy for law enforcement officers providing armed court security, which may

incorporate policies of the law enforcement agency that employs the officer. Policies on law enforcement officers carrying firearms in the courthouse are subject to A.R.S. §§ 38-1113 and 11-411.

3. A presiding judge may authorize a law enforcement officer certified by AZPOST to carry a Conducted Electrical Weapon (CEW) while providing court security. The presiding judge shall establish a written policy, which may incorporate policies of the law enforcement agency that employs the officer, and that includes requirements in conformity with the Arizona Code of Judicial Administration §5-307 and state and local laws regulating CEWs.

H. Persons providing court security who are not employed by a court, law enforcement agency or security guard agency licensed by DPS.

1. Shall attend and successfully complete the Court Security Guard Training Academy within 90 days of providing court security services to a court, and annual court security training updates approved by COJET, which may be offered virtually.
2. A presiding judge shall establish a written policy for persons providing court security services who are not employed by a court, law enforcement agency or security guard agency licensed by DPS. The policy shall address who is authorized to provide court security services and the process to be authorized to provide court security services in conformity with ACJA §5-303.
3. The presiding judge may authorize a person providing court security who is not employed by a court, law enforcement agency or guard agency licensed by DPS to be armed while providing court security if:
 - a. the person meets the qualifications of ACJA §5-306, other than being employed by a court, and has completed the Court Security Guard Training Academy or;
 - b. the person has active AZPOST certification.
4. The presiding judge shall establish a written policy for persons providing court security services who are not employed by a court, law enforcement agency or security guard agency licensed by DPS that addresses who is authorized to carry a firearm, process for obtaining authorization to be armed, the procedure for notifying the presiding judge or designee of the status of being armed, the type of firearm(s) and ammunition allowed within the courthouse in conformity with Arizona Supreme Court Administrative Directives, and requirements in conformity with ACJA §5-306 and state and local laws regulating firearms.
5. A presiding judge may authorize a person providing court security services who is not employed by a court, law enforcement agency or security guard agency licensed by DPS to carry a CEW while providing court security services. The presiding judge shall establish a written policy addressing who is authorized to carry a CEW, process for obtaining authorization to carry a CEW and requirements in conformity with ACJA §5-

307 and state and local laws regulating CEWs.

I. Court Security Guard Training Academy.

1. Court security guards shall undergo assessment of competency upon conclusion of instruction and shall meet passing standards as set by the director.
2. Court security guards failing to attain the passing score on the competency assessment are permitted to retake the competency assessment once within 90 days of completion of the Court Security Guard Training Academy.
3. A court security guard shall complete the Court Security Guard Training Academy again if they return to service as a court security guard after an absence of two or more years.