

NEWS RELEASE

Arizona Supreme Court
Administrative Office of the Courts



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Arizona Supreme Court Clarifies Election Authority in Maricopa County Dispute

PHOENIX – The Arizona Supreme Court today issued an order in *Heap v. Galvin*, vacating a June 18, 2026 Court of Appeals stay and reinstating, with modifications, superior court injunctions governing the allocation of election-administration responsibilities between the Maricopa County Recorder and the Maricopa County Board of Supervisors.

The dispute concerns which county office has authority to perform election duties that Arizona statutes assign to “the county recorder or other officer in charge of elections.” Maricopa County Recorder Justin Heap argued that those duties belong to the Recorder or to an officer designated by the Recorder. The Board of Supervisors argued that its budget and administrative authority permitted it to assign those functions to a Board-appointed elections director.

The Court concluded that the Recorder is likely to prevail on the statutory-interpretation issue. Relying on Arizona precedent, the Court explained that a county board of supervisors may not use its funding authority to assume or reassign statutory responsibilities entrusted to an independently elected county officer. The Court reaffirmed that the Board has a nondiscretionary duty to fund necessary expenses of the Recorder and may not use budgetary control to displace duties assigned by law to the Recorder or an officer acting under the Recorder’s authority.

The Court also addressed election-timing concerns. The Court recognized that courts should exercise caution before altering election procedures close to an election, particularly when early voting for the 2026 Primary Election is underway. But it concluded that those concerns do not replace Arizona’s stay analysis or determine which official has legal authority under Arizona law.

To minimize disruption, the Court reinstated the superior court injunctions as modified by the Recorder’s 12-point interim operational protocol. Those temporary procedures are intended to preserve continuity in the ongoing Primary Election while the appeal proceeds. The Court stated that either party may seek further interim modifications from the Court of Appeals.

The Court encouraged cooperation between county officials and emphasized the importance of transparency, lawful administration, and public confidence in Arizona elections. Neither the reinstated, modified injunctions, nor this Court’s order, interferes with the public’s ability to vote in the primary or general elections.

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This summary is intended solely to notify the public about an Arizona Supreme Court Order. It is not to be considered an official commentary by the Court or any member of the Court, nor may it be cited as legal authority for any reason or purpose. The full Order is available [here](#) for those seeking details about the Court’s reasoning.

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