

SEP 29 2022

Jerome Municipal Court

IN THE JEROME MUNICIPAL COURT
IN THE COUNTY OF YAVAPAI, IN AND FOR THE STATE OF ARIZONA

In the Matter of:)
)
 ADOPTION AND IMPLEMENTATION) Administrative Order
 OF PRESUMPTIVE STANDARDS FOR) No. 2022 - 03
 REMOTE AND IN-PERSON HEARINGS)
 FOR THE JEROME)
 MUNICIPAL COURT)
)
)

In June 2021, the Arizona Supreme Court’s COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup (Plan B Workgroup) recommended best practices that should be retained or adapted post-pandemic, which included a recommendation that courts continue to use and expand technology to conduct remote court proceedings. In January 2022 the workgroup reconvened and issued a report, *Recommended Remote and In-Person Hearings in Arizona State Courts in the Post-Pandemic World* (“Report”) which includes as Appendix 1 recommendations regarding which hearing types should be held remotely and which should be held in person (“Presumptive Standards”).

On March 24, 2022, the Arizona Judicial Council approved adoption of the Report, which includes as Appendix 1 the Plan B Workgroup’s recommendations about which hearing types should be held remotely and which should be held in-person. Those recommendations were adopted as presumptive standards for Arizona courts in Administrative Order No. 2022-46. That order was replaced by Administrative Order No. 2022-88 issued on August 3, 2022.

Administrative Order No. 2022-88 allows the presiding judge of the superior court to adapt the Presumptive Standards as necessary due to limitations in local court resources, bandwidth, technology hardware, software, and staffing or, for good cause, to meet unique needs in their respective counties.

Upon consultation with and approval from the presiding judge of the superior court in **Yavapai County**, pursuant to Supreme Court Administrative Order No. 2022-88,

IT IS ORDERED adopting the Chart attached hereto as the presumptive manner for holding hearings set on or after **October 1, 2022** in the **Jerome Municipal Court**.

IT IS ORDERED that this Administrative Order shall be posted on the website for the Jerome Municipal Court.

IT IS ORDERED adapting the Presumptive Standards adopted by the Supreme Court for the specific proceedings under the Arizona Rules of Protective Order Procedure and Criminal Misdemeanors, as follows:

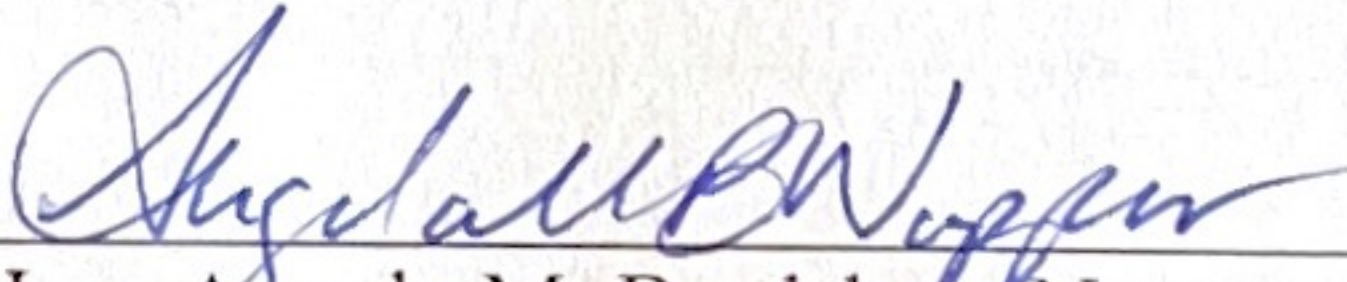
- **Ex Parte Hearing (for Protective Orders)** – adaptation due to (may include but not limited to): the interest of justice; insufficiency of technology for some persons presenting themselves before the court; safety of victims and their relations when requesting a protective order.
- **Change of Plea/Sentencing** - adaption due to (may include but not limited to): the interest of justice; interest of judicial economy; increased assurance of defendants understanding of proceeding; clarity in sentencing and probation requirements; insufficiency of technology for some persons with court matters; decorum of court proceedings; safety of victims and their relations when ordering no contact and do not return; gravity of court orders; timeliness in adjudication of matters; performance of fingerprinting. The In-Person presumptive designation does not apply to Telephonic Pleas and Pleas by Mail pursuant to Rule 17.1, Arizona Rules of Criminal Procedure.
- **Settlement Conference** - adaption due to (may include but not limited to): the interest of justice; interest of judicial economy; clarity in proposals; increased assurance in defendants understanding of the matters before them; preference of some persons with matters of the court; decorum of court proceedings; insufficiency of technology for some persons with court matters; timeliness in adjudication of matters with the court.

IT IS ORDERED that hearings in the **Jerome Municipal Court** shall be held in the presumptive manner; however, a judge assigned to a case may make a hearing-specific deviation from the presumptive manner by 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. The court shall provide notice to the parties when a deviation is made.

IT IS ORDERED that for any hearing scheduled to be conducted remotely, the individual charged with an offense may elect to attend hearings in person.

IT IS FINALLY ORDERED that, notwithstanding the presumptive manner for holding hearings and the adaptations to the presumptive manner outlined in this Order any hearing type, with the exception of criminal trials, may be conducted remotely upon the request of a party, good cause appearing, and consistent with the requirements of applicable rules.

Dated this 29th day of September, 2022.



Hon. Angela M. Bradshaw Napper
Presiding Judge, Jerome Municipal Court

Jerome Municipal Court
Presumptive Standards for Appearances
(remote or in-person hearings - by case type and hearing type)

Case Type	Hearing Type	Remote	In-Person
<i>Proceedings Under Arizona Rules of Protective Order Procedure</i>			
	Ex Parte Hearing		X
	Contested Protective Order [Evidentiary] Hearing		X
	Other – Non-witness	X	

<i>Limited Jurisdiction Proceedings Involving Criminal Misdemeanor Charges; under the Rules of Court Procedure for Civil Traffic, Boating, Marijuana and Parking and Standing Violations (CTBMPSV) and Juvenile Hearing Officer Proceedings</i>			
<i>Criminal Misdemeanors</i>			
	Appearance/Arrestment/Initial	X	
	Pre-trial Motion – Non-witness	X	
	Pre-trial/Motion – Witness		X
	Change of Plea/Sentencing		X
	Pre-trial Conference	X	
	Order to Show Cause		X
	Trial Preparedness Conference	X	
	Settlement Conference		X
	Jury Trial		X
	Bench Trial		X
	Probation Violation Arrestment	X	
	Probation Violation Hearing		X
	Probation Violation Disposition		X
	Other – Non-witness	X	
	Other – Witness		X
	Bond Forfeiture	X	
<i>CTBMPSV</i>			
	Arrestment	X	
	Trial/Contested Hearing		X
	Photo Enforcement Hearing	X	
	Other (including ID Hearings, Local Ordinance, Parking)	X	
<i>Juvenile Hearing Officer Proceedings</i>		X	