

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF RESTRICTING )	
PHYSICAL ACCESS TO COURT )	
FACILITIES USED BY JUSTICE COURTS )	ADMINISTRATIVE ORDER
DUE TO A PUBLIC HEALTH )	No. 2020-048
EMERGENCY )	
_____ )	

Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona has declared a statewide public health emergency. Accordingly, the Chief Justice of the Supreme Court of the State of Arizona has issued Administrative Order No. 2020-48 addressing measures to be taken by the Judicial Branch to conduct business in a manner that reduces the risk associated with this public health emergency. Supreme Court Administrative Order No. 2020-48 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 and the public. This includes limiting in-person courtroom contact, following the social distancing recommendations of the Center for Disease Control, and limiting the number of persons present in a courtroom. As a result of increased spread of COVID-19 and pursuant to Supreme Court Administrative Order No. 2020-48 and Supreme Court Administrative Order No. 2017-79:

**IT IS ORDERED** that between the dates of March 31, 2020 and April 17, 2020, with limited exceptions as set forth below, no in-person proceeding will occur in the justice courts in Maricopa County. The justice courts will continue to hold telephonic hearings and remain available to process all case types and non-appearance proceedings. For more information on operations of the justice courts for the duration of the public health emergency, please contact the assigned justice court. Contact information is available at:

<http://justicecourts.maricopa.gov/Locations/index.aspx>

**IT IS FURTHER ORDERED** the Presiding Judge of the Superior Court may grant contractors and other individuals access to any court facility.

**IT IS FURTHER ORDERED** that for the duration of this order, physical access to county buildings in which the justice courts are located in Maricopa County shall be restricted to attendance at in-person court hearings set forth in the Exceptions section of this order. This does not include court locations inside the Civic Center in Gilbert, Arizona. This order does not apply to employees of the Judicial Branch, employees of the Clerk of the Superior Court, employees of the Maricopa County Sheriff's Office or Maricopa County employees housed within a court building.

**IT IS FURTHER ORDERED** that attendance at any in-person event held pursuant to one of the limited exceptions below will be limited to parties, witnesses, victims, sheriff's deputies, detention officers, law enforcement officers, parents in juvenile delinquency matters and lawyers, who are participating in the hearing or event.

**IT IS FURTHER ORDERED** that between the dates of March 31, 2020, to April 17, 2020, with limited exceptions, all court documents will be transmitted by email, fax, or mail to the assigned justice court. Exceptions will be made for emergency proceedings, evictions, change in release conditions, in-custody requests, protective orders, and similar emergency matters.

**IT IS FURTHER ORDERED** that any person intending to be present at a court proceeding who has been diagnosed with COVID-19, has exposure to COVID-19, or has symptoms of COVID-19 as defined by the U.S. Center for Disease Control must contact the assigned justice court via telephone, fax, or email to arrange to appear telephonically, have their appearance waived, or have the proceeding reset.

### **EXCEPTIONS**

**IT IS ORDERED** any in-person appearance may be converted to a telephonic or video appearance by order of any judicial officer of the assigned justice court, unless an in-person appearance is required by statute or the Arizona or United States Constitution.

#### **CRIMINAL:**

**IT IS ORDERED** that all initial appearances for in-custody defendants will proceed in-person by video through the use of the Video Arraignment Court unless otherwise directed by the court, except for initial appearances on summonses, which may be continued.

**IT IS FURTHER ORDERED** that all release hearings for in-custody defendants will proceed in-person by video through the use of the Video Arraignment Court, unless otherwise directed by the court.

**IT IS FURTHER ORDERED** that the justice courts may permit defendants to enter not-guilty pleas by mail and to receive notice of a court date by mail as provided in Rule 14.2(c) of the Arizona Rules of Criminal Procedure.

**IT IS FURTHER ORDERED** that all in-custody sentencings will proceed in-person by video through the use of the Video Arraignment Court.

**IT IS FURTHER ORDERED** that all other requests for an in-person hearing in any criminal case before the assigned justice court in Maricopa County must be made by motion with the caption "Request for Emergency Hearing" and must be mailed, faxed or emailed to the assigned justice court. Requests for hearings must include an explanation regarding why an in-person hearing is required.

## **JUVENILE:**

**IT IS FURTHER ORDERED** that matters filed against a juvenile in the justice courts are to be processed in accordance with the applicable legal authorities under the direction of the assigned justice court so as to limit in-person proceeding to the maximum extent possible.

## **CIVIL:**

**IT IS ORDERED** that individual seeking an eviction/forcible detainer, alleging an irreparable and immediate breach may contact the assigned justice court to request an emergency telephonic hearing date. The summons must provide notice to the defendant of the ability to appear at the hearing telephonically.

**IT IS FURTHER ORDERED** that any debtor requesting a hearing on a writ of garnishment may file an “Emergency Request for Hearing” with the assigned justice court, and the debtor may request a telephonic hearing date.

**IT IS FURTHER ORDERED** that any judgment creditor seeking a judgment against a garnishee or an order of continuing lien may either mail, fax, or email the application to the assigned court or use drop boxes, housed at the assigned justice court, if available.

## **PROTECTIVE ORDERS:**

**IT IS ORDERED** that any individual seeking an order of protection may complete a petition through AZPOINT at <https://azpoint.azcourts.gov/> and may file a petition for such relief by calling the justice court and providing the confirmation number assigned in AZPOINT. Any contested hearings will be conducted as directed by further court order. Such hearings may be conducted in-person, telephonically, or through video conferencing.

**IT IS FURTHER ORDERED** that any individual seeking an injunction against harassment or injunction against workplace harassment may file a petition for such relief with the justice court. Any contested hearings will be conducted as directed by further court order. Such hearings may be conducted in-person, telephonically, or through video conferencing.

## **WEDDINGS:**

**IT IS FURTHER ORDERED** that a couple seeking issuance of a marriage license from a justice court may enter the court building for that purpose. The couple should first contact the justice court by telephone to confirm that marriage licenses are issued at that location before coming to the court.

**IT IS FURTHER ORDERED** that for individuals arriving for a wedding ceremony to be held outside a court building, only one person from a wedding party may temporarily enter the building for the purpose of checking in for the ceremony. Witnesses shall sign the marriage license someplace other than inside the court building.

**OTHER:**

**IT IS FURTHER ORDERED** that requests by media to appear at a proceeding by telephone or in person must be made to the Public Information Officer, Scott Davis, via email at scott.davis@JBAZMC.maricopa.gov to coordinate such an appearance.

**IT IS FURTHER ORDERED** that any person not authorized to attend a proceeding may submit a request by mail, fax, or email to the assigned justice court for permission to attend.

**IT IS FURTHER ORDERED** that on a case-by-case basis, the Presiding Justice of the Peace may designate additional proceedings as in-person proceedings.

**IT IS FURTHER ORDERED** that individuals who are unable to make payments online or by telephone may enter a court building to submit a payment.

**IT IS FURTHER ORDERED** that any person may request recordings of proceedings in the justice courts by contacting the assigned justice court by mail, fax, or email.

Dated this 26<sup>th</sup> day of March, 2020

/s/ Joseph C. Welty  
Hon. Joseph C. Welty  
Presiding Judge

Original: Clerk of the Superior Court

Copies: All Justices of the Peace in Maricopa County  
Hon. Allister Adel, Maricopa County Attorney  
Christina Phillis, Office of Public Defense Services  
Dave Byers, Administrative Office of the Courts  
Raymond Billotte, Judicial Branch Administrator  
Karen Westover, Regional Courts Administrator  
Sean Gibbs, Director of Security  
Jim Morrow, Justice Courts Administrator