

AGUA FRIA JUSTICE COURT
MARICOPA COUNTY, STATE OF ARIZONA

IN THE MATTER OF LIMITING COURT)	
OPERATIONS DURING A PUBLIC HEALTH)	ADMINISTRATIVE
EMERGENCY)	ORDER NO. 2020-001
_____)	

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 reduce the health risk posed by COVID-19, and to avoid in-person proceedings to the greatest extent possible in order to reduce the risk associated with this public health emergency. Furthermore, the Superior Court of the State of Arizona, in Maricopa County, has issued Administrative Order No. 2020-038 directing each justice court in Maricopa County to submit a plan as to how it will conduct in-person court proceedings that protect the health and safety of participants and the public.

Therefore, pursuant to Supreme Court Administrative Order No. 2020-48 and Superior Court Order No. 2020-038:

The Agua Fria Justice Court will remain open to the public. However, due to the current health emergency and for the protection of participants and the public, certain changes in court procedures are necessary. The changes in managing in-person court appearances will remain in place for the duration of Supreme Court Administrative Order No. 2020-048 and during any extension of that Order.

IT IS ORDERED AS FOLLOWS:

CIVIL TRIALS. All civil trials that appear on the court’s calendar between March 20, 2020 and April 17, 2020 will be rescheduled. All trials will be reset to a date no sooner than April 17, 2020.

SMALL CLAIMS. All Small Claims Hearings that appear on the court’s calendar between March 20, 2020 and April 17, 2020 will be vacated. These small claims hearings will be rescheduled to a date no earlier than April 17, 2020.

EVICTION ACTIONS. The Court will maintain the regular Eviction Action calendar. The Court will limit in-person court appearances as much as possible by allowing the parties to appear telephonically. A notice advising the parties of the option to appear telephonically will be served along with the Summons and Complaint. Litigants may appear in person if they wish to do so. The number of Eviction Actions that appear on the court's calendar will be reduced to allow appropriate social distancing among the participants.

ORDER OF PROTECTION/INJUNCTION AGAINST HARASSMENT. All Order of Protection and Injunction Against Harassment hearings will remain on the court calendar. Parties will be advised by all means available of the option to appear telephonically. Petitioners contacting the Court by telephone will be directed to AZPoint to complete the petition and appear telephonically for the Ex Parte Hearing. The Order of Protection may be delivered to the plaintiff via email, regular mail or by fax. The Plaintiff has the option to appear in person to receive a copy of the Order of Protection. Petitioners that appear in person will be directed to AZPoint and will have the opportunity to appear telephonically for the Ex Parte Hearing. Petitioners that are unable to access AZPoint online will be assisted by court personnel at Central Services of the Southwest Regional Justice Court Center.

CIVIL TRAFFIC. Civil Traffic Hearings will remain on the court calendar. The court calendar will be adjusted to allow for appropriate social distancing and to protect the health and safety of the participants and the public. Defendants will be advised of Rule 10.1(d) of the Arizona Rules for Traffic Violations and given the option to appear telephonically.

MISDEMEANOR PRE-TRIAL CONFERENCES. The Court has vacated all misdemeanor pre-trial conferences for the remainder of March 2020. Misdemeanor pre-trial conferences will remain on the regular court calendar for the month of April 2020. However, the number of pre-trial conferences set will be reduced to allow appropriate social distancing and for the protection of the participants and the public. A defendant's presence at the pre-trial conference will be waived. Pro per defendants scheduled for a misdemeanor pre-trial conference may confer with the deputy county attorney telephonically or by other electronic means. Misdemeanor pre-trial conferences will be scheduled at

various times to avoid simultaneous settings that may impede appropriate social distancing.

JURY TRIALS. No jury trials will be conducted between March 20, 2020 and April 17, 2020. Jury trials will be rescheduled to a date no sooner than April 17, 2020.

SENTENCE REVIEW HEARINGS. No Sentence Review Hearings will be conducted between March 20, 2020 and April 17, 2020. All defendants scheduled for a Sentence Review Hearing after April 17, 2020, will be given the option to appear telephonically. In lieu of a personal appearance, all defendants will be given the option to submit proof of compliance (e.g. Ignition Interlock, Community Service, Alcohol Screening and Treatment) by mail, email or fax.

ORDER OF CONFINEMENT. No person will be ordered to self-surrender beginning March 20, 2020 through April 17, 2020.

ARRAIGNMENTS. Arraignments will remain on the court calendar. Adjustments will be made to reduce the number of arraignments set on any one day or time to allow for appropriate social distancing and to protect the health and safety of participants and the public. Defendants will be notified by any means available of the option to appear telephonically or enter a plea by mail. The Court will provide defendants with the necessary documents if they wish to enter a plea by mail. Defendants wishing to appear telephonically will be contacted by court personnel and a record of the proceeding will be preserved with the use of courtroom technology.

WARRANTS. No arrest warrant will be issued for non-compliance with a Court Order (e.g. failure to pay, failure to appear, failure to comply) between March 20, 2020, and April 17, 2020. Defendants subject to a Failure To Pay warrant have the option to contact court personnel by electronic means to resolve the arrest warrant. Court personnel is hereby authorized to quash a Failure To Pay warrant once the defendant is enrolled in the EN-CAP program and enters into a payment plan.

DEFENSIVE DRIVING SCHOOL. Beginning March 20, 2020 through April 17, 2020, any defendant eligible for Defensive Driving School will be granted 60 days to complete Defensive Driving School.

CIVIL TRAFFIC OFFENSES. Any defendant charged with Failure to Provide Proof of Financial Responsibility and/or Expired Registration or No Registration, and is scheduled to appear in Court between March 20, 2020 and April 17, 2020, will be granted 60 days to show proof of compliance. All defendants facing civil traffic offenses will be given the option to enter a plea or submit proof of compliance by telephone, mail, fax, email or other electronic means.

TIME LIMITS. The time period March 20, 2020 through April 17, 2020 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. This includes Rule 8 of the Rules of Criminal Procedure and applicable rules for civil matters handled by the justice courts of Maricopa County.

PARTIES. In order to protect the health and safety of court participants and the public, the Court will limit 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.

COURT PERSONNEL AUTHORITY. Court personnel is authorized to grant continuances and allow alternative accommodations to parties and others with business before the Court, and to conduct proceedings in a manner that allow for appearances by audio or other electronic means that promotes the protection of the health and safety of court personnel, participants and the public.

MEETINGS/CONFERENCES/TRAINING. All non-essential functions scheduled to be conducted at the Agua Fria Justice Court are cancelled until further notice.

SIGNAGE. Signage has been placed on the exterior doors of the Southwest Justice Court Center advising the public to not enter the facility if they are exhibiting signs and symptoms consistent with the spread of COVID-19. A press release was sent to various media outlets on March 20, 2020, stating that the justice courts of Maricopa County remain open to the public and encourage court participants to contact the courts by electronic means prior to appearing in-person.

WEDDINGS. No wedding will be conducted inside of the Southwest Regional Justice Court Center. A wedding may be conducted in any area beyond the exit doors of the facility.

CLOSURE. Prior to considering closure of the Court to the public, the presiding judge of the Agua Fria Justice Court will confer with the Presiding Judge of Superior Court, Maricopa County.

The changes in court procedure remain in effect for the duration of the Supreme Court Administrative Order 2020-048 and during any extension of that Order.

Dated this 20th day of March, 2020.

Judge Joe “Pep” Guzman
Agua Fria Justice Court

Superior Court Presiding judge
Supreme Court – Chief Justice
Maricopa County Presiding Justice of the Peace
Maricopa County Public Defender
Justice Court Admin.
Maricopa County Attorney’s Office
Maricopa County Board of Supervisors
City of Avondale
City of Tolleson
City of Goodyear