IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:	)	
	)	
AUTHORIZING LIMITATION OF	)	
COURT OPERATIONS DURING A	)	Administrative Order
PUBLIC HEALTH EMERGENCY	)	No. 2020 - 47
	)	

Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona has declared a statewide emergency pursuant to A.R.S. § 26-303 and in accordance with A.R.S. §26-301(15). Although Arizona's courts remain open for business, cooperation by the Judicial Branch is essential to reducing the risk associated with this public health emergency.

Therefore, pursuant to Article VI, Sections 3 and 5, of the Arizona Constitution,

IT IS ORDERED that all in-person proceedings in all Arizona appellate, superior, justice and municipal courts and before the presiding disciplinary judge be avoided to the greatest extent possible consistent with core constitutional rights until further order of this court.

IT IS FURTHER ORDERED that empaneling of new petit and grand juries scheduled for March 16, 2020 through March 31, 2020 be rescheduled.

IT IS FURTHER ORDERED that the presiding superior court judge of each county shall determine how any in-person court proceedings are to be conducted in each of the county's court rooms, under conditions that protect the health and safety of all participants including:

(a) Limiting in-person courtroom contact as much as possible by using available technologies, including alternative means of filing, teleconferencing, video conferencing, and use of email and text messages.
(b) Following CDC social distancing recommendations, considering the size of the court facility. Courts shall not schedule multiple, simultaneous hearings in a number that prevents appropriate social distancing, considering the size of the courtroom and in no event shall a court schedule more than 50 persons at one time. Requiring all scheduled participants to notify the court of any COVID-19 symptoms or suspected exposure and to refrain from coming to the courthouse.
(c) Limiting any required in-person proceedings to attorneys, parties, victims, witnesses, jurors, court personnel, and other necessary persons, where necessary to maintain the recommended social distancing within a court facility.
(d) Liberally granting continuances and additional accommodations to parties, witnesses, attorneys, jurors and others with business before the courts who are at a high risk of illness from COVID-19.

IT IS FURTHER ORDERED that, until further order, the presiding superior court judge of

each county is authorized to adopt or suspend any local rules and orders needed to address the current public health emergency in cooperation with public health officials and to take any reasonable action that the circumstances require to enable necessary operations of the superior, justice and municipal courts in each county.

IT IS FURTHER ORDERED that any court rule that impedes a judge's or court clerk's ability to use available technologies to eliminate or limit in-person contact in the conduct of court business is suspended through March 31, 2020, except such suspension is subject to constitutional requirements. Judges may hold ex parte hearings on orders of protection telephonically.

IT IS FURTHER ORDERED that if it becomes necessary to close court offices to the public during the period of suspension, these offices shall remain accessible to the public by telephone and email during their regular business hours to the greatest extent possible, including using drop boxes for documents that cannot be e-filed.

IT IS FURTHER ORDERED that for the period March 16, 2020 through March 31, 2020 if a judge is unable to rule on a pending matter due to illness or is otherwise unable to work, the judge is deemed to be physically disabled and therefore that period is excluded from the calculation of the 60 days from the date of submission in which a matter must be determined under ARS §12-128.01 or §11-424.02.

IT IS FURTHER ORDERED that for the period March 16, 2020 through March 31, 2020:

(a) Time is excluded for the purposes of calculating time under Rule 6, Rules of Civil Procedure Rule 8, Rules of Criminal Procedure Rules 17 and 100, Rules of Procedure for the Juvenile Court Rules 2 and 3, Rules of Procedure in Eviction Actions and any other rule provisions or statutory procedures concerning when court proceedings are held. A judge in an appropriate case may extend this exclusion of time for good cause.

(b) Time is not excluded for:

Adult in-custody initial appearances, arraignments, preliminary hearings and conditions of release proceedings;
Domestic violence protective proceedings;
Child protection temporary custody proceedings;
Civil commitment hearings and reviews;
Emergency protection of elderly or vulnerable persons proceedings;
Habeas corpus proceedings;
COVID-19 public health emergency proceedings;
Juvenile detention hearings;
Any other proceeding that is necessary to determine whether to grant emergency relief.

IT IS FURTHER ORDERED that the presiding superior court judge notify court customers, the public, and the Administrative Director of all administrative orders issued under the authorization provided by this order using the most effective means available.

Dated this 16th day of March, 2020.

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Robert Brutinel
Chief Justice