

COMMITTEE ON LIMITED JURISDICTION COURTS MINUTES

Wednesday, May 20, 2020

10:00 a.m. to 11:30 a.m.

VIRTUAL MEETING

Present (telephonically): Judge Antonio Riojas (Chair), Alexis Allen, Chief Dan Doyle, Judge Brett Eisele, Judge Elizabeth Finn, Judge Kevin Kane, Lisa Royal, Judge Keith Russell, Adam Walterson, Christian Whitney

Absent: Judge Marianne T. Bayardi, Judge James Hazel Jr., Judge Lyle Riggs, Judge Glenn Savona, Judge Laine P. Sklar, Judge Matt Tafoya, Judge Adam Westley Watters

Presenters/Guests: Cathy Clarich, Jerry Landau, Mark Meltzer, Laura Ritenour

Administrative Office of the Courts (AOC) Staff: Theresa Barrett, Julie Graber, Diana Tovar

I. REGULAR BUSINESS

A. Welcome and Opening Remarks - With a quorum present, the February 26, 2020 meeting of the Committee on Limited Jurisdiction Courts (LJC) was called to order at 10:00 a.m. by Judge Antonio Riojas.

B. Approval of Minutes - The draft minutes from the February 26, 2020 meeting of the LJC were presented for approval.

Motion: To approve the February 26, 2020 minutes. **Moved:** Judge Kevin Kane. **Second:** Judge Keith Russell. **Vote:** Unanimous.

II. BUSINESS ITEMS AND POTENTIAL ACTION ITEMS

A. Legislative Update (*agenda item out of order*)

Jerry Landau, Legislative Officer of the AOC Government Affairs group, provided a brief legislative update on bills associated with the COVID-19 emergency that are relevant to limited jurisdiction courts.

B. Rule Petition R-20-0005: Telephonic Pleas – Reply (*agenda item out of order*)

Mark Meltzer, AOC senior court policy analyst, and Cathy Clarich, AOC Caseflow Manager, updated members on Rule Petition R-20-0005, which would modify the rule on telephonic pleas in limited jurisdiction courts and a Rule 41 form. The proposed changes would eliminate the medical hardship and distance requirements and leverage online dispute resolution (ODR) so courts would have discretion to accept misdemeanor pleas by any means (i.e., telephonic, video conference, or ODR). To resolve the issue of fingerprinting, a fingerprint would only be mandatory when statutorily required. In all cases, a defendant would attach their driver's license to the telephonic plea form to verify their identity. If the fingerprint is required, a defendant can either contact law enforcement and obtain a fingerprint; defer acceptance of the plea until the defendant appears in open court; or have a notary witness the defendant's signature. Finally, a colloquy with the defendant must take place by any means the judge decides. The Reply is due June 1, 2020.

C. LJ Civil Forms Workgroup – Updating of Forms for e-Filing and Statewide Use

Judge Keith Russell and Laura Ritenour, AOC business analyst, reported that the AOC’s eFiling Services Team will soon begin programming the eFileAZ application for the online filing of civil cases in justice courts. The LJ Civil Forms Workgroup was created to review twelve proposed civil forms that would be generated to ensure they are aligned with the Justice Court Rules of Civil Procedure and consistent with the AZTurboCourt forms and statewide forms available to the public on azcourts.gov. The AOC will begin updating online forms and instructions in the Summer and programming eFileAZ in the Fall.

D. State of Arizona Bureau of Vital Records

Judge Brett Eisele discussed how the “State of Arizona Bureau of Vital Records” pertains to justice courts after he discovered that deceased defendants still had open files in his court. He inquired if courts had available technology to close out files for deceased defendants. Members were unable to answer Judge Eisele’s inquiry.

E. COVID-19 Updates by Courts

Judge Elizabeth Finn opened up a dialogue about COVID-19 safety protocols and adjustments specific to the courts. Members were given the opportunity to share practices and resources. They also discussed court needs such as temperature checks, face masks, and health screening questions.

III. Call to the Public: None present.

Adjournment: Meeting adjourned at 11:19 a.m.

Next Meeting: September 23, 2020

10:00 a.m. to 3:00 p.m.

State Courts Building, Room 119A/B

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