

COUNTRY MEADOWS JUSTICE COURT
MARICOPA COUNTY, STATE OF ARIZONA

IN THE MATTER OF LIMITING COURT)
OPERATIONS DURING A PUBLIC HEALTH) ADMINISTRATIVE ORDER
EMERGENCY) NUMBER 2020=001
_____)

In compliance with Supreme Court AO2020-048 and Maricopa County Superior Court AO 2020-038 requiring all Arizona Courts to take appropriate measures to reduce the number of in-person court contacts to reduce the risk associated with the public health emergency concerning the spread of COVID-19

IT IS ORDERED, that the following measures may be taken until further notice to ease the burden for staff and public while the COVID-19 virus remains a viable threat to the health and safety of those staff and public present in this Court and with the interest of keeping in-court appearances to a minimum;

1. For Regular Civil actions with upcoming trials beginning March 23, 2020 through April 30, 2020, those trials will be re-set at least 60 days or longer depending on the nature of the evolving national and state emergencies. All other civil hearings will be telephonic. The Clerk of the Court will provide the Parties instructions for calling into the Court at and Parties are requested to call each other prior to the hearing time to coordinate amongst themselves one conference call into the Clerk at the designated time or confer amongst themselves without court involvement, but if that is not possible, each party should call in at the designated time. Any objections to telephonic appearances will be noted and may, if in the balance of the interests of justice and judicial economy, require a resetting of the court hearing to a time when the Court, in its discretion, believes it can safely and timely accommodate the appearances and presentations.
2. For Small Claims civil actions, the same practice noted above will be followed, beginning for those hearings scheduled on or after March 23, 2020.
3. In accordance to AO 2020-038 from the Presiding Judge of the Superior Court, only parties to an action, their counsel, if any, all relevant witnesses, and individuals who are integral to a case should appear in Court. In all cases, the number of individuals scheduled at any given time should not exceed 10 personas. All other interested parties or observers should stay at home. It is recommended not to bring children to the courthouse. The staff will inform all parties appearing in court, to please follow social distancing recommendations as issued through the WHO and stay at least 6 feet apart.
4. Filing rules for this court will be suspended for the duration of this crisis and summons and complaints, motions, requests or any type of pleading may be filed by postal mail, e-mail or fax. Plaintiffs that file summons and complaints by e-mail or fax must follow up by calling the court to pay filing fees over the phone.

5. For Eviction Actions that have been previously filed and served, parties should appear in court as scheduled if they do not have signs/symptoms of the COVID-19 virus (fever, cough, shortness of breath) or have not been around those who have those symptoms. Those litigants should call the Court and inform the clerk, who will then reschedule the eviction hearing to a telephonic appearance or to a later date. Due to the large volume of eviction cases in the Country Meadows Justice Court that have been set at the same time, court staff will monitor to the extent possible that no more than 10 persons be in the courtroom, in the hallway or in the court waiting area at any given time with a requirement to maintain social distancing. The Court will fully consider all Motions for Reconsideration of eviction judgments issued on and after March 16, 2020, until further notice, and will also fully consider all motions seeking a stay on execution of writs of restitution issued on evictions adjudged beginning March 16, 2020, in light of the Supreme Court's Administrative Order No. 2020-47 and any misinformation that may have issued from news sources relative to what Maricopa County courts would be doing in relation to what other jurisdictions may be doing for their evictions (news reports regarding the City of Phoenix, as an example).
6. All hearings on new filings for Eviction Actions will be set to the *Virtual Courtroom* (telephonic hearings). Due to the volume of eviction actions cases, a modified schedule with staggered hearing times has been created with the intention of reducing the number of cases heard at each time, grouping them by attorneys. Filings will also be limited to 70 cases per eviction calendar. All hearings will be heard in the *Virtual Courtroom* that has been set up by Justice Court Administration. The call-in information sheet has been prepared by the court and should be attached and served with all Summons and Complaints. Attorneys may also appear through the virtual courtroom but should provide the court with the judgments and any other documents that may be needed for the hearing ahead of time. Because of the volume of cases this court will not be able to accept proposed forms of judgment by e-mail or fax and will not be able to mail the signed judgments.
7. Immediate Eviction Actions and actions that affect health and safety will not be affected by these temporary orders.
8. All Criminal Jury trials from March 30th to April 27th, 2020 are continued for 60 days. Juries for trials in May should be requested from the Jury Commissioner by April 6th. After evaluating the evolving situation at that time, a decision will be made whether to request jury panels or continue the trials set in May.
9. The assigned county attorneys and public defenders in this court have indicated they will continue to work on their regular schedule. When possible, defendants with upcoming pre-trial conferences will be advised they may appear telephonically to limit the number of in-person contacts. The court staff will review the upcoming calendars and contact defendants who need to appear in person to stagger the court appearances so the number of people in the court at any time is limited. The public defender may contact her clients and waive their presence if it is not required.
10. Traffic arraignments for the rest of the month of March and most of April have already been set according to filings from the police agencies that file complaints into this court.

Many complaints do not have updated information for defendants, but inasmuch as possible, defendants will be called by the court staff and offered to appear telephonically or to continue cases 60 days. All civil arraignments should be continued upon request as Defensive Driving Schools are canceling their classes and many people have been financially impacted by the closure of workplaces. At no time will more than 10 people be allowed in line at the court counter or more than 10 defendants sent into the courtroom at a time. The overflow will be directed to the courtroom lobby (up to 10 people) and the main lobby with indication to maintain social distancing.

11. Civil Traffic Hearings that have already been docketed will proceed but requests for continuances will be liberally granted. Communication with law-enforcement officers through their agencies is normally slow. Court staff should contact all police agencies to let them know that upon request of any litigant, the hearings maybe be continued and they should make provision to inform their officers of continuances without delay. No new Civil Traffic Hearings will be set in April or May of 2020.
12. Protective Orders and Protective Order Hearings will proceed as usual. Plaintiffs will be encouraged to prepare their petitions through azpoint.azcourts.gov to minimize the time spent in the court facility.
13. In accordance with the above procedures and by this order court staff is authorized as follows:
 - a. To continue deadlines for compliance up to 60 days, including defensive driving school, counseling, proof of insurance, reinstated driver's license, etc. When appropriate, new deadline orders should be faxed or e-mailed to the appropriate agency. At all time, iCIS records should be noted with the continuances granted.
 - b. To advise Defendants who have outstanding confinement orders with self-surrender dates through the month of April that they may re-schedule a new self-surrender date for 60 days. Those orders need to be signed by a judge and affixed with defendant's fingerprint. Defendant should be advised to come back to the court before the new self-surrender date to obtain the new order.
 - c. To allow any defendant on a court payment plan to skip up to two months payments due in March, April or May of 2020. Those payments will be added onto the back-end of the payment plan without need to reissue and print a new payment plan. Payment plans may also be accepted by phone.
 - d. To continue hearings for 60 days.

Staff should collect updated personal information from all litigants who contact the court including phone numbers, addresses and e-mail addresses and advise litigants that they must inform the court of any changes of personal information.

14. Defendants with active warrants who come to the court should have their matter resolved. Defendants with active warrants may also contact the court by phone. In either event, the procedure for defendants with active warrants is as follows:
- a. If the warrant is for a Failure to Appear to an Arraignment or Pre-trial Conference, the warrant should be quashed and the hearing re-set as per the guidelines expressed above. Defendant should be informed that failure to appear at the re-set hearing will result in a new warrant issued.
 - b. If the warrant is for failure to pay or failure to comply with a court order, the warrant should be quashed and payment plans and extensions may be granted as per the guidelines expressed above. An Order to Show Cause hearing should be set 60 days out. Defendants should be advised that if they have not complied with outstanding orders, they should appear at the OSC and that failure to appear will result in a new warrant being issued.
15. Any litigant who is required to appear in court who indicates they have Covid-19 symptoms or cough and fever or flu-like symptom is to be instructed to stay home and if the case cannot be continued, they will be allowed to appear telephonically.

Dated this 20th day of March 2020.

Judge Anna Huberman
Country Meadows Justice Court