

IN THE SUPREME COURT OF THE STATE OF ARIZONA

---

|                                |   |                           |
|--------------------------------|---|---------------------------|
| In the Matter of:              | ) |                           |
|                                | ) |                           |
| AMENDING ARIZONA CODE OF       | ) | Administrative Order      |
| JUDICIAL ADMINISTRATION        | ) | No. 2023 - <u>177</u>     |
| § 5-308: COURT SECURITY GUARDS | ) | (Affecting Administrative |
| NOT ELIGIBLE FOR CERTIFICATION | ) | Order No. 2021-11)        |
| _____                          | ) |                           |

Pursuant to the Arizona Code of Judicial Administration (ACJA) § 1-201(E), the Chief Justice may adopt technical changes in existing administrative code sections by administrative order without prior distribution for comment and action by the Arizona Judicial Council.

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

IT IS ORDERED that the amendments to ACJA § 5-308 as indicated on the attached document are adopted. All other provisions of § 5-308 remain unchanged and in effect.

Dated this 1<sup>st</sup> day of November, 2023.

---

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:

\* \* \*

“Security Guard” means any person providing court security, by contract or other agreement, who is not eligible under ~~ASRS~~ A.R.S. § 12-299.10 and Arizona Code of Judicial Administration (ACJA) § 5-304 to be certified as a court security officer.

\* \* \*

**B. [No change]**

**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~~ A.R.S. § 12-299.10 and ACJA § 5-304 to be certified as a court security officer.

**D. [No change]**

**E. Authorized Court Security Guards.**

↳ The following persons may be authorized by a presiding judge to provide security services to an Arizona court:

~~a~~1. Security guards licensed by the Arizona Department of Public Safety (DPS) and employed by a security guard agency licensed by DPS;

~~b~~2. Law enforcement officers with current Arizona Police Officer Standards and Training Board (AZPOST) certification;

~~c~~3. 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. and 2. [No change]

3. [No change in text]

a. [No change]

- 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. [No change]
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 ~~11-411-11-441.~~~~
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~~ ACJA §\_5-307 and state and local laws regulating CEWs.

**H. Persons providing court security who are not employed by a court, law enforcement agency as an AZPOST certified officer, or security guard agency licensed by DPS.**

1. [No change]
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. [No change in text]
  - 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. [No change]

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 as an AZPOST certified officer, 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 as an AZPOST certified officer, 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. [No change]**