



DIVISION ONE  
FILED: 11/21/2017  
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CLERK  
BY: JT

IN THE  
COURT OF APPEALS  
STATE OF ARIZONA  
DIVISION ONE

IN THE MATTER OF: )  
)  
POLICIES CONCERNING THE TIMELY )  
FILING OF TRANSCRIPTS IN )  
JUVENILE APPEALS )  
)  
\_\_\_\_\_ )

ADMINISTRATIVE ORDER  
2017-04

Appellants' rights to due process require the Court of Appeals to timely resolve juvenile appeals, and, by rule, the Court is required to give precedence to juvenile appeals. Ariz. R.P. Juv. Ct. 103(C). In many appeals, however, undue delay results when the Court grants multiple requests for additional time for preparation of transcripts.

Pursuant to Rule 104(D), in every juvenile appeal, certified transcripts of specified proceedings in superior court must be prepared and filed with the Court of Appeals. In addition, the appellant and appellee each have an opportunity to request the preparation of transcripts of additional proceedings not automatically included in the record. Ariz. R.P. Juv. Ct. 104(E) & (F).

When a governmental entity files a notice of appeal or when the appellant was represented by appointed counsel in the superior court at the time of the final order, the court reporter or authorized transcriber must "promptly" prepare the transcript upon receiving the notice of appeal. Ariz. R.P. Juv. Ct. 104(H).

Within five days after the filing of a notice of appeal or five days after the denial of a request to proceed with appointed counsel, a non-indigent appellant must arrange

with the court reporter or authorized transcriber to pay for the transcript. Ariz. R.P. Juv. Ct. 104(I). If the appellant fails to timely make satisfactory arrangements, the court reporter or authorized transcriber shall immediately notify the appellate court in writing. Ariz. R.P. Juv. Ct. 104(I). When satisfactory payment arrangements are made, the court reporter or authorized transcriber must “promptly” prepare the transcript. Ariz. R.P. Juv. Ct. 104(I), 105(B)(3).

The court reporter or authorized transcriber must file the completed certified transcript with the Court of Appeals no later than: 30 days after the filing of a notice of appeal by a governmental agency or by an appellant who was represented by appointed counsel in the superior court at the time the final order was filed; 30 days after service of a superior court order appointing counsel to represent the appellant on appeal; or 30 days after the appellant makes satisfactory arrangements to pay for the transcript, whichever event occurs first. Ariz. R.P. Juv. Ct. 105(B).

If a court reporter or authorized transcriber has failed to timely file a transcript, the Court of Appeals may exercise its discretion to issue appropriate orders or sanctions. Ariz. R.P. Juv. Ct. 105(C). The Court’s practice has been to allow two extensions to court reporters or authorized transcribers who request additional time to file transcripts in juvenile appeals and occasional additional extensions, which has created undue delay in the processing of juvenile appeals and imposed unnecessary administrative burdens on the Court.

Upon consideration, in the interests of promoting due process and the interests of all parties in the timely resolution of juvenile appeals, and consistent with the standards

set forth in Administrative Order 2015-01 (“POLICIES CONCERNING THE TIMELY DESIGNATION AND FILING OF TRANSCRIPTS IN CRIMINAL APPEALS”),

IT IS ORDERED that the Court adopts the following policy regarding extensions for filing transcripts in juvenile appeals:

1. Upon request, the Court will grant a court reporter or authorized transcriber an initial extension of 30 days for the filing of a transcript, without any showing of cause, as long as the court reporter files a request at least one day prior to the date the transcript is due.

2. The Court will grant a request for any subsequent extension only upon a showing of actual and substantial good cause. Mere references to “other work” or “pre-planned vacation” normally will not constitute actual and substantial good cause sufficient to warrant a subsequent extension of time. Instead, a court reporter or authorized transcriber must provide a detailed explanation why the extension is necessary.

3. In determining whether such a subsequent extension will be granted, the Court will consider, among other factors, whether a court reporter’s or authorized transcriber’s inability to timely complete the transcript is the result of circumstances that could not have been anticipated; whether the court reporter or authorized transcriber has timely requested “desk time,” leave from work, or other accommodations from a supervisor and/or judge to facilitate preparation of the transcript; whether the court reporter or authorized transcriber is utilizing available resources to complete the transcript; whether the trial proceedings were unusually lengthy; and the court reporter’s

