

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF GREENLEE

In the Matter of:)
)
COVID-19 MITIGATION MEASURES) ADMINISTRATIVE ORDER
AND TRANSITION TO RESUMPTION OF) No. 2021-03
CERTAIN OPERATIONS) (Replacing/Supplementing Amended
) AO No. 2020-04)
)
)
_____)

Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona declared a statewide public health emergency on March 11, 2020 pursuant to A.R.S. § 26-303 and in accordance with A.R.S. §26-301 (15). Since March 18, 2020, several Administrative Orders from the Supreme Court and locally have been issued in response to the COVID-19 public health threat that limited and modified court operations to ensure justice in Arizona is administered safely. The most recent local administrative order 2020-04 issued on August 27, 2020 directed Greenlee County Courts to conduct business in a manner that reduced the risks association with COVID-19. This order supersedes or supplements that administrative order where changes have been made and provides direction on transition to resumption of certain operations in accordance with Arizona Supreme Court Administrative Order No. 2021-52.

Greenlee County Courts remain open to serve the public. Nevertheless, in the interest of public safety, certain limitations and changes in court practices are necessary.

This order applies to all civil, criminal, juvenile and family court-proceedings.

THEREFORE, IT IS ORDERED, effective immediately until otherwise ordered, the following procedures will be in place for all courts in Greenlee County.

1. All parties to a case may appear telephonically or by video conferencing for a hearing unless the Judge issues an order for a party and/or parties to appear in person. If telephonic appearances or video conferencing is not permitted for a specific type of hearing, the court may grant a continuance in the case or ask for the parties to appear in person with restrictions in place.
2. Until further notice, the courts may limit any required in-person proceedings to attorneys, parties, victims, witnesses, jurors, court personnel and other necessary persons, where necessary to maintain the safety of the public, court personnel and recommended social distancing within a court facility.
3. Participants in court proceedings, including attorneys, parties, victims, witnesses, jurors, court personnel and other necessary persons, must notify the court prior to appearing at the courthouse, of any COVID-19 diagnosis, symptoms, or exposure

notification by public health authorities and to make alternative arrangements to participate.

4. Court participants and visitors are requested to wear a mask or face covering when entering the courthouse. Social distancing and other safety measures will be encouraged. The judge in each proceeding is authorized to make reasonable orders to ensure the health and safety of hearing participants consistent with the parties' right to due process of law.
5. Judges and court staff will continue to use all reasonable alternatives to in-person court hearings and any court-ordered programs to decrease or eliminate person to person contact. Settlement conferences and mediations shall be conducted in compliance with eliminating or decreasing social contact. They may be conducted by telephonic appearances. Counsel should contact the respective court regarding these conferences or ensuring that they are conducted in a manner in accordance with minimizing social contact.
6. All courts should continue to modify operations to limit the number of transportation events to necessary court hearings for individuals in custody or receiving services pursuant to court order, including combining hearings subject to maximum gathering size required by this order, and to minimize mixing of populations to eliminate avoidable quarantines when such individuals are returned to custody following court hearings.
7. Trials of cases to a jury may resume. To accommodate social distancing standards, courts may stagger times for prospective jurors to report for jury duty.
8. Pursuant to the Supreme Court AO 2021-52, Rule 10.2, Rules of Criminal Procedure; Rule 42.1, Rules of Civil Procedure; Rule 2(B), Rules of Procedure for Juvenile Court; Rule 6, Rules of Family Law Procedure; Rule 133(d), Justice Court Rules of Civil Procedure; Rule 9(c), Rules of Procedure for Eviction Actions; and any local rule that provides litigants with a change of judge as a matter of right are suspended until further order to reduce the risk of virus exposure inherent in out-of-county judges' travel, and to ensure adequate judicial resources for backlog reduction.
9. The period of March 18, 2020 through March 31, 2021 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, including Rule 8, Rules of Criminal Procedure; Rules 17, 25, 79 and 100, Rules of Procedure for the Juvenile Court; and Rules 2, 3, 11(c) and 15, Rules of Procedure for Eviction Actions. After March 31, 2021 and notwithstanding Rules 8.1(e) and 8.4(a)(4), the presiding superior court judge may exclude additional time from individual cases or groups of cases due to trial calendar congestion or, at the request of the trial judge, due to extraordinary circumstances caused by COVID-19 public health emergency.

10. Until further order, to reduce the number of citizens summoned to jury duty, procedural rules (including Rule 18.4(c), Rules of Criminal Procedure; Rule 47(e), Rules of Civil Procedure; Rule 134(a)(1), Justice Court Rules of Civil Procedure; and Rule 12, Rules of Procedure for Eviction Actions) are modified to afford litigants only two peremptory strikes for potential jurors per side in all civil and felony cases tried in the superior court, and one peremptory strike per side in all misdemeanor cases, and all civil cases tried in limited jurisdiction courts. This provision does not apply to capital murder cases.
11. The courts in Greenlee County will comply with this order and the Arizona Supreme Court's Administrative Order No. 2021-52 where not otherwise inconsistent.
12. The use of technology should continue, both to maximize public safety and to maximize efficiencies in court operations.
 - A. Courts may continue the use of virtual hearings, electronic recording, and electronic transmission of documents.
 - B. Courts shall provide public access by video or audio to court proceedings which are typically open to the public, specifically for the case types designated in this Administrative Order.
 - C. Courts shall consider and encourage the use of on-line dispute resolution (ODR).

IT IS FURTHER ORDERED marriage ceremonies may take place inside the courthouse with the proper adherence to safety protocols and the safety of all in attendance.

DATED this 26th day of April 2021.



HONORABLE MONICA L. STAUFFER
Presiding Judge