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CLERK OF SUPERIOR COURT
YUMA ARIZONA

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YUMA

In the Matter of: **REVISION OF CASE ASSIGNMENTS FOR THE SUPERIOR AND JUVENILE COURT IN YUMA COUNTY, ARIZONA, *EFFECTIVE JANUARY 16, 2023*.**	Administrative Order **2023-1**

This Administrative Order amends and supersedes all previous Administrative Orders pertaining to calendar and case assignments for the Superior Court, in and for the County of Yuma.

IT IS THEREFORE ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, assignments for the Judges and Commissioners of the Yuma County Superior Court shall be/remain as set forth below:

(1) Mark Wayne Reeves shall remain assigned as Division One;

(2) R. Erin Farrar shall remain assigned as Division Two;

(3) Larry Kenworthy shall remain assigned as Division Three;

(4) David M. Haws shall remain assigned as Division Four;

(5) Roger A. Nelson shall remain assigned as Division Five;

(6) Nathaniel Sorenson shall be assigned as Division Six;

(7) Darci D. Weede shall be assigned as Division Seven;

(8) Claudia M. González shall remain assigned as Commissioner One;

(9) Eliza B. Johnson shall be assigned as Commissioner Two; and

(10) Levi Gunderson shall remain assigned as Commissioner Three.

CRIMINAL CASES

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, all **FELONY CRIMINAL** complaints filed in Justice Court shall be assigned by Justice Court according to the numbering system below, using the **JUSTICE COURT** case number. All cases which originate in a manner *other than by way of a felony complaint being filed in Justice Court*, shall be assigned by the Clerk of the Superior Court according to the numbering system below, using the **SUPERIOR COURT** case number. (All co-defendant cases shall continue to be assigned to the same Superior Court division. In order to facilitate this procedure, the Yuma County Attorney's Office shall continue to file a Notice of Filing Co-Defendant Complaints when filing co-defendant cases in Justice Court.

(1) All numbered cases, the last digit of which number is "0" or "1" shall be assigned to Division Four.

(2) All numbered cases, the last digit of which number is "2", "3", or "4" shall be assigned to Division Five.

(3) All numbered cases, the last digit of which number is "5" or "6" shall be assigned to Division Seven.

(4) All numbered cases, the last digit of which number is "7", "8" or "9" shall be assigned to Commissioner One.

IT IS ORDERED, as to all criminal cases filed *prior to* **JANUARY 16, 2023**:

(1) All open criminal cases presently assigned to the Honorable David M. Haws, Division Four, shall remain as assigned.

(2) All open criminal cases presently assigned to the Honorable Roger A. Nelson, Division Five, shall remain as assigned.

(3) All open criminal cases presently assigned to the Honorable Brandon S. Kinsey, Division Six, *shall be reassigned* to the Honorable Darci D. Weede, Division Seven.

IT IS ORDERED that all criminal cases in which a defendant was originally sentenced by a judge *other than* the Honorable David M. Haws or the Honorable Roger A. Nelson, *if reopened*, shall be reassigned to another division by written order. Such reassignments may include, but are not limited to, Petitions to Revoke Probation, Petitions for Restoration of Civil Rights, and Petitions to Modify Probation.

IT IS ORDERED that all criminal cases *in which a defendant was originally sentenced by a judge who is active and sitting as designated* in Division One, Division Two, Division Three, Division Four, Division Five, Division Six, and Division Seven, or by Commissioner One, Commissioner Two, or Commissioner Three, (or the case has been assigned to one of the above by administrative or written order), *shall continue to be assigned to that judge for all* ***Post-Conviction Relief*** *proceedings.*

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, the regular **CRIMINAL CALENDARS** (other than jury trials) shall be held as follows:

Division Seven:	**Tuesday**-8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
Division Four	**Wednesday**-8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
Division Five:	**Thursday**-8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)
Commissioner One:	**Friday**-8:30 a.m. to Noon and 1:30 p.m. to 5:00 p.m. (PVCs/VOPs at 11:00 a.m.)

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, the regular **CRIMINAL <u>ADD-ON</u> CALENDARS** shall be held as follows:

MONDAY:	**Division Five** @ 8:30 a.m., Courtroom 2046
TUESDAY:	**Division Seven** @ 8:30 a.m., Courtroom 3024
WEDNESDAY:	**Division Four** @ 8:30 a.m., Courtroom 3045
THURSDAY:	**Division Five** @ 8:30 a.m., Courtroom 2046
FRIDAY:	**Commissioner One** @ 8:30 a.m., Courtroom 3027

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, the Honorable Roger A. Nelson, Division Five, shall assume the duties associated with the **Tuesday GRAND JURY** assignment, and the Honorable Darci D. Weede, Division Seven, shall assume duties associated with the **Thursday GRAND JURY** assignment.

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, **ARRAIGNMENTS and EARLY DISPOSITION COURT** shall be heard by the Honorable Roger A. Nelson, Division Five, on Mondays commencing at 8:30 a.m., unless the date and time is rescheduled by order of the court.

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, that all cases of the **ADULT DRUG COURT** shall be assigned to Division Four and Division Seven. Division Four Adult Drug Court shall be heard on Mondays at 3:00 p.m., and Division Seven Adult Drug Court shall be heard on Fridays at 3:00 p.m., unless the date and time is rescheduled by order of the court.

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, the Honorable David M. Haws, Division Four, shall be assigned as the criminal **RULE 11 SPECIAL MASTER**.

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, all Superior Court defendants placed into the **VETERANS TREATMENT COURT** shall be assigned to the Honorable Darci D. Weede, Division Seven. Any necessary hearings shall be set at a date and time convenient to the court.

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, all defendants placed into the criminal **MENTAL HEALTH SPECIALTY COURT** shall be assigned to the Honorable Darci D. Weede, Division Seven. Mental Health Court shall be heard on Mondays commencing at 11:00 a.m., unless the date and time is rescheduled by order of the court.

TITLE 36 CASES

IT IS ORDERED, beginning **JANUARY 16, 2023,** and until further order of the Presiding Judge, the **TITLE 36 MENTAL HEALTH CASE** assignments shall be as follows:

(1) All Title 36 mental health cases filed *on or after* **JANUARY 16, 2023,** or *prior to* **JANUARY 16, 2023,** shall be assigned to the Honorable Darci D. Weede, Division Seven.

DOMESTIC RELATIONS CASES

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, **DOMESTIC RELATIONS CASES** filed *on or after* **JANUARY 16, 2023,** shall be assigned as follows:

(1) All numbered cases, the last digit of which is "0", "1", "2" or "3" shall be assigned to the Honorable Nathaniel Sorenson, Division Six.

(2) All numbered cases, the last digit of which is "4", "5" or "6" shall be assigned to the Honorable Mark Wayne Reeves, Division One.

(3) All numbered cases, the last digit of which is "7", "8" or "9", shall be assigned to the Honorable Eliza B. Johnson, Commissioner Two.

IT IS ORDERED, *all open/active* domestic relations cases *filed prior to* **JANUARY 16, 2023,** and assigned to:

(1) The Honorable Mark Wayne Reeves, Division One, shall remain as assigned.

(2) The Honorable Claudia M. González, Commissioner One, *shall be reassigned* to the Honorable Nathaniel Sorenson, Division Six.

(3) The Honorable Levi Gunderson, Commissioner Three, *shall be reassigned* to the Honorable Eliza B. Johnson, Commissioner Two.

IT IS ORDERED that all domestic relations cases filed *prior to* **JANUARY 16, 2023,** that come on before the court for hearing or review *after* **JANUARY 16, 2023,** ***which are not assigned/reassigned*** to the Honorable Mark Wayne Reeves, Division One, shall be reassigned according to the numbering system above.

IT IS ORDERED, beginning **JANUARY 16, 2023,** and until further order of the Presiding Judge, all **TITLE IV-D** child support and paternity actions initiated by the

Arizona Attorney General's Office, or initiated pursuant to the Uniform Interstate Family Support Act (UIFSA), *shall be heard by* the Honorable Eliza B. Johnson, Commissioner Two.

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, all domestic relations **DEFAULT** actions shall be heard by the Honorable Claudia M. González, Commissioner One, on Monday afternoons at 1:30 p.m., unless set for another day and time convenient to the court.

PROTECTIVE ORDERS

IT IS ORDERED, beginning with cases filed *on or after* **JANUARY 16, 2023,** and until further order of the Presiding Judge, all **ORDERS OF PROTECTION** shall be assigned as follows:

(1) All numbered cases, the last digit of which is "0", "1", "2" or "3" shall be assigned to the Honorable Nathaniel Sorenson, Division Six.

(2) All numbered cases, the last digit of which is "4", "5" or "6" shall be assigned to the Honorable Mark Wayne Reeves, Division One.

(3) All numbered cases, the last digit of which is "7", "8" or "9", shall be assigned to the Honorable Eliza B. Johnson, Commissioner Two.

IT IS ORDERED that all Orders of Protection filed *prior to* **JANUARY 16, 2023,** *if reopened and not assigned to the Honorable Mark Wayne Reeves, the Honorable Claudia González, or the Honorable Eliza B. Johnson*, shall be reassigned according to the numbering system above.

IT IS ORDERED, beginning with cases filed *on or after* **JANUARY 16, 2023,** and until further order of the Presiding Judge, all **INJUNCTIONS AGAINST HARASSMENT** shall be assigned as follows:

(1) All Injunctions Against Harassment filed *on or after* **JANUARY 16, 2023**, shall be assigned to the Honorable Eliza B. Johnson, Commissioner Two.

(2) All Injunctions Against Harassment filed *prior to* **JANUARY 16, 2023**, *if reopened*, shall be assigned to the Honorable Eliza B. Johnson, Commissioner Two.

CIVIL CASES

IT IS ORDERED, effective **JANUARY 16, 2023**, and until further order of the Presiding Judge, **CIVIL** cases filed *on or after* **JANUARY 16, 2023,** shall be assigned as follows:

(1) All NEW civil cases shall be assigned to the Honorable Larry Kenworthy, Division Three.

(2) All civil cases presently assigned to the Honorable Larry Kenworthy, Division Three, shall remain as assigned.

(3) All civil cases presently assigned to the Honorable Brandon S. Kinsey, shall be reassigned to the Honorable Roger A. Nelson, Division Five.

(4) All civil cases presently assigned to the Honorable Mark Wayne Reeves, Division One, shall remain as assigned.

(5) All civil cases presently assigned to the Honorable David M. Haws, Division Four, shall remain as assigned.

(6) All civil cases presently assigned to the Honorable Levi Gunderson, Commissioner Three, shall be reassigned to the Honorable Eliza B. Johnson, Commissioner Two.

(7) All civil cases presently assigned to the Honorable Claudia M. González, Commissioner One, shall remain as assigned.

IT IS ORDERED that all civil cases filed *prior to* **JANUARY 16, 2023,** that come on before the court for hearing or review *after* **JANUARY 16, 2023, *which are not assigned/reassigned*** to the Honorable Larry Kenworthy, Division Three, the Honorable David M. Haws, Division Four, the Honorable Mark Wayne Reeves, Division One, or the Honorable Claudia M. González, Commissioner One, *if re-opened*, shall be automatically reassigned to the Honorable Larry Kenworthy, Division Three.

PROBATE and GUARDIANSHIP CASES

IT IS ORDERED, beginning with cases filed *on or after* **JANUARY 16, 2023,** and until further order of the Presiding Judge, all **PROBATE/GUARDIANSHIP CASES** shall be assigned as follows:

(1) All probate/guardianship cases shall be assigned on a rotation basis to the Honorable Mark Wayne Reeves, Division One, and to the Honorable Nathaniel Sorenson, Division Six, with all odd numbered cases being assigned to Division One and all even numbered cases being assigned to Division Six.

IT IS FURTHER ORDERED that as to Probate/Guardianship cases filed *prior to* **JANUARY 16, 2023,** that come before the court for hearing shall be assigned in the same manner, with Division One being assigned all odd numbered cases and Division Six being assigned all even numbered cases.

IT IS ORDERED, beginning **JANUARY 16, 2023,** and until further order of the Presiding Judge, the civil **ELECTION CONTEST** assignments shall be as follows:

(1) All "election contest" cases shall be assigned to the Honorable Larry Kenworthy, Division Three; and

(2) Division Three of the Superior Court in Yuma County shall be designated the "election division" of the Superior Court in Yuma County.

IT IS ORDERED, beginning **JANUARY 16, 2023,** and until further order of the Presiding Judge, the **SEXUALLY VIOLENT PERSON CASE** assignments shall be as follows:

(1) All civil cases where a petition has been filed seeking an order of the court to detain a person as a Sexually Violent Person pursuant to the Sexually Violent Persons Act, ARS §§36-3701 through 36–3716, shall be assigned to the Honorable David M. Haws, Division Four. Cases filed prior to **JANUARY 16, 2023,** that come before the court for hearing or review shall be automatically reassigned to the Honorable David M. Haws, Division Four.

JUVENILE COURT CASES

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, the **ADOPTION CASE** assignments shall be assigned as follows:

(1) All adoption cases shall be assigned on a rotation basis to the Honorable R. Erin Farrar, Division Two, and to the Honorable Levi Gunderson, Commissioner Three, with all odd numbered cases being assigned to the Honorable R. Erin Farrar, Division Two, and all even numbered cases being assigned to the Honorable Levi Gunderson, Commissioner Three; and

(2) Any adoption case filed *prior to* **JANUARY 16, 2023,** that come before the court for hearing or review, shall be automatically assigned on a rotation basis to the Honorable R. Erin Farrar, Division Two, and the Honorable Levi Gunderson, Commissioner Three, according to the numbering system above.

IT IS ORDERED, effective **JANUARY 16, 2023,** and until further order of the Presiding Judge, the **JUVENILE CASE** assignments shall be assigned as follows:

(1) All juvenile **delinquency** cases filed *on or after* **JANUARY 16, 2023,** shall be assigned on a rotating basis, with all odd numbered cases being assigned to Division Two, and even numbered cases being assigned to Commissioner Three.

(2) All **dependency, severance, and emancipation** cases filed *on or after* **JANUARY 16, 2023,** shall be assigned on an equal rotating basis between Division Two and Commissioner Three. The following considerations shall be made in the assignment of cases: (a) One Judge/one family and (b) Siblings shall be assigned as one case.

(3) All **Juvenile Drug Court** cases shall be assigned to Commissioner Three and shall be heard on Wednesday afternoon.

(4) All **Successful Future** cases shall be assigned to Division Two.

(6) **Detention hearings** shall be heard at 1:30 p.m. on Monday, Tuesday, Wednesday, Thursday, and Friday by Commissioner Three. (Detention hearings held on weekends and holidays shall be heard by Hearing Officers, if available).

(7) **Dependency hearings** assigned to Division Two shall be held on Mondays, Tuesdays, and Wednesday afternoons. Dependency hearings assigned to Commissioner Three shall be held on Wednesday mornings, all day on Thursday, and Friday mornings.

(8) **Delinquencies** assigned to Division Two shall be held Wednesday morning and on Thursday and Friday. Delinquencies assigned to Commissioner Three shall be held on Monday and Tuesday.

Notwithstanding the foregoing judicial assignments, during the absence or unavailability of any Superior Court Judge/Commissioner, another Superior Court Judge or Commissioner/Pro Tem may be substituted in his or her place.

DATED this 4th day of **JANUARY 2023**.

Honorable David M. Haws
Presiding Judge

Copies to:

Hon. Mark Wayne Reeves, Division One
Hon. R. Erin Farrar, Division Two
Hon. Larry Kenworthy, Division Three
Hon. David M. Haws, Division Four
Hon. Roger A. Nelson, Division Five
Hon. Nathaniel Sorenson, Division Six
Hon. Darci D. Weede, Division Seven
Hon. Claudia M. González, Commissioner One
Hon. Eliza Johnson, Commissioner Two
Hon. Levi Gunderson, Commissioner Three
Hon. Gregory Stewart, First Precinct Justice Court
Hon. Juan Guerrero, Second Precinct Justice Court
Hon. Russ Jones, Third Precinct Justice Court
Hon. Lynn Fazz, Clerk of the Superior Court
Kathy Schaben, Court Administrator
Nancy Gray Eade, Deputy Court Administrator
Sharayah Montgomery, Court IT Manager
Ryan M. Byrd, Chief Adult Probation Officer
Ed Gilligan, Director of Juvenile Court Services
Jon Smith, Yuma County Attorney
Raymond Hanna, Yuma Public Defender
William Fox, Yuma Legal Defender
Paul Abbate, Conflict Administrator
Dona Robbins, Caseflow Manager
Yuma County Bar