

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

IN THE MATTER OF	)	ADMINISTRATIVE ORDER
ADEQUATELY FINANCING	)	NO. 93-059
THE COURT INSTITUTION	)	AMENDED
_____	)	

The Arizona Supreme Court by constitutional mandate is responsible for the administration of all courts in the State of Arizona. By law and Supreme Court Administrative Rule V-A, the administrative responsibility for the Court Institution in Maricopa County has been delegated by the Arizona Supreme Court to the Presiding Judge of the Superior Court in Maricopa County.

The Court Institution is comprised of the Superior Court, the Juvenile Court Center, the Justice Courts, the Clerk of the Superior Court, and the Adult Probation Department. The Court Institution is by law, history, and our constitutional form of government given the duty and responsibility of assuring adequate and meaningful access to the courts in Maricopa County. Integral to that duty and responsibility is assuring that adequate and reasonable funds are available to and responsibility expended by the Court Institution to provide the Court Institution with those things reasonable and necessary to meet its obligations, including but not limited to, facilities, security, personnel, equipment, supplies, furnishings, utilities, and all other forms of necessary support.

The Court Institution is obviously a part of the Judicial Branch of our government, as equally independent as the Executive and Legislative Branches. Adequate funding may, at times, come into apparent conflict with goals or decisions of the Executive Branch or Legislative Branch or both. Funding for the Court Institution in Maricopa County is provided by the Legislature of the State of Arizona and by Maricopa County. The Legislature is represented in most part by the Arizona Attorney General. Maricopa County is represented in most part by the Maricopa County Attorney. The Court Institution is represented in most part by the Arizona Attorney General and in some part by the Maricopa County Attorney. In the event of any possible conflict between the Judicial Branch in Maricopa County and the Legislative Branch or the Executive Branch or both, both the Arizona Attorney General and the Maricopa County Attorney would have or would appear to have a conflict of interest in their respective representation responsibilities. In the event of a possible or apparent conflict, the Court Institution is entitled to, and must necessarily be, represented by independent counsel.

The Court determines that the firm of Roush, McCracken & Guerrero could best represent the Court Institution in matters of funding. Specifically, Charles D. Roush is a former judge of the superior court and has represented other Court Institutions in other counties in similiar matters. Frank X. Gordon, Jr. is a former superior court judge, supreme court justice, and chief justice of the Arizona Supreme Court. He participated in a number of the case decision dealing with funding of the courts.

Accordingly, and based upon the responsibility delegated to the Presiding Judge of the Superior Court in Maricopa County by Arizona Supreme Court Administrative Rule V-A, it is

**ORDERED** that the law firm of Roush, McCracken & Guerrero, and any attorney associated with or by that law firm, are hereby engaged by the Court Institution in Maricopa County to represent the Court Institution in all matters regarding necessary funding of the Court Institution as may be necessary in the opinion of the Presiding Judge of the Superior Court in Maricopa County.

DONE on July 15, 1993, originally. Amended on February 22, 1995, nunc pro tunc.

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C. Kimball Rose  
Presiding Judge, Maricopa County

Original: Clerk of the Superior Court

Copies: Courts Management Team  
Charles D. Roush