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ANNELL HOUNSHELL, CLERK
APACHE CO SUPERIOR COURT

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF APACHE
HON. MICHAEL LATHAM, PRESIDING JUDGE**

<p>In re the matter of:</p> <p>ARIZONA SUPERIOR COURT IN APACHE COUNTY COVID-19 MITIGATION MEASURES</p>	<p>ADMINISTRATIVE ORDER</p> <p><u>NO. 2020-005</u></p>
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PREAMBLE

As the United States, the State of Arizona and the Navajo Nation continue to battle the effects of COVID-19 and attempt to mitigate the continued spread of the virus and prevent overwhelming medical personnel and facilities. The Arizona Supreme Court issued several Administrative Orders directing the Arizona Superior Courts throughout the pandemic. Pursuant to Arizona Supreme Court Administrative Order No. 2020-143, Section III – V, each county must make certain determinations about resumption of court operations. Therefore, this Administrative Order addresses the unique circumstances facing Apache County at this time.

Apache County is unique, in that over 70% of our summoned jurors reside on the Navajo Nation. The Navajo Nation has been strongly impacted by the pandemic, and at one point had one of the highest rates of infection per capita. Navajo citizens living within the portion of the Navajo Nation that is also part of Apache County, Arizona are also under the jurisdiction of the Navajo Nation. As of the date of this Administrative Order, the Navajo Nation court buildings remain closed due to the pandemic. The Navajo Nation Department of Health has (1) restricted travel off of the Navajo Nation, (2) closed Navajo Nation roads, parks, etc. to visitors, (3) continues to implement weekend “lockdowns” where even essential businesses must close, and (4) continues to implement curfew hours during non-weekend times. As of the date of this Administrative Order, the rate of COVID-19 infections throughout the country are on the rise and are approaching record peak rates. Given the unique circumstances of Apache County, and the ongoing threat to public safety, certain limitations and changes in court practices and operations must continue.

ADMINISTRATIVE ORDER

Therefore, it is hereby ordered that due to the public health emergency and the unique issues related to Apache County noted above, and the authority granted to the Presiding Superior Court judge pursuant

to Arizona Supreme Court Administrative Order No. 2020-143, subsection III, the period of March 18, 2020 through December 31, 2020 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; Rule 38.1(d)(2), Rule of Civil Procedure.

Further, the time for conducting preliminary hearings for in-custody defendants under Rule 5.1(a) and (d) and probation revocation arraignments under Rule 27.8 (a)(1), Rules of Criminal Procedure is extended to twenty (20) days from an initial appearance that occurs through December 31, 2020.

Dated this 16th day of November, 2020.

A handwritten signature in black ink, appearing to read 'Michael Latham', is written over a horizontal line. The signature is stylized with several vertical strokes and a curved ending.

Hon. Michael Latham
Presiding Judge
Superior Court, Apache County