



IN THE SUPREME COURT OF THE STATE OF ARIZONA

IN THE MATTER OF WAIVER IN PART OF  
RULE 17.4(a), RULES OF CRIMINAL  
PROCEDURE, TO PERMIT AN EXPERIMENTAL  
CASE LOAD REDUCTION PROCEDURE IN PIMA  
COUNTY JUSTICE OF THE PEACE COURTS

ADMINISTRATIVE ORDER  
No. 95-51  
[R-95-0018]

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In connection with case load reduction efforts in Pima  
County Justice of the Peace Courts,

IT IS ORDERED that, with respect to Pima County only,  
the Court waives Rule 17.4(a), Rules of Criminal Procedure, in  
order to permit all Justices of the Peace in Pima County to  
participate in plea negotiations in accordance with the  
provisions of the attached amendment\* to Rule 1.6, Local Rules  
for Pima County Justice of the Peace Courts Providing for Pre-  
trial Conferences in Criminal Cases. The Local Rule amendment is  
hereby approved in the form attached.

DATED this 25th day of September, 1995.

For the Court:

Stanley G. Feldman  
Chief Justice  
Arizona Supreme Court

\* Changes or additions in text are indicated by underscoring,  
and deletions from text are indicated by ~~strikeouts~~.

LOCAL RULES FOR PIMA COUNTY  
JUSTICE OF THE PEACE COURTS  
PROVIDING FOR PRE-TRIAL  
CONFERENCES IN CRIMINAL CASES

RULE 1.6 ORDERS FOR DISPOSITION; PARTICIPATION BY JUDGE IN  
SETTLEMENT NEGOTIATIONS

A. The judge presiding at the pre-trial conference shall make such orders for disposition of cases brought before him or her as fulfill the purposes of this rule and as justice may require.

B. Notwithstanding Rule 17.4(a), Rules of Criminal Procedure, at the request of either party or sua sponte, the court may, in its sole discretion, participate in settlement negotiations by directing counsel having the authority to settle to participate in good faith discussion with the court regarding a non-trial resolution which conforms to the interests of justice.

C B. When apparent to the court by advice from the parties or otherwise that no disposition without trial can reasonably be expected, ~~or when apparent, that no good faith attempt for disposition without trial has been made,~~ the court shall set the matter for trial. In the absence of good cause for departure ~~therefore therefrom~~, the following rules shall apply:

~~1. The court will not entertain further plea bargain offers;~~

1 2. In the event more trials are set on a given day than facilities and personnel of the court can accommodate, the matter shall be continued only from hour-to-hour or from day-to-day, until disposed of. Such continued case shall take precedence for trial over any case set the following day;

2 3. In the event of a conflict of trial date with other professional responsibilities of counsel, or other matters of serious import to a client or to any material witness, the parties shall advise the court thereof at the earliest practical date to secure a resetting in accordance with the law, or to arrange for representation by other counsel.

D E. The judge presiding at the pre-trial conference may advise the parties of the matters set forth in B C hereinabove, at the time the case is set for trial.

Approved:

Dated: 9-21-95

Emojean Girard  
Presiding Justice of the Peace  
Pima County Justice Courts