

FILED

MAR 20 1995

NOEL K. DESSAINT
CLERK SUPREME COURT
BY

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the matter of)
)
Establishment of a Presiding)
Limited Jurisdiction Judge)
Position in Mohave County)
)

ADMINISTRATIVE ORDER
No. 95- 23

WHEREAS the spirit and intent of Arizona Supreme Court Administrative Order 93-30 Revised, is to further efforts to administratively unify the Arizona Judicial Department pursuant to the Constitution of Arizona, Article 6, Section 1; and

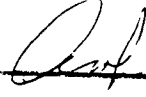
WHEREAS the Mohave County judges are in agreement to a proposed exception to Arizona Supreme Court Administrative Order 93-30 Revised which permits the establishment of a Presiding Limited Jurisdiction Judge position to replace the current Presiding Justice of the Peace designation as a means to encourage increased court integration in Mohave County;

IT IS ORDERED that Mohave County Superior Court Administrative Order 95-7 is hereby adopted as submitted as an exception to Supreme Court Administrative Order 93-30 Revised for a period beginning on the effective date of this order and expiring on December 31, 1996. This Order may be renewed upon request of the Presiding Judge in Mohave County.

DATED this 20th day of March, 1995.

~~STANLEY G. FELDMAN~~
Chief Justice

FILED



IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

95 MAR -7 AM 10:43

IN AND FOR THE COUNTY OF MOHAVE

LINDA SEAPY
SUPERIOR COURT CLERK

IN THE MATTER OF:)

AUTHORITY AND DUTIES OF THE PRESIDING)
LIMITED JURISDICTION JUDGE AND COURT)
ADMINISTRATOR)

ADMINISTRATIVE ORDER
95-7

The Arizona Supreme Court, pursuant to Article 6, Section 11 of the Arizona Constitution, adopted Administrative Order 93-30 Revised, Administrative Rule V-A, which delegated authority and responsibility to administer the courts and judges thereof to the Presiding Judge in each county. The duties and responsibilities of the court to meet the needs of Mohave County citizens, provide reasonable and meaningful access to all courts, and ensure due process requires more professional and efficient court administration.

THEREFORE, IT IS ORDERED effective March 1, 1995 delegating to the Mohave County Presiding Limited Jurisdiction Judge and the Mohave County Court Administrator authority to implement and oversee the following "AUTHORITY AND DUTIES OF THE PRESIDING LIMITED JURISDICTION JUDGE AND COURT ADMINISTRATOR" while reserving to the Presiding Judge the authority delegated by the Arizona Supreme Court.

AUTHORITY AND DUTIES OF THE PRESIDING LIMITED JURISDICTION JUDGE AND COURT ADMINISTRATOR

I. Introduction

The following authorities and duties are adopted to provide reasonable access to the courts and ensure due process; ensure maximum efficiency for the courts while balancing the expectations of citizens and taxpayers; and discharge the administrative responsibilities imposed by the Arizona Constitution and the Arizona Supreme Court.

PRESIDING LIMITED JURISDICTION JUDGE

II. Appointment

The Presiding Limited Jurisdiction Judge shall be appointed by vote of the Justices of the Peace and City Magistrates with the advice and consent of the Presiding Judge. The Presiding Limited Jurisdiction Judge may be re-elected for subsequent terms. In the case of a tie vote, the Presiding Judge shall make the selection. The Presiding Limited Jurisdiction Judge is subject to removal from this position at any time by the Presiding Judge.

III. Term of Office

The Presiding Limited Jurisdiction Judge shall serve a term of two (2) years, subject to re-election starting on the effective date of this order and expiring on December 31 of the subsequent year.

IV. Duties

The Presiding Limited Jurisdiction Judge, with the advice and consent of the Presiding Judge, shall:

- A. Provide direction and administrative support and assistance to the Justices of the Peace, City Magistrates, and Limited Jurisdiction Pro Tempore Judges and Juvenile Hearing Officers.
- B. Call and preside over all special meetings of the Limited Jurisdiction Judges and recommend appointment of advisory committees and/or subcommittees to the Presiding Judge as needed.
- C. Appoint an Associate Presiding Limited Jurisdiction Judge to act during the absence or unavailability of the Presiding Limited Jurisdiction Judge.
- D. Coordinate education and training of newly elected or appointed Limited Jurisdiction Judges including Pro Tempore Judges and Juvenile Hearing Officers.
- E. Secure and assign Judge Pro Tempores and Juvenile Hearing Officers to limited jurisdiction courts in accordance with applicable policies and procedures.
- F. Perform administrative duties as assigned by the Presiding Judge.

COURT ADMINISTRATOR

V. Appointment

The Court Administrator shall be appointed by and serve at the pleasure of the Presiding Judge.

VI. Duties

The Court Administrator, with the advice and consent of the Presiding Judge, shall administer the non-judicial functions of the courts including but not limited to the following:

- A. Appoint, assign, and terminate, if necessary, court administrator's office staff in consultation with the Presiding Judge; supervise and evaluate such staff in accordance with the applicable Merit Rules; develop and implement a judicial branch merit plan; assist in scheduling visiting judges in the superior court and arrange for adequate staff and facilities for this purpose; and assist the

Presiding Limited Jurisdiction Judge in securing and assigning Judge Pro Tempores and Juvenile Hearing Officers to limited jurisdiction courts in accordance with applicable policies and procedures.

- B. Oversee the Mohave County Court Automation Project and other countywide court technology initiatives.
- C. Prepare and submit an annual unified court system budget to the Board of Supervisors; work with the Presiding Limited Jurisdiction Judge to consolidate justice court budgets for incorporation into the unified budget; ensure payroll processing and disbursement; oversee accounts payable processing; inventory and track fixed assets; ensure court compliance with minimum financial management and accounting standards; and review and evaluate court system expenditures in conjunction with the Presiding Limited Jurisdiction Judge.
- D. Oversee coordination of court training and education programs.
- E. Develop and maintain a master plan for necessary superior and justice court facilities, space, and security and maintain and comply with statutory mandates and other standards related to facilities.
- F. Oversee court operations including establishment of uniform docketing, calendaring, and case management policies and procedures; standardization of court forms and orders; establishment of uniform bond, fine and traffic diversion fee schedules; ensure court compliance with statistical reporting requirements and records management policies and procedures established by the Arizona Supreme Court; and assist in the development and revision of Uniform Rules of Practice and Local Court Rules as directed by the Presiding Judge.
- G. Procure and standardize supplies, services, equipment, and furnishings necessary to administer daily court functions.
- H. Oversee implementation and evaluation of alternative dispute resolution court programs.
- I. Provide assistance and support to the Clerk of the Superior Court in administering the jury system as needed.
- J. Oversee management and coordination of the Mohave County Law Library.
- K. Staff Mohave County judges meetings and advisory committees and/or subcommittees appointed by the Presiding Judge as assigned.
- L. Prepare a Court System Coordination Plan to administratively unify, to the extent possible, countywide court operations for review and approval by the Presiding Judge and Presiding Limited Jurisdiction Judge and submit an annual progress report in this regard.
- M. Provide technical assistance and support to the superior court and justice courts and conduct management studies and court improvement projects as needed.

N. Perform other administrative duties as assigned by the Presiding Judge.

LIMITED JURISDICTION COURT ADMINISTRATION AND SUPERVISION

VII. Administrative Support

All Limited Jurisdiction Judges shall have daily responsibility for the supervision of their respective courts. This supervision shall be consistent with judicial branch policies and procedures adopted by the Arizona Supreme Court and the Presiding Judge. Limited Jurisdiction Judges may delegate daily responsibility for the administration of their courts to their respective court administrators, office supervisors, or chief clerks. City Magistrates may delegate court management functions including but not limited to responsibilities specified in Sections VI (A-N) of this Order to the Court Administrator through intergovernmental agreement upon approval of the Presiding Judge and Presiding Limited Jurisdiction Judge.

POLICIES

VIII. Recommendations

Any person may recommend improvements in administering and operating the Mohave County Court System in writing to the Presiding Judge for review and approval determination.

DATED this 7th day of March, 1995.

Hon. Gary R. Pope, Presiding Judge
Mohave County Court System

Original filed with the Clerk of the Superior Court in Mohave County.

APPROVED:

Arizona Supreme Court

Stanley G. Feldman, Chief Justice



GARY R. POPE
JUDGE
DIVISION 1

SUPERIOR COURT OF ARIZONA
COUNTY OF MOHAVE

MOHAVE COUNTY COURTHOUSE
KINGMAN, ARIZONA 86401

(602) 753-0712

MEMORANDUM

TO: Honorable Stanley G. Feldman, Arizona Supreme Court Chief Justice

FROM: Honorable Gary R. Pope, Presiding Judge in Mohave County

DATE: January 11, 1995

RE: Proposed Exception to Supreme Court Administrative Order 93-30 Revised to Establish a Presiding Limited Jurisdiction Judge Position in Mohave County

During the last year, the Mohave County judges have initiated several programs and plans to administratively unify the courts in Mohave County. These efforts have involved preparation and submission of a fully consolidated general fund court budget to the Board of Supervisors which included the superior court, superior court clerk's office, and justice courts; establishment of a countywide court mediation program; development of a countywide automated wide area network for case and money management; adoption of a long range court strategic plan; and use of a more centralized approach in securing and assigning judge pro tempores and juvenile hearing officers as needed. We are also in the initial stages of developing a judicial branch merit system to improve our court personnel administration capabilities. These initiatives have been undertaken to comply with the spirit and intent of Administrative Order 93-30 Revised which you signed on August 6, 1993 to further court integration efforts in Arizona.

The Mohave County judges have shown considerable interest and commitment in continuing these initiatives and support increased centralization of management and supervision of court activities including some of those in the municipal courts. As a result, the establishment of a Presiding Limited Jurisdiction Judge position has been suggested by the justices of the peace and city magistrates to replace the current Presiding Justice of the Peace position in our county. This proposal would increase the Presiding Justice of the Peace's role and permit city magistrates to serve in this capacity. I understand that your order was written to allow Justices of the Peace to select the Presiding Justice of the Peace and that it may have been inappropriate for political reasons to include city magistrates in this selection process.

In Mohave County, however, considerable support and cooperation exists among the limited jurisdiction judges to expand this concept to create a position that would provide administrative support and assistance to all justice and municipal courts. This position would address such issues as supervision of all special limited jurisdiction judicial officers, oversight of limited jurisdiction judges meetings, coordination of education and training programs of newly elected or appointed county and city judges and judge pro tempores, and judicial assignments thereof.

As a long-term goal, there is interest in establishing an Assistant Court Administrator position in lieu of a Justice Court Administrator position to assist the Court Administrator in overseeing and administering administrative activities of the superior court, justice courts, and possibly municipal courts. I believe that when established, it may be preferable that the Assistant Court Administrator report to the Court Administrator as opposed to the Presiding Limited Jurisdiction Judge in an effort to establish a more unified administration of all courts. As you can see from the attached proposed Superior Court Administrative Order 95-7, municipal courts would be able to secure court administration services from the Superior Court in Mohave County through intergovernmental agreements upon approval of the Presiding Judge and Presiding Limited Jurisdiction Judge. This approach is cost effective since some municipal courts may be unable to justify the cost of a full-time court administrator despite the need for such services.

Rick Lewis, my Court Administrator, recently contacted David Withey, the AOC Legal Counsel, to discuss my proposed order with him. Mr. Withey indicated that although the current court rules do not specifically provide for a presiding limited jurisdiction judge, the position is consistent with the intent expressed to integrate the court system and could serve as a "model" court administrative structure. Dave Withey suggested that if the judges in Mohave County were in agreement on this issue, my proposal should be forwarded to you for your review and consideration.

Enclosed is a proposed Arizona Supreme Court Administrative Order for your signature in this regard. This proposed order represents an exception to Administrative Order 93-30 Revised for Mohave County. If approved, I would suggest that this arrangement be re-evaluated as to its merits in late 1996 as the appointment of a Presiding Limited Jurisdiction Judge would expire on December 31, 1996 pursuant to my order.

Your evaluation of this proposal is much appreciated. I look forward to hearing from you in this regard.

cc: Dave Byers, Arizona Administrative Director of the Courts
Dave Withey, AOC Legal Counsel
Rick Lewis, Mohave County Court Administrator