

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	Administrative Order
GOVERNANCE AND)	No. 2024- <u>220</u>
ADMINISTRATIVE STRUCTURE)	(Replacing Administrative Orders
FOR THE JUSTICE OF THE PEACE)	2013-70 and 2020-189; affecting
COURTS IN PIMA COUNTY)	Administrative Orders 2005-21
)	and 2005-22)

On February 22, 1974, this Court entered an Administrative Order establishing “centralized administration, including civil, criminal, and all other matters,” of the justice courts in Tucson under the Presiding Judge of the Superior Court in Pima County. Seven of the nine justice court judges affected by that order currently are located in a single facility in downtown Tucson and their unified administrative structure is known as the Pima County Consolidated Justice Court (PCCJC). The PCCJC serves the residents of and has jurisdiction over all justice court matters arising within the seven precincts of the PCCJC. The other two justice courts, located in Ajo and Green Valley, operate separately from the consolidated court.

On July 25, 2013, this Court entered Administrative Order No. 2013-70 establishing a new governance and administrative structure for the PCCJC. On November 25, 2020, this court entered Administrative Order 2020-189 in order to clarify and realign duties of the court's leadership positions. The Presiding Judge of the Superior Court of Pima County recommends these orders be replaced. I agree with and accept these recommendations.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that this Court's February 22, 1974 administrative order shall remain in effect.

IT IS FURTHER ORDERED that, for Pima County, this Order supersedes the provisions of Administrative Order No. 2005-22 related to "Duties of the Presiding Justice of the Peace" and Administrative Order No. 2005-21 related to "Duties of the Justice of the Peace". Administrative Order Nos. 2005-21 and 2005-22 shall remain in effect for all counties in the state other than Maricopa and Pima Counties.

IT IS FURTHER ORDERED that the governance and administrative structure of the justice courts in Pima County and the duties of judicial officers and court administrators responsible for its operations shall be as follows:

- 1. Presiding Judge of the Superior Court:** The Presiding Judge of the Superior Court in Pima County shall perform the duties prescribed by this Order along with the duties prescribed by Supreme Court Administrative Order No. 2017-79 and its successor

orders. The Presiding Judge of the Superior Court may issue local administrative orders, as necessary, in furtherance of the goals and directives of this Order.

Pursuant to the provisions of Supreme Court Administrative Order No. 2017-79, it is the responsibility of the Presiding Judge of the Superior Court to exercise administrative supervision over the justice of the peace courts in their counties.

The Presiding Judge of the Superior Court shall meet periodically with the justices of the peace of Pima County to discuss justice court issues and needs.

The Presiding Judge of the Superior Court shall review and approve uniform justice court policies where such policies promote the efficient and effective administration of the justice court system in Pima County.

The Presiding Judge of the Superior Court shall appoint justices of the peace pro tempore for the justice courts of the PCCJC after receiving and considering recommendations from the justices of the peace.

The Presiding Judge of the Superior Court shall exercise managerial control over the justices of the peace pro tempore, judicial administrative assistants, civil traffic hearing officers, and small claims hearing officers of the PCCJC.

The Presiding Judge of the Superior Court may appoint an Administrative Judge or Liaison who shall serve as liaison between the Presiding Judge and the justices of the peace of the PCCJC. When a designation is made, the Presiding Judge of the Superior Court will issue an administrative order specifying the authority and responsibilities of the Administrative Judge or Liaison. The Administrative Judge or Liaison shall serve at the pleasure of the Presiding Judge of the Pima County Superior Court.

2. **Court Administrator of the Superior Court:** The Court Administrator of the Superior Court shall perform the duties prescribed by this Order and any other duties, as directed by the Presiding Judge of the Superior Court, in furtherance of the goals and directives of this Order.
3. **Presiding Justice of the Peace of Pima County:** The justices of the peace of Pima County shall select a presiding justice of the peace who shall serve a term of two years. The selection shall occur on the second Tuesday of January during odd numbered years. The term of office shall begin on the third Tuesday of January. The presiding justice of the peace may be selected for subsequent terms. If the vote of the justices of the peace is tied and no resolution of the tie vote occurs within five business days, the Presiding Judge of the Superior Court shall solicit comments on the candidates who received tie votes and select one of those candidates as the Presiding Justice of the Peace.

The justices of the peace of Pima County shall select an Associate Presiding Justice of the Peace at the same time as they select a Presiding Justice of the Peace.

The justices of the peace of Pima County may recommend for approval by the Presiding Judge of the Superior Court other procedures necessary to select the Presiding Justice of the Peace and Associate Presiding Justice of the Peace.

The Presiding Justice of the Peace of Pima County shall perform the following administrative duties:

- a. Perform any duties and carry out any responsibilities that are provided by law, rules, or administrative orders of the Supreme Court;
- b. Perform administrative duties as directed by the presiding judge of the county;
- c. Call periodic meetings of the justices of the peace of the county, preside over all meetings called; and
- d. Perform the duties required by A.R.S. § 12-102.02.

The Presiding Justice of the Peace of Pima County shall not have any supervisory authority or responsibility related to the operations of the PCCJC or the other Justice of the Peace Courts in Pima County other than provided by this Order or as directed by the Presiding Judge of the Superior Court.

The Associate Presiding Justice of the Peace shall perform the duties and exercise the powers of the Presiding Justice of the Peace only during the absence or inability to act of the Presiding Justice of the Peace.

In the event the Presiding Justice of the Peace resigns or is unable to complete the two-year term, the Associate Presiding Justice of the Peace shall perform the duties and exercise the powers of the Presiding Justice of the Peace until a successor is selected. The selection shall occur not sooner than 30 days following the vacancy. The justice of the peace selected shall complete the unexpired term of the vacant position.

In the event the Associate Presiding Justice of the Peace resigns or is unable to complete the term, the selection of a replacement shall occur not sooner than 30 days following the vacancy. The justice of the peace selected shall complete the unexpired term of the vacant position.

The Chief Justice of the Supreme Court, for good cause, including a request pursuant to Rule 31 of the Rules of the Commission on Judicial Conduct, may temporarily reassign the Presiding Justice of the Peace or the Associate Presiding Justice of the Peace or both and suspend that person from performing any administrative duties.

- 4. Justices of the Peace in Pima County Not Part of the PCCJC:** In cooperation with the Presiding Judge of the Superior Court and the Presiding Justice of the Peace, the Justices of the Peace not part of the PCCJC shall be responsible for the following administrative duties of their respective courts:

- a. Exercise managerial control over the support personnel for their courts subject to state or county or Judicial Branch personnel policies and procedures applicable to their courts. Managerial control includes authority for hiring, conducting employee performance reviews, and imposing discipline up to and including termination pursuant to state, county, or judicial branch personnel policies applicable to employees of their court;
- b. Maintain justice court records in accordance with the applicable laws, rules, and polices;
- c. Consider and decide petitions for orders of protection, issue emergency orders and, in coordination with the Presiding Superior Court Judge and the Presiding Justice of the Peace, arrange for another judicial officer or justice of the peace pro tempore to handle these and other calendared matters in the event of the justice of the peace planned absence from the court;
- d. Schedule hearings and trials related to cases and other matters filed in the justice precinct over which the justice of the peace has jurisdiction;
- e. Monitor and evaluate case processing data to ensure timely disposition of justice court cases in their precinct;
- f. Prepare and submit a budget for their court as required by the county and court budgeting procedures and policies in coordination with the Presiding Judge of the Superior Court and the Presiding Justice of the Peace;
- g. Manage budget expenditures and accounting and finance over county and other funds allocated to or under the control of their court;
- h. Procure and contract for goods and services;
- i. Manage jurors, consistent with the policies and practices of the Superior Court Jury Commissioner;
- j. Assist with the preparation of the countywide technology plan required by the Supreme Court Commission on Technology;
- k. Provide for interpreter services;
- l. Conduct or oversee asset inventory and management;
- m. Manage court facility security and space utilization;
- n. Participate in court-related programs to help in efficient management of cases or for special services for justice of the peace courts in Pima County, as appropriate; and
- o. Delegate administrative duties to a manager, court clerk, or court administrator of their respective court, as necessary to perform the duties of the office of the justice of the peace.

If a Justice of the Peace of the county is unable or unwilling to perform any of these duties, the duty shall be performed by the Presiding Judge of the Superior Court or that judge's designee.

The Chief Justice of Supreme Court, for good cause, including a request pursuant to Rule 31 of the Rules of the Commission on Judicial Conduct, may temporarily reassign an individual Justice of the Peace from performing any of these administrative duties.

5. **Justice Court Administrator for the Pima County Consolidated Justice Court (PCCJC):** The Justice Court Administrator of the PCCJC shall be appointed by the Court Administrator of the Superior Court after consultation with the Presiding Judge of the Superior Court. The Justice Court Administrator shall serve as a deputy superior court administrator under the supervision of the Court Administrator of the Superior Court.

The selection of the Justice Court Administrator shall be based on applicant qualifications, professional and management experience, and other academic or professional credentials as determined by the Presiding Judge of the Superior Court and Superior Court Administrator and specified in a job description. The PCCJC justices of the peace will be provided an opportunity to provide input on finalist(s) nominated to the presiding judge for consideration.

The Justice Court Administrator shall perform the following duties for the PCCJC under the general direction of the Presiding Judge of the Superior Court and the day-to-day supervision of the Court Administrator of the Superior Court:

- a. Exercise managerial control over all court employees other than the justices of the peace pro tempore, judicial administrative assistants, civil traffic hearing officers, and small claims hearing officers. This includes hiring, evaluating, imposing discipline, and terminating such employees, all in accord with the Court Merit Rules and policies and the applicable policies of the Judicial Branch.
- b. Fulfill the needs of the bench for administrative support to facilitate its work efficiently and effectively disposing of the court's caseload.
- c. Prepare, submit, and oversee the execution of the budget as required by county and court budgetary policies and procedures, in coordination with the Presiding Judge of the Superior Court or a designee.
- d. Oversee budget expenditures and accounting and finance activities for all funds allocated to the PCCJC from all sources.
- e. Oversee the assignment, scheduling, and calendaring of cases among judges to ensure equitable distribution of judicial workload and in accordance with policies and practices adopted by the bench.
- f. Monitor and evaluate case processing data to ensure timely disposition of cases in accord with state law, with Supreme Court case processing standards and with other rules and policies of the Supreme Court.
- g. Provide for the equitable distribution of pro tem services among the bench, when deemed essential, according to policies approved by the Presiding Judge of the Superior Court after input from the justices of the peace.
- h. Provide for interpreter services.
- i. Oversee facility security, space utilization, and asset management.
- j. Oversee the effective provision of technology including, but not limited to, a case management system, telecommunications, courtroom audio and video recording systems, and desktop automation to the bench and the entire court.
- k. Oversee the maintenance, archiving, and disposition of court records in accord with applicable law, court rules, and retention schedules promulgated by the Supreme Court and published in the Arizona Code of Judicial Administration.

- l. Develop and implement standardized procedures that are necessary to most effectively utilize the automated case and financial management systems, and such other systems as may be required to carry out the functions of the PCCJC.
 - m. Oversee collection of data and statistics and related research and report preparation in order to provide the information necessary to manage the court and court processes effectively and in compliance with state law and court rules.
 - n. Attend all meetings of the countywide bench and the PCCJC.
 - o. Perform other duties as directed by the Presiding Judge of the Superior Court or the Superior Court Administrator.
- 6. Calendar and Scheduling Coordination:** Proposed changes to calendaring and scheduling of matters filed in any justice of the peace court in Pima County shall consider the impact such changes may have on other justice or municipal courts and criminal justice system entities of the county and the efficient provision and utilization of judicial and administrative services described in this Order.
- Any proposed calendaring or scheduling changes, including change in business hours, the adoption of programs for new types of specialty courts or alternative dispute resolution, shall be submitted in writing by the justice of the peace requesting the change and first to the Presiding Justice of the Peace and Justice Court Administrator for review and comment and then to the Presiding Judge of the Superior Court for review and approval. Documentation shall describe the changes proposed, the reasons for proposing the changes, and an analysis detailing how the changes will make case processing more effective and efficient for the justice court and justice system entities affected by the proposed changes.

IT IS FURTHER ORDERED that the Presiding Judge of the Superior Court shall vacate any local court administrative orders inconsistent with this Order and may enter orders necessary to accomplish the directives and goals of this Order.

IT IS FURTHER ORDERED that this Order is applicable only to the courts in Pima County and shall be effective on issuance.

Dated this 6th day of November, 2024.

ANN A. SCOTT TIMMER
Chief Justice