

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

IN THE MATTER OF ADDRESSING)
CALENDAR CONGESTION IN JUSTICE)
COURTS UPON EXPIRATION OF CDC)
MORATORIUM)

ADMINISTRATIVE ORDER
NO. 2021-114

Due to concern for the spread of COVID-19 in the general population, the Chief Justice of the Supreme Court of the State of Arizona issued numerous Administrative Orders over the last 17 months to address measures to be taken by the Judicial Branch to conduct business in a manner that reduces the risk associated with this public health emergency. For rule provisions and statutory procedures that require court proceedings to be held within a specific period of time, including Rules 2, 3, 11(c) and 15, Rules of Procedure for Eviction Actions, the Chief Justice excluded time from calculation from March 18, 2020, through March 31, 2021. Administrative Order 2021-53, specifically addressing eviction matters, excluded time for eviction cases in superior and justice courts through the end of the Center for Disease Control's ("CDC") moratorium on residential evictions, set to expire on July 31, 2021. In Administrative Order 2021-109, the Chief Justice specified that "the presiding superior court judge may exclude additional time from individual cases or groups of cases due to trial calendar congestion or, at the request of the trial judge, due to extraordinary circumstances caused by COVID-19 public health emergency."

The Chief Justice issued Administrative Order No. 2021-120 providing interim procedures to resolve eviction cases that arose during the public health emergency. Noted in this order are several federal executive and congressional actions that have impacted tenant and landlord rights under Arizona laws and the processing of eviction cases in Arizona courts, and an order issued by the Centers for Disease Control and Prevention (CDC). Courts are to "schedule any residential eviction action filed after expiration of the CDC order within the timeframes established by the Rules of Procedure for Eviction Actions and by applicable Arizona statutes, except, if necessary to manage court congestion, a court should follow the procedures established in Administrative Order No. 2021-109."

In light of the July 31, 2021, expiration of the CDC order and the likelihood of trial calendar congestion; and upon the request of the Presiding Justice of the Peace due to the extraordinary circumstances caused by COVID-19 public health emergency; and as authorized in Supreme Court Administrative Orders 2021-109 and 2021-120:

IT IS ORDERED that time is excluded from calculation through August 31, 2021 under rule provisions and statutory procedures that require eviction action proceedings to be held within a specific period of time, including Rules 2, 3, 11(c) and 15, Rules of Procedure for Eviction Actions, for any residential eviction action filed in a justice court in Maricopa County if the justice court is unable to schedule the matter within the applicable

timeframes. Justice courts should expand case disposition capacity, including using judges pro tempore, in order to schedule eviction actions as close to statutory time frames as possible.

IT IS FURTHER ORDERED excluding up to 35 days of additional time from calculation in scheduling a residential eviction action for a jury trial in a justice court in Maricopa County in order to allow for the orderly summoning of prospective jurors during the public health emergency.

Dated this 30th day of July, 2021

/s/ Joseph C. Kreamer
Hon. Joseph C. Kreamer
Associate Presiding Judge
on behalf of Hon. Joseph C. Welty
Presiding Judge

Original: Clerk of the Superior Court

Copies: All Justices of the Peace in Maricopa County
Dave Byers, Administrative Office of the Courts
Raymond Billotte, Judicial Branch Administrator
Richard Wood, Deputy Court Administrator
Karen Westover, Regional Courts Administrator
Sean Gibbs, Director of Security
Jim Morrow, Justice Courts Administrator