

Operations Plan for Justice Courts at the Northwest Regional Court Center During COVID-19 Public Health Emergency

20 March 2020

1. **Purpose and Scope:** The Chief Justice of the Arizona Supreme Court¹ and the Presiding Superior Court Judge for Maricopa County² have issued administrative orders authorizing limited court operations during the current public health emergency. This plan sets forth guidance and directives concerning how to prioritize court operations and maintain judicial discretion within the framework of a national emergency. It applies to the Arrowhead Justice Court, the Hassayampa Justice Court, the Manistee Justice Court, and the North Valley Justice Court.

2. Roles and Responsibilities:

a. **Presiding JP.** As the current Presiding Justice of the Peace for the facility, Judge Miles Keegan, the Hassayampa Justice of the Peace, or his designee, will serve as the primary conduit for information from Justice Court Administration and to Justice Court Administration. He will also coordinate staffing issues as described in paragraph 4.

b. **Court Managers.** Each court manager, or her designee, will serve as the primary point of contact for their court employees' issues concerning safety, working conditions, and other employment related issues (e.g. sick leave, FMLA, ADA, etc.).

3. **Backup Communication System:** Every justice of the peace and every court manager will have each other's cellphone numbers. These individuals will establish a text message group that can be utilized in the event one or more of them are not present in the courthouse. The Presiding Superior Court Judge for the Northwest Regional Courthouse will be included in any text message group.

4. Court Staffing:

a. **Judges.** Each court should continue to have a judge in the courthouse available to perform judicial functions during court hours. If that is not possible for whatever reason, then any available judge(s) should either cover each other's calendars or continue cases on behalf of the judge assigned to that court. Depending upon the circumstances, coverage of some essential functions (e.g. hearing requests for Orders of Protection) can be coordinated through the Presiding JP for the facility with the Superior Court judges assigned to the Northwest Regional Court Center and/or with the Surprise Municipal Court.

b. **Court Staff.** The Presiding JP for the facility will seek guidance and the required authority concerning the possible expansion of flex schedules and times to include shifts that would minimize employee contact with each other and with members of the public. Work from home alternatives will also be explored.

5. **Court Operations:** Both administrative orders direct limiting in-person courtroom contact and in-person proceedings.

¹ In the Matter of: Authorizing Limitation of Court Operations During a Public Health Emergency, Admin. Order No. 2020-48 (Ariz. 18 Mar 2020).

² Limitation of Justice Court Operations During a Public Health Emergency, Admin. Order 2020-038 (Maricopa County 19 Mar 2020).

a. **Priority Cases.** Resources shall always be directed to hear cases involving Orders of Protection, Injunctions Against Harassment, in-custody defendants appearing by video, and people who have an active warrant for their arrest.

b. **Civil and Criminal Arraignments.**

(i) Continuances. Both administrative orders direct judges to liberally granted requests for continuances. Prior to either order being issued, some courts, *sua sponte*, continued civil and criminal traffic arraignments as well as criminal pre-trial conferences. A sample order is at attachment one. These and other types of court initiated continuances will continue.

(ii) Appearances. Court personnel will limit the number of people who can be in the lobby at any one time. Some issues can be resolved at the front counter and those practices will continue. For people who need to interact with a judge, court personnel will limit the number of people who can be present in a courtroom at any one time.

c. **Residential Eviction Actions.**

(i) Initial Appearances. Attorneys representing landlords will be encouraged to appear telephonically. Tenants will be notified that they can also request to appear by telephone. For example, some courts will staple a small colored piece of paper to the summons directing tenants to e-mail their telephone number to the court if they desire to appear by telephone. Another option is for court staff to collect a tenant's telephone number at the front counter and request that the tenant appear by phone from their car. The landlord attorneys will be encouraged to file a copy of the tenant leger with the court at the time they file their proposed form of judgment.³

(ii) Trials. Trials will likely need to be held in person, subject to personal distance standards. Some or all of the witnesses can appear by telephone.

d. **Other Considerations.** Some courts already conduct garnishment hearings, civil pre-trial conferences, default hearings, and civil traffic hearings telephonically. These procedures will continue and will be expanded. In addition, courts will encourage parties who have been defaulted to file motions to set aside those defaults.

6. **Alternate Forms of Communication with Courts.** When they call into a court, and through social media and through other platforms, litigants are encouraged to contact courts by mail and electronically. For example, one court posted:

If you need to get something in writing (e.g. a request or a motion on an existing case) to the North Valley Justice Court, please feel free to send it either by fax or as an e-mail attachment.

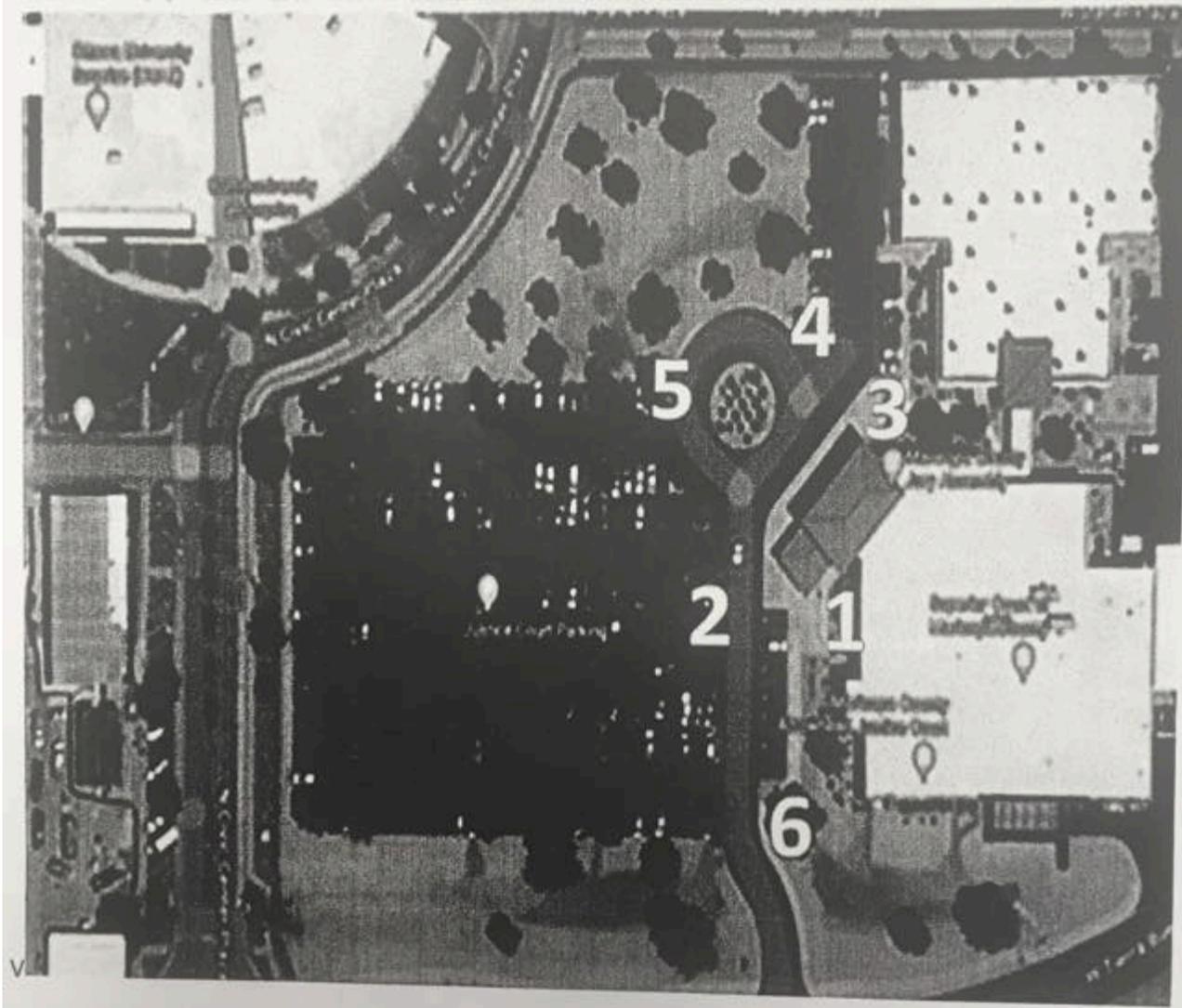
<http://justicecourts.maricopa.gov/Locations/index.aspx?fbclid=IwAR2RIHin15J6vn4194IgfP5QGNqpN4BEHXv0foqsJjMzBzUZ6Dup5Icvn9Y>

7. **Weddings.** While weddings are a discretionary judicial function, they are an important public service, especially during a time when churches have been asked to close. In addition, the Northwest Regional Court Center is located near Luke Air Force Base and frequently receives requests for weddings from military members, which we have always performed free of charge.

³ RPEA 5(d)(4) requires the landlord to serve the tenant with a document showing a six-month payment history in nonpayment of rent cases.

a. Limitations on Weddings. The Chief Justice’s order limits the number of people at a wedding to ten. The Superior Court order prohibits weddings from being performed inside a courthouse.

b. Outside Weddings. Subject to a justice of the peace being available, weddings will continue to be performed upon request after business hours. To keep a crowd from forming at the courthouse entrance, wedding parties will be directed to a specific area of the parking lot (e.g. the party for wedding number one will stand near the flag pole with the American flag, etc.)



Attachment One



Maricopa County Justice Courts, State of Arizona

North Valley Justice Court
14264 West Tierra Buena Lane
Surprise, AZ 85374
(602) 372-2000

CASE NUMBER: _____

STATE OF ARIZONA

Plaintiff(s)

Defendant(s)

ATTORNEY for State:

ATTORNEY for Defendant:

MINUTE ENTRY – Court Ordered Continuance

Given the national emergency concerning the potential spread of the COVID-19 virus, this Court, *sua sponte*, has continued the court date for this case until _____ at _____ a.m/p.m. The Defendant may also contact the Court and may request to appear on any date between now and then. The Court’s e-mail address is NorthValleyJusticeCo@JBAZMC.Maricopa.Gov.

Date: _____

GERALD A. WILLIAMS
Justice of the Peace

I CERTIFY that I mailed a copy of this Minute Entry to:

Plaintiff at the above address or Plaintiff’s attorney Defendant at the above address or Defendant’s attorney

Date: _____

By: _____
Clerk