

1 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
2 IN AND FOR THE COUNTY OF YUMA

FILED
2025 JUN -6 AM 8:33
LYNN FAZZ
CLERK OF SUPERIOR COURT
YUMA ARIZONA 85304

3 In the Matter of:)
4 All Yuma County Courts)
5 Discontinuation of Unified Bond Schedule/)
6 Requirement for Initial Court Appearance)

Administrative Order
2025-14

7
8 The Court having considered Rule 4.1 and Rule 7.3(d)(2)(A) of the Arizona Rules of
9 Criminal Procedure, Arizona Revised Statutes 13-3967(B), 13-3961(B), 13-3969(E) and the
10 Arizona Victim's Bill of Rights. Furthermore, consultation was conducted with staff of the
11 Administrative Office of the Arizona Supreme Court and the Limited Jurisdiction Court
12 judges in the county of Yuma. Accordingly, it is determined that all persons arrested must be
13 seen by a Judge/Magistrate/Initial Appearance Master prior to being released, except in the
14 cases of issuance of misdemeanor warrants where the court has authorized release upon the
15 posting of a bond, and such bond is posted.

16 **IT IS ORDERED**, effective immediately, the Unified Bond Schedule distributed by
17 memo dated December 29, 2011, as well as any other previous or subsequent
18 Unified/Uniform Bond Schedules are void and no longer in effect.

19 **IT IS FURTHER ORDERED**, in accordance with Rule 4.1 of the Arizona Rules of
20 Criminal Procedure, that prior to release, all persons arrested must be taken before a
21 Judge/Magistrate/Initial Appearance Master for Initial Appearance within 24 hours of arrest to
22 establish the terms and conditions of release. However, if a misdemeanor warrant states the
23 amount of bond, and the arrested person has posted the bond prior to the initial appearance,
24 the arrested person must be promptly released from custody.

25 A copy of the current Rule 4.1 is attached to this order.

26 DATED this 5th day of June, 2025

27 
28 Honorable David M. Haws
Presiding Judge

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

1 **Copies to:**

- 2 Hon. Mark Wayne Reeves, Div. 1
Hon. R. Erin Farrar, Div. 2
3 Hon. Larry Kenworthy, Div. 3
Hon. Roger A. Nelson, Div. 5
4 Hon. Nathaniel Sorenson, Div. 6
Hon. Darci D. Weede, Div. 7
5 Hon. Claudia González, Comm. 1
Hon. Eliza B. Johnson, Comm. 2
6 Hon. Levi Gunderson, Comm. 3
7 Hon. Gregory Stewart, Justice Court Precinct 1
Hon. Nohemy Echavarría, Justice Court Precinct 1, Pro Tem
8 Hon. Scarlett Harper, Justice Court Precinct 2
Hon. Russ Jones, Justice Court Precinct 3/Wellton Municipal Court
9 Hon. James Coil, Yuma Municipal Court
Hon. Danae T. Figueroa, San Luis Municipal Court
10 Hon. Edna Lugo, Somerton Municipal Court
Kathleen M. Schaben, Court Administrator
11 Edward T. Gilligan, Director of Juvenile Court
Ryan M. Byrd, Chief Adult Probation Officer
12 Dona Miller-Robbins, Judicial Case Manager
Martin Mendez, Justice Court Administrator
13 Del Miller, Yuma Municipal Court Administrator
J. Alejandra Peru, San Luis Municipal Court Administrator
14 Yameli Holguin, Somerton Municipal Court Administrator
Ian McGaughey, County Administrator
15 Hon. Karolyn Kaczorowski, Yuma County Attorney
Leon Wilmot, Yuma County Sheriff
16 Raymond Hanna, Yuma County Public Defender
William Fox, Yuma County Legal Defender
17 Paul Abbate, Yuma County Conflict Administrator
Yuma County Bar Association
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Rule 4.1. Procedure upon Arrest

Arizona Revised Statutes Annotated

Rules of Criminal Procedure

Effective: July 1, 2023

Arizona Revised Statutes Annotated
Rules of Criminal Procedure (Refs & Annos)
II. Preliminary Proceedings
Rule 4. Initial Appearance (Refs & Annos)

Effective: July 1, 2023

16A A.R.S. Rules Crim.Proc., Rule 4.1

Rule 4.1. Procedure upon Arrest

Currentness

(a) Prompt Appearance Before a Magistrate. An arrested person must be promptly taken before a magistrate for an initial appearance. At the initial appearance, the magistrate will advise the arrested person of those matters set forth in Rule 4.2. If the initial appearance does not occur within 24 hours after arrest, the arrested person must be immediately released from custody. If a misdemeanor warrant states the amount of a deposit, cash, unsecured, or secured appearance bond as provided in Rule 3.2(a)(3), and the arrested person has posted the bond prior to the initial appearance, the arrested person must be promptly released from custody.

(b) On Arrest Without a Warrant. A person arrested without a warrant must be taken before the nearest or most accessible magistrate either in the county of arrest or in the county where the offense was committed. A complaint, if not already filed, must be promptly prepared and filed. If a complaint is not filed within 48 hours after the initial appearance before the magistrate, the arrested person must be immediately released from custody and any pending preliminary hearing dates must be vacated.

(c) On Arrest with a Warrant.

(1) Arrest in the County of Issuance. A person arrested in the county where the warrant was issued must be taken before the magistrate who issued the warrant for an initial appearance. If the magistrate is absent or unable to act, the arrested person must be taken to the nearest or most accessible magistrate in the same county.

(2) Arrest in Another County. If a person is arrested in a county other than the one where the warrant was issued, the person must be taken before the nearest or most accessible magistrate in the county of arrest or in the county where the offense was committed. If eligible for release as a matter of right, the person must then be released under Rule 7.2. If not released immediately, the arrested person must be taken to the issuing magistrate in the county where the warrant originated, or, if that magistrate is absent or unable to act, before the nearest or most accessible magistrate in the county where the warrant originated.

(d) Assurance of Availability of Magistrate and the Setting of a Time for Initial Appearance. Each presiding judge must make a magistrate available every day of the week to hold the initial appearances required under Rule 4.1(a). The presiding judge also must set at least one fixed time each day for conducting initial appearances, and notify local law enforcement agencies of the fixed time(s).

(e) Sample for DNA Testing; Proof of Compliance. If the arresting authority is required to secure a sample of buccal cells or other bodily substances for DNA testing under A.R.S. § 13-610(K), it must provide proof of compliance to the court before the initial appearance.

(v) Victims' Rights. Upon request, the victim must be informed of the date, time, and place for the defendant's initial appearance in accordance with A.R.S. § 13-4406. The victim upon request must be notified of the defendant's release from custody at or after the initial appearance.

Credits

Added Aug. 31, 2017, effective Jan. 1, 2018. Amended Aug. 26, 2020, effective Jan. 1, 2021; amended on an emergency basis Aug. 25, 2021, effective Sept. 29, 2021, adopted on a permanent basis effective Jan. 1, 2022; amended Dec. 8, 2022, effective July 1, 2023.

State Court Rules are current with amendments received through May 15, 2025. The Code of Judicial Administration is current with amendments received through May 15, 2025.

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