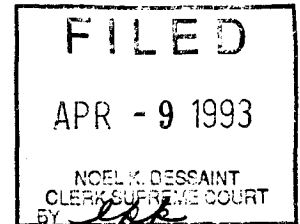


IN THE SUPREME COURT OF THE STATE OF ARIZONA



IN THE MATTER OF SELECTION
OF SPECIAL JUDICIAL OFFICERS

)
) ADMINISTRATIVE ORDER
) NO. 93-17
)

In accordance with the administrative authority vested in the Supreme Court and the Chief Justice by Article VI, Section 3 of the Arizona Constitution,

IT IS ORDERED that the following standards shall govern the selection of all special judicial officers including judges pro tempore, commissioners, hearing officers and juvenile court referees appointed by the chief justice or by any judge or on the recommendation of any judge and that judges responsible for appointing or recommending appointment of special judicial officers shall establish written selection procedures consistent with this order and shall file these procedures with the Clerk of the Supreme Court by August 1, 1993. The procedures for city courts established pursuant to this order shall be consistent with existing provisions of city charters and ordinances.

Purpose and Qualifications

This order is intended to result in selection of special judicial officers, through an open process, who are highly competent and highly respected by their peers and clients and who bring a diversity of background and experience to the bench. Those who seek the aid of the courts are entitled to the same quality of justice from the judiciary whether the judicial

officer is a regularly elected or appointed judge or a person temporarily serving as a judge. Persons applying for judicial office shall be required to meet the minimum qualifications required by law and such special qualifications for the position as may be established by the chief judge, the presiding judge or the chief magistrate.

Public Announcement

The procedures adopted pursuant to this order shall provide for public announcement of an opening for any judicial position governed by this order. The announcement shall include, at a minimum, the qualifications for the position, an equal opportunity statement and the identity of the responsible chief judge, presiding judge or chief magistrate. The announcement shall be publicized in such a manner that all attorneys, including minority and women attorneys, and other qualified persons within the jurisdiction of the applicable court would be reasonably expected to become aware of the announcement.

Application

The procedures adopted pursuant to this order shall establish an open application process. Applicants for full-time special judicial office shall be required to complete a written application in which applicants can indicate all aspects of their background, qualifications and experience relevant to the judicial position. Applicants for part-time special judicial

office may be required to complete an application or, alternatively, they may be required to submit a letter of application. Applicants shall have the opportunity to submit letters of reference. Applicants shall be advised of the ethical restrictions on the practice of law contained in the Code of Judicial Conduct which relate to service as a special judicial officer.

Selection

A. Full-time Special Judicial Officers

Each chief judge, presiding judge and chief magistrate shall establish a selection committee. In appointing that committee, the chief judge, presiding judge or chief magistrate shall be sensitive to representation reflecting the racial, ethnic, gender and political diversity of the community served by that judge's court. Selection committee members shall be required to disclose to each other and to the chief judge, to the presiding judge or to the chief magistrate any cause for bias in favor or against any applicant reviewed. Selection committee members shall be informed that their responsibilities include recruitment of qualified applicants, including qualified minority and women applicants, who may not otherwise apply.

The procedures adopted pursuant to this order shall establish a screening process which provides for the selection committee to review applications, interview selected applicants

and recommend one or more applicants. The screening process may include review of advisory committee recommendations and comment by other judges of the court on which the appointee will serve.

B. Part-Time Special Judicial Officers

Each chief judge, presiding judge and chief magistrate who uses part-time special judicial officers shall adopt a procedure for selecting one or more persons to serve as part-time special judicial officers. This procedure shall include review by the appointing authority or a designated person or committee of applications or letters of application and any letters of reference submitted. Persons selected to serve as part-time special judicial officers shall be assigned to perform specific judicial duties as needed.

Temporary Appointment

Procedures adopted pursuant to this order shall allow for appointment of judges pro tempore on a temporary full-time basis without following the adopted selection process and shall provide that the selection process shall be followed before a continuing appointment is made.

Education

Each chief judge, presiding judge and chief magistrate shall assure that all special judicial officers governed by this order receive orientation and, for full-time special judicial officers,

ongoing education appropriate to the special judicial officer's duties and comparable to that received by other judges on the same court.

Evaluation

Each chief judge, presiding judge and chief magistrate shall provide for periodic evaluation of full-time special judicial officers governed by this order at least prior to the reappointment of each special judicial officer. Evaluation shall be based upon information from both professional and public participants in the legal process. Any complaints received concerning a part-time special judicial officer shall be considered prior to reappointment.

DATED AND ENTERED this 8th day of April,
1993.

STANLEY G. FELDMAN, CHIEF JUSTICE