

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 1: Judicial Branch Administration

Chapter 2: Operations

Section 1-201: Administrative Code: Scope, Adoption, Amendment, Repeal

- A. Scope of Administrative Code.** This Code of Judicial Administration is adopted to implement the supreme court's Article 6, Section 3 administrative supervision of all of the courts in the state. Typically, an administrative code section affects multiple courts, addresses ongoing responsibilities, states authority and duties of judicial officers and employees in addition to the authority and duties stated in the rules of court, implements statutes, or makes significant legal or operational distinctions concerning court customers and persons regulated by the court other than persons regulated by court rules.
- B. Proposal for Adoption, Amendment or Repeal of an Administrative Code Section.** Any person may initiate a proposal to adopt a new administrative code section or to amend or repeal an existing code section by submitting the proposal to the Administrative Director. An administrative code proposal shall include a draft of the proposed new or changed section, a concise explanation of the need for the proposal, and a description of the entities or persons that would be affected if the proposal is adopted.
- C. Distribution of Proposals.** The Administrative Director may decide that an administrative code proposal should be reviewed by the Arizona Judicial Council (AJC) prior to distribution. If so, the Administrative Director shall refer the proposal to the AJC for a determination as to whether the proposal will be distributed for comment. The proposer may appear to explain the proposal. Unless the AJC disapproves distribution of the proposal, the Administrative Director shall distribute the proposal for comment for at least 30 days to appropriate committees of the AJC, members of the court community and other persons who would be affected by the proposed code section. The Administrative Director shall inform the proposer of AJC disapproval of the proposal or the plan for distribution of the proposal.
- D. Review and Recommendation of Proposals.** When the scheduled period for comment regarding an administrative code proposal has expired, the Administrative Director shall summarize the comments, recommend whether to adopt the proposal as proposed or with modifications and place the proposal on the AJC agenda. The Administrative Director shall provide the AJC a cover sheet for each proposal that includes a summary of comments received and the Administrative Director's recommendation concerning the proposal. The AJC shall decide whether to recommend adoption of administrative code proposals.
- E. Adoption of Proposals.** The chief justice may adopt, amend or repeal code sections by administrative order. The chief justice may adopt emergency administrative code proposals and technical changes in existing code sections without prior distribution for comment and action by the AJC. The Administrative Director shall distribute an adopted emergency administrative code proposal for comment as provided in this section.

Adopted by Administrative Order 2001-27 effective February 12, 2001. Amended by Administrative Order 2002-91 effective August 26, 2002.