

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF RESTRICTING
PHYSICAL ACCESS TO COURT
FACILITIES DUE TO A PUBLIC HEALTH
EMERGENCY

ADMINISTRATIVE ORDER
No. 2020-098

[MODIFYING ADMINISTRATIVE
ORDER NO. 2020-078]

On June 1, 2020, Superior Court Administrative Order 2020-078 took effect. The Administrative Order continued to restrict physical access to court facilities during the COVID-19 epidemic, but began the gradual expansion of operations to allow for additional in-person proceedings. This included authorizing jury trials to commence on a limited basis beginning June 15, 2020. The Administrative Order also put into place additional safety protocols, including the requirement that all persons wear a mask or face covering in court facilities and establishing health screening protocols for the public prior to entering a court building. Since June 1st, the number of new positive cases of COVID-19 in Arizona has gone from 187 new cases a day on June 1st to 3,857 new cases a day on June 28, 2020. In Maricopa County alone, there were 2,330 new cases from Friday June 26th to Saturday, June 27th. Currently, Maricopa County ICU hospital beds are at 89% capacity with 109 ICU beds currently available. In light of the increased spread of the virus throughout the County and the resulting hospital bed shortage, it is necessary to adjust Court operations to impose additional limitations on in-person proceedings.

THEREFORE, IT IS ORDERED modifying Administrative Order 2020-078 as follows:

IT IS ORDERED that beginning July 1, 2020, in addition to members of the public, all Judicial Officers of the Superior Court and Justice Court, Judicial Branch in Maricopa County employees, Justice Court employees, Maricopa County Clerk of Court employees, and all court partners who have security bypass privileges are subject to a health screening protocol upon entrance to a courthouse, including having their body temperature taken. Any person who does not pass the health screening protocol shall be denied entrance into the facility.

IT IS FURTHER ORDERED that beginning July 1st, 2020 through July 31st, 2020, all new jury trials in the Superior Court or in limited jurisdiction courts within Maricopa County are suspended.

IT IS FURTHER ORDERED that beginning July 1st, 2020, operations of the Criminal Department will continue to be conducted in accordance with Administrative Order No. 2020-078 except for the following new limitations which will remain in place until further notice:

IT IS ORDERED that no in-person Rule 11 and *Sell* hearings will proceed.

IT IS FURTHER ORDERED that no in-person evidentiary hearings, except for Preliminary Hearings will proceed.

IT IS FURTHER ORDERED that no in-person Final Trial Management Conferences will proceed.

IT IS FURTHER ORDERED that no in-person changes of plea will proceed except for those changes of plea that will result in the release of an in-custody defendant.

IT IS FURTHER ORDERED that no in-person sentencing will proceed except for in-custody sentencings that may result in the release of the defendant, and in-custody sentencings where a determination of guilt occurred prior to June 11, 2020.

IT IS FURTHER ORDERED beginning July 1, 2020 the selection of all new grand juries is suspended.

IT IS FURTHER ORDERED beginning July 6th, 2020, all grand jury operations are suspended.

All other provisions of Administrative Order No. 2020-078 remain in effect. All judicial officers are encouraged to hold matters via audio and video conferencing where feasible.

Dated this 29th day of June, 2020

/s/ Joseph C. Welty
Hon. Joseph C. Welty
Presiding Judge

Original: Clerk of the Superior Court

Copies: All Superior Court Judges
All Superior Court Commissioners
Hon. Jeff Fine, Clerk of the Superior Court
Hon. Mark Brnovich, Arizona Attorney General
Hon. Allister Adel, Maricopa County Attorney
Sheriff Paul Penzone, Maricopa County Sheriff
Christina Phillis, Office of Public Defense Services
Dave Byers, Administrative Office of the Courts
Raymond Billotte, Judicial Branch Administrator
Richard Woods, Deputy Court Administrator
Bob James, Deputy Court Administrator
Shawn Friend, Deputy Court Administrator
Karen Westover, Regional Courts Administrator
All Department Administrators
Sean Gibbs, Director of Security