

FILED

2020 MAR 26 PM 4:17

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YUMA

LYNN FAZZ
CLERK OF SUPERIOR COURT
YUMA ARIZONA 85364

| | | |
|----------------------------|---|----------------------|
| In the Matter of: |) | |
| |) | Administrative Order |
| LIMITATION OF COURT |) | 2020-04 |
| OPERATIONS DURING COVID-19 |) | |
| PUBLIC HEALTH EMERGENCY |) | |

Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona has declared a statewide public health emergency pursuant to A.R.S. §26-303 and in accordance with A.R.S. §26-301(15). Subsequently, on March 18, 2020, the Chief Justice of the Supreme Court of the State of Arizona issued Administrative Order No. 2020-48 addressing measures to be taken by the Judicial Branch to conduct business in a manner that reduces the risk associated with this public health emergency.

Supreme Court Administrative Order No. 2020-48 directs the presiding superior court judge of each county to determine how in-person proceedings are to be conducted in each of the county's courtrooms under conditions that protect the health and safety of participants and the public. This includes limiting in-person courtroom contact, following the social distancing recommendations of the Center for Disease Control, and limiting the number of persons present in a courtroom. As a result of increased spread of COVID-19 and pursuant to Supreme Court Administrative Order No. 2020-48 and as may be amended by a subsequent Administrative Order, the following temporary procedures will be followed.

IT IS ORDERED effective immediately until otherwise ordered, the following procedures will be in place for all divisions and departments of the Superior Court in Yuma County.

1. Access to the Yuma County Justice Center and the Yuma County Juvenile Court Center is limited to employees housed at those facilities, attorneys and parties to proceedings at those facilities, law enforcement officers and detention officers with official business at those proceedings, witnesses, grand jurors, victims, accredited members of the press and members of the public with necessary business with agencies housed within the Yuma County Justice Center and the Yuma County Juvenile Court Center.
2. Any individual who has a fever, cough, shortness of breath or other symptoms of illness will not be allowed to enter or remain in those facilities. They will be directed to call their lawyer or the court to request further information.

- 1 3. All persons entering these facilities will follow requests to observe appropriate social
2 distancing. Court staff and court security are authorized to direct any person refusing
3 to follow these requests to leave the facility.
- 4 4. Requests for continuances in all case types will be liberally granted.
- 5 5. Grand Jury proceedings will continue and will be conducted in a manner that assures
6 appropriate social distancing of all participants as recommended by the CDC.
- 7 6. Empanelment of petit juries will be suspended until further order.
- 8 7. In hearings in which an in-person appearance by parties or attorneys is required, the
9 hearing will be conducted in a way that assures appropriate social distancing of all
10 participants as recommended by the CDC.
- 11 8. In all in-person hearings, judges are authorized to limit proceedings to attorneys,
12 parties, victims, witnesses, court personnel, and other necessary persons.
- 13 9. In Civil, Probate and Family Law cases, hearings and trials may be held if they can be
14 conducted by telephonic or video conference appearances. Trials and hearings
15 requiring in-person appearances should be continued. If the Court and parties
16 determine that an in-person hearing, or trial should be held, appropriate social
17 distancing of all participants as recommended by the CDC must be followed. Court
18 conciliation conferences will be held by telephonic or video conference. If these
19 options are not feasible, conciliation conferences will be continued.
- 20 10. In Criminal cases, requests for telephonic or video appearances by attorneys and out
21 of custody defendants should be liberally granted. During Criminal calendars, the
22 prosecutor's office will be permitted to appear by video conference unless otherwise
23 ordered by the court. Video conference appearances by in custody defendants from the
24 Yuma County Adult Detention Facility will be allowed to the extent such appearances
25 are feasible and consistent with the constitutional rights of defendants. Evidentiary
26 hearings, including violation of probation hearings will be conducted in person. If a
27 judge determines that an in-person hearing is necessary or constitutionally required, it
28 will be conducted in a manner to assure appropriate social distancing of all
participants as recommended by the CDC.
11. The Court will continue to receive and hear emergency requests for orders of
protection and injunctions against harassment. Hearings on such motions may be
heard via telephonic or video conference. If an in-person hearing is held, it will be
conducted in such a manner to assure appropriate social distancing of all participants
as recommended by the CDC.
12. The Court will continue to receive and hear petitions for emergency appointments of
guardians and/or conservators, as well as petitions for emergency orders in family
matters. Hearings on such motions may be heard via telephonic or video conference.
If an in-person hearing is held, it will be conducted in such a manner to assure
appropriate social distancing of all participants as recommended by the CDC.

1 13. Customers wishing to make payments for court fees or fines are asked to make
2 payments by mail, online at www.azcourtpay.com, www.officialpayments.com or to
3 call the court to make other payment arrangements. Individuals whose payments
4 obligations have been placed in the Fines/Fees and Restitution Enforcement Program
5 (F.A.R.E) may make payments in person at any PayNearMe kiosk, the locations of
6 which may be found at www.Paynearme.com/cashmap.

7 14. The Judicial Assistance Unit will limit in-person services to the establishment of
8 payment contracts. Regular payments will be made as set forth above. All other
9 assistance will be provided by telephone and email.

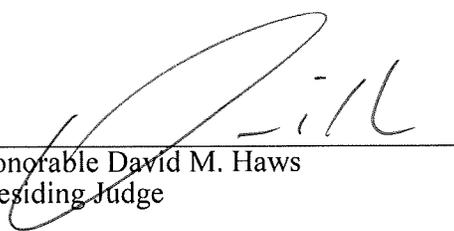
10 15. The Law Library & Self-Service Center will limit in-person services to those requiring
11 assistance with electronic preparation of orders of protection and injunctions against
12 harassment. All other assistance will be provided by telephone and email. Self-Help
13 Legal Clinics will be suspended until further order.

14 16. No weddings will be performed at the Yuma County Justice Center until further order.

15 **IT IS FURTHER ORDERED** that the Clerk of the Superior Court in Yuma County is
16 authorized to temporarily accept electronic filings of motions and other filings via email in all
17 types of cases except for civil cases which already have an electronic filing process.

- 18 1. In an existing Superior Court case which is currently not subject to mandatory e-filing,
19 any document not requiring a clerk's signature and/or seal at the time of filing may be
20 filed by email as an attachment in PDF format. Any form of order submitted with the
21 email filing shall be in Word format. The document shall be deemed filed when the
22 email is received by the Clerk of the Superior Court.
- 23 2. The document shall be emailed to both of the following email addresses:
24 a. lfazz@courts.az.gov AND bdaily@courts.az.gov
25 b. Filer shall indicate in the subject line "Email Filing for Division XX"
- 26 3. The Clerk of the Superior Court shall file the emailed document together with a copy
27 of the email to which the document was attached. The document shall be deemed an
28 original document when filed by the Clerk of the Court.
1. The Clerk of the Superior Court shall email a conformed copy to the party who
initially emailed the document. The party initially emailing the document, not the
Clerk, shall be responsible for service.
2. The Clerk of Court may impose reasonable restrictions, such as requiring
appointments for services such as payments, marriage licenses, and/or passport
services.

DATED this ^{7th} 26 day of March 2020.


Honorable David M. Haws
Presiding Judge

Original filed with:
Hon. Lynn Fazz, Clerk of the Superior Court

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Copies to:

- Hon. Mark Wayne Reeves, Div. 1
- Hon. R. Erin Farrar, Div. 2
- Hon. Larry Kenworthy, Div. 3
- Hon. Roger A. Nelson, Div. 5
- Hon. Brandon S. Kinsey, Div. 6
- Hon. Kathryn Stocking-Tate, Comm. 1
- Hon. Stephen J. Rouff, Comm. 2
- Hon. Levi Gunderson, Comm. 3
- Hon. Gregory Stewart, Justice Court Precinct 1
- Hon. Darci D. Weede, Justice Court Precinct 1, Pro Tem
- Hon. Juan Guerrero, Justice Court Precinct 2
- Hon. Russ Jones, Justice Court Precinct 3/Wellton Municipal Court
- Hon. James Coil, Yuma Municipal Court
- Hon. Manuel Figueroa, Somerton Municipal Court
- Hon. Nohemy Echavarria, San Luis Municipal Court
- Kathleen M. Schaben, Court Administrator
- Tim D. Hardy, Director of Juvenile Court
- Ryan M. Byrd, Interim Chief Adult Probation Officer
- Dona Miller-Robbins, Caseflow Manager
- Martin Mendez, Justice Court Administrator
- Susan K. Thorpe, County Administrator
- Hon. Jon R. Smith, Yuma County Attorney
- Sheriff Leon N. Wilmot, Yuma County Sheriff's Office
- Capt. J.D. Lackie, Yuma County Sheriff's Office
- Michael Breeze, Yuma County Public Defender
- Terri L. Capozzi, Yuma County Legal Defender
- Shannon Gunderman, Conflict Administrator
- Yuma County Bar Association