

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

In re the matter of: ARIZONA SUPERIOR COURT IN APACHE COUNTY COVID-19 MITIGATION MEASURES	ADMINISTRATIVE ORDER <u>NO. 2020-003</u>
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PREAMBLE

The United States, the State of Arizona and the Navajo Nation have all declared states of emergency due to COVID-19. The World Health Organization has declared COVID-19 to be a global pandemic. As of the date of this Administrative Order, our county, state, national and global communities have many more questions than we do definitive answers about COVID-19. There is, however, broad consensus that adopting preventative measures to mitigate contamination is a reasonable and responsible step to take. Further, the Arizona Supreme Court has instructed Presiding Superior Court Judges to take steps to reduce the number of people entering courthouses. Therefore, this Administrative Order is designed to be a reasonable step toward responsible action given the number of individuals who enter the Arizona Superior Court in Apache County. As additional information is provided, additional steps may be implemented.

ADMINISTRATIVE ORDER

Effective March 16, 2020 until otherwise ordered, the following protocols shall be effective:

I. APPEARANCE BY PARTIES

- a.** All parties to a case may appear telephonically for any hearing that is permitted by law. If telephonic appearances are not permitted for a specific type of hearing, the Court will grant stipulated continuances so long as victim rights are followed, and Rule 8 of Ariz. Rules Crim. Procedure are waived. If continuances are not requested, the hearing shall proceed in compliance with the protocols listed below.
- b.** The Court will explore expanded video conferencing options as soon as possible and will notify parties if viable video conferencing options become available.

II. COURTHOUSE ENTRY

- a. All non-essential personnel shall **not** be permitted to enter the Arizona Superior Court in Apache County (“courthouse”). “Essential Personnel” include parties to the case, lawyers, victims, victim representatives, law enforcement, and pre-authorized members of the media. Given the extraordinary circumstances of the COVID-19 global pandemic, members of the public and/or family members who are not “Essential Personnel” shall not be permitted to enter the courthouse.
- b. “Essential Personnel” entering the courthouse shall use the washing station provided outside of the courthouse to wash and sanitize hands prior to entering the courthouse. Essential Personnel refusing to follow this protocol shall be denied access to the courthouse.
- c. “Essential Personnel” entering the courthouse shall be asked if they have been feeling ill or report any exposure to someone who is or might be ill. If they affirmatively respond to either of these questions, additional pre-cautionary measures shall be taken prior to such individual being allowed to enter courthouse (i.e. notifying legal counsel, possibly delaying hearing, etc.).

III. NON-ELECTRONIC FILING

- a. Any non-electronic filings shall be filed in the Clerk of the Court’s overnight drop box located to the left of the front entrance doors of the courthouse. The non-electronic filings shall be placed in an envelope to keep the pages together, then “Date Stamped” (located in the upper right hand corner of overnight drop-box). Deputy Clerks of the Court shall check the overnight drop box at least every hour during business hours to process such non-electronic filings.

IV. DOCUMENT REQUESTS

- a. Anyone wishing to view court files or request copies of documents shall fill out public record request form that will be provided in front of courthouse by court security. The form shall include the requestor’s name, phone number, e-mail address and the information about the files and/or documents requested. The form shall be filed in the Clerk of the Court’s overnight drop box (described above). Deputy Clerks of the Court shall check the overnight drop box at least every hour during business hours to process file and/or document requests. When such requests have been completed, the requestor shall be notified about when and where the files and/or documents can be picked up. Whenever possible, the files and/or documents will be e-mailed to the requestor.

V. PAYMENTS

- a. Anyone needing to make payments through the Clerk of the Court shall place payment in provided envelope with name, telephone number, mailing address and e-mail address. The payment envelope shall then be “Date Stamped” (described above) and placed in overnight drop box. Deputy Clerks of the Court shall check the overnight drop box at least every hour during business hours to process payments. Deputy Clerks of the Court shall e-mail receipts to the payor within 24 hours of processing payments.

VI. CRIMINAL NOT IN-CUSTODY CASES

- a. Given the extraordinary circumstances of the COVID-19 global pandemic and the importance of social distancing to mitigate the risk of spreading the disease, the Court will begin coordinating with the parties to continue not in-custody cases in compliance with Rule 8 of the Ariz. Rule Crim Procedure and victim rights.

Dated this 16th day of March, 2020.

**Hon. Michael Latham
Presiding Judge
Superior Court, Apache County**