

IN THE SUPERIOR COURT
IN THE COUNTY OF YUMA, IN AND FOR THE STATE OF ARIZONA

FILED

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LYNN FAZZ
CLERK OF SUPERIOR COURT
YUMA, ARIZONA

In the Matter of:)
)
ADOPTION AND IMPLEMENTATION) Administrative Order
OF PRESUMPTIVE STANDARDS FOR) No. 2025-28
REMOTE AND IN-PERSON HEARINGS) (Amending Administrative
FOR THE JUSTICE OF THE PEACE) Order No. 2022-20)
COURTS IN YUMA COUNTY)
)

In June 2021, the Arizona Supreme Court’s COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup (Plan B Workgroup) recommended best practices that should be retained or adapted post-pandemic, which included a recommendation that courts continue to use and expand technology to conduct remote court proceedings. In January 2022 the workgroup reconvened and issued a report, *Recommended Remote and In-Person Hearings in Arizona State Courts in the Post-Pandemic World* (“Report”) which includes as Appendix 1 recommendations regarding which hearing types should be held remotely and which should be held in person (“Presumptive Standards”).

On August 3, 2022, the Supreme Court issued Administrative Order No. 2022-88 adopting the Presumptive Standards as set forth in Appendix 1 of the Report and requiring the presiding judge of the superior court in each county to issue an administrative order adopting standards for the justice of the peace court in their county regarding which hearing types will be held remotely and which hearing types will be held in person. Administrative Order No. 2022-88 allows the presiding judge of the superior court to adapt the Presumptive Standards as necessary due to limitations in local court resources, bandwidth, technology hardware, software, and staffing or, for good cause, to meet unique needs in their respective counties.

Therefore, having consulted with the presiding justice of the peace in Yuma County, pursuant to Supreme Court Administrative Order No. 2022-88, and having been notified that the Chief Justice of the Supreme Court of Arizona approves the issuance of this order,

IT IS ORDERED adopting the Chart attached hereto as the presumptive manner for holding hearings set in the justice of the peace courts in Yuma County.

IT IS FURTHER ORDERED adopting the Presumptive Standards adopted by the Supreme Court as follows:

IT IS FURTHER ORDERED concerning Protective Orders:

- a. Orders of Protection Ex Parte Hearings are presumed to be held remotely. However, any plaintiff who appears at the courthouse will be seen in person.
- b. Hearings, or requests to modify or dismiss an Order of Protection or an Injunction Against Harassment are presumed to be held in person.

IT IS FURTHER ORDERED that residential eviction actions must be held in accordance with Rules of Procedure for Eviction Actions 11(a). Initial Appearance, Bench Trial, Writ of Restitution and Post-Judgment hearings are presumed to be held remotely. At the initial appearance, should the case be continued for bench trial, the substance of the trial, if evidentiary in nature, will presumptively be held in person

IT IS FURTHER ORDERED that small claims hearings are presumed to be held in person.

IT IS FURTHER ORDERED concerning civil lawsuits:

- a. Pre-trial conferences, oral arguments on motions, and bench trials are presumed to be held remotely.
- b. Mediations and settlement conferences are presumed to be held remotely. Civil jury selection, and civil jury trials are presumed to be held in person.

IT IS FURTHER ORDERED concerning criminal cases:

- a. Initial appearances and arraignments are presumed to be held remotely.
- b. Pretrial conferences, oral arguments on motions, settlement conferences, and evidentiary hearings with no witnesses are presumed to be held remotely. However, any defendant who appears at the courthouse will be seen in person, when practical.
- c. Change of plea proceedings and sentencing hearings are presumed to be held remotely; but the hearing may be required to be held in person when the facts or circumstances of a case warrant the defendant's personal appearance. Evidentiary hearings with witnesses are presumed to be held in person.
- d. Bench trials, jury trials, Probation Violation Hearings and Dispositions, and other witness hearings are presumed to be held in person.
- e. Bond Forfeitures are presumed to be held remotely.

IT IS FURTHER ORDERED that a justice of the peace has the authority to encourage or require parties in any case to appear in person for any proceeding that will require the substantial presentation of documentary evidence, other types of physical evidence, or evidence that is impractical to present remotely.

- When a Remote Hearing is the Presumptive Standard or otherwise authorized, a person may appear in person in the courtroom or by remote means.
- Authorization for a Remote Hearing by video conference is subject to the following conditions. A party waives their right to appear remotely if the following conditions are not met:
 1. Parties must use the video conferencing system chosen by the Court; and,
 2. Before the hearing, parties must check that their equipment works properly, is set up correctly, and can clearly send both sound and video without distracting background noise during the hearing.
- The Court reserves discretion to handle cases where persons are appearing in-person before cases where persons are appearing by video conference.

IT IS FURTHER ORDERED that hearings in the justice of the peace courts in Yuma County must be offered in the presumptive manner. However, the assigned judge may authorize a different format for a specific hearing if the presumptive manner is impractical or contrary to the interest of justice. The court must notify all parties when such an alternative is used.

IT IS FURTHER ORDERED that if a hearing is scheduled to be held remotely, the individual charged with an offense may elect to attend the hearing in person.

IT IS FINALLY ORDERED that, except for criminal trials, any type of hearing may be held remotely upon the request of a party, shows good cause, and complies with applicable rules regardless of the presumptive hearing format or any modifications to that format described in this Order.

Dated this 12 day of November, 2025.



David M. Haws
Presiding Judge, Superior Court of Yuma County

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
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Hon. Nathaniel T. Sorenson, Div. 6
Hon. Darci D. Weede, Div.7
Hon. Claudia González, Comm. 1
Hon. Eliza B. Johnson, Comm. 2
Hon. Levi Gunderson, Comm. 3
Hon. Gregory Stewart, Justice Court Precinct 1
Hon. Scarlett Harper, Justice Court Precinct 2
Hon. Russ Jones, Justice Court Precinct 3/Wellton Municipal Court
Hon. James Coil, Yuma Municipal Court
Hon. Edna Lugo, Somerton Municipal Court
Hon. Danae Figueroa, San Luis Municipal Court
Kathleen M. Schaben, Court Administrator
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Reyna Curiel, Justice Court Administrator
Ian McGaughey, County Administrator
Hon. Karolyn Kaczorowski, Yuma County Attorney
Sheriff Leon N. Wilmot, Yuma County Sheriff's Office
Capt. Kelly Milner, Yuma County Sheriff's Office
Raymond Hanna, Yuma County Public Defender
William Fox, Yuma County Legal Defender
Yuma County Bar Association

Appendix 1

Recommended Remote and In-Person Hearings in the Post-Pandemic World by Case Type and Hearing Types- Yuma County Justice Courts

Case Type	Hearing Type	Remote	In- Person
<i>Proceedings Under Arizona Rules of Protective Order Procedure</i>			
	Ex Parte Hearing	X	
	Contested Protective Order [Evidentiary] Hearing		X
	Other	X	
<i>Proceedings Under the Arizona Rules of Procedure for Eviction Actions</i>			
	Initial Appearance	X ²	
	Jury Selection		X
	Jury Trial		X
	Bench Trial	X	
	Writ of Restitution	X	
	Post-Judgment	X	
<i>Proceedings Under the Arizona Rules of Small Claims Procedure</i>			
	Hearing		X
	Alternative Dispute Resolution		X
<i>Proceedings Under the Arizona Justice Court Rules of Civil Procedure</i>			
	Pre-trial/Motion – Non-witness	X	
	Pre-trial/Motion – Witness		X
	Mediation Conference	X	
	Settlement Conference	X	
	Jury Selection		X
	Jury Trial		X
	Bench Trial	X	
	Other	X	

²By statute:

Notwithstanding any other law, in a special detainer or forcible detainer proceeding before the court, any party, including an attorney or witness upon written notice to the court, shall be permitted to participate at the initial appearance remotely by using a telephone or video conference connection. If the court continues a contested matter to a later date, at the discretion of the court, the court may require all parties, attorneys and witnesses to participate in person.

Ariz. Rev. Stat. § 22-206.

Appendix 1

Recommended Remote and In-Person Hearings in the Post-Pandemic World by Case Type and Hearing Types- Yuma County Justice Courts

Case Type	Hearing Type	Remote	In-Person
<i>Limited Jurisdiction Proceedings Involving Criminal Misdemeanor Charges; under the Rules of Court Procedure for Civil Traffic, Boating, Marijuana and Parking and Standing Violations (CTBMPSV) and Juvenile Hearing Officer Proceedings</i>			
<i>Criminal Misdemeanor</i>			
	Appearance/Arrestment/Initial	X	
	Pre-trial Motion – Non-witness	X	
	Pre-trial/Motion – Witness		X
	Change of Plea/Sentencing	X	
	Pre-trial Conference	X	
	Order to Show Cause		X
	Case Management Conference/Trial Preparedness Conference	X	
	Settlement Conference	X	
	Jury Trial		X
	Bench Trial		X
	Probation Violation Arrestment	X	
	Probation Violation Hearing		X
	Probation Violation Disposition		X
	Other – Non-witness	X	
	Other – Witness		X
	Bond Forfeiture	X	
<i>CTBMPSV</i>			
	Arrestment	X	
	Trial/Contested Hearing		X
	Photo Enforcement Hearing		X
	Other (including ID Hearings, Local Ordinance, Parking)	X	
<i>Juvenile Hearing Officer Proceedings</i>			X