

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF APACHE
MICHAEL LATHAM, PRESIDING JUDGE**

In the Matter of:

COVID-19 Mitigation Measures.

NOTICE

The Arizona Superior Court in Apache County will continue to adopt protocols that will allow the Court to accomplish its constitutional duties while still complying with Arizona Government COVID-19 mandates and the guidance of the U.S. Center of Disease Control.

Therefore, in addition to the Court's Administrative Order dated March 16, 2020 (the "A.O."), the following protocols are hereby adopted to limit gatherings to 10 individuals in a given space and maintain a social distancing perimeter of 6 feet:

1. The Court again stresses to legal counsel and the parties that stipulated continuances of non-critical court hearings are essential to complying with the CDC recommendation while still allowing critical hearings to go forward. Legal counsel and the parties are in the most informed position to assess their cases and determine which ones to continue. All motions to continue will be liberally granted given the extraordinary circumstance of the COVID-19 global pandemic.
2. In order to facilitate prompt motions to continue being filed, pursuant to **Rule 1.7** of the Ariz. Rules of Criminal Procedure, the Court hereby authorizes the parties to e-mail Judicial Assistant -- Brittany McNeil (brmcneil@courts.az.gov)
MOTIONS TO CONTINUE – ONLY. All other motions/filings must comply with Rule 1.7 filing requirements with the Clerk of the Court. The Court urges the parties to file all motions to continue as far in advance as possible so calendar changes can be made and agencies can be notified.
3. Further, the Court was just notified that California, New Mexico, and Utah have suspended accepting Inter-State Compact cases – therefore, if a defendant is scheduled for sentencing and would rely on being able to return to either of those states after sentencing, they would not be allowed to do so. Therefore, it is highly recommended that such sentencing cases be continued into June or July of 2020.

4. If a hearing must move forward and can't be continued by the parties, then the Court urges all participating parties to appear telephonically if at all possible.
5. For hearings that can't be continued and can't be done telephonically, then "Essential Personnel" (see A.O.) will be allowed in the courthouse to conduct the hearings with the following additional steps:
 - a. Essential Personnel entering the courthouse must maintain a 6 foot perimeter from others. The walkway to the courthouse will be marked with 6 foot chalk lines leading up to the exterior washing and sanitizing station.
 - b. All Essential Personnel will wash and sanitize hands before entering the courthouse.
 - c. Upon entering the courthouse, the Essential Personnel scheduled for 9:00 a.m. hearings on Monday will be wait in the downstairs reception area of the courthouse until cleared to go up to the main courtroom.
 - d. If needed, the hallway leading to the Clerk's window will be used as additional waiting area in order to maintain the individual 6 foot perimeter.
 - e. In-custody defendants will be escorted to the back holding area with the door closed before 9:00 a.m. Essential Personnel will be allowed upstairs.
 - f. While the 9:00 a.m. Essential Personnel hearings are taking place, the 9:30 Essential Personnel will wait in the downstairs reception area.
 - g. Upon completion of the 9:00 a.m. Essential Personnel hearings and after the 9:00 a.m. Essential Personnel have left the building, the 9:30 a.m. Essential Personnel will be allowed in the upstairs courtroom.
 - h. The same sequence of events shall be followed between the 9:30 a.m. hearings and the 10:30 a.m. hearings; the 2:00 p.m. hearings and the 3:00 p.m. hearings; and the 3:00 p.m. hearings and the 3:30 p.m. hearings – until all Essential Personnel hearings are complete.

As should be clear at this point, these COVID-19 Mitigation Measures may change as the situation continues to change. The Court will continue to do it's best to promptly adapt to any changes and keep all court participants informed as quickly as possible.

DATED this 19th day of March, 2020.

Dated: _____

3/19/2020



Michael Latham, Presiding Judge
Apache County Superior Court