

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Proposal Cover Sheet

Section 1-801: State, Tribal and Federal Court Forum

- 1. Effect of the proposal:** This code section replaces AO 2004-36 and re-establishes the Arizona State, Tribal and Federal Court Forum, identifying forum membership as well as their terms and responsibilities.
- 2. Significant new or changed provisions:** None
- 3. Committees actions and comments:** Limited Jurisdiction Courts (LJC) - Provided for information at February 8 meeting.
- 4. Controversial issues:** None
- 5. Recommendation:** Approve proposed code section.

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 8: Intergovernmental Relations
Section 1-801: State, Tribal and Federal Court Forum

A. General Purpose. The State, Tribal and Federal Court Forum (STFCF) is established to create an ongoing colloquium between state, tribal and federal judiciaries regarding the interaction of state, tribal and federal court jurisdiction in Arizona.

B. Membership. STFCF shall include the following members:

1. Four federal members, including:
 - a. One Ninth Circuit Court of Appeals judge appointed by the chief judge of the circuit;
 - b. One District of Arizona judge appointed by the chief judge of the district;
 - c. The United States Attorney or designee; and
 - d. The Federal Public Defender or designee.
2. Eight state members, including:
 - a. One appellate judge;
 - b. Five trial court judges of general and limited jurisdiction courts;
 - c. A clerk of superior court or deputy clerk appointed by the chief justice; and
 - d. The attorney general or designee.
3. A minimum of eight tribal members appointed by the chief justice; including:
 - a. At least eight chief judges, chief justices or designees; and
 - b. Any additional chief judges, chief justices or designees who express interest in forum membership.
4. One State Bar of Arizona, Indian Law Section member; and
5. Two public members.

C. Term. State and tribal court members and the public members shall be appointed to a three year

term. Members serving due to office held, by appointment of an officer other than the chief justice, or by designation of an officer entitled to membership, shall not have a term.

D. Responsibilities.

1. To foster mutual understanding and acceptance by state, tribal and federal judges of the similarities and differences between each other's courts and legal systems, particularly pertaining to the resolution of jurisdictional issues.
2. To promote improvement in the quality of justice delivered in the context of the overlapping jurisdiction of state, tribal and federal courts through judicial education, professional court administration, education of attorneys and the public about tribal courts, and the sharing of personnel, facilities and programs, as well as state, tribal and federal funding, as appropriate.
3. To promote respect for and recognition of the judicial proceedings and judgments among the three court systems in order to minimize the need for litigation regarding jurisdictional issues.
4. To increase operational communication, cooperation and coordination among state, tribal and federal courts and other justice agencies in Arizona.
5. To promote legislative, regulatory and court rule changes to further the coordination of and cooperation among the three court systems.
6. Any other duties deemed by a majority of forum members to be in the best interests of state, tribal and federal courts and of the justice system serving the citizens of Arizona affected by the interaction of these three systems.

E. Organization. The chief justice shall appoint one of the members to chair the forum. The chair shall appoint a member to serve as vice-chair.