

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

IN THE MATTER OF ADDRESSING)	ADMINISTRATIVE ORDER
CALENDAR CONGESTION IN JUSTICE)	NO. 2021-133
COURTS IN RESIDENTIAL EVICTION)	
<u>CASES)</u>	

On July 30, 2021, in accordance with Supreme Court Administrative Order Nos. 2021-109 and 2021-120, this Court issued Superior Court Administrative Order 2021-114. The Administrative Order excluded time 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, for any residential eviction action filed in a justice court in Maricopa County if the justice court was unable to schedule the matter within the applicable timeframes.

At the time Administrative Order 2021-114 was issued, the Centers for Disease Control’s (“CDC”) moratorium on residential evictions was set to expire on July 31, 2021. However, on August 2, 2021, the CDC extended the moratorium to October 2, 2021. Then on August 26, 2021, the United States Supreme Court struck down the moratorium on residential evictions, thereby allowing residential eviction actions to move forward.

For the reasons set forth in Administrative Order 2021-114, i.e., the end of the CDC moratorium 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 the 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 September 30, 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 1st day of September, 2021

/s/ Joseph C. Welty
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 Woods, Deputy Court Administrator
Jim Morrow, Justice Courts Administrator