

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
MANDATORY CRIMINAL E-FILING IN) Administrative Order
THE SUPERIOR COURT OF ARIZONA) No. 2020 - 176
IN LOCATIONS OTHER THAN)
MARICOPA AND PIMA COUNTIES)

In May 2020, this Court entered Administrative Order No. 2020-77, implementing criminal case e-filing in the Superior Court. The Order mandates that attorneys e-file post-initiation criminal case documents on a schedule determined by the Administrative Director.

Therefore, pursuant to Article VI, Section 3 of the Arizona Constitution,

IT IS ORDERED that, commencing January 4, 2021, attorneys are required to electronically file post-initiation criminal case documents when filing into the Superior Court in all locations other than Maricopa and Pima Counties.

IT IS FURTHER ORDERED that the procedural requirements described in Administrative Order No. 2020-125 shall apply to all criminal case documents e-filed in the Superior Court through eFileAZ.

IT IS FURTHER ORDERED, recognizing that a transition period will be necessary, absent good cause, effective February 15, 2021:

1. The Offices of the Clerks of Superior Court in all counties governed by this Order shall not accept post-initiation criminal case documents from attorneys on paper, unless the document is excluded under Administrative Order No. 2020-125, Section 2 or approved by a judicial officer as described herein.
2. Documents not excluded from e-filing must be filed electronically unless an exception is granted, for good cause shown, by a judicial officer. A copy of the order granting the electronic filing exception must be provided to the clerk at the time of filing paper documents.
3. Any written motion and proposed order requesting an exception may be filed on paper.
4. Any rule that requires a written motion be served upon all opposing parties and that opposing parties be granted an opportunity to file and serve a response to the motion, shall not apply to motions filed requesting an exception to the mandatory e-filing requirements.

5. A judge or commissioner may initiate, permit, or consider ex parte communication with the attorney requesting an exception. Such communication between the attorney and the judicial officer must be limited to the reasons why an exception is necessary and must not involve the substance of the impending matter. Such ex parte communication shall be considered an exception to the prohibition against ex parte communication pursuant to Rule 81, Rules of the Supreme Court, Canon 2, Rule 2.9 (A)(5).

Dated this 18th day of November, 2020.

FOR THE COURT:

ROBERT BRUTINEL
Chief Justice