

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

IN THE MATTER OF JURISDICTION OF)	ADMINISTRATIVE ORDER
JUVENILE CASES AND JUVENILE)	No. 2023-023
HEARING OFFICERS))
)	REPLACING ADMINISTRATIVE ORDER
)	NOs. 2002-014 and 2021-080
))

WHEREAS, Arizona Revised Statutes § 8-323 provides that the Presiding Judge may appoint magistrates or justices of the peace to serve as juvenile hearing officers; and

WHEREAS, the Superior Court’s Juvenile Department has non-exclusive jurisdiction over civil traffic violations, civil marijuana violations, and violations of any city, town or political subdivision ordinance that are committed within the county by persons under the age of 18 pursuant to A.R.S. §§ 8-202(B), (E) and -323(B); and

WHEREAS, the Presiding Judge has the authority pursuant to A.R.S. § 8-202(E) to decline jurisdiction over cases involving traffic violations, civil marijuana violations, and violations of any city, town or political subdivision ordinance that are committed within the county by persons under the age of 18; and

WHEREAS, the Presiding Judge finds that declining jurisdiction over civil traffic violations promotes the more efficient use of the limited judicial and law enforcement resources located in Maricopa County; and

WHEREAS, the Presiding Judge finds that civil marijuana violations committed by persons under the age of 18 are best processed and handled by the Superior Court’s Juvenile Department in order to ensure consistency and to track repeated marijuana offenses by the same juvenile;

IT IS THEREFORE ORDERED that all Municipal Presiding Judges and their designees in Maricopa County are appointed juvenile hearing officers for the offenses listed in A.R.S. § 8-323(B) with the exception of civil marijuana offenses.

IT IS FURTHER ORDERED that all Justices of the Peace and their designees in Maricopa County are appointed juvenile hearing officers for the purposes of hearing civil traffic violations only.

IT IS FURTHER ORDERED declining jurisdiction over civil traffic violations committed within Maricopa County by persons under the age of 18, except civil traffic offenses cited into court with a criminal traffic offense, a civil marijuana offense, or an incorrigibility offense. Civil traffic violations shall continue to be processed, heard and disposed of in the appropriate limited jurisdiction court, pursuant to A.R.S. §8-202(E).

IT IS FURTHER ORDERED that the Superior Court's Juvenile Department will retain non-exclusive jurisdiction over violations of any city, town or political subdivision ordinance that are committed within the county by persons under the age of 18. Such violations may be cited into either the Superior Court or a municipal court that has jurisdiction over the violations.

IT IS FURTHER ORDERED that juvenile court will retain jurisdiction over civil marijuana violations. All civil marijuana citations for persons under the age of 18 in Maricopa County must be referred to the Superior Court's Juvenile Department for case processing and handling. In addition, where a civil marijuana citation also includes a civil traffic offense or violations of city, town or political subdivision ordinances, the citation must be referred to the Superior Court's Juvenile Department. Law enforcement in Maricopa County should no longer refer these cases to their respective limited jurisdiction courts, including both municipal courts and justice of the peace courts. In the event a court of limited jurisdiction receives a civil marijuana citation, the matter should be immediately returned to the citing agency for re-submission to the Superior Court's Juvenile Department.

IT IS FURTHER ORDERED rescinding Administrative Order No. 2002-014 (Juvenile Administrative Order No. 2002-04) and Administrative Order No. 2021--080.

Dated this 3rd day of February, 2023.

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

Original: Clerk of the Court

Copies: Hon. Lori Bustamante, Juvenile Dept. Presiding Judge
All Juvenile Court Judges and Commissioners
Raymond Billotte, Judicial Branch Administrator
Chief Eric Meaux, Juvenile Probation Department
Cheri Clark, Deputy Court Administrator
Paula Collins, Juvenile Department Administrator
All Maricopa County Justices of the Peace
All Maricopa County Municipal Court Judges
All Maricopa County Law Enforcement Departments
Offices of the County Attorney and Public Defense Services