

FILED  
GARY L. HARRISON  
CLERK, SUPERIOR COURT

IN THE SUPERIOR COURT

20 MAR 19 PM 2: 19

IN AND FOR THE COUNTY OF PIMA

IN THE MATTER OF: )  
)  
Pima County Superior Court Criminal )  
Matters During the Public Health )  
Emergency )  
\_\_\_\_\_ )

J. ORR, DEPUTY

ADMINISTRATIVE ORDER  
2020-13

On March 16, 2020, in response to the growing COVID-19 public health crisis, Arizona Supreme Court Chief Justice Robert Brutinel issued Administrative Order 2020-47, wherein he set forth measures and Orders directing the course of Arizona courts. Thereafter, on March 17, 2020, this Court issued Administrative Order 2020-12, wherein this Court set forth county-specific orders pertaining to management of all courts in Pima County, with the exception of the Arizona Court of Appeals, Div. 2. Chief Justice Brutinel issued Administrative Order 2020-48 on March 19, 2020, which replaced AO 2020-47.

As the COVID-19 public health crisis continues to unfold, Courts will need further direction to meet unprecedented demands.

**NOW, THEREFORE, IT IS ORDERED:**

All Pima County Superior Court Criminal cases, with the exception of those matters set forth below, are hereby CONTINUED to a date after April 17, 2020. Each criminal division will manage its own calendar and will work closely with all affected parties to ensure matters are appropriately rescheduled.

Unless otherwise ordered individually by a judge, the above does not apply to the following:

- In-custody initial appearances, arraignments, preliminary hearings and conditions of release proceedings;
- Domestic violence protective proceedings;
- Child protection temporary custody proceedings;
- Civil commitment hearings and reviews;
- Emergency protection of elderly or vulnerable persons proceedings;
- Habeas corpus proceedings;
- COVID-19 public health emergency proceedings;
- Juvenile detention hearings; and
- Any other proceeding that is necessary to determine whether to grant emergency relief.

Individual Court divisions are not precluded from rescheduling cases in the above list, either by stipulation of the parties, or for good cause shows after hearing and consideration of constitutional, statutory and rule-based precedents.

To the extent this Administrative Order contradicts or is inconsistent with the provisions of Administrative Order 2020-12, the specific terms of this Administrative Order controls. All other orders set forth in Administrative Order 2020-12 remain in full force and effect.

Supreme Court Administrative Order 2020-48 is attached hereto and incorporated herein by this reference.

Dated this 19<sup>th</sup> day of March, 2020.



KYLE BRYSON  
PRESIDING JUDGE

CC: Ron Overholt, Court Administrator  
Hon. Danelle Liwski, Presiding Judge, Criminal Bench  
Michelle Madrid, Director, Case Management Services  
Terri Faust, Managing Court Reporter  
Ramiro Alviar, Director, Interpreter's Office  
Pima County Superior Court Judges  
Barbara LaWall, Pima County Attorney  
Dean Brault, Pima County Public Defense Services  
Joel Feinman, Pima County Public Defender  
James Fullin, Pima County Legal Defender  
Verne Hill, Office of Court Appointed Counsel  
Kevin Burke, Pima County Legal Advocate's Office

Re: [illegible]

# Attachment 1



and with appropriate precautions, the presiding judge may authorize groups larger than 10 but in no event larger than 25.

- (c) Limiting any required in-person proceedings to attorneys, parties, victims, witnesses, jurors, court personnel, and other necessary persons, where necessary to maintain the recommended social distancing within a court facility, and may authorize trial judges to make reasonable orders to ensure the health and safety of hearing participants consistent with the parties' right to due process of law.
- (d) Liberally granting continuances and additional accommodations to parties, witnesses, attorneys, jurors and others with business before the courts who are at a high risk of illness from COVID-19.

IT IS FURTHER ORDERED that the presiding superior court judge meet as soon as possible with local criminal justice system stake holders to coordinate how best to handle criminal proceedings, including grand jury proceedings, for the duration of this health emergency.

IT IS FURTHER ORDERED that, until further order, the presiding superior court judge of each county is authorized to adopt or suspend any local rules and orders needed to address the current public health emergency in cooperation with public health officials and to take any reasonable action that the circumstances require to enable necessary operations of the superior, justice and municipal courts in each county.

IT IS FURTHER ORDERED that any court rule that impedes a judge's or court clerk's ability to use available technologies to eliminate or limit in-person contact in the conduct of court business is suspended through April 17, 2020, except such suspension is subject to constitutional requirements. Judges may hold ex parte hearings on orders of protection telephonically.

IT IS FURTHER ORDERED that if it becomes necessary to close court offices to the public during the period of suspension, these offices shall remain accessible to the public by telephone and email during their regular business hours to the greatest extent possible, including using drop boxes for documents that cannot be e-filed.

IT IS FURTHER ORDERED that for the period March 18, 2020 through April 17, 2020 if a judge is unable to rule on a pending matter due to illness or is otherwise unable to work, the judge is deemed to be physically disabled and therefore that period is excluded from the calculation of the 60 days from the date of submission in which a matter must be determined under ARS § 12-128.01 or § 11-424.02.

IT IS FURTHER ORDERED that the period March 18, 2020 through April 17, 2020:

- (a) Is excluded from calculation of time under rule provisions and statutory procedures that require court proceedings to be held within a specific period of time, including Rule 8, Rules of Criminal Procedure; Rules 17, 79 and 100, Rules of Procedure for the Juvenile Court; and Rules 2 and 3, Rules of Procedure in Eviction Actions. A judge, pursuant to Rule 8, may extend this exclusion of time in criminal cases, for good cause.
- (b) Is not excluded from calculation for:

The following proceedings for persons held in-custody: initial appearances, arraignments, preliminary hearings, and conditions of release;

Domestic violence protective proceedings;

Child protection temporary custody proceedings;

Civil commitment hearings and reviews;

Emergency protection of elderly or vulnerable persons proceedings;

Habeas corpus proceedings;

COVID-19 public health emergency proceedings;

Juvenile detention hearings; and

Any other proceeding that is necessary to determine whether to grant emergency relief.

IT IS FURTHER ORDERED that the clerks of the court shall continue to issue marriage licenses, and a judge may perform a marriage ceremony at the courthouse, so long as no more than 10 persons are present.

IT IS FURTHER ORDERED that the presiding superior court judge notify court customers, the public, and the Administrative Director of all administrative orders issued under the authorization provided by this order using the most effective means available.

Dated this 18th day of March 2020.

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ROBERT BRUTINEL  
Chief Justice