

**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 – Moving all Non-Essential
Hearings in the Apache County
Superior Court**

Due to the continuing need to implement COVID-19 mitigation measures, the unavailability of backlogged video conferencing equipment, and the Arizona Supreme Court Administrative Order 2020-048, it is hereby ordered:

1. From March 27 to April 17, 2020 the following hearings will continue to be held ("**Excluded**" case types):
 - a. **IN-CUSTODY** – initial appearances, arraignments, preliminary hearings, and conditions of release;
 - b. Habeas corpus proceedings;
 - c. Any other proceeding necessary to determine whether to grant emergency relief.
2. All **in-custody** preliminary hearings:
 - a. scheduled for **Wednesday April 1, 2020** shall be held on **Monday March 30, 2020**;
 - b. scheduled for **Wednesday April 8, 2020** shall be held on **Monday April 6, 2020**;
 - c. scheduled for **Wednesday April 15, 2020** shall be held on **Monday April, 13, 2020**;
3. For all **in-custody** preliminary hearings that were previously scheduled for a Wednesday hearing, the new Monday setting will occur at the regularly allotted "law and motion" time for contract attorneys. For non-contract attorneys the new Monday preliminary hearing will occur at 9:00 a.m.
4. The Arizona Superior Court in Apache County's Administrative Order 2020-003 remains in place with respect to telephonic appearances of all Essential Parties, liberal granting of motions to continue, and permission to file Motions to Continue via e-mail to brmcneil@courts.az.gov regarding the Excluded cases types noted above.

5. **NOTICE:** the Apache County jail has notaries on staff for parties wishing to waive in-custody arraignments.
6. All non-Excluded case types scheduled between March 18 to April 17, 2020 are hereby continued, with Rule 8 time excluded (pursuant to Arizona Supreme Court Administrative Order 2020-047 and 048), as follows:
 - a. All non-Excluded criminal cases currently scheduled for **March 30, 2020** shall be continued to **April 27, 2020**;
 - b. All non-Excluded criminal cases currently scheduled for **April 6, 2020** shall be continued to **May 4, 2020**;
 - c. All non-Excluded criminal cases currently scheduled for **April 13, 2020** shall be continued to **May 11, 2020**;
 - d. All non-Excluded preliminary hearings currently scheduled for **April 1, 2020** shall be continued to **April 29, 2020**;
 - e. All non-Excluded preliminary hearings currently scheduled for **April 8, 2020** shall be continued to **May 6, 2020**.
 - f. All non-Excluded preliminary hearings currently scheduled for **April 15, 2020** shall be continued to **April 22, 2020**.
7. If a non-Excluded case type has been continued pursuant to this order, and either party has reason to believe such continuance will cause **substantial hardship** to their client or to the victim, please advise the Court by e-mailing brmcneil@courts.az.gov with a detailed explanation of the substantial hardship caused by the continuance. The Court will review each substantial hardship e-mail and will notify the parties if the non-Excluded hearing can be placed back on the calendar on an earlier date. Please include the wording "**Substantial Hardship**" in the subject line of the e-mail so it can be appropriately expedited.

The Court appreciates the patience, flexibility and professionalism demonstrated by the legal community as a whole as we all adjust to the challenges posed by this global pandemic.

DATED this 26th day of March, 2020.

Dated: _____

3/26/2020



Michael Latham, Presiding Judge
Apache County Superior Court