



SAN TAN REGIONAL COURT CENTER

LIMITATION OF JUSTICE COURT
OPERATIONS DURING A PUBLIC
HEALTH EMERGENCY



SAN TAN REGIONAL
CENTER ADMINISTRATIVE
ORDER No. 2020-01

The Chief Justice of the Supreme Court of the State of Arizona has issued Administrative Order No. 2020-48 and Superior Court of Maricopa County issued Administrative Order No. 2020-38 addressing measures to be taken by the Judicial Branch to reduce the risk associated with the public health emergency currently facing Arizona due to the concern of the spread of COVID-19. The Administrative Order directs each Justice Court to determine how in-person proceedings are to be conducted under conditions that protect the health and safety of participants, staff and the public. The San Tan Regional Center consisting of Justice Courts: San Tan, Justice of the Peace Judge Sam Goodman, University Lakes, Justice of the Peace Judge Tyler Kissell, San Marcos, Justice of the Peace Jay Tibshraeny, Kyrene Justice of the Peace Sharron Sauls are filing the following Administrative Order as a Regional Center.

Therefore, pursuant to Supreme Court Administrative Order No. 2020-48, Supreme Court Administrative Order No. 2017-79, and Superior Court Administrative Order 2020-38,

IT IS ORDERED that the following actions be taken by the STRC to reduce in-person appearances, limit persons in the courtroom, lobby or halls to 10 people, and to reduce physical contact with individuals that protect health and safety of the public and court staff:

1. Notices posted on the entrance to the court instructing individuals who are ill, displaying any COVID-19 symptoms or may have been exposed to someone with symptoms to notify the court of said symptoms and to refrain from entering the court.
2. Court staff is trained on appropriate social distancing when conducting business with court users and proper hygiene to prevent the spread of the disease.
3. Judges will liberally grant continuances during this period and to allow parties to appear by telephone and video where available.
4. Notices placed outside of the courthouse with each court's phone number and email address informing parties to call the court and review alternatives to in-person appearances with staff.
5. Allow parties to appear telephonically when applicable.
6. Notify parties by phone/email when their case is being called that directs them into the courtroom for in-person hearings.
7. Allowing parties to email documents to the court for filing and, if a payment is required, accepting payments by phone.

8. Staff will take all payments by phone. Parties may even pay on-line, or FARE cases may use PayNearMe.
9. Drop box is available for any payments, motions or filings on the outside of the building.
10. Allowing parties to request their license be reinstated and a payment plan set by email or phone. Authority given by Judge for clerks to perform these actions.
11. Allowing parties to request their warrant be quashed and a future court date be set by email or phone. Authority given by Judge for clerks to perform these actions.
12. Each staff member in the STRC will have iCIS access to each court in this regional center: San Tan, University Lakes, San Marcos & Kyrene.

Orders of Protection/ Injunction Against Harassment Cases:

1. The court will remain accessible for issuance and hearings on OOP/IAH cases Monday-Friday from 8am-5pm. All timelines will be followed as set by statute.
2. Courts will allow plaintiff's initiating a new OOP/IAH case to appear by video when available.
3. Courts will allow parties to appear for hearings telephonically.

Civil Traffic Cases:

1. Automated suspensions for Civil Traffic FTA suspended during the time of this order.
2. Late Letters and Final Notices for unpaid fines to be suspended during the time of this order. Payments will be automatically reset for 90 days out. No suspensions for code 55- Failure to pay will be entered. If this Order has not been lifted on expiration of 90 days, an additional 90 days will automatically be added.
3. Request to attend Defensive Driving School may be made by phone or email, 90 days given for compliance.
4. All compliance issues will be given 90 days for compliance. If this Order has not been lifted on expiration of 90 days, an additional 90 days will automatically be added.
5. CVTR Hearings will be delayed for a minimum of 60 days. If in-person hearings are not recommended at that time, cases will be continued for an additional 60 days. *Identification must be made in person- telephonic hearings shall not be permitted.
6. Allowing parties to request their license be reinstated and a payment plan set by email or phone. Authority given by Judge for clerks to perform these actions.
7. Staff will be obtaining phone numbers and email addresses for all litigants.

Criminal Traffic/ Misdemeanor Cases:

* CR proceedings subject to this Order time is excluded for the purpose of calculating time under Rule 8 and Rule 27 of the Arizona Rules of Criminal Procedure.

1. Criminal Arraignments will be held telephonically, paperwork will be emailed to the defendant and an electronic copy of their signed paperwork will be accepted by the court with an attached copy of their ID.
2. In-custody Arraignments will be held as needed. Cases that do not involve a victim may be released OR with a future date to appear.
3. CR Bench Trials and Jury Trials will be continued for a minimum of 60 days. If in-person hearings are not recommended at that time, cases will be continued for an additional 60 days. *Identification must be made in person- telephonic hearings shall not be permitted.
4. Request to attend Defensive Driving School may be made by phone or email, court staff will determine qualification for DDS based on the given courts guidelines and inform the defendant. * Each court has a maximum speed allowed for DDS on CR speed.
5. All compliance issues will be given 90 days for compliance. If this Order has not been lifted on expiration of 90 days, an additional 90 days will automatically be added.

6. Staff will be obtaining phone numbers and email addresses for all litigants.
7. Allowing parties to request their warrant be quashed by phone or email and a future court date (60-90 days out) be emailed or mailed. Authority given by Judge for clerks to perform these actions.

Eviction Action Cases:

1. Parties will be given the option of calling in and appearing telephonically.
2. Attorneys may file their form of judgment and supporting documentation 1 day prior to the hearing if they chose to appear telephonically. Orders signed will be placed in the process server bin for pick up.
3. No more than 10 cases will be set at one time (date/time). EA dates have varied times for each attorney not to exceed 10 cases on a given EA date.
4. New EA cases will only be accepted no less than 3, no more than 7 days prior to the current date being scheduled according to that court's calendar. Each court will display their current date for setting EA cases at their front counter.
5. Process servers will have access to the building to drop off filings beginning at 730am. Filings will be accepted from 8am-5pm, Monday-Friday.
6. No Judgments or Writs of Restitution will be issued against a defendant residing in a HUD home while Governor Ducey's Order is in place.

Civil Cases:

1. CV Bench Trials currently scheduled will be vacated and will not be reset until this Order has been lifted. Open cases where an answer is filed, will not be set to trial until this Order is lifted.
2. Default judgments will not be entered until this Order has been lifted.
3. Default hearings will not be scheduled until this Order has been lifted.
4. Stipulated Judgments will be issued during the life of this order.
5. Cases will not be dismissed for lack of service or for inactivity while this Order is in effect.
6. Any cases that would have expired during the life of this Order because of lack of service or inactivity will be extended for 90 days from the date this order ends before dismissal will be entered.

Small Claims:

1. All Small Claims hearings will be vacated and will not be reset until this Order has been lifted. Open cases where an answer is filed, will not be set to trial until this Order is lifted.
2. Default judgments will not be entered until this Order has been lifted.
3. Default hearings will not be scheduled until this Order has been lifted.
4. Stipulated Judgments will be issued during the life of this order.
5. Cases will not be dismissed for lack of service or for inactivity while this Order is in effect.
6. Any cases that would have expired during the life of this Order because of lack of service or inactivity will be extended for 60 days from the date this order ends before dismissal will be entered.

Garnishments:

1. Applications for Writs of Garnishments will be issued at the Justice of the Peace's discretion.
2. Garnishment Hearings will be set according to the courts availability, all garnishment hearings will be held telephonically.
3. Order of Continuing Lien will not be issued if a hearing request has been made by the Judgment Debtor until after the hearing has taken place.

IT IS FURTHER ORDERED that the following actions be taken by the STRC to reduce physical contact with individuals that protect health and safety of court staff:

1. Staff will be reduced by one-half during the life of this Order.
2. Alternative schedules are suspended until further notice.
3. There will be a minimum of 1 (one) Court Manager or 1 (one) Deputy Court Manager in the building during business hours, Monday-Friday, 8am-5pm excluding holidays.
4. Staff will work varied schedules between the hours of 700am- 600pm.
5. Staff will work a schedule of 2 (two) days working, 2 (two) days off to limit the number of staff that may be exposed to any infected persons at one time.
6. Staff will work 40 hours and be in an administrative pay status for 40 hours during a two-week period.
7. While staff are on administrative leave, they will be available if needed to be called into work due to a shortage of staff.
8. At any time staffing levels fall below ¼ of the allotted staff for a court, staff that is in a working status will receive time and a half pay.
9. There will be a Constable present at the courthouse at all times during business hours to help maintain the peace and ensure that no more than 10 persons are in a given area or courtroom.
10. Constables will serve OOP's and other court orders as ordered by the court and according to their discretion. * Constable plan attached.

CONTINGENCY PLAN:

IT IS FURTHER ORDERED that changes will be required if the State choses to close the court facility to the public completely. Upon closure of the court building, in order to continue providing the essential functions of this court, the following plan will be put into place.

CASE PROCESSING:

Orders of Protection/ Injunction Against Harassment Cases:

1. The court will remain accessible by phone and video for issuance and hearings on OOP/IAH cases Monday-Friday from 8am-5pm excluding holidays. All timelines will be followed as set by statute.
2. Courts will see plaintiff's initiating a new OOP/IAH case by video when available or telephonically.
3. Courts will schedule parties to appear for hearings telephonically.
4. Any request to quash an order will be reviewed on a case by case basis. A telephonic or video hearing may be set at the discretion of the judicial officer.

Criminal Traffic/ Misdemeanor Cases:

1. In-custody Arraignments will be held as needed. Cases that do not involve a victim may be released OR with a future date to appear.
2. Any other open/pending Criminal Traffic or Misdemeanor cases will receive notice that their matter will be reset at the time the court is re-opened to the public.

Civil/ SC/ EA Cases:

1. Any open/pending cases will receive notice that their case will be reset at a time determined when the court has re-opened to the public.

Civil Traffic Cases:

1. Any request to lift suspension will be processed by court staff with a notice that they will receive a date to appear after the court has re-opened to the public.

2. Any open/pending cases will receive notice that their case will be reset at a time determined when the court has re-opened to the public.

STAFFING:

1. Justice of the Peace Goodman, Kissell, Tibshraeny and Sauls will work a rotating schedule, ensuring there is a Judge available Monday-Friday 8am-5pm excluding holidays.
2. A staff member from each court will be assigned to work on a rotating basis, ensuring that 1 (one) staff member is working from each court Monday-Friday 8am-5pm excluding holidays.
3. At least 1 (one) Court Manager, or 1 (one) Deputy Court Manager will be amongst the 4 (four) staff members working on a given day.
4. During the time staff is assigned to work in the court building, they will receive time and a half pay.
5. A Constable (rotating) will be present during business hours and while staff is present during this time to ensure their safety. An additional Constable will be on-call (rotating) to serve any orders required to be served by the Justice of the Peace.

This Administrative Order will remain in effect until revoked.

Submitted by:



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