

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

IN THE MATTER OF APPOINTING
ATTORNEYS FOR CHILDREN IN
DEPENDENCY OR TERMINATION
CASES

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}
ADMINISTRATIVE ORDER
No. 2021-140

Senate Bill 1391 was recently signed into law by the Governor. The bill, which takes effect on September 29, 2021, amends A.R.S. § 8-221 to *require* the appointment of an attorney for any child in “dependency or termination of parental rights proceedings conducted pursuant to this title” (hereinafter, “dependency and termination proceedings”). Currently, there are pending dependency and termination proceedings in which a guardian ad litem (“GAL”) has been appointed for the child or children, but where there is no court-appointed attorney.

IT IS THEREFORE ORDERED, effective September 29, 2021, in any currently pending dependency or termination case where a court-appointed attorney has not been appointed for the child or children, the currently-appointed GAL will convert to the court-appointed attorney for the child or children. This Administrative Order is in lieu of a specific minute entry appointing an attorney in these cases. However, in cross-over cases for dually involved youth (i.e., youth with both pending delinquency and dependency cases), the attorney appointed by the Court for the dependency or termination action will be determined on a case-by-case basis, and, if needed, a minute entry will issue. For all existing dependency and termination cases where the child or children has both a court-appointed attorney and an appointed GAL, there will be no change.

IT IS FURTHER ORDERED that in any new dependency or termination cases filed on September 29, 2021 or after, a court-appointed attorney will be appointed for every child. A single attorney will be appointed for all siblings in a case, unless the circumstances warrant the appointment of separate counsel.

Dated this 27th day of September, 2021.

/s/ Joseph C. Kreamer

Hon. Joseph C. Kreamer
Juvenile Department Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. Joseph C. Welty, Presiding Judge
All Maricopa County Juvenile Superior Court Judges and Commissioners
David Jahntz, Office of Public Defense Services
Shannon Burns, Office of the Public Advocate
William Owsley, Office of the Legal Advocate
Sherri McGuire Lawson, Office of the Legal Defender
Anndrea Kawamura, Office of the Attorney General
Raymond L. Billotte, Judicial Branch Administrator
Bob James, Deputy Court Administrator
Cheri Clark, Juvenile Department Administrator