

## ADMINISTRATIVE ORDERS FOR 2008

No.	DESCRIPTION OF ADMINISTRATIVE ORDER
2008-01	IN RE: Appearance Time for Justice Courts in Cochise County
2008-02	IN RE: Changes in Law and Motion Calendar
2008-03	IN RE: Regular and Special Assignments of Judges (Supplementing Admin Order No. 2007-03)
2008-04	IN RE: Use of Bilingual Pleadings
2008-05	IN RE: The Appointment of a Justice of the Peace, Pro Tempore
2008-06	IN RE: Criminal History Record Information (Supplementing Administrative Order No. 93-12)
2008-07	IN RE: Presumptive Time Limit for Holding Defendants on Out-of-County Warrants
2008-08	IN RE: Procedure Upon the Filing of a Rule 10.2 Notice in the Justice Court, Precinct Five and Procedure Upon the Filing of a Rule 10.1 Motion in Any Justice Court in Cochise County
2008-09	IN RE: Approval of a Change to Rule 2 of the Rules of the Judicial Merit System Defining the "Judicial Merit Committee"
2008-10	IN RE: Appointment of Justice of the Peace to Judicial Merit Committee
2008-11	IN RE: Designation of Superior Court Judge to Judicial Merit Committee
2008-12	IN RE: Appointment of Probate Registrar and Designees
2008-13	IN RE: Regular and Special Assignments of Judges
2008-14	IN RE: Appointment of Superior Court Judge Pro Tempore, Juvenile Court Commissioners and Justices of the Peace Pro Tempore
2008-15	IN RE: Reassignment/Retainment of Cases
2008-16	IN RE: Reassignment/Retainment of Cases
2008-17	IN RE: Access to Sealed Court Records by the Court Services Manager in the Area of Probate, Guardianship and Conservatorship Cases
2008-18	IN RE: Appointment to Foster Care Review Board
2008-19	IN RE: Appointment to Foster Care Review Board
2008-20	IN RE: Appointment to Foster Care Review Board
2008-21	IN RE: Juvenile Division – Access to Delinquency Files
2008-22	IN RE: Assignment of Retired Judge

## ADMINISTRATIVE ORDERS FOR 2008

No.	DESCRIPTION OF ADMINISTRATIVE ORDER
2008-23	IN RE: Appointment of Volunteer Staff Attorney
2008-24	IN RE: Appointment of Foster Care Review Board
2008-25	IN RE: Guidelines for Compensation and Associated Expenses of Court Appointed Counsel, Paralegals, Investigators, Court Reporters, Interpreters and Physicians
2008-26	IN RE: Guidelines for Compensation and Associated Expenses of Court Appointed Counsel, Paralegals, Investigators, Court Reporters, Interpreters and Physicians (Amending 2008-25)
2008-27	IN RE: Appointment of Foster Care Review Board (Amending 2008-24)
2008-28	IN RE: Adoption of Cochise County Limited Jurisdiction Courts Records Search Policy & Procedure
2008-29	IN RE: Changes in Law and Motion Calendars
2008-30	IN RE: Appointment to Foster Care Review Board
2008-31	IN RE: Adoption of Cochise County Limited Jurisdiction Courts Sealing Purged Records Policy & Procedure
2008-32	IN RE: Appointment of Probate Registrar and Designees
2008-33	IN RE: Regular and Special Assignments of Judges
2008-34	IN RE: Appointment to Foster Care Review Board
2008-35	IN RE: Appointment to Foster Care Review Board
2008-36	IN RE: Protecting the Personal Information of Court Users and Notifying Affected Persons in the Event of a Breach of the Security System

FILED

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

2008 JAN -2 AM 10:48

ADMINISTRATIVE ORDER NO. 2008-001

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

BY

IN RE: INITIAL APPEARANCE TIMES FOR JUSTICE COURTS IN COCHISE  
COUNTY

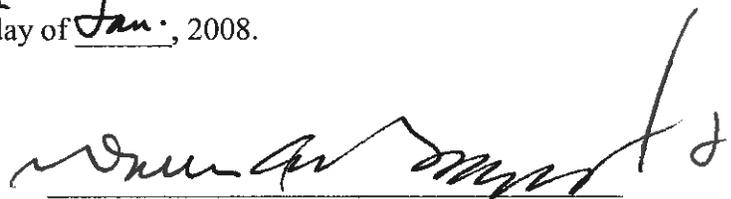
Pursuant to Rule 4.1, Arizona Rules of Criminal Procedure, the undersigned hereby assures the following fixed times each week day for conducting initial appearances in each of the County's Justice Courts:

Justice Court, Precinct One	11:00 a.m.
Justice Court, Precinct Two	8:30 a.m.
Justice Court, Precinct Three	1:30 p.m.
Justice Court, Precinct Four	8:30 a.m.
Justice Court, Precinct Five	10:30 a.m. (in person) 11:30 a.m. (by video)
Justice Court, Precinct Six	11:00 a.m.

The initial appearance calendar on weekends and holidays shall commence at 8:00 a.m.

Each Justice of the Peace retains the authority to schedule initial appearances at times other than those set forth above, depending on the particular circumstances of each case and the availability of necessary parties. Each Justice Court shall provide law enforcement and necessary parties with the best notice possible in the circumstances if any initial appearance is to be conducted at a time other than the default times set forth above.

DATED at Bisbee, Arizona, this 02<sup>nd</sup> day of Jan., 2008.



WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2008 JAN 14 PM 3:02

ADMINISTRATIVE ORDER NO. 2008-002

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: CHANGES IN LAW AND MOTION CALENDARS

BY \_\_\_\_\_

Pursuant to Rules 2 and 3 of the Local Rules of Practice of the Superior Court, Cochise County, it is

**ORDERED** as follows:

1. Division One shall conduct Civil Law and Motion Day on Monday of each week; provided, however, when Monday is a legal holiday, Tuesday shall be Civil Law and Motion Day.
2. Division One shall conduct Criminal Law and Motion Day on Wednesday of each week; provided, however, when Wednesday is a legal holiday, Tuesday shall be Criminal Law and Motion Day.
3. Divisions Two and Five shall conduct Law and Motion Day on Monday of each week; provided, however, when Monday is a legal holiday, Tuesday shall be Law and Motion Day.
4. Division Three shall conduct Law and Motion Day on Friday of each week; provided, however, when Friday is a legal holiday, Thursday shall be Law and Motion Day.
5. Unless otherwise directed, the scheduled hours for each division's Law and Motion Calendar are as follows:

Division One:	Civil Matters	9:30 a.m. to Noon
	Criminal Matters	1:30 p.m. in-custody matters 2:00 p.m. out-of-custody matters
Division Two:	Civil Matters	2:00 p.m. to 5:00 p.m.
	Criminal Matters	8:30 a.m. in-custody matters 10:00 a.m. out-of-custody matters
Division Three:	Civil Matters	2:00 p.m. to 5:00 p.m.
	Criminal Matters	9:00 a.m. in-custody matters 10:30 a.m. out-of-custody matters
Division Five:	Civil Matters	9:00 a.m.
	Criminal Matters	1:30 p.m.

6. This administrative order shall be effective January 21, 2008, and shall thereafter supersede and supplant all previous administrative orders setting the Law and Motion Calendars.

**DATED** at Bisbee, Arizona, this 14th day of January, 2008.



**WALLACE R. HOGGATT**  
**Presiding Judge**

FILED

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

2008 JAN 24 PM 4: 24

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 2008-03  
(SUPPLEMENTING ADMINISTRATIVE ORDER NO. 2007-027)

BY \_\_\_\_\_

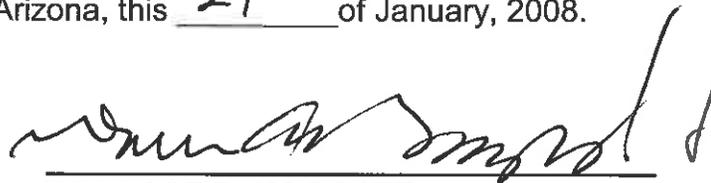
IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

Good cause appearing, it is **ORDERED** as follows:

1. Any and all Petitions to Revoke Probation in cases now assigned to Division One are hereby reassigned to Division Five;
2. Any and all Petitions to Revoke Probation which are filed in the future in cases now assigned to Division One shall be, upon filing thereof, reassigned to Division Five;
3. Unless otherwise directed, all Superior Court arraignments shall be heard by Division Six of this court, on Monday of each week, commencing at 1:30 p.m., except that when it is a legal holiday, arraignments shall be heard on Tuesday.

In other respects, Administrative Order No. 2007-027 shall remain in full force and effect.

Effective this date, at Bisbee, Arizona, this 24<sup>th</sup> of January, 2008.



WALLACE R. HOGGATT  
Presiding Judge

FILED

2008 FEB -1 AM 9:58

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CLERK OF SUPERIOR COURT SV  
BY \_\_\_\_\_  
DISPLAY

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

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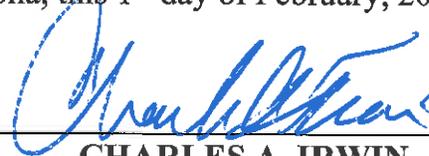
**ADMINISTRATIVE ORDER NO. 2008-004  
IN RE: USE OF BILINGUAL PLEADINGS**

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Southern Arizona Legal Aid, Inc. having requested and the Superior Court Bench having unanimously approved the use of bilingual pleadings for Family Law cases and Application for Deferral of Court Fees and/or Costs; and good cause appearing;

**IT IS ORDERED:** That the Clerk of the Superior Court shall accept the above bilingual pleadings in Family Law matters.

Effective this date at Sierra Vista, Arizona, this 1<sup>st</sup> day of February, 2008.



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**CHARLES A. IRWIN  
Presiding Family Law Judge**

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

FILED

2008 FEB -6 PM 4:10

ADMINISTRATIVE ORDER NO. 2008-005

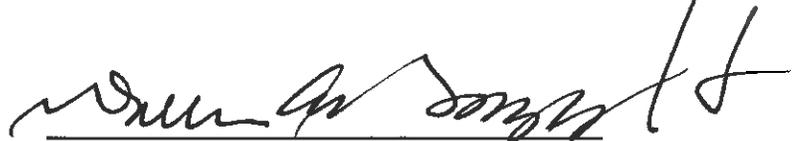
DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

IN RE: THE APPOINTMENT OF A JUSTICE OF THE PEACE, *PRO TEMPORE*

Pursuant to the provisions of A.R.S. § 22-121 as amended:

**IT IS HEREBY ORDERED** that **GERALD F. TILL** be and is hereby appointed Justice of the peace, *pro tempore*, for all precincts in Cochise County, for the term commencing January 22, 2008 to and including June 30, 2008.

**DATED** at Bisbee, Arizona, this 06<sup>th</sup> day of February, 2008, effective January 22, 2008, *nunc pro tunc*.



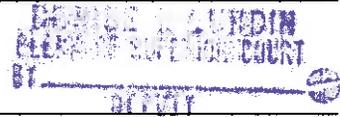
\_\_\_\_\_  
**WALLACE R. HOGGATT**  
Presiding Judge

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

**FILED**

2008 FEB 28 AM 11:42

**ADMINISTRATIVE ORDER NO. 2008-006**



**IN RE: CRIMINAL HISTORY RECORD INFORMATION (SUPPLEMENTING  
ADMINISTRATIVE ORDER NO. 93-12)**

This Court has learned that some criminal defense attorneys, including counsel assigned by the Indigent Defense Coordinator, on occasion have not received timely disclosure of their clients' criminal histories. Such failures have occurred because such criminal histories cannot be sent by mail, facsimile, or unsecured electronic means, and because some counsel live and work outside of Cochise County and cannot conveniently or economically travel to Bisbee to obtain copies of their clients' criminal histories. The Court has observed that such failures of disclosure have caused delays in and continuances of sentencing proceedings.

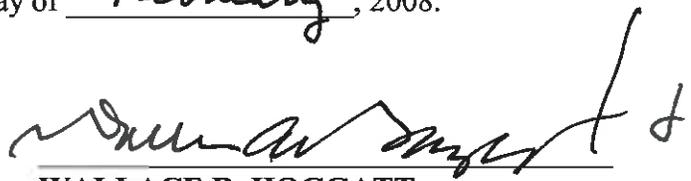
By reason of the foregoing, as well as the findings contained in Superior Court of Arizona, Cochise County, Administrative Order No. 93-12, it is hereby ORDERED:

Defense counsel otherwise entitled to disclosure of their clients' criminal histories under Administrative Order No. 93-12 may obtain such information by secure, password-protected electronic means (such as e-mail) which will allow access only to counsel and to no one else. To obtain criminal history information by electronic means, counsel shall have the burden of establishing the security of the proposed method to the satisfaction of the Cochise County Adult Probation Department.

It is FURTHER ORDERED that counsel who represent criminal defendants on appeal or in post-conviction relief proceedings shall similarly be provided their clients' criminal histories, which may be provided to counsel by the Clerk of Superior Court by secure electronic means which comport with the means specified above.

Administrative Order No. 93-12 is hereby supplemented, not rescinded, and it shall remain in full force and effect.

DATED at Bisbee, Arizona, this 28<sup>th</sup> day of February, 2008.

  
WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2008 MAR 11 AM 8:56

ADMINISTRATIVE ORDER NO. 2008-007

RECEIVED  
CLERK OF SUPERIOR COURT  
BY  
SERVIT

IN RE: PRESUMPTIVE TIME LIMIT FOR HOLDING DEFENDANTS ON OUT-OF-COUNTY WARRANTS

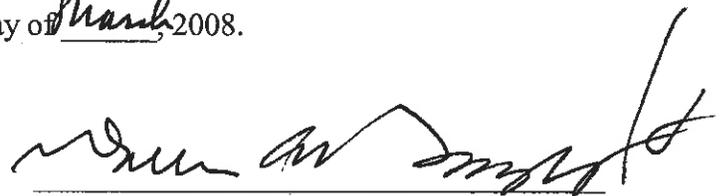
The undersigned Presiding Judge, having consulted with the Limited Jurisdiction Judges in this County, as well as the Cochise County Criminal Justice Task Force, hereby enters this Order setting forth the presumptive period of time that the Cochise County Jail need retain defendants arrested on out-of-county Arizona warrants.

Unless otherwise specified by the Court at the initial appearance or by subsequent order, a defendant arrested in this County and held in the Cochise County Jail on an Arizona warrant from a county other than Cochise County, shall be held for a total of ten (10) calendar days. In each case of a person arrested and held in the Cochise County Jail on an out-of-county Arizona warrant, the initiating jurisdiction shall be notified of this presumptive period of time (or such other period of time as the Court may direct) when the initiating jurisdiction is informed about the defendant's arrest. In the event that the requesting jurisdiction does not take physical custody of the defendant within ten (10) calendar days of defendant's being taken into custody on the warrant, the Cochise County Jail shall release the defendant from custody.

At any time prior to the expiration of ten (10) calendar days, if the initiating jurisdiction clearly indicates that it does not intend to take custody of the defendant on its warrant, the Cochise County Jail may immediately release the defendant without waiting for the expiration of the presumptive time limit set forth herein.

This Administrative Order relates only to adult criminal warrants issued by an Arizona state court. This order does not affect nor set time limits for juvenile delinquency arrest warrants, civil arrest warrants, nor child support arrest warrants.

DATED at Bisbee, Arizona, this 11<sup>th</sup> day of March, 2008.



WALLACE R. HOGGATT  
Presiding Judge

FILED

2008 APR -1 AM 7:55

ADMINISTRATIVE ORDER NO. 2008-08

IN RE: PROCEDURE UPON THE FILING OF A RULE 10.2 NOTICE IN THE JUSTICE COURT, PRECINCT FIVE, AND PROCEDURE UPON THE FILING OF A RULE 10.1 MOTION IN ANY JUSTICE COURT IN COCHISE COUNTY

JUSTICE I. LUNDIN  
CLERK OF SUPERIOR COURT

BY \_\_\_\_\_

The Arizona Court of Appeals, Division Two, having held in *Hornbeck v. Lusk*, No. 2 CA-CV 2007-0139 (February 26, 2008), that where a litigant in a justice court seeks a change of judge pursuant to Rule 10.2, Ariz. R. Crim. P., the "presiding judge" to whom the case must be transferred for reassignment under Rule 10.5, Ariz. R. Crim. P., is the presiding justice of the peace for the county, and

The Justice Court, Precinct Five, Cochise County, located in Sierra Vista, having a justice of the peace *pro tempore* to assist the elected justice of the peace for that precinct, and

The undersigned Presiding Justice of the Peace for Cochise County, with the approval of the undersigned Presiding Judge of Cochise County, having determined that the effective administration of justice would be served by the present order,

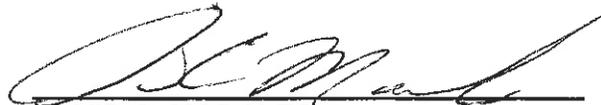
**IT IS HEREBY ORDERED:**

Upon filing of a timely notice of change of judge pursuant to Rule 10.2, Ariz. R. Crim. P., against the elected Justice of the Peace for Precinct Five, the action shall be forwarded to Court Administration and thereafter reassigned to the Justice of the Peace *Pro Tempore* for Precinct Five.

**IT IS FURTHER ORDERED:**

Upon the filing of a motion for change of judge pursuant to Rule 10.1, Ariz. R. Crim. P., against any assigned justice of the peace in Cochise County, the action shall be forwarded to Court Administration and thereafter referred to the undersigned Presiding Justice of the Peace for Cochise County, who shall schedule and conduct a hearing in accordance with Rule 10.1(c), Ariz. R. Crim. P.

DATED at Bisbee, Arizona, this 31<sup>st</sup> day of March 2008.



**DAVID C. MORALES**  
Presiding Justice of the Peace  
Cochise County

**CONCURRING:**



**WALLACE R. HOGGATT**  
Presiding Judge for Cochise County

COUNTY OF COCHISE  
STATE OF ARIZONA

The foregoing instrument is a full, true and correct copy of the original on file in this office.

Attested April 1, 2008

DENISE I. LUNDIN, Clerk

By Stephanie Rupa Deputy

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

FILED  
2008 APR 11 PM 2:02

ADMINISTRATIVE ORDER NO. 2008-009

DEVISE I. LUNDIN  
CLERK OF SUPERIOR COURT SV  
BY \_\_\_\_\_  
DEPUTY

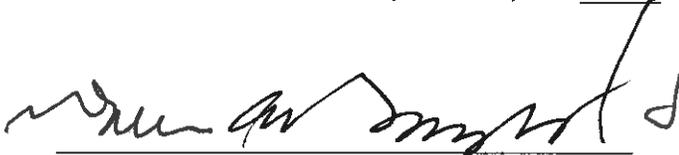
IN RE: APPROVAL OF A CHANGE TO RULE 2 OF THE RULES OF THE JUDICIAL  
MERIT SYSTEM DEFINING THE "JUDICIAL MERIT COMMITTEE"

A majority of the judges of the Superior Court, pursuant to Rules 26 and 27 of the Rules of the Judicial Merit System, hereby amend Rule 2 of such rules as follows:

The definition of the "Judicial Merit Committee" currently set forth in that rule is hereby modified to read as follows:

*JUDICIAL MERIT COMMITTEE: A body established to handle grievances and appeals under these rules and to provide information and recommendations to the Presiding Judge, who maintains ultimate authority over the Judicial Merit System. The Judicial Merit Committee shall consist of the Clerk of the Superior Court, the Court Administrator, the Director of Juvenile Court Services, the Chief Adult Probation Officer, one Justice of the Peace designated by the Presiding Judge, and one Judge of the Superior Court designated by the Presiding Judge.*

DATED at Bisbee, Arizona, this 11<sup>th</sup> day of April, 2008.



WALLACE R. HOGGATT  
Presiding Judge



JAMES L. CONLOGUE  
Judge of the Superior Court



CHARLES A. IRWIN  
Judge of the Superior Court



STEPHEN M. DESENS  
Judge of the Superior Court



ANN R. LITRELL  
Judge of the Superior Court



DONNA M. BEUMLER  
Judge of the Superior Court *Pro Tempore*

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

FILED

2008 APR 10 PM 4:06

**ADMINISTRATIVE ORDER NO. 2008-010**

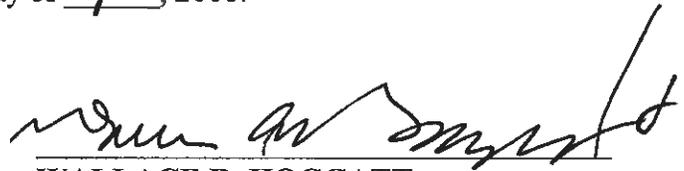
DENISE D. LINDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

**IN RE: APPOINTMENT OF JUSTICE OF THE PEACE TO JUDICIAL MERIT  
COMMITTEE**

Good cause appearing,

**IT IS HEREBY ORDERED** appointing the Honorable Joseph P. Knoblock, Justice of the Peace for Precinct Three, Benson, Arizona, to the Cochise County Judicial Merit Committee, to serve until further order of the Presiding Judge.

**DATED** at Bisbee, Arizona, this 10<sup>th</sup> day of April, 2008.



**WALLACE R. HOGGATT**  
Presiding Judge

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

**FILED**

**2008 APR 18 AM 8:40**

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**ADMINISTRATIVE ORDER NO. 2008-011**

**DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT**

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**BY** \_\_\_\_\_

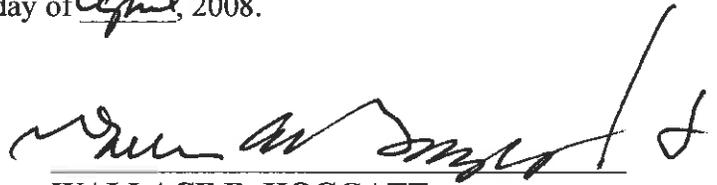
**IN RE: DESIGNATION OF SUPERIOR COURT JUDGE TO JUDICIAL MERIT  
COMMITTEE**

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Pursuant to Rule 2, Rules of the Judicial Merit System,

**IT IS HEREBY ORDERED** that the Honorable Stephen M. Desens, Judge of the Superior Court, is DESIGNATED by the Presiding Judge to be a member of the Judicial Merit Committee.

**DATED** at Bisbee, Arizona, this 18<sup>th</sup> day of April, 2008.



**WALLACE R. HOGGATT  
Presiding Judge**

FILED

2008 MAY 19 PM 12:08

DENISE I. LUNDIN  
CLERK OF THE SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

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

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**ADMINISTRATIVE ORDER NO. 2008-12**

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**IN RE: APPOINTMENT OF PROBATE REGISTRAR AND DESIGNEES**

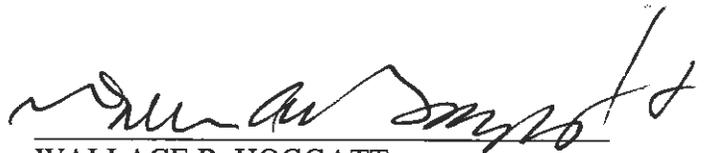
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Pursuant to the provisions of A.R.S. § 14-1307 pertaining to the appointment of Probate Registrar and other designees, it is

**ORDERED** as follows:

- 1) Denise I. Lundin, Clerk of the Superior Court is designated as Probate Registrar for Cochise County.
- 2) Render A. Gregory, Sondra Whitmer, Karin Saavedra, Mary Edie, and Edie Valencia are designated as Assistant Probate Registrars.
- 3) Carol Helton and Jennifer Bachert are designated as Assistant Probate Registrars in those guardianship cases filed by the Attorney General which are associated with a dependency action.
- 4) This administrative order supersedes any previous administrative orders and shall be effective upon the date of signing.

DATED at Bisbee, Arizona, this 19<sup>th</sup> day of May, 2008.

  
\_\_\_\_\_  
WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2008 JUN 13 PM 3:42

ADMINISTRATIVE ORDER NO. 2008-013

DENISE J. LUNDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

To relieve congestion in the court calendar and other good cause appearing, it is  
**ORDERED** as follows:

1. Effective June 30, 2008, all newly filed Dependencies and related cases shall be assigned to Division Two. All pending Dependency cases shall be reassigned to Division Two, except those cases that the Judges of Divisions Two and Four, after consultation, determine should remain in Division Four. The Honorable Ann R. Littrell shall make a separate Order concerning those identified cases to remain in Division Four.
2. Effective June 30, 2008, all newly filed Domestic Relations matters that would have otherwise been assigned to Division Two shall be assigned to Division Four. All pending Domestic Relations matters in Division Two shall be reassigned to Division Four, except those cases that the Judges of Divisions Two and Four, after consultation, determine should remain in Division Two. The Honorable Stephen M. Desens shall make a separate Order concerning those identified cases to remain in Division Two.
3. Effective June 30, 2008, all newly filed Criminal cases shall be assigned as follows:
  - a. One-third to Division Three
  - b. One-third to Division Five
  - c. One-third to Division Six
4. Effective June 30, 2008, all pending Criminal cases in Division Two shall be reassigned one-third each to Divisions Three, Five and Six, except for those matters then scheduled for a Change of Plea or Sentencing, which shall remain Division Two cases. Any Rule 32 Petition in a case in which the defendant was sentenced in Division Two shall remain with Division Two.
5. All other case assignments set forth in Administrative Orders 2008-03 and 2007-27 remain in full force and effect.

Dated at Bisbee, Arizona, this 13 day of June, 2008.



WALLACE R. HOGGATT  
Presiding Judge



ANN R. LITRELL  
Presiding Juvenile Court Judge

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE  
ADMINISTRATIVE ORDER NO. 2008-014**

**FILED**

2008 JUN 27 PM 4:37

**IN RE: APPOINTMENT OF SUPERIOR COURT JUDGE 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.

**Jeanne Benda Whitney  
Gerald F. Till**

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

- 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**

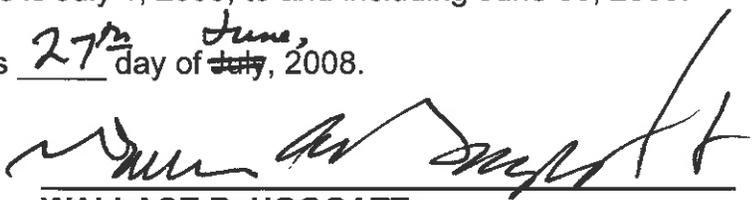
Is hereby reappointed as Justice of the Peace Pro Tempore on a county-wide basis under the following terms and conditions:

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 Judge 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, 2008, to and including June 30, 2009.

DATED at Bisbee, Arizona, this 27<sup>th</sup> day of ~~July~~ <sup>June</sup>, 2008.



**WALLACE R. HOGGATT**  
Presiding Judge

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of: )  
 )  
APPOINTMENT OF JUDGES PRO )  
TEMPORE TO THE SUPERIOR COURT )  
OF THE STATE OF ARIZONA IN AND )  
FOR THE COUNTY OF COCHISE )  
\_\_\_\_\_ )

PRO TEMPORE ORDER  
No. 2008 - 15

The presiding judge of the Superior Court of Arizona in Cochise County has requested the appointment of judges pro tempore to serve in that court for the purpose of enhancing the court's ability to process cases. Therefore, pursuant to A.R.S. § 12-141,

IT IS ORDERED that the following individuals are appointed judges pro tempore to serve the Superior Court in Cochise County for terms beginning on July 1, 2008 and ending June 30, 2009, in accordance with A.R.S. §§ 12-141 et. seq., and will serve as assigned by the presiding judge.

Donna M. Beumler	State Bar #014117
Gerald F. Till	State Bar #004028
Jeanne Benda Whitney	State Bar #009022

IT IS FURTHER ORDERED that these appointments are conditioned upon the approval of the Cochise County Board of Supervisors pursuant to A.R.S. § 12-141, and upon the Superior Court in Cochise County obtaining appropriate funding from whatever source for the compensation due to said appointees pursuant to A.R.S. § 12-142(C) and A.R.S. § 12-143 for service as judges pro tempore.

DATED this 6th day of June, 2008.

---

RUTH V. MCGREGOR  
Chief Justice

**Ferrara, Karen**

---

**From:** board@co.cochise.az.us  
**nt:** Thursday, May 15, 2008 9:20 AM  
**o:** Ferrara, Karen  
**Subject:** Agenda Number CAD080004

This message is to let you know that the status of the agenda number CAD080004 after the BOS meeting is:  
**APPROVED**

Agenda Number: **CAD080004**

For Board Meeting of: **5/13/08**

Agenda Description: **APPROVE REAPPOINTMENTS OF SUPERIOR COURT JUDGE PRO TEMPORE, DONNA BEUMLER, PURSUANT TO A.R.S. 12-141; JUVENILE COURT COMMISSIONERS JUDGES PRO TEMPORE, GERALD F. TILL AND JEANNE BENDA WHITNEY, PURSUANT TO A.R.S. 8-231 AND 12-141; JUSTICE COURT PRECINCT FIVE PRO TEMPORE, LESLIE SANSONE, AND COUNTY-WIDE JUSTICE OF THE PEACE PRO TEMPORE (FOR EMERGENCY COVERAGE), PURSUANT TO A.R.S. 22-121; ALL REAPPOINTMENTS ARE FOR THE PERIOD BEGINNING JULY 1, 2008 TO AND INCLUDING JUNE 30, 2009.**

COMMENTS FROM BOS:

N/A

## Department Agenda Pool

Select Agenda Items For Board Meeting From  To

Following are Agenda Items submitted by CAD for the Board Meeting from 6/17/08 to 6/17/08

**Agenda Number:** CAD080007

**Meeting Type:** Board of Supervisors Meeting

**For Board Meeting of:** 6/17/08      **Type:** Consent

**Wording of Agenda Item:**

APPROVE THE REAPPOINTMENT OF COUNTY-WIDE JUSTICE OF THE PEACE PRO TEMPORE, ANN LUND, FOR EMERGENCY COVERAGE PURSUANT TO A.R.S. §22-121 AND APPROVE AUTHORIZATION TO CALL UPON AN APPROPRIATELY-APPOINTED SUPERIOR COURT JUDGE PRO TEM FROM ANOTHER COUNTY IN EXTENUATING CIRCUMSTANCES (JUDGE KIMBERLY CORSARO), PURSUANT TO A.R.S. 12-144 FOR THE PERIOD BEGINNING JULY 1, 2008 TO AND INCLUDING JUNE 30, 2009.

**Suggested Motion:**

CONSENT

**Comments/Instructions/Attachments:**

BOS SIGNATURE NOT REQUIRED.

**Department Approval Status:**

AGENDA ITEM IS WAITING FOR APPROVAL FROM HUMAN RESOURCES

AGENDA ITEM HAS BEEN ACCEPTED BY FINANCE

. COMMENT:

AGENDA ITEM HAS BEEN ACCEPTED BY ATTORNEY

. COMMENT: NO ACTION REQUIRED BY ATTORNEY – THIS ITEM IS BEING ACCEPTED BY ATTORNEY ONLY TO KEEP FROM CLOGGING UP THE ATTORNEY ITEMS NEEDING ACCEPTANCE SPACE.

**BOS Approval Status:**

AGENDA ITEM HAS BEEN ACCEPTED BY BOS

**BOS Notes:**

**After meeting approval status:**

APPROVED

**Comments:**

OFFICE OF COURT ADMINISTRATION NOTIFIED OF APPROVAL FOR RE-APPOINTMENTS; COURT ADMIN WILL SEND NECESSARY NOTIFICATIO TO APPOINTEES.

[Agenda Main Page](#)

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

FILED

2008 JUL -7 PM 4:33

ADMINISTRATIVE ORDER NO. 2008-015

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT SV  
BY \_\_\_\_\_  
DEPUTY

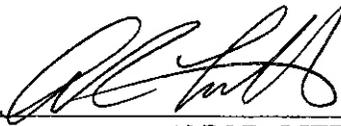
IN RE: REASSIGNMENT/RETAINMENT OF CASES

Pursuant to Cochise County Superior Court Administrative Order 2008-013, upon good cause and in the interests of judicial economy,

IT IS ORDERED the following identified cases shall remain assigned to Division IV – Juvenile Division of this Superior Court, to wit:

- |             |             |
|-------------|-------------|
| MD20020064  | JD200600033 |
| MD20030019  | JD200600036 |
| MD20040003  | JD200600064 |
| MD20040052  | JD200600070 |
| MD20040070  | JD200700001 |
| MD20040086  | JD200700003 |
| MD20050018  | JD200700004 |
| MD20050038  | JD200700016 |
| MD20050044  | JD200700031 |
| MD20050052  | JD200700032 |
| JD200700063 | JD200700042 |
| MD20050081  | JD200000049 |
| MD20050084  | JD200700050 |
| JD200600001 | JD200700063 |
| JD200600003 | JD200800009 |
|             | JD200800027 |

DATED this 7<sup>th</sup> day of July, 2008.

  
ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

COUNTY OF COCHISE  
STATE OF ARIZONA

The foregoing instrument is a full, true and correct copy of the original on file in this office.

Attested July 17th 20 08

DENISE I. LUNDIN, Clerk

By Ann Seavedra Deputy

Page Two

Administrative Order No. 2008-015

xc: Office of the Court Administrator  
Honorable Wallace R. Hoggatt, Presiding Judge  
Honorable Stephen M. Desens, Division IV  
Honorable Ann R. Littrell, Presiding Juvenile Court Judge, Division IV

Note: This listing for private use only. Not to be disseminated to the general public.

FILED

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

2008 JUL -3 PM 1:03

ADMINISTRATIVE ORDER NO. 2008-016

DENISE J. LUNDIN  
CLERK OF SUPERIOR COURT

BY

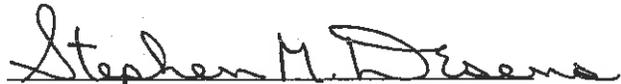
IN RE: REASSIGNMENT/RETAINMENT OF CASES

Pursuant to Cochise County Superior Court Administrative Order 2008-013, upon good cause and in the interests of judicial economy,

IT IS ORDERED the following identified cases shall remain before the Honorable Stephen M. Desens, Division Two of the Superior Court, to wit:

DO200500453	Triplett	DO2006000708	McDonald
DO200601279	Johnson, Lakeisha	DO200700321	Almader v. Monteon
DO200601131	Taeza	DO200600104	Treglia
DO200700924	Harp	DO200600477	Keller
DO200800002	Castro	DO200600374	Leuquire
DO200700409	Collins	DO200500683	Trujillo

DATED this 3<sup>rd</sup> day of July, 2008.



STEPHEN M. DESENS  
Judge of the Superior Court  
COUNTY OF COCHISE  
STATE OF ARIZONA

The foregoing instrument is a full, true and correct copy of the original on file in this office.

Attested July 3, 2008

DENISE J. LUNDIN, Clerk  
By Stephanie Reyes Deputy

xc: Honorable Wallace R. Hoggatt, Presiding Judge  
Honorable Ann R. Littrell, Presiding Juvenile Court Judge, Division IV  
Honorable Stephen M. Desens, Division IV  
Karen Ferrara, Court Administrator

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

FILED

2008 JUL 14 PM 1:52

ADMINISTRATIVE ORDER NO. 2008-17

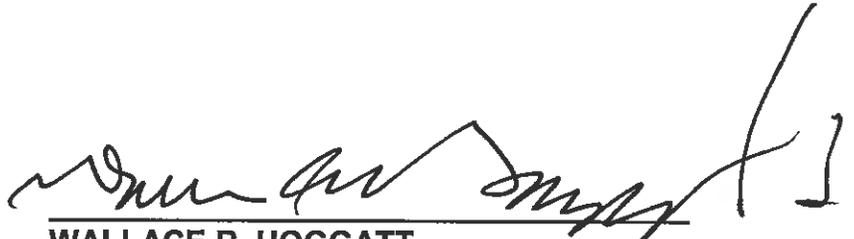
SARAH J. LUNDIN  
CLERK OF SUPERIOR COURT  
BISBEE

IN RE: ACCESS TO SEALED COURT RECORDS BY THE COURT SERVICES  
MANAGER IN THE AREA OF PROBATE, GUARDIANSHIP AND  
CONSERVATORSHIP CASES

Pursuant to the Strategic Agenda for Arizona's Courts 2005-2010, and good  
cause appearing,

**IT IS HEREBY ORDERED**, that the Court Services Manager in the area of  
probate, guardianship and conservatorship cases be authorized to review sealed court  
documents as are applicable for providing monetary and other information for  
comprehensive review of probate, guardianship and conservatorship accountings.

Dated at Bisbee, Arizona, this 14<sup>th</sup> day of July, 2008.



WALLACE R. HOGGATT  
Presiding Judge

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

FILED  
2008 JUL 17 PM 3:48

ADMINISTRATIVE ORDER NO. 2008-18

DENSE L LUNDIN  
CLERK OF SUPERIOR COURT SV  
BY \_\_\_\_\_  
DEPUTY

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

Upon request of the Foster Care Review Board,

**IT IS ORDERED APPOINTING** Julianne Viger as a member of the Foster Care Review Board, Cochise County 03, to fill the vacancy left by Patricia Pringle, with term expiring the third Monday of January, 2009.

DATED this 17 day of July, 2008.



ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Courtney Riddle, Foster Care Review Board Outreach Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Elis Castillo, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Patricia Pringle, c/o Foster Care Review Board  
Ms. Julianne Viger, c/o Foster Care Review Board

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

FILED  
2008 JUL 17 PM 3:48

ADMINISTRATIVE ORDER NO. 2008-19

DENSE L LUNDIN  
CLERK OF SUPERIOR COURT SV  
BY  
DEPUTY

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

Upon request of the Foster Care Review Board,

**IT IS ORDERED APPOINTING** Patricia Studley as a member of the Foster Care Review Board, Cochise County 03, to fill the vacancy left by Edward Wagner, with term expiring the third Monday of January, 2009.

DATED this 17 day of July, 2008.



ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Courtney Riddle, Foster Care Review Board Outreach Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Elis Castillo, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Mr. Edward Wagner, c/o Foster Care Review Board  
Ms. Patricia Studley, c/o Foster Care Review Board

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

FILED  
2008 JUL 17 PM 3:48

ADMINISTRATIVE ORDER NO. 2008-20

DEISE L LINDEN  
CLERK OF SUPERIOR COURT ST  
BY \_\_\_\_\_  
DEPUTY

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

Upon request of the Foster Care Review Board,

**IT IS ORDERED APPOINTING** John Gusky as a member of the Foster Care Review Board, Cochise County 04, to fill the vacancy left by Patsy Jones, with term expiring the third Monday of January, 2011.

DATED this 17 day of July, 2008.



ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

- xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Courtney Riddle, Foster Care Review Board Outreach Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Linda Bednarek, Foster Care Review Board Program Supervisor,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Susan Peacock, Foster Care Review Board Program Specialist,  
400 W/Congress, STE. 341, Tucson, AZ 85701-1353  
Mr. John Gusky, c/o Foster Care Review Board  
Ms. Patsy Jones, c/o Foster Care Review Board

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

FILED

2008 AUG 13 AM 8:28

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

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ADMINISTRATIVE ORDER NO. 2008-21

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BY \_\_\_\_\_

---

IN RE: JUVENILE DIVISION – ACCESS TO DELINQUENCY FILES

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Historically, the legal and social files in delinquency proceedings were closed to public inspection. On January 1, 1995, the Arizona Supreme Court enacted on an experimental basis a modification to Rule 19.1 of the Rules of Procedure in Juvenile Court. Rule 19.1(a) opens for public inspection all legal files except where the juvenile court makes a finding of a clear public interest in confidentiality or for the welfare of the victim. Rule 19.1(b) defines the social file in delinquency proceedings and closes it to public inspection except upon order of the Court. On June 1, 1996, the experimental rule was made permanent.

Proposition 102, passed by the electorate in November of 1996, provided that “all proceedings and matters involving juveniles accused of unlawful conduct shall be open to the public and all records of those proceedings shall be public records. Exceptions shall be made only for the protection of the privacy of innocent victims of crime or when a court of competent jurisdiction finds a clear public interest in confidentiality.” Effective July 21, 1997, the Arizona legislature amended A.R.S. §8-208 to open records relating to juveniles who are referred to the juvenile court for delinquent acts, including diversion proceedings. The Court has the responsibility of editing the records to protect the identity of the victim or the immediate family of the victim if the victim has died as a result of the alleged offense. The Court may keep records confidential if it determines that the subject matter of any record involves a clear public interest in confidentiality.

The Court has voluminous records in the possession of the Clerk of the Court that relate to juvenile court matters in Cochise County. Over the years, some records have been destroyed as a result of the A.R.S. §8-247. That records destruction provision has been repealed effective July 21, 1997 and has now been renumbered and amended as ARS Sec. 8-349. No provision has been made by statute or rule with regard to the delinquency legal files that are not now active. Although no specific statutory or rule authorization existed, the juvenile court had the inherent power to close its files and hearings to the public. This was accepted custom in this jurisdiction, throughout the state and most of the remainder of the country. There was a clear public expectation that hearings and files would be confidential. That public expectation was broken with the promulgation of the Arizona Supreme Court of its experimental rule on January 1, 1995. It would be unfair to authorize public disclosure without good cause of the archived juvenile delinquency records of any person whose career as a juvenile ended before January 1, 1995. Therefore,

**IT IS ORDERED** the juvenile delinquency records that are in existence in this Court involving persons who were born before January 1, 1977 (who were or would have been at least 18 years of age at the time of the enactment of the Arizona Supreme Court rule opening legal files on January 1, 1995), shall remain closed to public inspection and be opened only upon the order of a judge of this Court after a showing of good cause.

DATED this 8 day of ~~July~~ <sup>August</sup>, 2008.

  
\_\_\_\_\_  
ANN R. LITTRELL  
PRESIDING JUVENILE COURT JUDGE  
COCHISE COUNTY

COUNTY OF COCHISE  
STATE OF ARIZONA

The foregoing instrument is a full, true and correct  
copy of the original on file in this office.

Attested AUGUST 13, 20 08

DENISE I. LUNDIN, Clerk

By Stephanie Deppa Deputy

Original filed with the Clerk of the Court – Juvenile

xc: Delcy Scull, Chief Juvenile Probation Officer  
Office of the Court Administrator

FILED

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

2008 AUG -8 PM 1:12

ADMINISTRATIVE ORDER NO. 2008-22

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: ASSIGNMENT OF RETIRED JUDGE

BY \_\_\_\_\_

Good cause appearing, it is

ORDERED the Honorable Thomas E. Collins, retired judge of the superior court, be assigned to preside over matters pertaining to the following cases in the Superior Court in Cochise County:

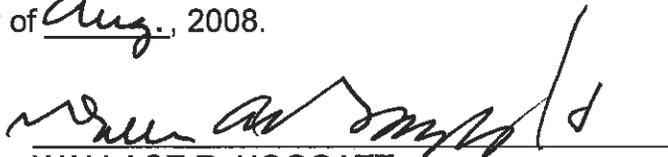
State of Arizona vs. Leonard Irwin Bacon, CR200100478

State of Arizona vs. Jon Edward Erickson, CR200100103

It is further ORDERED that Judge Collins shall be compensated pursuant to Article VI, Section 20, of the Arizona Constitution.

This ORDER shall be in effect, nunc pro tunc, from July 1, 2008 to and including June 30, 2009.

DATED at Bisbee, Arizona, this 08<sup>th</sup> day of Aug., 2008.



WALLACE R. HOGGATT  
Presiding Judge

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

**FILED**

2008 AUG 21 AM 8:15

**ADMINISTRATIVE ORDER NO. 2008-023**

DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT

BY \_\_\_\_\_

**IN RE: APPOINTMENT OF VOLUNTEER STAFF ATTORNEY**

WHEREAS, Biagio Gingo, Esq., a member in good standing of the State Bar of Arizona, has volunteered his services to the Superior Court of Arizona, Cochise County, in whatever capacity will most assist the Court, and

WHEREAS, the undersigned Presiding Judge has consulted with the other members of the Superior Court bench about the best way to utilize Mr. Gingo's professional services, and

WHEREAS, the bench determined that Mr. Gingo would be of assistance to the Court in reviewing and recommending action concerning post-conviction relief proceedings, lower court appeals, and administrative appeals as Volunteer Staff Attorney, and

WHEREAS, to avoid any conflict or appearance of conflict with Mr. Gingo's domestic relations/family law practice, his duties as Volunteer Staff Attorney shall not extend to any domestic relations or family law cases in this Court,

IT IS HEREBY ORDERED that Biagio Gingo, Esq., is appointed Volunteer Staff Attorney for the Superior Court, Cochise County, to assist the Court in handling post-conviction relief proceedings, lower court appeals, and administrative appeals, by ascertaining and advising the Court of the procedural status, state of the record, and nature of issues raised in any such cases and by conducting legal research as may be directed by the judges to whom such cases are assigned.

IT IS FURTHER ORDERED that Mr. Gingo's services shall be part-time, consisting of about one day per week, and, because voluntary, shall be uncompensated.

IT IS FURTHER ORDERED that Mr. Gingo shall have access to the office of the Clerk of Superior Court and to the files in post-conviction relief cases, lower court appeals, and administrative appeals, for the purpose of performing services as Volunteer Staff Attorney – provided, however, that he may not remove any files from the Cochise County Courthouse, nor have access to any domestic relations or family law files except such access as any member of the public is allowed to have, nor open any file or document or thing in any files which is sealed or marked confidential without further order of the Court.

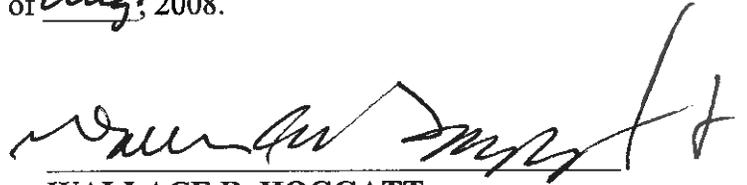
IT IS FURTHER ORDERED that this appointment shall be effective for one (1) year from the date it is signed, and that the appointment is subject to renewal.

IT IS FURTHER ORDERED that either Mr. Gingo or the Court may terminate this appointment at any time for any reason.

IT IS FURTHER ORDERED that the Superior Court Administrator shall cause an appropriate staff identification card to be issued to Mr. Gingo.

IT IS FURTHER ORDERED that the Superior Court bench expresses its appreciation to Mr. Gingo for his volunteer service.

DATED at Bisbee, Arizona, this 19<sup>th</sup> day of Aug, 2008.



**WALLACE R. HOGGATT**  
**Presiding Judge**

FILED

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

2008 AUG 27 AM 9:05

ADMINISTRATIVE ORDER NO. 2008-24

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

BY

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

Upon request of the Foster Care Review Board,

**IT IS ORDERED APPOINTING** Anna Magoffin (Alternate) as a member of the Foster Care Review Board, Cochise County 04, to fill the (Alternate) vacancy left, with term expiring the third Monday of January, 2010.

DATED this 25 day of August, 2008.



ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Courtney Riddle, Foster Care Review Board Outreach Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Elis Castillo, FCRB Program Specialist  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Anna Magoffin, c/o Foster Care Review Board

FILED

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

2008 AUG 26 PM 3:16

**ADMINISTRATIVE ORDER NO. 2008-25 (AMENDING 2002-15)**

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

BY \_\_\_\_\_

It appearing to the court that guidelines previously set by Administrative Order 2000-10 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:

**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 the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney 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.

**2. COURT APPOINTED COUNSEL FOR INDIGENT DEFENDANTS IN  
CAPITAL CASES:**

Seventy-five dollars (\$75.00) per hour for legal services provided by the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney 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. CO-COUNSEL FOR INDIGENT DEFENDANTS IN CAPITAL CASES:**

Fifty dollars (\$50.00) per hour for legal services provided by the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney 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.

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

Fifty-five dollars (\$55.00) per hour for legal services provided by the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney 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.

**5. PARALEGALS ASSISTING COURT APPOINTED COUNSEL:**

Twenty dollars (\$20.00) per hour for legal services provided at the request of an attorney 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.

**6. 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.

**7. COURT APPOINTED INVESTIGATORS IN PROBATE, GUARDIANSHIP OR CONSERVATORSHIP CASES:**

One hundred dollars (\$100.00 per investigation conducted and Report to Court submitted; reimbursement for mileage at the then-current county rate, and actual and reasonable out-of-pocket expenses incurred in the course of conducting the investigation.

**8. COURT REPORTERS:**

Two hundred fifty dollars (\$250.00) per day for non-employee court reporters. Travel and other expenses are included in the daily rate.

**9. 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 interpreter services shall be reimbursed as follows: one hundred ninety dollars (\$190.00) 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 (\$125.00) 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.

#### **10. PHYSICIANS:**

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.

#### **11. EXPENSES (except where excluded in the above rates):**

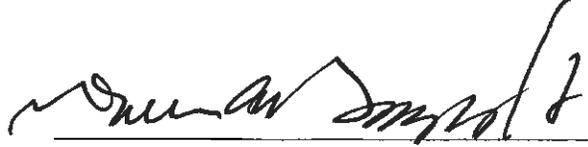
Transcription of interview tapes of English-speaking persons will be reimbursed at a rate of not more than one dollar (\$2.00) per page. Transcriptions of interview tapes of Spanish-speaking persons will be reimbursed at a rate of not more than two dollars (\$4.50) per page. Copying charges will be reimbursed at a rate of not more than ten cents (\$.10) per page. Reimbursement will not be made for facsimile expenses.

Travel shall be reimbursed at the then-current county rate for travel necessary to accomplish the work assigned or to the courthouse for a scheduled court appearance. Lodging and other charges necessarily incurred will be paid at the then current rate for out-of-county services only.

**IT IS FURTHER ORDERED** that the above limits may be exceeded upon a showing of necessity or good cause to the court on petition and order in writing. In determining the compensation to be set or reimbursement to be authorized, the court shall consider the amount of time to be expended, which may be limited by the court; the necessity for such work and the work previously performed in the particular case; the experience of counsel; the complexity of the matter; and any other factors which may be presented to or known 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 27, 2008. Thereafter, all previous administrative orders pertaining to compensation and reimbursement are hereby void and of no further effect.

**DATED** at Bisbee, Arizona, this 26th day of August, 2008.

A handwritten signature in black ink, appearing to read "Wallace R. Hoggatt", written over a horizontal line.

Wallace R. Hoggatt  
Presiding Judge

FILED

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

ADMINISTRATIVE ORDER NO. 2008-26 (AMENDING 2008-25)

2008 SEP - 4 AM 10: 54

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

It appearing to the court that guidelines previously set by Administrative Order 2000-10 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:

**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 the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney 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.

**2. COURT APPOINTED COUNSEL FOR INDIGENT DEFENDANTS IN  
CAPITAL CASES:**

Seventy-five dollars (\$75.00) per hour for legal services provided by the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney 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. CO-COUNSEL FOR INDIGENT DEFENDANTS IN CAPITAL CASES:**

Fifty dollars (\$50.00) per hour for legal services provided by the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney 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.

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

Fifty-five dollars (\$55.00) per hour for legal services provided by the attorney for indigent persons in cases assigned by the Indigent Defense Coordinator. Attorney shall not be compensated for any work performed by attorney 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.

**5. PARALEGALS ASSISTING COURT APPOINTED COUNSEL:**

Twenty dollars (\$20.00) per hour for legal services provided at the request of an attorney 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.

**6. 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.

**7. COURT APPOINTED INVESTIGATORS IN PROBATE, GUARDIANSHIP OR CONSERVATORSHIP CASES:**

One hundred dollars (\$100.00) per investigation conducted and Report to Court submitted; reimbursement for mileage at the then-current county rate, and actual and reasonable out-of-pocket expenses incurred in the course of conducting the investigation.

**8. COURT REPORTERS:**

Two hundred fifty dollars (\$250.00) per day for non-employee court reporters. Travel and other expenses are included in the daily rate.

**9. 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 interpreter services shall be reimbursed as follows: one hundred ninety dollars (\$190.00) 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 (\$125.00) 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.

#### **10. PHYSICIANS:**

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.

#### **11. EXPENSES (except where excluded in the above rates):**

Transcription of interview tapes of English-speaking persons will be reimbursed at a rate of not more than two dollars (\$2.00) per page. Transcriptions of interview tapes of Spanish-speaking persons will be reimbursed at a rate of not more than four dollars and fifty cents (\$4.50) per page. Copying charges will be reimbursed at a rate of not more than ten cents (\$.10) per page. Reimbursement will not be made for facsimile expenses.

Travel shall be reimbursed at the then-current county rate for travel necessary to accomplish the work assigned or to the courthouse for a scheduled court appearance. Lodging and other charges necessarily incurred will be paid at the then current rate for out-of-county services only.

**IT IS FURTHER ORDERED** that the above limits may be exceeded upon a showing of necessity or good cause to the court on petition and order in writing. In determining the compensation to be set or reimbursement to be authorized, the court shall consider the amount of time to be expended, which may be limited by the court; the necessity for such work and the work previously performed in the particular case; the experience of counsel; the complexity of the matter; and any other factors which may be presented to or known 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 27, 2008. Thereafter, all previous administrative orders pertaining to compensation and reimbursement are hereby void and of no further effect. (Wx10)

*03<sup>rd</sup> day of September, 2008, effective the*  
**DATED** at Bisbee, Arizona, this 26th day of August, 2008, *none pro tunc.*



Wallace R. Hoggatt  
Presiding Judge

**FILED**

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

2008 SEP 4 PM 2:43

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 2008-27  
(AMENDING Administrative Order No. 2008-24)

BY \_\_\_\_\_

**IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD**

Upon request of the Foster Care Review Board,

**IT IS ORDERED APPOINTING** Anna Magoffin (Alternate) as a member of the Foster Care Review Board, Cochise County 02, to fill the (Alternate) vacancy left, with term expiring the third Monday of January, 2010.

DATED this 3 day of ~~August~~ <sup>September</sup>, 2008.



ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

COUNTY OF COCHISE  
STATE OF ARIZONA

The foregoing instrument is a full, true and correct copy of the original on file in this office.

Attested September 4 20 08  
DENISE I. LUNDIN, Clerk  
By Stephanie Dupre Deputy

- xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Ms. Courtney Riddle, Foster Care Review Board Outreach Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Elis Castillo, FCRB Program Specialist  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Ms. Anna Magoffin, c/o Foster Care Review Board

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

FILED

2008 SEP 16 PM 4:01

ADMINISTRATIVE ORDER NO. 2008-28

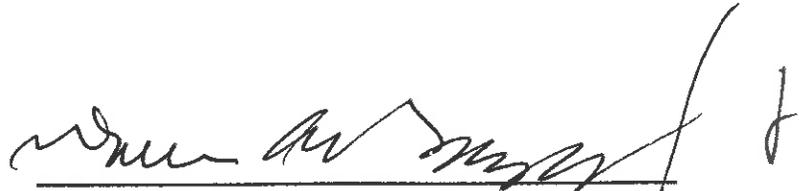
DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: ADOPTION OF COCHISE COUNTY LIMITED JURISDICTION COURTS  
RECORDS SEARCH POLICY & PROCEDURE

Good cause appearing and with the approval of the Cochise county Justices of the Peace and Magistrates at the quarterly local limited jurisdiction courts meeting held in Bisbee, Arizona, on August 26, 2008,

**IT IS HEREBY ORDERED**, that the attached "Records Search Policy & Procedure" is hereby adopted and is applicable to the justice and magistrate courts of Cochise County.

Dated at Bisbee, Arizona, this 16<sup>th</sup> day of September, 2008.



**WALLACE R. HOGGATT**  
Presiding Judge

COUNTY OF COCHISE  
STATE OF ARIZONA

The foregoing instrument is a full, true and correct copy of the original on file in this office.

Attested September 17, 2008

DENISE I. LUNDIN, Clerk

By Stephanie Royal Deputy

# COCHISE COUNTY LIMITED JURISDICTION COURTS RECORDS SEARCH POLICY & PROCEDURE

## INTRODUCTION

Court records must be open and accessible to the public, with limited exceptions, in accordance with the Rules of the Supreme Court. In order to uniformly comply with requests for information contained in court records, the Cochise County Limited Jurisdiction Courts Records Search Policy & Procedure has been established. The court may assess certain fees if research<sup>1</sup> must be conducted to provide access to certain court records. Persons requesting information may be referred to the Public Access website at [www.supreme.state.az.us](http://www.supreme.state.az.us).

Members of the media researching a case for the purpose of reporting specific information to the public, shall not be subject to research fees.

## POLICY

Requests for public records must be made in person or in writing. Telephone requests will not be accepted. Each file must be reviewed and the following confidential information must be redacted prior to inspection or copying of the file:

- Social Security Number
- Credit Card Information
- Financial Account Numbers
- Credit Reports
- Judicial Work Product (Notes)
- Victim Information (including victim information in probable cause statements and affidavits)
- Criminal History Records
- Information Sealed by Superior Court Order
- Medical or Psychological Records

## RECORDS SEARCH REQUESTS

Requests for court records must be submitted on the "Request for Court Records" form. Requests shall be completed within 7 to 10 working days. There will be no charge assessed for requests made in person that include case essential information (name and case number); however, requests for court records for commercial<sup>2</sup> purposes shall be assessed a fee of \$17 per record. A direct party of an open or current case will not be charged a research or clerk fee.

All requests that require a name search in order to obtain case information will be subject to a research fee of \$17.00 (A.R.S. 22-281 & 22-404) and may include up to three names per request or three cases per name. Requests made in person or in writing for more than three names or cases shall be assessed a one-time additional \$17 Clerk Fee<sup>3</sup>. Requests for records that are not in the active files<sup>4</sup> will be charged an additional \$17.00 Clerk Fee. Fees for records search requests shall not be waived and shall be paid prior to the commencement of the search.

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<sup>1</sup> Research – assistance on behalf of the public in determining the specific case to be located

<sup>2</sup> Commercial Purposes – the use of a public record for the purpose of sale or resale or solicitation or any other purpose that may result in monetary gain

<sup>3</sup> Clerk Fee - performing any act for which a fee is not specifically prescribed (22-281)

<sup>4</sup> Active Files - open and closed cases that are readily accessible from the court's on-site file room

Any request that requires programming to compile and format the information shall be assessed a fee of \$46 per hour for required programming, a \$17 research fee and a \$17 clerk fee. Once the programming is complete, future requests for the same report will have a standard \$34 research and clerk fee applied. Any changes requested in an existing report may require additional programming fees.

Additional fees will apply for:

Purge letters	\$17.00
Certification	\$17.00
Payment History Report	\$17.00
Audio Recordings	\$17.00
Duplication of a Record (DUI Packet/Court Abstract)	\$17.00
Copies	\$ .50 per page

Fee Exemption:

- A. No research or clerk fee shall be charged to any of the following (A.R.S. 12-304):
  - 1. The state, a county, city or town or political subdivision of a county
  - 2. A commission, board or department of the state, a county, a city, a town or a political subdivision of a county
  - 3. An official of the state, county, city, town or political subdivision of a county, who is a party to an action in his official capacity
- B. No research or clerk fee shall be charged to any federal (including military) agency
- C. No research or clerk fee shall be charged to court appointed attorneys

All records searches are subject to the availability of the record in accordance with the Supreme Court Records Retention and Disposition Schedule (Rule 29D, Rules of Supreme Court.)

Receipting:

- a. Event codes:
  - 5937 - Clerk fee, \$17.00
  - 5961 - Record duplication/audio fee, \$17.00
  - 5964 - Research/ locate document fee, \$17.00
  - 5965 - Payment History report fee, \$17.00
  - 5942 - Copies, \$0.50/page
- b. Use Quick Receipt if a case number is available
- c. Use Miscellaneous Receipt only if no record is located within the court
  - i. If a miscellaneous receipt was issued and the search is not attached to a record, the receipt/ record search needs to be kept for 3 years

COCHISE COUNTY  
JUSTICE COURT PRECINCT \_\_\_\_\_

REQUEST FOR COURT RECORDS

*Pursuant to Rule 29, Rules of the Supreme Court, and the Supreme Court Records Retention and Disposition Schedule, certain records may not be available.*

\_\_\_\_\_ I acknowledge and understand that a Research Request Fee of \$17.00 will be charged for each name search, up to three names or three separate cases (a separate form is required for each name request,) and additional fee(s) will be assessed for copies or certification of case information. Requests for records that are not in the active files will be charged an additional \$17.00 Clerk Fee. Requests for court records for commercial purposes shall be assessed a Clerk Fee of \$17.00 per record.

\_\_\_\_\_ I am the court appointed attorney on this case

- I Request: \_\_\_\_\_ View only (No fee)  
\_\_\_\_\_ Copies only (\$17.00 Research Fee plus \$.50 per page)  
\_\_\_\_\_ Certification (\$17.00 per certification plus all other applicable fees)  
\_\_\_\_\_ Audio/CD (\$17.00 per CD)  
\_\_\_\_\_ Duplication of a record (DUI Packet/Court Abstract) - \$17.00

of the following court records:

Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

Address \_\_\_\_\_

Citation/Docket # \_\_\_\_\_ Case # \_\_\_\_\_

Date of Incident \_\_\_\_\_ Type of charge \_\_\_\_\_

Other information \_\_\_\_\_

My relationship to this individual is \_\_\_\_\_

These documents are for:

\_\_\_\_\_ Personal, non-commercial use. I am aware of the penalties for conversion to commercial use.

\_\_\_\_\_ Commercial use. I certify that the specific use to which these documents will be put is:

\_\_\_\_\_

\_\_\_\_\_  
Name of Requestor \_\_\_\_\_ Signature of Requestor \_\_\_\_\_

\_\_\_\_\_  
Telephone Number of Requestor \_\_\_\_\_ Date \_\_\_\_\_

Court Fees: Research Fee \$17.00 \_\_\_\_\_  
Clerk Fee \$17.00 \_\_\_\_\_  
Certification Fee \$17 per case \_\_\_\_\_  
Programming Cost \_\_\_\_\_  
Audio/CD \$17 each \_\_\_\_\_  
Copies \$.50 per page \_\_\_\_\_

Total Due \_\_\_\_\_ Clerk initials \_\_\_\_\_  
Date Completed \_\_\_\_\_

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

**FILED**

**2008 OCT 10 PM 2:52**

**ADMINISTRATIVE ORDER NO. 2008-029**

**DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT**

**BY \_\_\_\_\_**

**IN RE: CHANGES IN LAW AND MOTION CALENDARS**

Pursuant to Rules 2 and 3 of the Local Rules of Practice of the Superior Court, Cochise County, it is

**ORDERED** as follows:

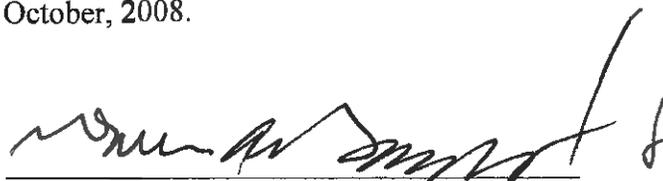
1. Division One shall conduct Civil Law and Motion Day on Monday of each week; provided, however, when Monday is a legal holiday, Tuesday shall be Civil Law and Motion Day.
2. Division One shall conduct Criminal Law and Motion Day on Wednesday of each week; provided, however, when Wednesday is a legal holiday, Tuesday shall be Criminal Law and Motion Day.
3. Divisions Two and Five shall conduct Law and Motion Day on Monday of each week; provided, however, when Monday is a legal holiday, Tuesday shall be Law and Motion Day.
4. Division Three shall conduct Civil Law and Motion Day on Monday of each week; provided, however, when Monday is a legal holiday, Tuesday shall be Civil Law and Motion Day.
5. Division Three shall conduct Criminal Law and Motion Day on Friday of each week; provided, however, when Friday is a legal holiday, Thursday shall be Law and Motion Day.
6. Division Six shall conduct Criminal Law and Motion Day on Monday of each week; provided, however, when Monday is a legal holiday, Tuesday shall be Law and Motion Day.
7. Division Six shall conduct criminal arraignments on Monday of each week; provided, however, when Monday is a legal holiday, arraignments will be held on Tuesday.
8. Division Six shall conduct Civil Default Matters on Friday of each week; provided, however, when Friday is a legal holiday, default matters will be held on Thursday.

9. Unless otherwise directed, the scheduled hours for each division's Law and Motion Calendar are as follows:

Division One:	Civil Matters	9:30 a.m. to Noon
	Criminal Matters	1:30 p.m. in-custody matters 2:00 p.m. out-of-custody matters
Division Two:	Civil Matters	2:00 p.m. to 5:00 p.m.
	Criminal Matters	8:30 a.m. in-custody matters 10:00 a.m. out-of-custody matters
Division Three:	Civil Matters	9:30 a.m. to Noon
	Criminal Matters	9:00 a.m. in-custody matters 2:00 p.m. out-of-custody matters
Division Five:	Civil Matters	9:00 a.m.
	Criminal Matters	1:30 p.m.
Division Six:	Criminal Matters	9:00 a.m. in/out-of-custody matters
	Arraignments	1:30 p.m. in/out-of-custody matters
	Civil Matters	9:00 a.m.

10. This administrative order shall be effective November 03, 2008, and shall thereafter supersede and supplant all previous administrative orders setting the Law and Motion Calendars.

**DATED** at Bisbee, Arizona, this 10<sup>th</sup> day of October, 2008.



**WALLACE R. HOGGATT**  
Presiding Judge

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

FILED  
TIME \_\_\_\_\_ M  
(JV)  
NOV - 5 2008

ADMINISTRATIVE ORDER NO. 2008-30

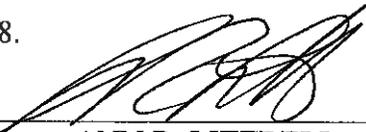
DENSE I. LUNDIN  
CLERK SUPERIOR COURT  
BY: \_\_\_\_\_ DEPUTY

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

Upon request of the Foster Care Review Board,

**IT IS ORDERED APPOINTING** Katherine Ponce de Leon as a member of the Foster Care Review Board, Cochise County 03, to fill the vacancy left by Ruthe Brown, with term expiring the third Monday of January, 2010.

DATED this 5 day of November, 2008.

  
\_\_\_\_\_  
ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Courtney Riddle, Foster Care Review Board Outreach Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Elis Castillo, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Ruthe Brown, c/o Foster Care Review Board  
Ms. Katherine Ponce de Leon, c/o Foster Care Review Board

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

FILED

2008 NOV 24 PM 1:47

ADMINISTRATIVE ORDER NO. 2008-31

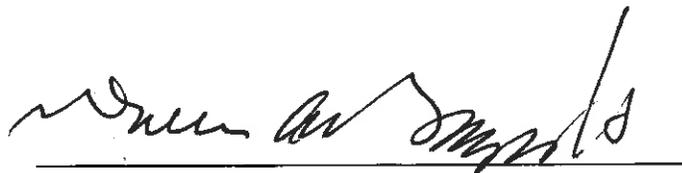
DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: ADOPTION OF COCHISE COUNTY LIMITED JURISDICTION COURTS  
SEALING PURGED RECORDS POLICY & PROCEDURE

Good cause appearing and with the approval of the Cochise County Justices of the Peace and Magistrates at the quarterly local limited jurisdiction courts meeting held in Sierra Vista, Arizona, on November 18, 2008,

**IT IS HEREBY ORDERED**, that the attached "Sealing Purged Records Policy & Procedure" is hereby adopted and is applicable to the justice and magistrate courts of Cochise County.

DATED at Bisbee, Arizona, this <sup>24<sup>th</sup></sup> 20<sup>th</sup> day of November, 2008.



WALLACE R. HOGGATT

Presiding Judge

COUNTY OF COCHISE  
STATE OF ARIZONA

The foregoing instrument is a full, true and correct copy of the original on file in this office.

Attested \_\_\_\_\_, 2008  
DENISE L. LUNDIN, Clerk  
By \_\_\_\_\_ Deputy

## **COCHISE COUNTY LIMITED JURISDICTION COURTS**

### **SEALING PURGED RECORDS**

#### **POLICY & PROCEDURE**

#### **INTRODUCTION**

In accordance with Section 4-302 of the Arizona Code of Judicial Administration, Limited Jurisdiction Courts Records Retention and Disposition, the municipal and justice courts are authorized to maintain and destroy records pursuant to rules established by the Supreme Court. It is recommended that courts follow the retention periods set in the Records Retention and Disposition Schedule and destroy records after retention periods expire.

Court records are available to the general public through the Public Access to Information website. In order to remove access to the electronic record of files that have been destroyed at the expiration of the retention period, the following policy and procedure has been established to purge and seal those records.

#### **POLICY/PROCEDURE**

The courts shall make an effort to follow the Records Retention and Disposition Schedule and establish a routine to destroy records after retention periods expire. In order to protect the privacy of individuals and purge all case information from public access, the courts shall enter into the Case Management System Event Code 5199 – Record Purged and Sealed – and enter a "Y" in the "Sealed/Expunged" field in the Case Master. This event code shall be used only for those cases that have been determined to be eligible for destruction.

FILED

2008 NOV 25 PM 1:51

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

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

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ADMINISTRATIVE ORDER NO. 2008-32

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IN RE: APPOINTMENT OF PROBATE REGISTRAR AND DESIGNEES

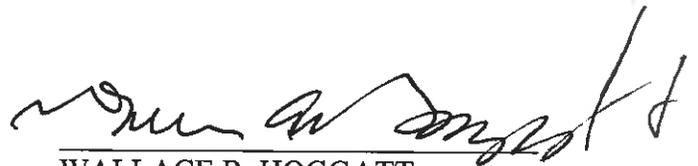
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Pursuant to the provisions of A.R.S. § 14-1307 pertaining to the appointment of Probate Registrar and other designees, it is

**ORDERED** as follows:

- 1) Denise I. Lundin, Clerk of the Superior Court is designated as Probate Registrar for Cochise County.
- 2) Rendar A. Gregory, Sondra Whitmer, Karin Saavedra, Mary Edie, Edie Valencia, and Stephanie Reyna are designated as Assistant Probate Registrars.
- 3) Carol Helton, Fran Ranacelli, Mary Edie, and Stephanie Reyna are designated as Assistant Probate Registrars in those guardianship cases filed by the Attorney General which are associated with a dependency action.
- 4) This administrative order supersedes any previous administrative orders and shall be effective upon the date of signing.

DATED at Bisbee, Arizona, this 25<sup>th</sup> day of November, 2008.



WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2008 DEC -5 AM 10:31

ADMINISTRATIVE ORDER NO. 2008-033

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

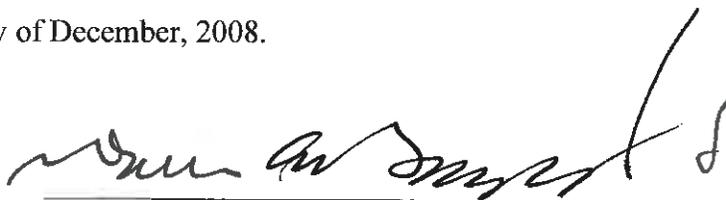
IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

To relieve congestion in the court calendar and other good cause appearing, it is  
**ORDERED** as follows:

1. Effective January 01, 2009, all newly filed IV-D and related cases shall be assigned to Division Four. All pending IV-D cases shall be reassigned to Division Four.
2. All other case assignments set forth in Administrative Orders 2008-013, 2008-03 and 2007-27 remain in full force and effect.

It is **FURTHER ORDERED** that the Clerk of Superior Court and Court Administration may immediately begin reassignments in cooperation with all affected Divisions.

**DATED** at Bisbee, Arizona, this 05th day of December, 2008.



**WALLACE R. HOGGATT**  
Presiding Judge

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

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ADMINISTRATIVE ORDER NO. 2008-34

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IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

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Upon request of the Foster Care Review Board,

**IT IS ORDERED REAPPOINTING** the following as member(s) of the Foster Care Review Board, with a term expiring the third Monday of January, 2012, to wit:

<u>NAME</u>	<u>BOARD</u>
John Auchincloss, Jr.	Cochise 01
James Finley	Cochise 01
Yolanda Anderson	Cochise 02
Michele Douglass	Cochise 03
Patricia Studley	Cochise 03
Julianne Viger	Cochise 03
Josette Hallford	Cochise 04
Donald Manring	Cochise 04

DATED this 4 day of December, 2008.

  
\_\_\_\_\_  
ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Courtney Riddle, Foster Care Review Board Outreach Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Elis Castillo, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Mr. John Auchincloss, Jr., c/o Foster Care Review Board  
Mr. James Finley, c/o Foster Care Review Board  
Ms. Yolanda Anderson, c/o Foster Care Review Board  
Ms. Michele Douglass, c/o Foster Care Review Board  
Ms. Julianne Viger, c/o Foster Care Review Board  
Ms. Patricia Studley, c/o Foster Care Review Board  
Ms. Josette Hallford, c/o Foster Care Review Board  
Mr. Donald Manning, c/o Foster Care Review Board

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

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ADMINISTRATIVE ORDER NO. 2008-35

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IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

---

Upon request of the Foster Care Review Board,

**IT IS ORDERED REAPPOINTING** Mr. Donald Manring as a member of the Foster Care Review Board Removal Team for Cochise County 01, with a term expiring the third Monday of January, 2012.

DATED this 4 day of December, 2008.



---

ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Courtney Riddle, Foster Care Review Board Outreach Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Elis Castillo, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Mr. Donald Manring, c/o Foster Care Review Board

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

**FILED**

**2008 DEC 31 PM 1:29**

**ADMINISTRATIVE ORDER NO. 2008-036**

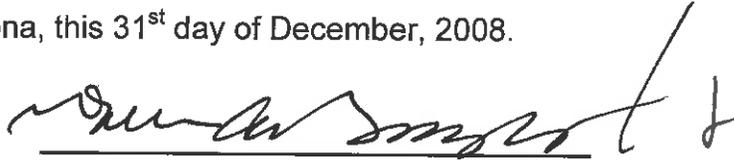
**IN RE: PROTECTING THE PERSONAL INFORMATION OF COURT USERS  
AND NOTIFYING AFFECTED PERSONS IN THE EVENT OF A BREACH OF  
THE SECURITY SYSTEM**

**DEMISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
COCHISE COUNTY**

Pursuant to Arizona Supreme Court Administrative Order No. 2008-68, it is hereby **ORDERED**

The attached Cochise County Judicial Branch Database Protection Policy is adopted and is applicable to all courts and departments therein throughout Cochise County, effective January 1, 2009.

**DATED** at Bisbee, Arizona, this 31<sup>st</sup> day of December, 2008.



**WALLACE R. HOGGATT  
Presiding Judge**

**COCHISE COUNTY JUDICIAL BRANCH  
DATABASE PROTECTION POLICY  
Effective January 1, 2009**

**Purpose:** To ensure the protection of databases containing confidential personal information regarding multiple individuals, this policy provides direction for performing various notifications in the event of a loss of a computer or personal storage device or breach of a computer security system containing personal information as defined by A.R.S. 44-7501.

**Definitions:**

***Personal Information:*** an individual's first name or first initial and last name in combination with any one or more of the following data elements, when the data element is not encrypted, redacted or secured by any other method rendering the element unreadable or unusable:

- a. the individual's social security number;
- b. the individual's driver's license number or non-operating identification license number;
- c. the individual's financial account number or credit/debit card number in combination with any required security code, access code or password that would permit access to the individual's financial account.

Personal information does not include publicly available information that is lawfully made available to the general public from federal, state or local government records or widely distributed media.

***Breach, breach of a computer security system, or security breach:*** an unauthorized acquisition of and access to unencrypted or un-redacted computerized data that materially compromises the security or confidentiality of personal information maintained by a person as part of a database of personal information regarding multiple individuals and that causes or is reasonably likely to cause substantial economic loss to an individual. Good faith acquisition of personal information by an employee or agent of the person for the purposes of the person is not a breach of the security system if the personal information is not used for a purpose unrelated to the person or subject to further willful unauthorized disclosure.

***Portable storage devices:*** flash-memory-based "thumb" or "jump" drives, portable audio players, or external hard drives.

**Policy:** In the course of conducting official business of the judiciary as required by law or as necessary or desirable to carry out judicial orders, the Superior and Limited Jurisdiction Courts and departments thereof in Cochise County collect personal information about court users. It is the responsibility of the courts to protect court data that identify individual court users.

All courts and departments thereof in Cochise County shall comply with the policies set forth by the Administrative Office of the Courts for the protection of all information stored on behalf of the courts.

In addition, all courts and departments thereof in Cochise County Courts shall ensure that safeguards are in place to protect data copied onto portable devices by limiting the type of information that is downloaded onto end-user devices. Court employees may only copy confidential personal information onto portable devices with the approval of the appropriate supervisor. No confidential personal information shall be copied onto any personal portable device. All portable devices shall be secured when not in use.

Should a breach occur, the following procedures shall be followed:

1. Any court employee who first learns of the actual loss or security breach or event having the potential of perpetrating a breach shall notify his or her immediate supervisor and provide details of loss or breach immediately upon discovery. Loss can include portable storage devices as well as portable computers. The specifics of security problems should not be discussed widely but should instead be shared on a need-to-know basis.
2. The immediate supervisor of the employee reporting actual loss or data breach shall notify without delay the Clerk of the Court or Court Administrator, or the judge of any other court whose data may likely have been lost or compromised.
3. The Clerk of the Court, Court Administrator or the judge of any other court responsible for the data impacted shall verify whether a breach or loss has actually occurred along with the scope of the damage and notify the Presiding Judge.
4. The Presiding Judge, Clerk of the Court or Court Administrator shall notify the Administrative Director of the Administrative Office of the Courts as well as the Information Technology Division and any applicable local law enforcement agencies within 24 hours of being notified of the breach.
5. Local law enforcement shall be notified to begin an investigation into the scope of loss and provide advice about whether notification to affected persons would negatively impact a criminal investigation.
6. The Clerk of the Court, Court Administrator or the judge of any other court responsible for the data impacted by the loss or breach shall draft communication to affected persons using the content of sample letters attached to Arizona Supreme Court Administrative Order 2008-68 as soon as

possible. No communication shall be released until law enforcement provides authorization to publicize the loss or breach.

7. When fewer than 100,000 people are affected by the loss or breach or the cost of notification is under \$50,000, communication shall be made in writing to each individual affected. When more than 100,000 people are affected by the loss or breach or the cost of notification is above \$50,000, the draft communication shall first be forwarded to the Administrative Office of the Court's Executive Division for review.

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of: )  
 )  
PROTECTING THE PERSONAL ) Administrative Order  
INFORMATION OF COURT USERS ) No. 2008 - 68  
AND NOTIFYING AFFECTED )  
PERSONS IN THE EVENT OF A )  
BREACH OF THE SECURITY SYSTEM )  
\_\_\_\_\_ )

A.R.S. § 44-7501(K) requires courts to “create and maintain an information security policy that includes notification procedures for a breach of the security system” of the court. The statute defines a breach as follows:

[A]n unauthorized acquisition of and access to unencrypted or unredacted computerized data that materially compromises the security or confidentiality of personal information maintained . . . as part of a database of personal information regarding multiple individuals and that causes or is reasonably likely to cause substantial economic loss to an individual.

A.R.S. § 44-7501(L)(1).

Personal information about court users is collected in the course of conducting the official business of the judiciary as required by law or as necessary or desirable to carry out judicial orders. The nature of court computing resources necessitates guidance regarding responsibility for protecting court data that identifies individual court users. The increased portability of end-user storage devices enables centrally managed data to be copied onto portable devices and transported offsite. The high cost of encrypting data makes it impractical as an across-the-board solution. Therefore, statewide policies are needed to define responsibility for notifying individuals who may be affected when security of court data is compromised.

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that not later than January 1, 2009, all courts shall adopt a policy requiring protection of databases containing confidential personal information regarding multiple individuals including a provision for notifying affected persons in the event of a breach to such a database that exposes unencrypted or unredacted personal information not otherwise publicly available. The Administrative Office of the Courts (AOC) shall adopt a policy for the automation systems and centralized data it manages, with which courts using statewide systems will be expected to comply. Any individual court managing a local automation system or storing data locally shall adopt a policy governing security of its local databases. At a minimum, these policies shall include provisions that:

1. **Establish responsibility for judicial department notification.** Any court employee who downloads all or part of a database of confidential personal information regarding multiple individuals onto an end-user storage device such as a personal PC or flash drive, or onto an off-site data storage system such as a web-based data repository, shall provide notice to his or her supervisor or other appropriate person in the chain of authority if a breach may have occurred. The court administrator or clerk of court responsible for the data system that was breached shall notify the presiding judge of the court and the Administrative Director within 24 hours.
  
2. **Establish breach notification procedures.** The court administrator or clerk of court responsible for the automated system or storage device that is the object of the breach shall determine whether a breach has occurred and notify those affected if a breach has occurred. The person responsible for providing notice of the breach shall provide the required notice in the most expeditious manner possible and without delay, subject to the needs of law enforcement if a criminal investigation is pending. Sample notification letters are attached to this order. If the cost of individual notices exceeds \$50,000.00 or the breach affects more than 100,000 persons, the local court shall coordinate such notification through the AOC, which shall notify the public using statewide media outlets.

IT IS FURTHER ORDERED that each court shall provide a copy of its policy to the presiding judge of the county by January 1, 2009.

Dated this 14th day of August, 2008.

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RUTH V. McGREGOR  
Chief Justice

## Implementation of Administrative Order 2008-68, Notice to Affected Persons in the Event of Breach or Loss of Unencrypted Computer Data

### Guidance for creating a local court policy applicable to local automation systems and locally stored data

Responsible Role	Action Required by Policy	Timeframe/Qualifier
Court, clerk, or probation employee who first learns of the actual loss or data breach or potential breach	Notify immediate supervisor and provide details of loss or breach	Immediately upon discovery
Immediate supervisor of employee reporting actual loss or data breach or potential breach	<ol style="list-style-type: none"> <li>1. Notify local Clerk of Court and Court Administrator, and</li> <li>2. Notify Clerk of Court and Court Administrator of any other court whose data may likely have been lost or compromised.</li> </ol>	Without delay
Court Administrator or Clerk of Court responsible for the data impacted by the loss or breach	<ol style="list-style-type: none"> <li>1. Verify whether a breach or loss has occurred and scope of damage,</li> <li>2. Notify Presiding Judge,</li> <li>3. Notify Karl Heckart at AOC ITD (602-452-3350), and Dave Byers, Administrative Director of the AOC (602-452-3307), by phone or high priority e-mail, and</li> <li>4. Notify applicable local law enforcement agency.</li> </ol>	Within 24 hours
Law enforcement	Advise local Court Administrator, Clerk of Court and Presiding Judge whether notification to affected persons would negatively impact criminal investigation.	As scope of loss is determined
Court Administrator or Clerk of Court responsible for the data impacted by the loss or breach	Draft communication to affected persons using content of sample letters attached to AO 2008-68 as guideline.	As soon as possible, once extent of loss or breach is clearly understood and law enforcement advises investigation won't be affected
Court Administrator or Clerk of Court responsible for the data impacted by the loss or breach	<p>Mail notification to affected parties if &lt; 100,000 people affected or cost of notification is &lt; \$50,000.00</p> <p style="text-align: center;">OR</p> <p>Provide details to AOC Executive Office if &gt;100,000 people affected or cost is &gt;\$50,000</p>	As soon as possible
AOC Executive Office	<ol style="list-style-type: none"> <li>1. Notify State Information Security &amp; Privacy Office at GITA, and</li> <li>2. Communicate notice using statewide mass media outlets.</li> </ol>	Without delay

**SAMPLE LETTER 1**

**Data Acquired: Credit Card Number or Financial Account Number Only**

Dear :

We are writing to you because of a recent incident involving a breach of security for an electronic database at *[name of court or department]* containing *[specific category of personal information]*.

*[Describe what happened in general terms, what type of personal information was involved, and what you are doing in response.]*

To protect yourself from the possibility of identity theft, we recommend that you immediately contact the credit card or financial account issuer for the account that may have been the subject of unauthorized access and ask them to either close your account or provide you with a new account number. Tell them that your account may have been compromised. If you want to open a new account, ask the company to give you a PIN or password. This will help control access to the new account in the future.

For more information on identity theft, we suggest that you visit the Office of the Attorney General at [http://www.azag.gov/cybercrime/ID\\_Theft.html](http://www.azag.gov/cybercrime/ID_Theft.html); the Department of Public Safety at <http://www.azvictims.com/identity/default.asp>; or the Federal Trade Commission at [www.consumer.gov/idtheft](http://www.consumer.gov/idtheft). If there is anything *[name of department]* can do to assist you, please call *[phone number]*.

*[Closing]*

**SAMPLE LETTER 2**

**Data Acquired: Driver's License or Arizona ID Card Number**

Dear :

We are writing to you because of a recent incident involving a breach of security for an electronic database at *[name of court or department]*.

*[Describe what happened in general terms, what kind of personal information was involved, and what you are doing in response.]*

Since your Driver's License *[or Arizona Identification Card]* number was involved, we recommend that you immediately contact your local Dept. of Motor Vehicles office to report the theft. Ask them to put a fraud alert on your license. Then call the toll-free MVD Customer Service Center at 800-251-5866 for additional information.

If your Driver's License or Arizona ID Card Number is also your Social Security Number, we recommend that you place a fraud alert on your credit files. A fraud alert lets creditors know to contact you before opening new accounts. Just call any one of the three credit reporting agencies at a number below. This will let you automatically place fraud alerts with all of the agencies. You will then receive letters from all of them with instructions on how to get a free copy of your credit report from each.

Experian	Equifax	TransUnion
888-397-3742	800-525-6285	800-680-7289

Look over your credit reports carefully when you receive them. Look for accounts you did not open. Look for inquiries from creditors that you did not initiate. Look for personal information, such as home address and Social Security number that is not accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

If you do find suspicious activity on your credit reports, call your local police or sheriff's office and file a report of identity theft. *[Or, if appropriate, give contact number for law enforcement agency investigating the incident for you.]* Get a copy of the police report. You may need to give copies to creditors to clear up your records.

Even if you do not find any signs of fraud on your reports, we recommend that you check your credit reports every three months for the next year. Just call one of the numbers above to order your reports and keep the fraud alert in place.

For more information on identity theft, we suggest that you visit the Office of the Attorney General at [http://www.azag.gov/cybercrime/ID\\_Theft.html](http://www.azag.gov/cybercrime/ID_Theft.html); the Department of Public Safety at <http://www.azvictims.com/identity/default.asp>; or the Federal Trade Commission at [www.consumer.gov/idtheft](http://www.consumer.gov/idtheft). If there is anything *[name of your department]* can do to assist you, please call *[phone number]*.

*[Closing]*

**SAMPLE LETTER 3**  
**Data Acquired: Social Security Number**

Dear :

We are writing to you because of a recent security incident at *[name of court or department]*. *[Describe what happened in general terms, what kind of personal information was involved, and what you are doing in response.]*

To protect yourself from the possibility of identity theft, we recommend that you place a fraud alert on your credit files. A fraud alert lets creditors know to contact you before opening new accounts. Just call any one of the three credit reporting agencies at a number below. This will let you automatically place fraud alerts with all of the agencies. You will then receive letters from all of them, with instructions on how to get a free copy of your credit report from each.

Experian	Equifax	TransUnion
888-397-3742	800-525-6285	800-680-7289

Look over your credit reports carefully when you receive them. Look for accounts you did not open. Look for inquiries from creditors that you did not initiate. And look for personal information, such as home address, that is not accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

If you do find suspicious activity on your credit reports, call your local police or sheriff's office and file a police report of identity theft. *[Or, if appropriate, give contact number for law enforcement agency investigating the incident for you.]* Get a copy of the police report. You may need to give copies of the police report to creditors to clear up your records.

Even if you do not find any signs of fraud on your reports, we recommend that you check your credit report every three months for the next year. Just call one of the numbers above to order your reports and keep the fraud alert in place.

For more information on identity theft, we suggest that you visit the Office of the Attorney General at [http://www.azag.gov/cybercrime/ID\\_Theft.html](http://www.azag.gov/cybercrime/ID_Theft.html); the Department of Public Safety at <http://www.azvictims.com/identity/default.asp>; or the Federal Trade Commission at [www.consumer.gov/idtheft](http://www.consumer.gov/idtheft). If there is anything *[name of your department]* can do to assist you, please call *[phone number]*.

*[Closing]*