

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF COCONINO

In the Matter of:	)	
	)	ADMINISTRATIVE ORDER
COVID-19 MITIGATION MEASURES	)	No. 2021-13
AND TRANSITION TO RESUMPTION OF	)	(Replacing AO No. 2021-008)
OPERATIONS	)	
_____	)	

This Administrative Order updates and replaces Coconino County Superior Court's Administrative Order No. 2021-008.

Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona declared a statewide public health emergency on March 11, 2020 pursuant to A.R.S. § 26-303 and in accordance with A.R.S. §26-301 (15). Since March 18, 2020, several Administrative Orders from the Supreme Court and locally have been issued in response to the COVID-19 public health threat that limited and modified court operations to ensure justice in Arizona is administered safely. The most recent Supreme Court order, Administrative Order No. 2021-109 issued on July 14, 2021, directed Arizona's courts to continue to conduct business in a manner that reduced the risks associated with COVID-19 but to resume operations in an orderly way that prioritizes the safety of the public, judicial officers, and employees of the judiciary. This order has instructed the Presiding Superior Court Judges in each county to take steps to protect people entering courthouses and to continue transitioning to in-person proceedings and court services to the extent this can be safely accomplished.

Therefore, pursuant to the Arizona Supreme Court's Administrative Order No. 2021-109, and in conjunction with Coconino County's COVID-19 policies,

IT IS ORDERED, that masks will continue to be optional for the public, judges, staff and all who enter Coconino County Superior Courthouse, Coconino County Justice Courts and Municipal Courts buildings. However, masks or other face coverings are recommended to be worn by those who have not been fully vaccinated while in court buildings. It is requested that all jurors reporting for jury service and/or serving on a jury consider wearing a mask or face covering during their jury service.

IT IS FURTHER ORDERED that:

1. If the defendant is in custody of the jail and would like to appear telephonically or by video-conference, defense counsel is responsible for contacting the jail and arranging for their client to appear as requested. Counsel is also responsible for notifying the Court at least one day in advance so the Court can ensure video equipment and scheduling is available. Video conferencing will be utilized as feasible during the criminal law and motion calendar for Superior Court. Self-represented defendants in criminal cases may appear telephonically or by video-conference, if available, unless the Court orders their appearance. If defense counsel is waiving the appearance of their client, there is no need

to file a motion. Counsel will be allowed to inform the court on the record at the hearing that they are waiving their client's appearance. It is requested that attorneys consider the continued use of telephonic or video conferencing for all arraignments, changes of pleas, case management conferences and evidentiary hearings with notice to the court except as otherwise provided herein.

2. Counsel may appear telephonically, virtually or in-person for all case management conferences. Counsel and self-represented parties may choose to file a written case management conference update in lieu of appearing telephonically, virtually or in-person. In all criminal cases, defense counsel or a self-represented litigant shall include in their written update whether time is waived. Counsel will be required to provide written updates to the court on the date the case management conference is set with available dates for future hearings. The written update must include: 1) What the parties will specifically accomplish by the next CMC; 2) Have the parties accomplished what they said they would from the last CMC and if the parties have not accomplished what they said they would, why not. These written updates need to be as specific as possible to provide information to the judge on the progress of the case. A Judge may issue an order requesting counsel to appear either by telephone, virtually or in person if extenuating circumstances exist.
3. If a document must be signed by multiple parties and a defendant who is in custody, the defendant will sign their copy, and have it sent back to defense counsel. Defense counsel may sign that copy and file it with the Clerk of Court or may use an e-signature and file that copy plus the signed copy with the Clerk of Court. The prosecutor will be responsible for signing a copy of the plea and may use an e-signature for the plea. Those documents together shall constitute the original signed document. Defense counsel will ensure that their client has been provided a copy of the plea or sentencing documents at least 24 hours prior to the change of plea and/or sentencing.
4. The courts in Coconino County will comply with this order and the Arizona Supreme Court's Administrative Order No. 2021-109.
5. The court will transition to the different phases as ordered by the Arizona Supreme Court.

IT IS FURTHER ORDERED, marriage ceremonies may take place inside the courthouse with a limit of fifty (50) persons including the parties and witnesses present, as long as recommended protocols are followed.

IT IS FURTHER ORDERED, effective August 2, 2021, anyone wanting to attend in-person for a hearing or court event will be allowed to do so. This includes any general public that wants to attend court, unless the court proceeding is closed to the public.

IT IS FURTHER ORDERED, effective immediately, social distancing in the courtroom, jury assembly room, jury deliberation rooms and any shared conference space will be reduced from six (6) feet to three (3) feet. The Court will accommodate any juror who wants to maintain social distancing from other jurors.

IT IS FURTHER ORDERED that attorneys in all civil case filings are required to electronically file documents when filing into the Superior Court through the statewide system, eFileAZ.

IT IS FURTHER ORDERED that attorneys are required to electronically file post-initiation criminal case documents when filing into the Superior Court through the statewide system, eFileAZ. Documents excluded from this are outlined in the Arizona Supreme Court's Administrative Order No. 2020-125. Documents that are excluded may be filed through the Superior Court's local email system, [coconinot36@courts.az.gov](mailto:coconinot36@courts.az.gov). The Superior Court will accept Informations but will not accept Indictments through this email. Plea agreements being filed electronically may contain e-signatures from counsel, but it must include an original signature of defendant. One plea agreement may be electronically filed containing counsels' signatures as described above. However, one copy of the plea agreement must contain the defendant's original signature. An electronic signature by the defendant will not be accepted. A separate plea agreement shall be filed in each individual case.

IT IS FURTHER ORDERED that any document filed through the email [Coconinot36@courts.az.gov](mailto:Coconinot36@courts.az.gov) will follow the procedures and processes outlined below:

1. The document is to be filed through the email of [Coconinot36@courts.az.gov](mailto:Coconinot36@courts.az.gov) and shall be considered the official original record.
2. The electronically-submitted document shall be deemed filed on the date and time it is received by the Clerk of Superior Court as reflected through Microsoft Outlook email account of [Coconinot36@courts.az.gov](mailto:Coconinot36@courts.az.gov).
3. The filing party is responsible for distribution of each electronically filed motion to continue to the other respective parties.
4. All documents shall be in a .pdf format except proposed orders which shall be in WORD (.docx) format.

IT IS FURTHER ORDERED that electronic filing of documents in Probate and Domestic cases is available but not mandatory through the statewide system, eFileAZ.

DATED this 26 day of July, 2021.

