

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF COCONINO

MALINNE WYANT CLERK

2020 MAR 19 PM 12:17

FILED

In the Matter of:

COVID-19 MITIGATION MEASURES

ADMINISTRATIVE ORDER

No. 2020-005

Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona has declared a statewide emergency pursuant to A.R.S. § 26-303 and in accordance with A.R.S. §26-301 (15). Although the courts in Coconino County remain open for business, cooperation by the Judicial Branch is essential to reducing the risk associated with this public health emergency. The Arizona Supreme Court has instructed Presiding Superior Court Judges to take steps to reduce the number of people entering courthouses. Administrative Order No. 2020-48. The philosophy of the Court in ordering these steps for all court hearings is to first eliminate the incidence of social contact or in the alternative to minimize said social contact as allowed by law and in accordance with the Chief Justice’s Administrative Order No. 2020-48.

This order applies to all civil, criminal, and family court-proceedings.

THEREFORE IT IS ORDERED, effective immediately until otherwise ordered, the following procedures will be in place for all courts in Coconino County.

1. All parties to a case will appear telephonically for any hearing unless the Judge issues an order for all parties to appear in person. If telephonic appearances are not permitted for a specific type of hearing, the Court will liberally grant stipulated continuances so long as victim rights and any applicable laws are followed.
2. If the defendant is in custody of the jail and would like to appear telephonically or by video-conference, defense counsel is responsible for contacting the jail and arranging for their client to appear as requested. Video conferencing will be utilized as feasible during the criminal law and motion calendar for Superior Court. Self-represented defendants in criminal cases will appear telephonically or by video-conference if available, unless the Court orders their appearance. If defense counsel is waiving the appearance of their client, there is no need to file a motion. Counsel will be allowed to inform the court on the record at the hearing that they are waiving their client’s appearance.
3. Counsel and all self-represent parties may appear telephonically for all case management conferences. Counsel and self-represented parties may choose to file a written case management conference update in lieu of appearing telephonically. In all criminal cases, defense counsel or a self-represented litigant shall include in their written update whether time is waived. Counsel will be required to provide written updates to the court on the date the case management conference is set with available dates for future hearings. A Judge may issue an order requesting counsel to appear either by telephone or in person if

extenuating circumstances exist.

4. The Court will explore expanded video conferencing options as soon as possible and will notify parties when and if that becomes available. As these options become available, the courts will contact the parties to let them know of the process to facilitate appearing by video-conference. If a document must be signed by multiple parties and a defendant who is in custody, the defendant will sign their copy and have it faxed to the court. The remaining parties/counsel shall sign the faxed copy. The jail will send over the copy signed by the defendant which will be attached to the document signed by the other parties/counsel. That document shall constitute the original signed document.
5. Any individuals who have a fever, cough or shortness of breath will not be allowed to enter the courthouse. They will be directed to call their lawyer or the court to request further information.
6. Customers wishing to make payments for court fines/fees are asked to please mail in their payments, make their payment online, pay at a PayNearMe vendor or call the court to make other arrangements for payment.
7. Given the extraordinary circumstances of the COVID-19 global pandemic and the importance of social distancing to mitigate the risk of spreading the disease, the Court will begin coordinating with the parties to continue cases in compliance with victim rights and applicable laws. Counsel requesting the continuance shall be responsible for initiating all continuances and will ensure all motion to continue filed either in person or through e-mail shall be distributed to all parties.
8. The Courts will limit all in-person proceedings to attorneys, parties, victims, witnesses, jurors, court personnel, and other necessary persons, where necessary to maintain the recommended social distancing within a court facility. Non-essential parties will not be allowed to enter the courtroom to observe those proceedings.
9. Judges and Court staff will continue to use all reasonable alternatives to in-person court hearings and any court-ordered programs to decrease or eliminate person to person contact. Settlement conferences and mediations shall be conducted in compliance with eliminating or decreasing social contact. They may be conducted by telephonic appearances. Counsel should contact the respective judge regarding continuing these conferences or ensuring that they are conducted in a manner in accordance with minimizing social contact.
10. Pursuant to Chief Justice Brutinel's Administrative Order No. 2020-48, the empaneling of new petit juries is suspended until after April 17th, 2020 and shall be rescheduled.

IT IS FURTHER ORDERED, the Clerk of Superior Court in Coconino County may temporarily accept electronic filings of motions to continue via email. This temporary process is effective upon signing of the Administrative Order and the following procedures and processes is in place until ceased by further Administrative Order.

1. The document is to be filed through the email of Coconinot36@courts.az.gov and shall be considered the official original record.
2. The electronically-submitted document shall be deemed filed on the date and time it is received by the Clerk of Superior Court as reflected through Microsoft Outlook email account of Coconinot36@courts.az.gov .
3. The filing party is responsible for distribution of each electronically filed motion to continue to the other respective parties.
4. All documents shall be in a .pdf format.

DATED this 19 day of March, 2020.



HON. DAN R. SLAYTON
Presiding Judge