

INTHECONSOLIDATEDJUSTICECOURT
INANDFOR THE COUNTY OF PIMA

IN THE MATTER OF:)	
)	
LIMITATIONS ON COURT)	ADMINISTRATIVE ORDER
OPERATIONS DURING A PUBLIC HEALTH)	NO. 2021-01
EMERGENCY AND RESTRICTING PHYSICAL)	(Replaces AO 2020-9)
ACCESS TO THE PIMA COUNTY CONSOLIDATED)	
JUSTICE COURT)	
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Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona declared a statewide public health emergency. Arizona Supreme Court Chief Justice Robert Brutinel issued Administrative Order No. 2020-197 dated December 3, 2020 to address measures to be taken by the Judicial Branch in order to conduct business in a manner that reduces the risk associated with this public health emergency. That Order directs the presiding Superior Court Judge of each county to determine how in-person proceedings are to be conducted in each of the county's courtrooms under conditions that protect the health and safety of participants, employees and the public. The Order allows individual presiding judges to issue orders following the social distancing recommendations of the Centers for Disease and Control, and limiting the number of persons present in a court room. The Order further sets forth a process courts in Arizona are to use to return to full operation over time in phases. The Order identifies the present state of the courts as Phase One. No timetable to safely move the courts to Phase II was established. In turn, the Presiding Judge for the Pima County Superior Court issued Administrative Order 2020-43.

IT IS ORDERED Arizona Supreme Court Administrative Order 2020-197 and Pima County Superior Court Administrative Order 2020-45 are hereby incorporated by reference and adopted pertaining to the operation of the Pima County Consolidated Justice Court.

IT IS ORDERED until further order of this court, all matters to be heard by any Justice of the Peace, Pro Tem or Hearing Officer as set forth hereinafter, shall presumptively be conducted telephonically or via video. Although in-person hearings generally should not occur in the Justice Court under this Administrative Order, *a justice, when good cause is shown, may conduct a hearing with parties present in the courtroom.* Any in-person

hearing shall be conducted in full compliance with the terms of this Administrative Order and the guidelines established by the Centers for Disease Control, the Arizona Department of Health Services and the Pima County Health Department. *No more than 30 people shall be allowed in the courtroom at one time, with proper social distancing.*

IT IS ORDERED that any media appearances be telephonic or video appearances. If an in-person appearance in the court building is requested, a written request shall be submitted to mediarelations@jp.pima.gov 24-hours in advance. See Ariz. Rules Sup. Ct., Rule 122.

IT IS ORDERED, that public access to hearings during COVID-19 shall be by telephone or video. If a hearing has already been held, a public records request for access may be made via email for the recording at <http://www.jp.pima.gov/DigitalRecordingRequest>.

IT IS FURTHER ORDERED that, to comply with safe distancing protocols, all persons entering the courthouse must pass a wellness check and wear a face mask or other face covering at all times while in the courthouse. This Order does not require the Court to provide masks. Masks shall not conceal a person's identity. Anyone experiencing flu-like symptoms, fever, cough or difficulty breathing should not come to the courthouse. Protocols for allowing entry into the building are posted at the court points of entry for employees and the public.

IT IS FURTHER ORDERED that face shields may be used in lieu of face masks during in-person hearings when a judge so authorizes for the purpose of witness testimony, defendant identification, making appropriate record or other reason deemed necessary by the judge. Face shields will be made available in each courtroom and must be disinfected after each use.

IT IS FURTHER ORDERED that victims may appear telephonically or by zoom. If a victim insists on appearing in-person, the victim may appear in the courtroom while maintaining safe distancing, wearing a face mask, and with a limitation of thirty people in the courtroom at a time.

IT IS ORDERED that the following hearings may be conducted in the specified manner listed.

1. CRIMINAL:

- Preliminary Hearings – as ordered by the Judge
- In-Custody Initial Appearances – Video/Zoom/Teams
- In-Custody DV Arraignments – Video
- In-Custody Pre-trial Conferences – Video

- Arraignments – Telephone/Zoom
- Pretrial Conferences, Case Management Conferences and Orders to Show Cause - Telephone/Zoom
- Changes of Plea – Telephone or zoom or in-person as ordered by the Judge
- Evidentiary Hearings – Zoom or in-person as ordered by the Judge
- Bench Trials – Zoom or in-person as ordered by the Judge
- Jury Trials – may resume upon Superior Court Presiding Judge approval of the jury trial plan.
- Review Hearings – Telephone/Zoom unless otherwise ordered by the Judge

IT IS ORDERED that telephonic changes of plea will follow Rule 17.1 (f) of the Rules of Criminal Procedure pursuant to the Supreme Court Administrative Order 2020-197.

IT IS ORDERED that, pursuant to Rule 1.5 of the Rules of Criminal Procedure, all other changes of plea will be held utilizing the Zoom platform. Participant identification will be established under oath using a State issued Identification form submitted to the court and viewed on Zoom. The Court will also establish under oath that the signature on the submitted plea is that of the defendant.

IT IS ORDERED that where changes of plea require a fingerprint pursuant to A.R.S. § 13-607 parties shall utilize the Fingerprint Order Certification Form as modified on March 31, 2021 found on the first floor of Pima County Justice Court and the Courts webpage at (<https://www.jp.pima.gov/Forms/Forms.html>). They will be required to submit proof to the Court of a State issued identification card with a photo ID. The fingerprint will be obtained by an authorized person who shall be a court clerk. This authorized person shall include identifying information on the fingerprint order form from their identification card, and their signature certifying that they confirmed identification of the defendant prior to signing the document.

IT IS FURTHER ORDERED that regardless of when the fingerprint was obtained, it shall have the same effect as if the fingerprint was taken at the time of sentencing under A.R.S. §13-607(c)(8) pursuant to the authority granted to the Superior Court Presiding Judge in Supreme Court 2020-197.

2. RESIDENTIAL EVICTIONS

(For all categories, if defendant lacks access to technology, the judge may order an in-person hearing.)

- Material and Irreparable Breach (Immediate) – Telephone/Zoom
- Non-payment of Rent – Telephone/Zoom
- Material non-compliance affecting Health & Safety – Telephone/Zoom

- Material non-compliance – Telephone/Zoom

Note: Non-residential eviction (commercial) not a priority within this category.

3. CIVIL TRAFFIC

- Arraignments – Telephone/Zoom
- Walk-ins – Telephone/Zoom
- Hearings – Telephone/Zoom

4. CIVIL

- Protective Orders (Ex parte and Contested) – Telephone/Zoom or in-person as ordered by the Judge
- Regular Civil – Telephone/Zoom
 - Orders to Show Cause, Defaults, Bonds, Supplemental Proceedings, and Garnishments – Telephone/Zoom.
 - Civil Hearings – Telephone/Zoom or in-person as ordered by the Judge
- Small Claims Hearings – Telephone/Zoom

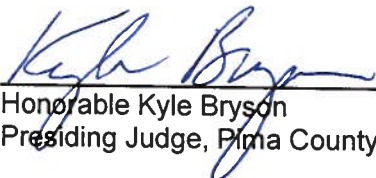
5. SPECIALITY COURTS

Specialty court hearings shall be conducted via Zoom, Video, Telephone or In-person as ordered by the judge.

IT IS FURTHER ORDERED that any other court matter not listed herein is deemed continued, unless otherwise deemed necessary by the Court, in the interest of justice. Parties will be notified of a new court date by mail or may check the Court 's website at www.jp.pima.gov.

IT IS FURTHER ORDERED that civil filings, criminal and civil motions and filing fees will be accepted at the courthouse in the main lobby or second floor customer service windows on a limited basis (no more than 15 customers at one time). Fine payments may be made online, by telephone or by mail. The Court's online services will remain fully operational.

Dated this 6th of April 2021.


Honorable Kyle Bryson
Presiding Judge, Pima County

cc: All Justices of the Peace in the Pima County Consolidated Court
Ron Overholt, Pima County Superior, Court Administrator
Elvia Cariño Interim Deputy Court Administrator