

SUPERIOR COURT OF ARIZONA, COCONINO COUNTY

POLICY

on

SELECTION OF SPECIAL JUDICIAL OFFICERS

I. STATEMENT OF PRINCIPLE.

This policy shall govern the selection of all special judicial officers including full-time and part-time judges pro tempore in the superior and justice courts, commissioners, hearing officers and juvenile court referees.

The Constitution of Arizona, Article VI, Section 41, provides that when making recommendations for judicial office, the commission of trial court appointments shall consider the diversity of the county's population and the geographical distribution of the residences of the judges throughout the county, however, the primary consideration shall be merit. This same principle shall apply in the appointment of special judicial officers of this county.

The goal in selecting judges pro tempore and other special judicial officers is to select judges without regard to gender who have outstanding professional competence and reputation and who are also sensitive to the needs of and held in high esteem by the communities they serve and who reflect, to the extent possible, the ethnic and racial diversity of those communities. Competence and diversity among our judges will enhance fairness and public confidence in judicial proceedings.

II. QUALIFICATIONS OF CANDIDATES.

Candidates shall meet the minimum qualifications for the position pursuant to law. In the case of a superior court appointment candidates shall be State Bar of Arizona licensed lawyers for the minimum number of required years. Applicants must reside and practice in Coconino County. In the case of a justice court appointment candidates need not be State Bar of Arizona licensed lawyers but shall reside within Coconino County and shall be found disposed by temperament and demeanor to a judicial position.

III. NOTICE; ADVERTISING POSITION.

On the occurrence of a vacancy or opening in a position in this court or in a justice court of this county for a judge pro tempore or other special judicial officer, the court administrator on direction of the presiding judge shall post or otherwise provide notice in such manner as to give notice of said position to all qualified persons living in the County of Coconino. Notice shall be published in a newspaper or newspapers of general circulation in the county in the manner other county and court positions are advertised, and a copy of the notice shall be placed in the mail box of each practicing lawyer of the county in the office of the clerk of the Superior Court.

IV. APPLICATION.

All applications shall be submitted on a form approved by the presiding judge to the office of the court administrator. Applicants shall provide information on all aspects of their background, qualifications and

experience relevant to the judicial position. Applicants shall be advised of the ethical restrictions on the practice of law contained in the Code of Judicial Conduct which relate to service of special judicial officers.

V. APPOINTMENT AND OPERATION OF SELECTION COMMITTEE.

1. The presiding judge shall appoint a committee of between three and seven persons of the county who reasonably represent the ethnic, racial, gender and political diversity of the county to review all applications, interview selected applicants, and make recommendations to the presiding judge for appointment.
2. Selection committee members shall be informed that their responsibilities that may include recruitment of qualified applicants, including minority and women applicants who may not otherwise apply, and who will reflect the diversity of the community and county.
3. Committee members should be encouraged to actively seek out and encourage applications from qualified individuals and may enlist in the aid of community groups and organizations in this effort.
4. A committee member shall in no event commit in advance to vote for any applicant.
5. Prior to conducting any business the committee shall elect a chair person and vice chair person at its first meeting.
6. Committee members shall be provided copies of all applications.
7. The committee may be convened at the direction of the presiding judge at a designated time and location to preliminarily evaluate applications in light of this policy and select those applicants to be interviewed.
8. Interviews shall be scheduled and applicants notified by the office of the court administrator.
9. On completion of interviews or within five days thereof, the committee shall vote in a manner agreed upon by the majority of its members, and shall recommend three or more candidates for the position, rated in order of preference. The recommendations to the presiding judge may contain findings and reasons to be considered by the presiding judge and the ultimate appointing authority.
10. Committee members shall be required to disclose to each other and the presiding judge any cause for bias in favor or against any applicant reviewed.

VI. DUTIES OF PRESIDING JUDGE

The presiding judge shall consider the recommendations of the selection committee and shall make an

EXHIBIT A

appointment based upon demonstrated ability and required levels of education, knowledge, skills, training and experience. Upon selection of a person for any special judicial position, the presiding judge or designee shall prepare an administrative order making such an appointment.

VII. PART-TIME SPECIAL JUDICIAL OFFICERS; WAIVER OF SELECTION COMMITTEE

From time to time, the Presiding Judge may appoint part-time special judicial officers to perform specialized judicial duties in the Superior Court or Justice Courts as needed on less than a full-time basis without the appointment of a selection committee.

VIII. TEMPORARY APPOINTMENT

A special judicial officer may be appointed on a temporary basis for a definite period of time without following this policy, but this policy shall be followed before a continuing appointment is made. A temporary appointment shall be to fill a perceived but limited critical need to assure a continuity of court services, without anticipation of such critical need extending indefinitely.

IX. EDUCATION

The presiding judge shall assure that all special judicial officers governed by this order receive orientation and, for full-time special judicial officers, ongoing education appropriate to the special judicial officer's duties and comparable to that received by the other judges on the same court.

X. EVALUATION.

The presiding judge shall periodically evaluate full time special judicial officers governed by this order at least prior to the reappointment of each special judicial officer. Evaluations shall be based upon information from both professional and public participants, and instruments and procedures of evaluation utilized in the retention of judges in the State of Arizona may be employed. Any complaints received concerning a part-time special judicial officer shall be considered by the presiding judge prior to reappointment.

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