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

IN THE MATTER OF PRESUMPTIVE STANDARDS FOR REMOTE AND IN-PERSON HEARINGS	ADMINISTRATIVE ORDER NO. 2022-113

In Supreme Court Administrative Order No. 2022-88, the Supreme Court adopted presumptive standards regarding remote and in-person hearings ("Presumptive Standards"). The Administrative Order provides that the Presiding Judge of the Superior Court in each county, with the approval of the Chief Justice, may adapt the Presumptive Standards in accordance with local court resources, bandwidth, technology, and staffing or, for good cause, to meet the unique needs in their respective counties. On September 4, 2022 the Chief Justice approved the modifications proposed by the Superior Court in Maricopa County.

Pursuant to the plan adopted by the Supreme Court, a "Remote Hearing" is defined as any court hearing where one or more participant uses a technology based platform, such as Court Connect, Zoom, Teams, WebEx, Skype, GoToMeeting, conference call lines, telephone or similar technology to participate in the court hearing.

THEREFORE, IT IS ORDERED adopting, as Attachment 1 to this Order, Presumptive Standards for Remote and In-Person Hearings for the Superior Court in Maricopa County.

IT IS FURTHER ORDERED that a judicial officer assigned to a case is authorized to make a hearing-specific deviation from the presumptive manner in which a hearing must be held if holding the hearing in the presumptive manner is not practical or otherwise not in the interest of justice. If such a finding is made, the judicial officer is required to provide notice to the parties identifying the manner in which the hearing is to be held.

IT IS FURTHER ORDERED that nothing in this Administrative Order or the attached Presumptive Standards confers a procedural right on any party, and neither the Administrative Order nor the Presumptive Standards may form the basis of or be used in support of a challenge to the validity of a hearing or court order.

IT IS FURTHER ORDERED that this order will take effect on September 12, 2022. All hearings scheduled following that date must be set in the manner proscribed. Hearings scheduled prior to that date may go forward as scheduled.

Dated this 6th day of September, 2022.

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

Original: Clerk of the Superior Court

Copies: All Superior Court Judges and Commissioners
Hon. Jeff Fine, Clerk of the Superior Court
Raymond L. Billotte, Judicial Branch Administrator
Bob James, Deputy Court Administrator
Shawn Friend, Deputy Court Administrator
Cheri Clark, Deputy Court Administrator
Charisse Richards, Chief Information Officer

Attachment 1

Remote and In-Person Hearings for the Superior Court in Maricopa County

Attachment 1

Remote and In-Person Hearings For the Superior Court in Maricopa County

Case Type	Hearing Type	Remote	In-Person	Justification for Change
Proceedings Under the Arizona Rules of Civil Procedure (Including Proceedings Under the Rules of Procedure for Judicial Review of Administrative Decisions; Superior Court Rules of Appellate Procedure - Civil and Criminal and Tax Court Rules of Practice)				
General				
	Temporary Restraining Order	X		
	Preliminary Injunction - Non-witness	X		
	Preliminary Injunction - Witness		X	
	Scheduling Conference	X		
	Settlement Conference	X	X	The conferences will be set at the discretion of the assigned Judge Pro Tem based on staffing and technology.
	Compulsory Arbitration - Non-witness	X		
	Compulsory Arbitration - Witness		X	
	Good Faith Settlement Hearing		X	
	Pre-trial/Motion - Non-witness	X		
	Pre-trial/Motion - Witness		X	
	Jury Selection		X	
	Jury Trial		X	
	Bench Trial		X	
	Default	X		
	Contempt - Non-witness	X		
	Contempt - Witness		X	
	Post-Judgment Proceedings - Non-witness	X		
	Post-Judgment Proceedings - Witness		X	
	Excess Proceeds	X		
	Amended Marriage Licenses and Birth Certificates	X		
	Forfeitures	X		
	Name Change hearings	X		Names Changes will be conducted remotely but may be designated In-Person if contested.

Case Type	Hearing Type	Remote	In-Person	Justification for Change
Tax	Motion Practice	X		
Civil Court Appellate - Civil and Criminal				
	Motion	X		
	Oral Argument	X		
Proceedings Under the Arizona Rules of Criminal Procedure				
	Initial Appearance (ITR)	X	X	Nighttime Initial Appearances will be presumptively remote. Daytime Initial Appearences will be presumptively in-person.
	Initial Appearance from Summons	X		
	Arraignment	X		
	Grand Jury Proceedings		X	
	Preliminary Hearing - Non-witness	X		
	Preliminary Hearing - Witness		X	
	Bail Eligibility Hearing	X		
	Rule 11 (Competency) - Non-witness	X		
	Rule 11 (Competency) - Witness		X	
	Fugitive from Justice		X	
	IPTC	X		
	CPTC		X	
	CCMC		X	
	FTMC		X	
	Master Calendar Trial Assignment		X	
	Therapeutic Court		X	Judge has discretion to allow individual participants to participate remotely based upon positive performance.
	Pre-trial/Motion - Non-witness	X		
	Pre-trial/Motion - Witness		X	
	Change of Plea		X	

Case Type	Hearing Type	Remote	In-Person	Justification for Change
	Submitting Case on Record	X		
	Jury Selection		X	
	Jury Trial		X	
	Bench Trial		X	
	Sentencing		X	
	Restitution -No Witnesses	X		
	Restitution - Witnesses		X	
	Setting Aside a Conviction	X		
	Restoring Civil Rights	X		
	Expungement	X		
	Post-Conviction - Non-witness	X		
	Post-Conviction - Witness		X	
	Probation Violation - IA In-Custody		X	Follows ITR practice set out above.
	Probation Violation - IA Out-of-Custody	X		Follows summons practice set out above.
	Probation Violation - Non-witness	X		
	Probation Violation - Witness		X	
	Probation Violation Disposition		X	
	Bond Forfeiture / Exoneration	X		
	Settlement Conference		X	
Proceedings Under the Arizona Rules of Family Law Procedure				
	Pre-trial/Motion - Non-witness	X		
	Pre-trial/Motion - Witness		X	
	Default	X		
	Resolution Management Conference	X		
	Temporary Orders - Non-witness	X		
	Temporary Orders - Witness		X	
	Alternative Dispute Resolution	X	X	The conferences will be set at the discretion of the assigned Judge Pro Tem based on staffing and technology.
	Conciliation Services	X		
	Early Resolution Conference	X		

Case Type	Hearing Type	Remote	In-Person	Justification for Change
	Scheduling Conference	X		
	Trial		X	
	Post-Decree/Post-Judgment - Non-witness	X		
	Post-Decree/Post-Judgment - Witness		X	
	Contempt/Civil and Child Support Arrest Warrant - Non-witness	X		
	Contempt/Civil and Child Support Arrest Warrant - Witness		X	
	IV-D Hearing - Non-witness	X		
	IV-D Hearing - Witness	X		
	Family Conference Center Cases		X	
	Decree on Demand	X		
	Accountability and Enforcement		X	Judge has discretion to allow individual participants to participate remotely based upon positive performance.
Proceedings Under the Arizona Rules of Juvenile Court Procedure				
Dependency, Termination, Guardianship and Successor Guardianship				
	Preliminary Protective/Initial Dependency	X		
	Pre-adjudication/Motion - Non-witness	X		
	Pre-adjudication/Motion - Witness		X	
	Dependency Alternative Program Hearing		X	
	Settlement Conference	X		
	Dependency Adjudication - Witness		X	
	Dependency Adjudication - No Witness	X		
	Disposition	X	X	Disposition will track the category of the Adjudication Hearing.
	Review of Temporary Custody/Return of Child		X	
	Contested Change of Physical Custody		X	
	Review/Permanency	X		
	Initial Termination	X		

Case Type	Hearing Type	Remote	In-Person	Justification for Change
	Termination Adjudication		X	
	Initial Guardianship	X		
	Guardianship Adjudication		X	
	Guardianship Review	X		
	Specialty Courts		X	Judge has discretion to allow individual participants to participate remotely based upon positive performance.
Delinquency / Incorrigibility				
	Advisory	X		
	Detention	X		
	Transfer		X	
	Pre-adjudication/Motion - Non-witness	X		
	Pre-adjudication/Motion - Witness		X	
	Change of Plea		X	
	Adjudication		X	
	Disposition		X	
	Restitution		X	
	Probation Violation - Non-witness	X		
	Probation Violation - Witness		X	
Adoption/Emancipation				
	Hearing - Non-witness	X		
	Hearing - Witness		X	
Other				
	Hearing - Non-witness	X		
	Hearing - Witness		X	
Proceedings Under the Arizona Rules of Probate Procedure (including the Arizona Rules of Procedure for Enforcement of Tribal Court Involuntary Commitment Orders) and Name Change Proceedings				
All Case Types (Unless Listed Otherwise)				
	Initial Hearing	X		

Case Type	Hearing Type	Remote	In-Person	Justification for Change
	Pretrial/Motion/Conference - Non-witness	X		
	Pretrial/Motion/Conference - Witness		X	
	Alternative Dispute Resolution - Non-Witness	X		
	Alternative Dispute Resolution - Witness		X	
	Settlement Conference	X	X	The conferences will be set at the discretion of the assigned Judge Pro Tem based on staffing and technology.
	Evidentiary Hearing		X	
	Order to Show Cause / Compliance Hearing		X	
	Jury Selection		X	
	Jury Trial		X	
	Bench Trial		X	
Guardianship / Conservatorship / Decedent Estates				
	Final Accounting - Uncontested	X		
	Final Accounting - Contested		X	
	Settlement of Claims for Minors and Adults in Need of Protection / Distributions to Persons Under Disability	X		
Mental Health / Civil Commitment				
	Pre-trial/Motion - Non-witness	X		
	Pre-trial/Motion - Witness	X		
	Evidentiary Hearing (including on recommitment)		X	
	Hearing on Petition for Court-Ordered Eval.	X		
	Hearing on Petition for Court-Ordered Treatment		X	
	Hearing on Application for Continued Treatment		X	
	Hearing on Request for Judicial Review		X	
	Conference on Oral Argument on Motion	X		
Sexually Violent Person				
	Scheduling & Other Conferences	X		
	Oral Argument on Motion	X		

Case Type	Hearing Type	Remote	In-Person	Justification for Change
	Probable Cause Hearing		X	
	Jury Selection		X	
	Initial SVP Determination Trial (Bench or Jury)		X	
	Hearing on Petition for Change of Status or for Discharge		X	
	Any other type of Evidentiary Hearing		X	
Adult Adoption				
	Non-witness	X		
	Witness		X	
Proceedings Under Arizona Rules of Protective Order Procedure				
	Ex Parte Hearing	X		
	Contested Protective Order [Evidentiary] Hearing	X	X	A remote hearing may be set on any calendar covering overflows from other court facilities.
	Other		X	
Proceedings Under the Arizona Rules of Procedure for Eviction Actions				
	Initial Appearance	X		
	Jury Selection		X	
	Jury Trial		X	
	Bench Trial	X		
	Writ of Restitution	X		
	Post-Judgment	X		