

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

IN THE MATTER OF SECURING  
COURT FACILITIES

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ADMINISTRATIVE ORDER  
No. 2014-096

WHEREAS, the Legislature passed and the Governor signed Senate Bill 1266, which authorizes an elected or appointed judicial officer to carry a deadly weapon in the court facility in which the judicial officer works, subject to rules and policies adopted by the Presiding Judge;

WHEREAS, the Presiding Judge is required to establish court security policies and procedures to provide a safe work environment for judicial employees, litigants and users of the court pursuant to Arizona Supreme Court Administrative Order 2005-32; and

WHEREAS, the below policies seek to ensure compliance with Senate Bill 1266 while maintaining a safe environment for all who enter a court facility;

**IT IS ORDERED** adopting the following as the policy of all trial courts in Maricopa County, including Superior Court, Justice of the Peace Courts, and Municipal and Town Courts, effective July 24, 2014:

1. Courts in Maricopa County are committed to providing a safe environment for all employees, litigants, and members of the public, and limiting the type and number of deadly weapons allowed in a court facility increases the safety of the facility. To this end, judicial officers who comply with this policy may carry a firearm within a court facility, as outlined below, but all other deadly weapons remain strictly prohibited in all court facilities.
2. Before bringing a firearm into any court facility, each judicial officer who wants to carry a firearm in the court facility in which he or she is assigned, shall complete the attached form and provide proof of demonstrated competence as defined in A.R.S. § 13-3112, information regarding how frequently the judicial officer plans to carry the firearm in a court facility, and a description of the firearm including the type of firearm, make, model, serial number, and caliber. The form and attachments shall be submitted as follows:

- a. Judges and Commissioners of the Superior Court shall provide the materials to the Office of the Presiding Judge of the Superior Court or designee.
- b. Justices of the Peace shall provide the materials to the Presiding Justice of the Peace or designee.
- c. Municipal Court Judges shall provide the materials to the Presiding Municipal Court Judge or designee.

The Presiding Judge, Presiding Justice of the Peace, Presiding Municipal Court Judge, or respective designee shall each maintain a confidential/security sensitive list of the information for their court. The Presiding Justice of the Peace, Presiding Municipal Court Judge, or respective designee shall ensure the Office of the Presiding Judge is provided with an up-to-date list of each court.

3. The authorization to carry a firearm is limited to the court facility in which the judicial officer is regularly scheduled to preside over court proceedings. However, the Presiding Judge, Presiding Justice of the Peace, or Presiding Municipal Court Judge may withhold authorization or direct a judicial officer not to carry a firearm in court facilities when the circumstances so dictate or the nature of the facility is such that a firearm may not be appropriate, such as a secure holding facility or a mental health facility.
4. If the rules and policies related to carrying a firearm are violated, the Presiding Judge, Presiding Justice of the Peace, or Presiding Municipal Court Judge may prohibit the judicial officer from carrying a firearm or require the firearm remain in a secured lock box in the court building.
5. All other Superior Court Administrative Orders regarding security shall apply to any judge, commissioner, or justice of the peace who is authorized to carry a firearm in a Superior Court or Justice Court facility.
6. The Presiding Municipal Court Judge may adopt security policies and rules for municipal court judges who want to carry firearms in Municipal and Town Court facilities. In the absence of policies and rules from the Presiding Municipal Court Judge, the provisions in paragraphs 7 through 13 of this order shall apply.
7. The firearm must remain on the person of the judicial officer at all times or in a secured lock box that has been approved by security or the presiding judge of the court. The judicial officer and security, if security is available at the facility, shall be the only ones who have access to the key or combination for the lock box.

8. The judicial officer shall immediately notify security if the firearm is lost or misplaced on court premises. If the court facility does not have security, the judicial officer shall immediately notify the presiding judge of the court.
9. The firearm shall be concealed and carried in a security holster that makes it more difficult for someone to take their firearm from their person.
10. The judicial officer is responsible to ensure that no other individual accesses or handles the firearm.
11. The judicial officer shall not unholster, display, or discharge the firearm, unless the judicial officer reasonably believes the use of deadly force is immediately necessary to protect himself/herself or a third person against another's use or attempted use of unlawful deadly physical force.
12. If the judicial officer unholsters, displays, and/or discharges a firearm on court property, including but limited to buildings, plazas, and parking lots, the judicial officer shall immediately notify the appropriate law enforcement agency for the facility, the presiding judge of the court, and court security, if the court facility has security, of the incident and the circumstances of the incident.
13. The Presiding Judge may revoke, or temporarily suspend, authorization to carry a firearm for any of the following reasons:
  - a. The results from a psychological evaluation, required by the Presiding Judge or otherwise, indicate unfitness to carry a firearm;
  - b. The judicial officer is currently diagnosed with a mental disability or illness by a licensed mental health professional that may limit the ability to safely use a firearm;
  - c. The denial or revocation of a permit to carry a concealed weapon by the State of Arizona;
  - d. A result from a criminal history record check or a self report indicating the conviction of a felony offense, the commission of an offense involving dishonesty, unlawful sexual conduct, physical violence or domestic violence, the violation of statutes governing firearms or lethal and non-lethal weapons, or the commission of a misdemeanor involving the carrying or use of a firearm;
  - e. Any violation of a security administrative order or policy;
  - f. Carrying, exhibiting, or using a firearm in an unsafe or careless manner;
  - g. A medical, psychological, or health condition including a physical or mental disability, which substantially impairs the judicial officer's ability to responsibly carry a firearm or interferes with the safe use of or handling of a firearm;

- h. The addiction to alcohol or prescription drugs that would interfere with the safe use of a firearm and render the judicial officer unfit to carry a firearm;
- i. Arrest for an offense punishable as a felony or for a misdemeanor involving the carrying or use of a firearm;
- j. Discharge of a firearm by an officer in violation of any municipal, county or state law, regulation or policy;
- k. Drawing a firearm or use of a non-lethal defensive weapon in violation of any municipal, county or state law, regulation or policy;
- l. Any circumstance, temporary or permanent, which leads the presiding judge of the court to believe that allowing the judicial officer to be armed could place that judicial officer, other staff, or the public in jeopardy.

**IT IS FURTHER ORDERED** that these policies shall apply to superior court judges, full-time superior court commissioners, justices of the peace in Maricopa County, and full-time judges, magistrates, commissioners and hearing officers of the Municipal and Town Courts in Maricopa County.

**IT IS FURTHER ORDERED** this Administrative Order replaces Administrative Order No. 2014-085.

Dated this 21st day of July, 2014.

/s/ Norman J. Davis

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Norman J. Davis  
Presiding Judge

Original: Clerk of the Superior Court

Copies: Superior Court Judges and Commissioners  
Justices of the Peace in Maricopa County  
Municipal Court Judges in Maricopa County  
Hon. Michael K. Jeanes, Clerk of the Superior Court  
Raymond L. Billotte, Judicial Branch Administrator  
James Vance, Justice Courts Administrator  
Department of Court Security

# Judicial Firearm Notification

Name of Judicial Officer:

Position of Judicial Officer:  Judge  Commissioner  Justice of the Peace  
 Municipal Court Judge  Full-time Magistrate/Hearing Officer

Firearm Description:  
Type of Firearm:  Pistol  Rifle  Shotgun  
Manufacturer:   
Model:   
Caliber:   
Serial Number:

Firearm Competence: Attached is written verification that I have demonstrated competency with a firearm required by A.R.S. §§ 13-3102(D), -3112(N) by completing a firearms safety or training course as follows (Provide name & location of sponsoring agency & reason complies with A.R.S. § 13-3112(N)):

Frequency: I plan to carry the above-described firearm in the court facility to which I am assigned:

Daily  Occasionally

Other

I acknowledge that I have read Superior Court Administrative Order No. 2014-096, and will comply with the policy set forth therein together with any successor or replacement orders or policies concerning my possession or use of firearms in court facilities.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Judicial Officer

Notification Form should be delivered:  
Superior Court Judges & Commissioners: To Superior Court Presiding Judge  
Justices of the Peace: To Presiding Justice of the Peace  
Municipal Court Judicial Officers: To Municipal Court Presiding Judge/Magistrate