IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:	)	
	)	
LICENSED FIDUCIARY'S	)	Administrative Order
OBLIGATION TO VISIT WARD	)	No. 2020 – 66 (Replacing
	)	Administrative Order No. 2020-65)
	)	
	)	

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).

Pursuant to ACJA §§ 3-303(D)(3)(c) and 7-202(J)(4), a licensed fiduciary serving as a guardian or agent under a power of attorney must make periodic visits to the ward.

COVID-19 has created situations in which licensed fiduciaries cannot or for health reasons should not comply with the visitation requirements.

The Administrative Office of the Courts has determined that the concern for spread of COVID-19 and the Governor's declaration of statewide emergency creates an emergency that necessitates granting immediate authority for licensed fiduciaries to comply with visitation requirements in the manner provided for in this order.

Therefore, pursuant to Article VI, Section 3 of the Arizona Constitution and A.R.S. § 14- 5651,

IT IS ORDERED that whenever possible the licensed fiduciary must comply with the visitation requirement presently set forth in ACJA §§ 3-303(D)(3)(c) and 7-202(J)(4). Upon good cause, the licensed fiduciary may use an alternative means of visitation in descending order of preference: live video conferencing; telephone calls; interviews with third party experts such as medical providers; or interviews with care providers.

IT IS FURTHER ORDERED that if a method other than the visitation requirements presently set forth in ACJA §§ 3-303(D)(3)(c) and 7-202(J)(4) is utilized, the licensed fiduciary must fully document the steps taken to comply with ACJA §§ 3-303(D)(3)(c) and 7-202(J)(4), the reasons the present code could not be complied with, and the appropriateness of the alternative method of visitation.

IT IS FURTHER ORDERED that this order expires July 3, 2020.

Dated this 16th day of April, 2020.

ROBERT BRUTINEL
Chief Justice