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LYNN FAZZ
CLERK OF SUPERIOR COURT
YUMA ARIZONA 85364

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YUMA

In the Matter of: LIMITATION OF COURT OPERATIONS DURING COVID-19 PUBLIC HEALTH EMERGENCY	Administrative Order 2020-04

Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona has declared a statewide public health emergency pursuant to A.R.S. §26-303 and in accordance with A.R.S. §26-301(15). Subsequently, on March 18, 2020, the Chief Justice of the Supreme Court of the State of Arizona issued Administrative Order No. 2020-48 addressing measures to be taken by the Judicial Branch to conduct business in a manner that reduces the risk associated with this public health emergency.

Supreme Court Administrative Order No. 2020-48 directs the presiding superior court judge of each county to determine how in-person proceedings are to be conducted in each of the county's courtrooms under conditions that protect the health and safety of participants and the public. This includes limiting in-person courtroom contact, following the social distancing recommendations of the Center for Disease Control, and limiting the number of persons present in a courtroom. As a result of increased spread of COVID-19 and pursuant to Supreme Court Administrative Order No. 2020-48 and as may be amended by a subsequent Administrative Order, the following temporary procedures will be followed.

IT IS ORDERED effective immediately until otherwise ordered, the following procedures will be in place for all divisions and departments of the Superior Court in Yuma County.

1. Access to the Yuma County Justice Center and the Yuma County Juvenile Court Center is limited to employees housed at those facilities, attorneys and parties to proceedings at those facilities, law enforcement officers and detention officers with official business at those proceedings, witnesses, grand jurors, victims, accredited members of the press and members of the public with necessary business with agencies housed within the Yuma County Justice Center and the Yuma County Juvenile Court Center.

2. Any individual who has a fever, cough, shortness of breath or other symptoms of illness will not be allowed to enter or remain in those facilities. They will be directed to call their lawyer or the court to request further information.

3. All persons entering these facilities will follow requests to observe appropriate social distancing. Court staff and court security are authorized to direct any person refusing to follow these requests to leave the facility.

4. Requests for continuances in all case types will be liberally granted.

5. Grand Jury proceedings will continue and will be conducted in a manner that assures appropriate social distancing of all participants as recommended by the CDC.

6. Empanelment of petit juries will be suspended until further order.

7. In hearings in which an in-person appearance by parties or attorneys is required, the hearing will be conducted in a way that assures appropriate social distancing of all participants as recommended by the CDC.

8. In all in-person hearings, judges are authorized to limit proceedings to attorneys, parties, victims, witnesses, court personnel, and other necessary persons.

9. In Civil, Probate and Family Law cases, hearings and trials may be held if they can be conducted by telephonic or video conference appearances. Trials and hearings requiring in-person appearances should be continued. If the Court and parties determine that an in-person hearing, or trial should be held, appropriate social distancing of all participants as recommended by the CDC must be followed. Court conciliation conferences will be held by telephonic or video conference. If these options are not feasible, conciliation conferences will be continued.

10. In Criminal cases, requests for telephonic or video appearances by attorneys and out of custody defendants should be liberally granted. During Criminal calendars, the prosecutor's office will be permitted to appear by video conference unless otherwise ordered by the court. Video conference appearances by in custody defendants from the Yuma County Adult Detention Facility will be allowed to the extent such appearances are feasible and consistent with the constitutional rights of defendants. Evidentiary hearings, including violation of probation hearings will be conducted in person. If a judge determines that an in-person hearing is necessary or constitutionally required, it will be conducted in a manner to assure appropriate social distancing of all participants as recommended by the CDC.

11. The Court will continue to receive and hear emergency requests for orders of protection and injunctions against harassment. Hearings on such motions may be heard via telephonic or video conference. If an in-person hearing is held, it will be conducted in such a manner to assure appropriate social distancing of all participants as recommended by the CDC.

12. The Court will continue to receive and hear petitions for emergency appointments of guardians and/or conservators, as well as petitions for emergency orders in family matters. Hearings on such motions may be heard via telephonic or video conference. If an in-person hearing is held, it will be conducted in such a manner to assure appropriate social distancing of all participants as recommended by the CDC.

13. Customers wishing to make payments for court fees or fines are asked to make payments by mail, online at www.azcourtpay.com, www.officialpayments.com or to call the court to make other payment arrangements. Individuals whose payments obligations have been placed in the Fines/Fees and Restitution Enforcement Program (F.A.R.E) may make payments in person at any PayNearMe kiosk, the locations of which may be found at www.Paynearme.com/cashmap.

14. The Judicial Assistance Unit will limit in-person services to the establishment of payment contracts. Regular payments will be made as set forth above. All other assistance will be provided by telephone and email.

15. The Law Library & Self-Service Center will limit in-person services to those requiring assistance with electronic preparation of orders of protection and injunctions against harassment. All other assistance will be provided by telephone and email. Self-Help Legal Clinics will be suspended until further order.

16. No weddings will be performed at the Yuma County Justice Center until further order.

IT IS FURTHER ORDERED that the Clerk of the Superior Court in Yuma County is authorized to temporarily accept electronic filings of motions and other filings via email in all types of cases except for civil cases which already have an electronic filing process.

1. In an existing Superior Court case which is currently not subject to mandatory e-filing, any document not requiring a clerk's signature and/or seal at the time of filing may be filed by email as an attachment in PDF format. Any form of order submitted with the email filing shall be in Word format. The document shall be deemed filed when the email is received by the Clerk of the Superior Court.
2. The document shall be emailed to both of the following email addresses:
   a. lfazz@courts.az.gov AND bdaily@courts.az.gov
   b. Filer shall indicate in the subject line "Email Filing for Division XX"
3. The Clerk of the Superior Court shall file the emailed document together with a copy of the email to which the document was attached. The document shall be deemed an original document when filed by the Clerk of the Court.
4. The Clerk of the Superior Court shall email a conformed copy to the party who initially emailed the document. The party initially emailing the document, not the Clerk, shall be responsible for service.
5. The Clerk of Court may impose reasonable restrictions, such as requiring appointments for services such as payments, marriage licenses, and/or passport services.

DATED this 26th day of March 2020.

Honorable David M. Haws
Presiding Judge

Original filed with:
Hon. Lynn Fazz, Clerk of the Superior Court

Copies to:

Hon. Mark Wayne Reeves, Div. 1
Hon. R. Erin Farrar, Div. 2
Hon. Larry Kenworthy, Div. 3
Hon. Roger A. Nelson, Div. 5
Hon. Brandon S. Kinsey, Div. 6
Hon. Kathryn Stocking-Tate, Comm. 1
Hon. Stephen J. Rouff, Comm. 2
Hon. Levi Gunderson, Comm. 3
Hon. Gregory Stewart, Justice Court Precinct 1
Hon. Darci D. Weede, Justice Court Precinct 1, Pro Tem
Hon. Juan Guerrero, Justice Court Precinct 2
Hon. Russ Jones, Justice Court Precinct 3/Wellton Municipal Court
Hon. James Coil, Yuma Municipal Court
Hon. Manuel Figueroa, Somerton Municipal Court
Hon. Nohemy Echavarria, San Luis Municipal Court
Kathleen M. Schaben, Court Administrator
Tim D. Hardy, Director of Juvenile Court
Ryan M. Byrd, Interim Chief Adult Probation Officer
Dona Miller-Robbins, Caseflow Manager
Martin Mendez, Justice Court Administrator
Susan K. Thorpe, County Administrator
Hon. Jon R. Smith, Yuma County Attorney
Sheriff Leon N. Wilmot, Yuma County Sheriff's Office
Capt. J.D. Lackie, Yuma County Sheriff's Office
Michael Breeze, Yuma County Public Defender
Terri L. Capozzi, Yuma County Legal Defender
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Yuma County Bar Association