

FILED

2013 JAN -7 PM 4: 20

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

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 2013-01

BY _____
DEPUTY

IN RE: FUND DISTRIBUTION FUND DEPOSITS; EXPENDITURES

This order is entered to comply with the requirements of Arizona Supreme Court Administrative Order No. 2003-126, signed December 22, 2003, which established the Fines/Fees and Restitution Enforcement Program "FARE". The order established a FARE fee schedule for provision of services and guidelines for expenditures of those fees.

A reimbursement criterion was established by the AOC. After payment to the vendor and other governmental agencies, any remaining balance of any revenues is divided between the AOC and the local courts.

Now therefore, IT IS HEREBY ORDERED, that upon receipt of said funds from the AOC, that a local fund be established for said funds to be deposited into.

IT IS FURTHER ORDERED, that said funds are to be used by the respective court to improve, maintain and enhance the ability to collect and manage monies assessed or received by the courts, to improve court automation and to improve case processing or the administration of justice.

IT IS FURTHER ORDERED, that prior to expending such funds, the court shall submit a spending plan to the Presiding Judge of the County for approval. Upon completion of the project, a closing report shall be filed with the Presiding Judge of the County. The court expending the funds shall be responsible for all documentation and financial audit of said funds.

EXECUTED at Bisbee, Arizona, this 7th day of January, 12.



JAMES L CONLOGUE
Presiding Judge

Original: Clerk of the Court

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

ADMINISTRATIVE ORDER NO. 2013-002

IN RE: ASSIGNMENT OF RETIRED JUDGE

FILED
2013 FEB -7 AM 10:21
MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT
BY _____
DEPUTY

Pursuant to Article VI, Section 20, of the Arizona Constitution, ARS §38-813 and Arizona Supreme Court Administrative Order No. 2012-104, and good cause appearing, it is ORDERED:

Honorable Ann Littrell, retired judge of the Superior Court, is hereby assigned to preside over the Title IV-D calendar set for February 14th, 2013 and all other matters which may be assigned for that day. She shall also serve as “duty judge” for the Superior Court located in Bisbee.

DATED at Bisbee, Arizona, this 7th day of February, 2013.



JAMES L. CONLOGUE
Presiding Judge

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

FILED

2013 MAR 12 PM 1:59

ADMINISTRATIVE ORDER NO. 2013-003

DEPT. OF COURSE
CLERK OF SUPERIOR COURT

IN RE: CHANGE IN DIVISION FOUR CRIMINAL LAW AND MOTION CALENDAR

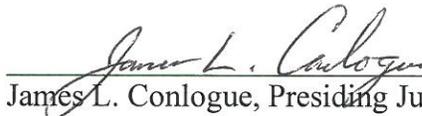
DEPUTY

The current Civil and Criminal Law and Motion schedule is set forth in Administrative Order No. 2010-12. Pursuant to Rules 2 and 3 of the Local Rules of the Superior Court, Cochise County;

IT IS ORDERED, effective March 14, 2013, that Division Four shall conduct Criminal Law and Motion on Thursday of each week at 1:30 p.m.

IT IS FURTHER ORDERED confirming the remaining Law and Motion schedule set forth in Administrative Order No. 2010-12.

DATED at Bisbee, Arizona, this 12th day of March, 2013.



James L. Conlogue, Presiding Judge

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

FILED
2013 MAR 14 PM 4:39

ADMINISTRATIVE ORDER NO. 2013-004

ELLEN DUNLAP
CLERK OF SUPERIOR COURT

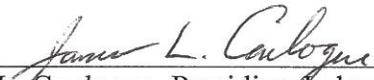
IN RE: CHANGE IN DIVISION FOUR CIVIL LAW AND MOTION CALENDARUTY

The current Civil and Criminal Law and Motion schedule is set forth in Administrative Order No. 2010-12. Pursuant to Rules 2 and 3 of the Local Rules of the Superior Court, Cochise County;

IT IS ORDERED, effective March 14, 2013, that Division Four shall conduct Civil Law and Motion on Thursday of each week at 8:30 a.m. Civil default matters will be heard on Fridays at 9:00 a.m.

IT IS FURTHER ORDERED confirming the remaining Law and Motion schedule set forth in Administrative Order No. 2010-12 as amended by Administrative Order No. 2013-003.

DATED at Bisbee, Arizona, this 14th day of March, 2013.



James L. Conlogue, Presiding Judge

FILED

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

2013 APR -2 PM 1:28

ADMINISTRATIVE ORDER NO. 2013-005

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT

BY _____
DEPUTY

IN RE: CONFIDENTIAL PROBATE FILES

The Arizona Rules of Probate Procedure apply to all probate proceedings, including guardianships, conservatorships, decedent's estates, trusts, and related matters, as well as proceedings to challenge or enforce the decision of one authorized to make health care decisions for a patient.

Rule 7 of the Rules of Probate Procedure defines confidential documents and confidential information in probate proceedings. The rule also prohibits confidential documents from being maintained as part of the public record and prohibits the Clerk of the Court from disclosing confidential documents and confidential information except as set forth in the rule.

In order to fully implement the rule;

IT IS ORDERED that the Clerk of the Court shall maintain a "Confidential" file in all probate cases which shall be separate from the probate case file. All confidential documents and all confidential information shall be maintained in the "Confidential" file. No confidential documents and no confidential information shall be placed in or maintained in the probate case file which is available to the public.

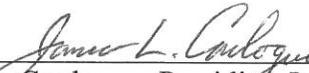
IT IS FURTHER ORDERED pursuant to Rule 7(g) that Annual Reports filed by guardians shall be treated as confidential documents in addition to those documents defined in Rule 7(a) through (f).

IT IS FURTHER ORDERED that the Clerk of the Court shall remove all confidential documents and all confidential information from all existing probate case files before any such files are made available to the public, delivered to the court or otherwise removed from the file room. All documents and information so removed shall be placed and maintained in the "Confidential" file associated with that probate case file.

IT IS FURTHER ORDERED that the Clerk of the Court shall, within a reasonable time, remove all confidential documents and all confidential information from all probate case files that are subject to Rule 7 of the Rules of Probate Procedure and place those documents and information in a "Confidential" file associated with that probate case file.

IT IS FURTHER ORDERED that the Clerk of the Court shall remove any confidential documents and/or information from the electronic court record in order to fully comply with court rules and the Arizona Code of Judicial Administration related to confidential documents and information.

DATED at Bisbee, Arizona, this 2nd day of April, 2013.



James L. Conlogue, Presiding Judge

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

FILED

2013 MAY -9 PM 4: 26

ADMINISTRATIVE ORDER NO. 2013-006

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT

IN RE: APPOINTMENT OF SUPERIOR COURT JUDGES PRO TEMPORE, JUVENILE
COURT COMMISSIONERS AND JUSTICES OF THE PEACE PRO TEMPORE

Good cause appearing and with the approval of the Arizona Supreme Court and the Cochise County Board of Supervisors, it is ORDERED:

Donna M. Beumler

Is hereby reappointed as Superior Court Judge Pro Tempore under the following terms and conditions:

For specialized assignments as determined by the presiding judge necessary to assist the court in the orderly administration of justice and contingent upon available funding.

Margaret Macartney
Ann Battaglia Roberts

Are hereby reappointed as Juvenile Court Commissioners and are dually assigned as Superior Court Judges Pro tempore under the following terms and condition:

- A. As assigned to the Juvenile Drug Court Program;
- B. Other assignments in the juvenile court as determined by the presiding judge of the juvenile court and contingent upon available funding.

Leslie Sansone

Is hereby reappointed as Justice of the Peace Pro Tempore for Justice Court Precinct Five under the following terms and conditions:

- A. As assigned by the Precinct Five Justice of the Peace for coverage of the court's calendar and for emergencies;
- B. Not to exceed the number of weekly hours as provided in the adopted budget for this service.

Ann S. Lund
William Lakosil
Paul Julien
Frederick Thompson
David Howe
Gerald Till

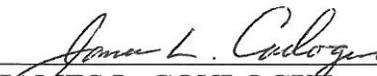
Ares hereby reappointed as Justices of the Peace Pro Tempore on a county-wide basis under the following terms and conditions:

On an emergency basis where no other elected justices of the peace are available or otherwise able to conduct a necessary hearing.

Said Superior Court Judges Pro Tempore, Juvenile Court Commissioners and Justices of the Peace Pro Tempore shall submit time records in the performance of the above stated duties for hourly pay calculations and payment to the Office of the Court Administrator of this court.

The term of these appointments is July 1, 2013, to and including June 30, 2014

DATED at Bisbee, Arizona, this 9th day of May, 2013.



JAMES L. CONLOGUE
Presiding Judge

FILED

ADMINISTRATIVE ORDER NO. 2013-07 (Amending and Replacing 2010-15)

2013 AUG 19 PM 2:49

IN RE: GUIDELINES FOR COMPENSATION AND ASSOCIATED EXPENSES OF
COURT APPOINTED COUNSEL, PARALEGALS, INVESTIGATORS, COURT
REPORTERS, INTERPRETERS AND PHYSICIANS

MARY ELLEN DUNLAP
DEPUTY CLERK OF COURT

It appearing to the court that guidelines previously set by Administrative Order 2010-15 regarding compensation and reimbursement to be paid to persons appointed by the superior court and justice courts to the extent such appointments are made, are in need of modification and revision, it is therefore

ORDERED compensation shall be made for the following services or activities where the appointment has been approved by the court, at the rates set forth below. These rates do not supersede any contractually agreed upon rate or condition of service with the County or other funding authority.

**1. COURT-APPOINTED COUNSEL FOR INDIGENT DEFENDANTS
(excluding court appointed counsel in the offices of the public and legal
defender):**

Fifty dollars (\$50.00) per hour for legal services provided by counsel for indigent persons in cases assigned by the Indigent Defense Coordinator. Counsel shall not be compensated for any work performed by counsel of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions. This rate does not apply for capital cases or life felonies.

**2. SPANISH-SPEAKING COURT-APPOINTED COUNSEL FOR INDIGENT
SPANISH-ONLY SPEAKING DEFENDANTS:**

Fifty-five dollars (\$55.00) per hour for legal services provided by Spanish-speaking counsel for indigent persons in cases assigned by the Indigent Defense Coordinator. Counsel shall not be compensated for any work performed by counsel of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions.

3. PARALEGALS ASSISTING COURT-APPOINTED COUNSEL:

Twenty dollars (\$20.00) per hour for legal services provided at the request of counsel assigned by the Indigent Defense Coordinator to represent indigent persons. Paralegal shall not be compensated for any work performed of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support

work involved in preparing and transmitting documents, copying, organizing, filing or similar functions. Before obtaining the services of a patrolralgal, prior approval from the court is required. A copy of the motion and order approving the use of an investigator and setting forth the specific number of hours so approved shall accompany any billing statements submitted for payment

4. INVESTIGATORS PROVIDING SERVICES TO COURT-APPOINTED COUNSEL FOR INDIGENT DEFENDANTS:

Twenty-five dollars (\$25.00) per hour for work performed prior to or during trial; fifteen dollars (\$15.00) per hour for assistance in court. Before obtaining the services of an investigator, prior approval from the court is required. A copy of the motion and order approving the use of an investigator and setting forth the specific number of hours so approved shall accompany any billing statements submitted for payment.

5. COURT-APPOINTED INVESTIGATORS IN PROBATE, GUARDIANSHIP OR CONSERVATORSHIP CASES:

Two hundred fifty dollars (\$250.00) per investigation conducted and Report to Court submitted; Travel and other expenses are included in the rate.

6. COURT REPORTERS:

Three hundred dollars (\$300.00) per day for non-employee court reporters. Travel and other expenses are included in the daily rate.

7. INTERPRETERS:

Interpreters employed by the court may impose reasonable charges for their translation services in pending civil and criminal cases upon all persons including the offices of the public and legal defender and the county attorney, but shall translate forms for the court and offices of the public defender, legal defender, contract and appointed counsel and the county attorney without charge. Forms desired to be translated shall be processed through the office of the court administrator.

Non-employee Spanish interpreter services shall be reimbursed as follows: two hundred twenty five dollars (\$225.00) per day for work of more than three (3) hours begun in the morning and continuing after a noon recess; one hundred twenty-five dollars (\$150.00) for work of three hours or less whether begun in the morning or afternoon or through the noon recess period; twenty dollars (\$20.00) per hour for work performed after 5:00 p.m. Travel and other expenses are included in the rates.

8. PHYSICIANS/MENTAL HEALTH EVALUATORS:

Not to exceed five hundred dollars (\$500.00) for Rule 11 examinations and reports, which shall be submitted with itemized billing; the usual charges in the community for physicians in the particular specialty of the witness for forensic services.

IT IS FURTHER ORDERED that the court may order payment in excess of any of the hourly rates or payment caps, either on motion of a party or on the court's own initiative, if it appears that the relevant service is not reasonably available within the limits stated in this Order. If a party may be subject to an order to reimburse the court or otherwise to bear the cost of any service, the party's financial obligation is limited to the amounts stated in this Order, unless the party is given notice that the court is contemplating exceeding the limits stated in this Order and is further given an opportunity to be heard and to suggest alternatives. A party who has been given notice and an opportunity to be heard and to suggest alternatives may be ordered to reimburse the court or otherwise to bear the cost of any service at the hourly rate or with the payment cap set by the court. Prior court approval shall be required, which requirement may be waived only upon a showing of dire need or emergency.

IT IS FURTHER ORDERED that the rates set forth above shall be effective for all court appointed services as of August 26, 2013. Thereafter, all previous administrative orders pertaining to compensation and reimbursement are hereby void and of no further effect.

DATED at Bisbee, Arizona, this 19th day of August, 2013.



JAMES L. CONLOGUE
Presiding Judge

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

ADMINISTRATIVE ORDER NO. 2013-007 *gll*

FILED

2013 DEC 31 AM 10:33

IN RE: ATTENDANCE OF SERVICE ANIMALS AND COMFORT ANIMALS IN
COURT PROCEEDINGS

gll
ANN M. ELLEN DUNLAP
CLERK OF SUPERIOR COURT
BY _____
DEPUTY

Purpose:

In furtherance of the provisions of the Americans with Disabilities Act (ADA) as amended in 2011, this order is entered to provide guidance to the public regarding entry to court facilities by service animals and comfort animals.

Scope:

This order applies to all Superior Court and Justice Court facilities.

Definitions:

Service Animals: Service animals are defined as dogs that are individually trained to do work or perform tasks for people with disabilities. Miniature horses less than 100 pounds that are potty trained may also be considered service animals.

Comfort Animals: Dogs and other animals whose sole function is to provide comfort or emotional support to a person. These animals do not qualify as service animals under the ADA.

Court facilities: Includes all buildings where court hearings are held and all offices where court staff are housed.

Procedures:

Service Animals:

Persons with a disability as defined by the Americans with Disabilities Act accompanied by a service animal will be allowed access to court facilities by court security.

Comfort Animals:

Comfort animals are presumptively prohibited from entering any court facility. Comfort animals may only be permitted to accompany individuals into a courtroom with advance permission from the court. Individuals requesting such access must submit a request form no later than 5 business days prior to the event to Court Security c/o the Office of the Court Administrator, P.O. Box 204, Bisbee, Arizona or emailed to courtsecurity@cochise.az.gov. This request may also be delivered to Court Administration in the Old Bisbee Courthouse at 100 Quality Hill.

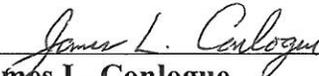
The form is available from Court Administration or Court Security located in the Courthouse at 100 Quality Hill in Old Bisbee. The form is also available in each of the Justice Courts.

Restrictions:

Court Security or a judicial officer may direct the removal of a comfort or service animal that is disrupting court proceedings.

This order shall be effective on January 13, 2014.

DATED at Bisbee, Arizona, this 31st day of December 2013.



James L. Conlogue
Presiding Judge