

**Arizona Commission on Access to Justice  
SRL-LJC Workgroup  
NOTES**

**March 18, 2021**

2:00 p.m. to 4:00 p.m.

**Telephonic:** Judge Anna Huberman (chair), Charles Adornetto, Shelly Bacon, Pam Bridge, Scott Davis

**AOC Staff:** Theresa Barrett, Julie Graber, Sabrina Nash, Kathy Sekardi

**Matters considered:**

**1. Welcome and opening remarks**

The March 18, 2020, meeting of the SRL-LJC Workgroup was called to order by Judge Anna Huberman, chair, at 2:05 p.m.

**2. Update on eviction action issues**

Judge Hubermann announced that SB 1322: Virtual appearance; detainer actions was signed into law by the Governor. The bill which states *“Notwithstanding any other law, in a special detainer or forcible detainer proceeding before the court, any party, including an attorney or witness upon written notice to the court, shall be permitted to participate at the initial appearance remotely by using a telephone or video conference connection. If the court continues a contested matter to a later date, at the discretion of the court, the court may require all parties, attorneys and witnesses to participate in person.”* While the intent of the legislation was to make it easier for participants to appear virtually it may have unintended consequences for tenants.

**Issues with legislation discussed:**

- Initial appearance hearings are highly contested and emotional matter.
- Could be used against tenant if the tenant doesn't submit a written notice to the court.
- Landlords could include notice in complaint filed with court and not inform the tenant, as there is no requirement to serve the tenant with the summons or complaint.
- Written notice – how can courts receive written notice remotely as hearings happen quickly and may not provide tenants with enough time to submit a written notice.

**Next steps:** The workgroup discussed the need for a rule change to Rule 5a. Charles Adornetto volunteered to draft the rule petition. Judge Huberman will contact Judges Thumma and Winthrop regarding how best to proceed with an expedited rule petition.

**3. Review storyboards and status of project (Updated video tracking document and thumbnails of videos completed)**

This agenda item was not discussed due to the discussion on SB 1322.

**Next steps:**

- Members are to review the videos; *Summary Judgement, What is Evidence?* and *Statute of Limitations* and provide their edits or comments to Kathy Sekardi by May 31, 2021.
- Judge Huberman suggested the need to develop a legal info sheet on how to appear remotely.

**Next SRL-LJC Meeting:** September 16, 2021