

IN THE COTTONWOOD MUNICIPAL COURT
STATE OF ARIZONA, YAVAPAI COUNTY

In the Matter of:

COURT OPERATION DURING
COVID-19 MITIGATION
MEASURES

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) ADMINISTRATIVE ORDER
) No. 2020-01
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Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona declared a statewide emergency pursuant to A.R.S. § 26-303 and in accordance with A.R.S. §26-301(15). In Executive Order 2020-12, the Governor defined the Courts as essential services which should remain open and Executive Order 2020-18 which provides for citizens to Stay Home, Stay Healthy and Stay Connected.

Following those guidelines, the Arizona Supreme Court most recently issued Administrative Order No. 2020-60 to allow courts to alter their procedures to minimize social contact for all parties with business with the courts considering their safety and health. Locally, the Superior Court of Yavapai County issued Administrative Order No. 2020-07 covering additional procedures.

THEREFORE, IT IS ORDERED, effective immediately, until otherwise ordered, the following procedures will be in place for the Cottonwood Municipal Court, the intent of which are to adhere to the spirit of the orders that are in place regarding Arizona courts in general, while balancing the necessity of having courts remain open and accessible to the public.

1. The Cottonwood Municipal Court will remain open and accessible to the public during their normal business hours for normal court business. If any exceptions are necessary, signage shall be posted on the court doors giving contact numbers where help can be reached.
2. Any individuals who have a fever, cough, shortness of breath or other symptoms of illness will not be allowed to enter the courthouse. They will be directed to call their lawyer or the court to request further information. This rule also applies to court staff.
3. All parties and legal counsel are authorized to appear telephonically or through other media resources as approved by the court for any hearing unless an order is issued

requiring an in-person appearance or an in-person appearance is constitutionally or statutorily required.

4. In hearings in which an in-person appearance is required, the Court will arrange scheduled hearings in such a way that provides for ten or fewer participants in the courtroom at one time (including court personnel) whenever possible. In all such in-person appearance cases, the Court shall provide for social distancing as recommended by the CDC.
5. Non-participants may be requested to leave the courtroom to provide for the safety of the participants at a hearing. If the person who is asked to leave the courtroom is not exhibiting any symptoms of illness, they will be given the option of finding a space within the courthouse that allows for social distancing. If the person(s) is ill or does not maintain social distancing, they will be directed to leave the courthouse.
6. Continuances stipulated to by the parties will be liberally granted so long as victim rights and other applicable laws are followed.
7. Video conferencing will be utilized with parties who are in custody and their attorneys. Using various media formats, all necessary parties shall be accommodated so that they can "appear."
8. Counsel, in both in custody and out of custody cases will be allowed to waive their client's appearance at hearings.
9. Notarized signatures will not be required on waivers submitted under Rule 14.3 (b) of the AZRCrP.
10. Payments for court fines will continue to be accepted through previously determined electronic payment sources, by mail, and in person by cash or credit card.
11. Any documents that need to be filed with the court can be transmitted to the court electronically.
12. Counsel and self-represented litigants must provide their email addresses to the Clerk on any active case. The Court will then communicate with Counsel and self-represented litigants regarding court matters via email.
13. Weddings will continue to be performed within CDC guidelines for number of persons that can be present.
14. Civil traffic citations are authorized to be submitted to the Court without the signature of the party receiving the citation so long as the citation is personally served by the Officer signing the citation; the approximate phrase "personally served" is notated where the defendant's signature should appear; and the officer is able to identify the party who was served at future court hearings.

ADDITIONALLY, relevant procedural processes and other matters not covered specifically by this Order that are authorized in Yavapai County's Administrative Order No. 2020-07 and the Arizona Supreme Court's Administrative Order No. 2020-68 are incorporated by reference and included herein as they apply to the cases handled by this limited jurisdiction court.

DATED this 14th day of April, 2020.


Catherine J. Kelley
Presiding Magistrate