



Fountain Hills Municipal Court  
16705 East Avenue of the Fountains, Fountain Hills, AZ 85268  
480-816-5103

IN THE MATTER OF COURT )  
OPERATIONS DURING A )  
PUBLIC HEALTH EMERGENCY )  
\_\_\_\_\_ )

Administrative Order  
No. 2020-02  
(Replacing Administrative  
Order 2020-01)

The Arizona Supreme Court has issued an Administrative Order directing all Arizona Courts to take appropriate measures to reduce the number of people entering the courthouse due to concerns for the spread of COVID-19.

Therefore, pursuant to Supreme Court of Arizona Administrative Orders 2020-48, in conjunction with Superior Court in Maricopa County Administrative Order No. 2020-036:

**IT IS ORDERED:**

1. No person shall attempt to enter the Fountain Hills Town Hall if they have been diagnosed with COVID-19, or if they are exhibiting symptoms, or if they are suspected of exposure to others with the virus or others who have been exposed to the virus, and shall address their business with the Court remotely until further notice.
2. Access to the Fountain Hills Municipal Court will be restricted to attendance for in-person hearings only. Unless otherwise directed within this order, no person shall be allowed to enter Fountain Hills Town Hall to conduct business with the court without the prior approval of its judicial officer.
3. All persons intending to conduct business with the court shall first contact the court via telephone, (480) 816-5103, or email, [MunicipalCourt@FH.AZ.gov](mailto:MunicipalCourt@FH.AZ.gov) to receive instructions on appearances and other court related matters.
4. Unless an in-person hearing is ordered, hearings shall be conducted by telephone, or other audio or visual means, including Skype or FaceTime, or other electronic means that accommodates full participation by all interested parties unless an in-person appearance is required by statute or under the Arizona or United States Constitution. All requests for an in-person hearing must be made by motion, captioned "Request for Emergency Hearing," and mailed, faxed or emailed to this court.
5. All in person hearings shall be limited to ten (10) persons inside the courtroom at a time and limited to the parties, witnesses, victims, law enforcement officers and lawyers. All persons shall maintain the recommended social distancing.

6. Persons intending to file a petition for an Order of Protection, Injunction Prohibiting Harassment, or Injunction Against Workplace Harassment shall continue to process it using AZPOINT (AZPOINT.azcourts.gov). Once a petition has been processed through AZPOINT, the requesting party shall contact the court without appearing at Town Hall. Court staff shall promptly schedule the requesting party's appearance by telephone, video, Skype, FaceTime, or other electronic means. Should a judicial officer not be available, the requesting party shall be directed to an alternate court location.

7. Persons seeking any emergency relief must file a written motion, captioned "Request for Emergency Relief," and mail, fax or email it to this court along with telephone contact information.

8. Prisoner in-custody matters shall continue to be held through video and conducted in accordance with any constitutional, statutory or rule requirement.

9. Except for prisoner in-custody matters, all criminal proceedings are continued to a date after May 1, 2020. Time is only excluded from time calculation under Rule 8, Ariz.R.Crim.P., for the time period stated in Supreme Court Administrative Order 2020-48 or any other Administrative Order replacing it.

10. After the date of this Order, all criminal defendants who have not been formally arraigned, or who are charged on or after this date, through April 30, 2020, will have their case set to a combined arraignment and pre-trial conference setting after May 1, 2020 and notice sent to all parties.

11. Civil traffic hearings will be continued to a date after May 1, 2020.

12. In civil traffic matters, to the greatest extent possible, court staff is to contact defendants before their arraignment date. Court staff shall attempt to ascertain whether a defendant intends to appear, plead responsible, not responsible or attend defensive driving school. Should any Defendant intend to appear, or if court staff is unable to contact a defendant, arraignments shall be automatically continued to a date after May 1, 2020 and a notice sent to the defendant.

13. Motions are to be in-writing, and sent to the court by mail, fax or email. Once a drop box is established outside Town Hall, motions may be deposited outside of Town Hall. All motions will be addressed by way of judicial review.

14. Payments to the court should be by check, money order or certified funds and mailed to the court through the United States Post Office. Payments may also be made through nCourt, (844) 400-6732, or the Town's website, FH.AZ.gov. Persons paying in cash are required to first contact the court, via telephone or email, to arrange an appointment for payment at Town Hall.

15. Court staffing shall be kept as such a level to provide services addressed in paragraphs 3, 6, 7, and 8, above. During normal business hours, when time permits, court staff shall also continue normal court functions/operations.

16. Court staff is authorized to perform the following actions:

A. Provide second continuances on criminal arraignments, pre-trials, non-jury trials and order-to-show-cause hearings, after ascertaining Prosecutor's position when required;

B. Provide continuances on civil and civil traffic matters, including arraignments, defensive driving school extensions, or other hearings up to two (2) times before being referred for judicial review;

C. Reset orders on post-compliance deadlines up to two (2) times before referral for judicial review; and,

D. Extend payment plan payments and conduct payment plan negotiations by phone or e-mail.

17. Juror Summons are suspended until further notice and all persons to date who have been summoned for jury duty are excused;

18. Fingerprint order compliance shall be set no earlier than May 1, 2020.

19. This order shall be effective at the close of business April 1, 2020.

**IT IS FURTHER ORDERED** that for all criminal matters subject to this Order, time is excluded for purposes of calculating time under Rule 8 and Rule 27, Arizona Rules of Criminal Procedure, as authorized by the Arizona Supreme Court, and any time limits imposed on the Court by the Fountain Hills Town Code are suspended.

**IT IS FURTHER ORDERED** that electronic and digital signatures are approved as alternative signing options, and where appropriate, verbal approval by telephone shall be allowed.

**IT IS FURTHER ORDERED** that all court policies and procedures, and administrative orders consistent with this Order shall remain in effect.

**IT IS FURTHER ORDERED** that all activity within the Fountain Hills Municipal Court shall be conducted in a manner consistent with the Center for Disease Control recommendations regarding COVID-19.

Dated: April 1, 2020.



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Robert E. Melton  
Presiding Judge – Fountain Hills Municipal Court