

## ADMINISTRATIVE ORDERS FOR 2010

| No.     | DESCRIPTION OF ADMINISTRATIVE ORDER  |
|---------|--|
| 2010-01 | IN RE: Rescinding Administrative Order No. 2009-24   |
| 2010-02 | IN RE: Appointment of Superior Court Judges Pro Tempore  |
| 2010-03 | IN RE: Designation of Election Division  |
| 2010-04 | IN RE: Regular and Special Assignments of Judges   |
| 2010-05 | IN RE: Revisions to the Judicial Merit System Rules  |
| 2010-06 | IN RE: The Appointment of Presiding Juvenile Court Judge   |
| 2010-07 | ----- No Administrative Order Issued -----   |
| 2010-08 | IN RE: Adoption of Continuity of Operations Plan in the Event of an Influenza Pandemic for the Judicial System in Cochise County                               |
| 2010-09 | IN RE: Appointment of Superior Court Judges Pro Tempore, Juvenile Court Commissioners and Justices of the Peace Pro Tempore                                    |
| 2010-10 | IN RE: Regular and Special Assignments of Judges   |
| 2010-11 | IN RE: The Appointment of Justice of the Peace Pro Tempore for the Purpose of conducting a Wedding Ceremony  |
| 2010-12 | IN RE: Changes in Law and Motion Calendars   |
| 2010-13 | IN RE: Restrictions on the Use of Security Surveillance Recordings   |
| 2010-14 | IN RE: Designation of Holiday  |
| 2010-15 | IN RE: Guidelines for Compensation and Associated Expenses of Court Appointed Counsel, Paralegals, Investigators, Court Reporters, Interpreters and Physicians |
| 2009-16 | IN RE: Fees for Copies Charged by Constables   |
| 2010-17 | IN RE: Amending Administrative Order No. 2004-10   |
| 2010-18 | IN RE: Adoption of Cochise County Limited Jurisdiction Courts Restitution Disbursement Policy & Procedure  |
| 2010-19 | IN RE: Adoption of Cochise County Limited Jurisdiction Courts Deleting Purged Records Policy & Procedure   |
| 2010-20 | IN RE: Regular and Special Assignments of Judges   |

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

**FILED**

**2010 JAN -8 PM 4: 12**

**ADMINISTRATIVE ORDER NO. 2010-01**

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

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

**IN RE: RESCINDING ADMINISTRATIVE ORDER 2009-024**

GOOD CAUSE APPEARING, it is hereby ORDERED that Superior Court, Cochise County Administrative Order No. 2009-024, dated December 04, 2009, entitled "In Re: Response Fee in Non-Appearance Family Law Matters", is RESCINDED, effective immediately.

**DATED** at Bisbee, Arizona, this 08th day of January, 2010.



**WALLACE R. HOGGATT  
Presiding Judge**

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

FILED

10 FEB -1 AM 8:59

ADMINISTRATIVE ORDER NO. 2010-02

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
DEPUTY

IN RE: APPOINTMENT OF SUPERIOR COURT JUDGES PRO TEMPORE

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

**John F. Kelliher**  
**Margaret Macartney**  
**Ann Battaglia Roberts**

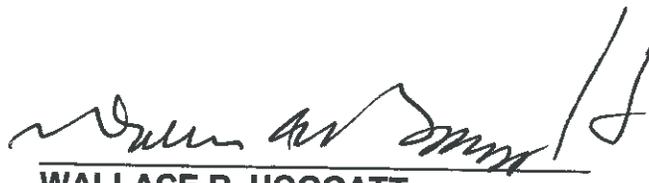
are hereby appointed as Juvenile Court Commissioners and are dually assigned as Superior Court Judges Pro Tempore under the following terms and conditions:

- 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.

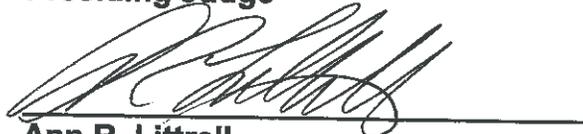
Said Superior Court Judges Pro Tempore shall submit time records in the performance of the above stated duties for hourly pay calculations and payment to the Office of the Court Administrator of this court.

The term of these appointments is January 6, 2010, to and including June 30, 2010.

**DATED** at Bisbee, Arizona, this 29<sup>th</sup> day of January, 2010.



**WALLACE R. HOGGATT**  
Presiding Judge



**Ann R. Littrell**  
Presiding Juvenile Court Judge

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of: )  
)  
APPOINTMENT OF COURT ) PRO TEMPORE ORDER  
COMMISSIONERS TO SERVE AS ) No. 2010 - 01  
JUDGES PRO TEMPORE IN THE )  
SUPERIOR COURT OF THE STATE )  
OF ARIZONA IN AND FOR THE )  
COUNTY OF COCHISE )  

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The presiding judge of the Superior Court of Arizona in Cochise County has requested the appointment of court commissioners to serve as judges pro tempore 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 upon entry of this Order, and ending June 30, 2010, in accordance with A.R.S. §§ 12-141 et. seq., and will serve as assigned by the presiding judge.

|                       |                   |
|-----------------------|-------------------|
| John F. Kelliher      | State Bar #007316 |
| Margaret MaCartney    | State Bar #013312 |
| Ann Battaglia Roberts | State Bar #018233 |

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 agreement by the appointees to serve for no additional compensation or benefits, fiscal or otherwise, other than that to which they are entitled as Superior Court Commissioners, as provided in A.R.S. § 12-142(C) and A.R.S. § 12-143 for services as judges pro tempore.

DATED this 6th day of January, 2010.

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REBECCA WHITE BERCH  
Chief Justice

**Coakley, Faye**

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**From:** board@co.cochise.az.us  
**Sent:** Thursday, January 28, 2010 12:55 PM  
**To:** Coakley, Faye  
**Subject:** Agenda Number CAD100001

This message is to let you know that the status of the agenda number CAD100001 after the BOS meeting is: **APPROVED**

Agenda Number: **CAD100001**

For Board Meeting of: **1/26/10**

Agenda Description: **Approve the appointment of Superior Court Judges Pro Tempore, John F. Kelliher, Margaret MaCartney and Ann Battaglia Roberts, pursuant to A.R.S. 12-141 for the period beginning January 26, 2010 and ending June 30, 2010.**

COMMENTS FROM BOS:  
**BOS signature not required.**

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

FILED

2010 MAR 16 PM 12:14

ADMINISTRATIVE ORDER NO. 2010-03

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

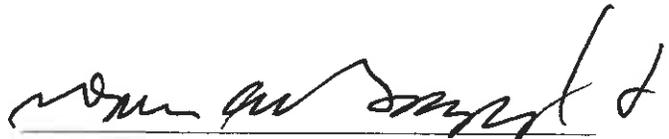
BY \_\_\_\_\_

IN RE: DESIGNATION OF ELECTION DIVISION

Pursuant to Memorandum dated March 09, 2010, from the Honorable Rebecca White Berch, Chief Justice of the Arizona Supreme Court, a copy of which is attached hereto, it is hereby **ORDERED**:

The Election Division of the Superior Court, Cochise County, for calendar year 2010 is Division Two.

**DATED** at Bisbee, Arizona, this 16<sup>th</sup> day of March, 2010.

  
WALLACE R. HOGGATT  
Presiding Judge

To: Superior Court Presiding Judges  
From: Rebecca Berch, Chief Justice  
Subject: Election Cases  
Date: March 9, 2010

**MEMORANDUM**

This is an election year for local and state offices. Experience has taught us that you can expect to see a number of election contests filed in your courts in the coming months. These cases are usually filed at the last minute and must be resolved in very short time frames so that ballots may be printed in time to have them ready for early voting. Statutes in Titles 16 and 19, A.R.S., contain a litany of deadlines keyed to election dates, filing dates, or certification dates. I have noted links below to the Secretary of State's website to assist you.<sup>1</sup>

For nominating petition contests, litigants appeal directly from the superior court to the Arizona Supreme Court. Referendum and initiative contests generally proceed to the Court of Appeals, which has concurrent jurisdiction with this court. Because of the short time frames involved, it is imperative that you hear these cases and assemble the record for transmittal on appeal promptly. Appellate deadlines for deciding these matters typically parallel those in the superior court. Anticipating the time frames and actively managing election matters helps greatly.

Please help the system function properly by adopting, if you have not already done so, the following measures that might make things easier should an election contest be filed in your court.

1. Please designate an "election division" if you have more than one judge on your bench as the division (or divisions, if necessary) to which election contests will be assigned, absent peremptory challenges or recusals. The judge(s) should become familiar with the applicable statutes and procedures and be ready when cases are filed. For example, an election judge will know that under A.R.S. § 16-351, a challenge to a nomination petition must be heard and decided within ten days. Election cases take precedence on court calendars. This Court has promulgated Rule 8.1, Ariz. R. Civ. App. P., which covers expedited appeals. The judge(s) of your election division(s) should read the appended copy of the rule.

Early voting is set to begin July 29, 2010 for the primary election and October 7 for the general election. The primary itself is set for August 24 and the general election will be held November 2. Please keep these dates in mind to help us move these cases along. Failure to act promptly – for example, by waiting five days to entertain objections to a form of judgment – can result in removal of qualified candidates from a ballot or incursion of extra costs for expedited printing of ballots. The courts' delay or failure to act should not hold up or add expense to public elections.

2. Designate a responsible court reporter to handle election cases. This

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<sup>1</sup> The Secretary of State's website is a useful election resource: <http://www.azsos.gov/>. Important dates appear at this link: <http://www.azsos.gov/election/2010/info/ImportantDates.htm>.

reporter should already have taken vacation by mid-June or agree not to take a vacation until after election season has ended. Some years ago, a court reporter took the notes for an election contest hearing and then left for vacation. Because we could not get a transcript, we had to affirm. The courts' inability to manage a case should not deprive litigants of their appeal rights.

3. The judge hearing an election contest should ensure that the judge's staff, the clerk's office, and the court reporter all work together to see that the case is promptly heard and decided, all orders and judgments are promptly signed, and the record on appeal is prepared for transmittal as quickly as possible.

4. Please make every effort to *avoid* assigning election cases to a judge pro tem. If you must use a pro tem, please find a responsible one who works full time and will become familiar with the statutes before these cases begin, and who can and will promptly hear and decide these cases.

The duty justice at this Court will supervise election appeals during the summer. Our staff attorneys assigned to election cases are Judy Schaffert (602-452-3384, [jschaffert@courts.az.gov](mailto:jschaffert@courts.az.gov)) and Mark Armstrong (602-452-3387, [marmstrong@courts.az.gov](mailto:marmstrong@courts.az.gov)). Either of these attorneys will be happy to answer any procedural questions you might have. If you cannot reach them, please call the duty justice or my judicial assistant, Jodi Rogers (602-452-3535, [jrogers@courts.az.gov](mailto:jrogers@courts.az.gov)). She will always know how to find me.

Thank you for giving this your consideration.

attachment

cc Justices  
Rachelle Resnick  
Judy Schaffert  
Mark Armstrong  
David Byers

Arizona Revised Statutes Annotated  
Rules of Civil Appellate Procedure  
**Rule 8.1. Appeals in Expedited Election Matters**

**(a) Scope.** This rule governs appeals in election matters designated by statute for expedited appellate review. Other provisions of these rules apply to expedited election appeals to the extent they are not inconsistent with or expressly varied by this rule.

**(b) Time for Filing Notice of Appeal.** The notice of appeal in an expedited election matter shall be filed within the accelerated time period provided for by the applicable statute. A final order shall be in writing and signed by the judge before an appeal can be taken.

**(c) Copy of Notice of Appeal, Statement Identifying Case, and Listing of Counsel to Be Filed with Appellate Court.** Not later than the next business day after filing the notice of appeal in the superior court, the appellant shall file with the clerk of the appellate court: (1) a conformed copy of the notice of appeal, reflecting the date of filing in the superior court; (2) a statement designating the case as an "Expedited Election Matter" and providing the names and contact information, including e-mail addresses, of counsel for each party and of any litigants appearing pro se; and (3) a copy of the superior court's final order from which the appeal is taken. Appellants in cases originating outside the county in which the appellate clerk's office is located may satisfy this requirement by sending these materials by facsimile or electronic mail to the appellate clerk and transmitting a paper copy for receipt by the appellate clerk not later than the second business day after filing the notice of appeal.

**(d) Payment of Fees.** The appellant shall pay the docketing fee to the clerk of the appellate court simultaneously with the filing of a copy of the notice of appeal with the clerk of the appellate court. For cases originating outside the county in which the appellate clerk's office is located, the docketing fee may be paid along with the paper copy transmitted pursuant to subsection (c). An appellee shall pay any required fees when the appellee first appears in the case.

**(e) Preparation of Record on Appeal.** The clerk of the superior court shall prepare the record and transmit it to the appellate court within five business days after the filing of the notice of appeal. In the notice of appeal, the appellant shall identify the appellate court in which the appellant has filed the appeal. The appellant shall request the reporter to expedite the preparation of any transcripts necessary for determination of the appeal. Not later than one business day after filing the notice of appeal, the appellant shall notify the appellee of the parts of the transcript that appellant intends to include in the record. If the appellee deems a transcript of other parts of the proceedings to be necessary, appellee shall notify the appellant and the reporter within one business day of the additional portions of the transcripts to be included. If necessary, the appellant may request the appellate court to order expedited preparation of the record. In lieu of the foregoing, the parties may agree upon a stipulated record and submit copies of the stipulated record to the appellate court.

**(f) Scheduling Conference.** Simultaneously with filing the copy of the notice of appeal required by subsection (c) of this rule, the appellant shall file a written request that the appellate court set an initial scheduling conference to determine the schedule for the expedited proceedings. The parties shall be prepared to address the following topics at the initial scheduling conference: (1) any pending deadlines, such as the date that the ballots or publicity pamphlet will be printed or the date of the election, that might affect the schedule for briefing and disposition of the appeal; (2) any request for a court order to facilitate the timely preparation of the record on appeal; (3) any request to transfer the case to the Court of Appeals or to the Supreme Court; (4) the nature and number of issues on appeal; (5) deadlines for the submission of briefs by the parties; (6) the format of pleadings to be filed, including proposed word limits and whether briefing should be in the form prescribed by Rule 13; and (7) whether oral argument should be scheduled.

**(g) Requirement of Electronic or Facsimile Service.** Any papers served by mail pursuant to Rule 4(b) shall also be served at the same time by electronic means, including e-mail or facsimile, or as agreed to by the parties. If the party on whom service is to be made does not have access to electronic mail or facsimile, then service shall be personal service as defined by Rule 4(b).

**(h) Filing in the Supreme Court.** Expedited election appeals involving candidate nomination petitions shall be filed directly in the Supreme Court. Expedited election appeals involving initiatives and referenda may be filed

directly in the Supreme Court if the issue on appeal is of substantial statewide importance and would become moot before Supreme Court review unless the appeal is filed directly in the Supreme Court. Expedited election appeals involving recalls; county, city, or town initiatives or referenda; and those involving statewide initiatives and referenda that do not meet the criteria for filing directly in the Supreme Court shall be filed in the Court of Appeals.

**(i) Motion for Reconsideration; Petition for Review.** A motion for reconsideration in election matters governed by this rule shall be filed within five calendar days after the filing of a decision. A petition for review in election matters governed by this rule shall be filed with the clerk of the Supreme Court within ten calendar days after the filing of a decision or the date of a notice of determination of a motion for reconsideration. A cross-petition for review may be filed with the clerk of the Supreme Court within ten calendar days after service of a petition for review. The petitioner or cross-petitioner shall serve a copy of the petition or cross-petition and any appendices on all parties who have appeared in the Court of Appeals. Any party wishing to oppose the petition or cross-petition shall file a response within ten calendar days of service. The form and content of the petition, cross-petition, and responses shall comply with Rule 23(c). If the Supreme Court grants review but does not provide for supplementation of briefs or for oral argument, any request to do so must be filed within five calendar days from the date of the order granting review. The Supreme Court may extend or contract these time limits for good cause.

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

FILED

2010 JUN -2 PM 2:14

ADMINISTRATIVE ORDER NO. 2010-04

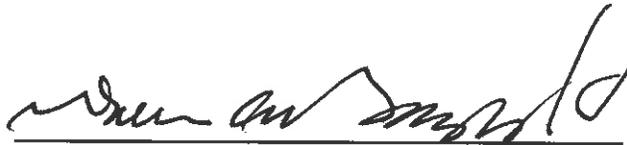
DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

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

1. Effective June 3, 2010, all newly filed Criminal cases shall be assigned as follows:
  - a. One-third to Division Three
  - b. One-third to Division Four
  - c. One-third to Division Five
2. All other case assignments set forth in Administrative Order 2008-13 remain in full force and effect.

DATED at Bisbee, Arizona, this 02<sup>nd</sup> day of June, 2010.



WALLACE R. HOGGATT  
Presiding Judge

FILED

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

2010 JUN -8 PM 12: 55

ADMINISTRATIVE ORDER NO. 2010-05

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: REVISIONS TO THE JUDICIAL MERIT SYSTEM RULES

Pursuant to Rule 26 of the Judicial Merit System of the Superior Court in Cochise County, with the approval of the judges of said court, and otherwise good cause appearing, it is **ORDERED**:

Rule 17, Section Four, pertaining to Layoff and Reinstatement Procedures is hereby rescinded and replaced by revised procedures, a copy of which is attached hereto.

It is further **ORDERED**, Rule 2, Definitions, pertaining to Department Directors, for the purposes of the Judicial Merit System shall be amended, as follows:

*"For purposes of the Judicial Merit System, department directors include the Judges of the Superior Court, the Clerk of the Court, the Justices of the Peace, the Court Administrator, the Director of Juvenile Court Services and the Chief Adult Probation Officer."*

It is further **ORDERED**, Rule 5, which identifies personnel exempt from the Judicial Merit Rules, except as otherwise noted within those Rules, is reaffirmed.

The revisions to Rule 17, Section Four, and to Rule 2, shall be in full effect upon the date of signing and shall remain in effect until further order of this court.

Dated at Bisbee, Arizona, this 08<sup>th</sup> day of June, 2010.



Wallace R. Hoggatt  
Presiding Judge



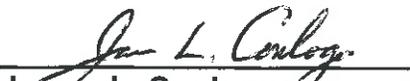
Ann R. Littrell  
Presiding Juvenile Court Judge



Stephen M. Desens  
Superior Court Judge



Charles A. Irwin  
Superior Court Judge



James L. Conlogue  
Superior Court Judge



Donna M. Beumler  
Superior Court Judge

## LAYOFF

1. A layoff is the unavoidable termination of employment as a result of a shortage of work or funds, reorganization, elimination of a position, or change in the duties of a position.
2. Employees who are relieved from their position due to the elimination of grant funding, either partially or entirely, may be eligible for layoff provisions under these Merit System Rules.
3. If there are any temporary or initial probationary employees serving in the department on the date of layoff in the same, equal, or lower positions, an employee with regular status must be offered opportunity for appointment to such positions, if the employee meets the minimum qualifications for the position, prior to layoff. The temporary or initial probationary employee shall be relieved.
4. If a funded vacancy exists within the Judicial Branch that the Department intends to fill, and if the employee meets the minimum qualifications of the position, a reasonable attempt will be made to place the employee in the existing vacancy in the same department or, failing that, elsewhere in the Judicial Branch.

The following process will be followed for competitive reassignment in lieu of layoff:

- a. The Judicial Human Resources Department establishes a list of vacant positions which are funded and intended to be filled.
- b. The Judicial Human Resources Department notifies the employee of vacant positions for which the employee may qualify.
- c. The employee may submit a completed judicial application form that demonstrates their minimum qualifications for the position to the Judicial Human Resources Director.
- d. The Judicial Human Resources Director will determine if the employee meets the minimum qualifications for the position. This information is forwarded to the Department Director to effect the transition.
- e. The salary will be set at the salary range for the vacant position.
- f. The accrual rates for annual and sick leave will be based on the employee's years of service.
- g. The reassignment effective date will be prior to the effective layoff date.
- h. An employee will be paid all accrued compensatory time, if time has not been used, prior to the effective date of the reassignment.
- i. An employee reassigned to a different classified position will serve the standard probationary period for the new position with the concurrence of the Department Director and the Judicial Human Resources Director.
- j. An employee will retain accrued annual and sick leave balances.

5. Prior to the effective date of a layoff, an employee may be appointed non-competitively by the Appointing Authority or Department Director in consultation with the Court Administrator or Judicial Human Resources Director into a vacant position in which the employee meets the minimum qualifications or, with approval by the Court Administrator or Judicial Human Resources Director, can be placed in the position as an underfill (i.e., meets minimum qualifications within one (1) year).

6. Before a layoff action is taken, the Department Director shall consult with the Court Administrator or Judicial Human Resources Director.

7. In the event of a layoff, the reduction of employees shall be in the order of:

- a. temporary employees;
- b. probationary employees (initial probationary period only);
- c. permanent employees.

8. The Department Director will provide a list of employees to the Judicial Human Resources Director and together they shall establish the order in which employees shall be laid off. In determining regular status employees' order of the layoff, the Judicial Human Resources Director and the Department Director shall consider such factors which may include but are not limited to the following:

- a. funding source;
- b. criticality of the position;
- c. employee qualifications, skill sets;
- d. seniority;
- e. performance ratings (may include work performance, conduct, attendance, customer service feedback, adherence to Judicial Merit Rules and Code of Conduct for Judicial Employees);
- f. the needs of the organization.

The above factors may be given more or less weight depending on the situation.

9. The employee shall be notified in writing of the layoff as soon as possible, but no later than ten (10) working days prior to the effective date of layoff. An employee does not have the right to appeal a layoff.

10. The notice to the employee shall contain information regarding: 1) the amount of compensatory leave to be paid out, if compensatory leave has not already been used; 2) the amount of annual leave to be paid out; 3) the termination date for benefits; and 4) the right to continue certain benefits under COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985) provisions.

11. If an employee returns to employment within a Judicial Department prior to the expiration of 365 calendar days from the date of layoff it is considered a reinstatement. However if an employee is reemployed after the expiration of 365 calendar days after a layoff it is considered a rehire and not subject to reinstatement provisions.

## LAYOFF REINSTATEMENT

Reinstatement occurs when the appointment of a laid off employee to a position within the Judicial Branch results in the: 1) appointment to the same position in the same department from which laid off, or 2) appointment to a position in a different classification or judicial department. Note: Employees that are relieved of employment due to a lack of grant funds may be eligible to be placed on a reinstatement list.

A. The Reinstatement List contains the names of regular status employees that have been laid off and requested placement on a reinstatement list. A reinstatement list shall be used prior to the to the recruitment process.

The Reinstatement List criteria that the Judicial Human Resources Director maintains shall be a listing of employees who are laid off and their date of termination. This listing shall be used to determine eligibility for Reinstatement. Employees who have been laid off are subject to reinstatement rights, as indicated below, within 365 days of the effective date of the layoff. The following criteria shall be used when reinstating employees after layoff:

- Should a vacancy occur, employees on the Reinstatement List shall be contacted before a recruitment is opened, to inquire about their interest, availability and qualifications.
- It shall be the responsibility of the employee to keep the Judicial Human Resources Director advised of his/her current mailing address throughout the period during which the employee remains eligible for reinstatement.
- Any former employee who is interested in reinstatement to that position shall submit an updated application or resume within five (5) working days to the Judicial Human Resources Director that demonstrates his/her qualifications for the position.
- The Judicial Human Resources Director will determine which employees are qualified for reinstatement in the vacant position and will coordinate placement with the hiring department.
- 

B. If the employee is reinstated, the employee:

- Shall receive credit for prior service to determine leave accrual rates.
- Who is eligible for benefits may enroll after the normal waiting period.
- May or may not receive the same rate of pay upon reinstatement as at the time of layoff.
- Shall not be required to serve a new probationary period unless they are hired into a different judicial department or classification than the position from which they were laid off. Employees being reinstated into a different judicial department or classification shall serve the standard probationary period for that classification.
- May be subject to a criminal history background check and fingerprinting upon return.

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

FILED

2010 JUN 16 AM 10:35

ADMINISTRATIVE ORDER NO. 2010-06

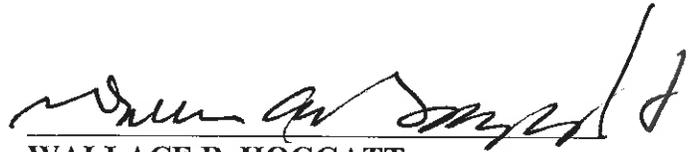
DENISE T. LUNDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

IN RE: THE APPOINTMENT OF PRESIDING JUVENILE COURT JUDGE

Good cause appearing and pursuant to Arizona Supreme Court Administrative Order No. 2005-32 on the authority of presiding judges, it is hereby **ORDERED**:

The Honorable Donna M. Beumler, Judge (pro tempore) of the Superior Court, is hereby appointed as Presiding Judge of the Juvenile Court for Cochise County, effective August 02, 2010.

DATED at Bisbee, Arizona, this 16<sup>th</sup> day of June, 2010.



WALLACE R. HOGGATT  
Presiding Judge

FILED

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

2010 JUN 30 PM 6:10

ADMINISTRATIVE ORDER NO. 2010-08

DENISE J. LUNDIN  
CLERK OF SUPERIOR COURT

BY \_\_\_\_\_

IN RE: ADOPTION OF A CONTINUITY OF OPERATIONS PLAN IN THE EVENT OF  
AN INFLUENZA PANDEMIC FOR THE JUDICIAL SYSTEM IN COCHISE COUNTY

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

The attached Continuity of Operations Plan, along with appendices, pertaining to an influenza pandemic, is hereby adopted and is applicable to courts and court departments in Cochise County.

DATED at Bisbee, Arizona, this 30<sup>th</sup> day of June, 2010.



WALLACE R. HOGGATT  
Presiding Judge

## **I. Purpose and Strategic Goals**

The purpose of this Cochise County Courts continuity of operations plan (COOP) is to ensure the courts have a viable capability to continue to meet the strategic goals for emergency preparedness during an influenza pandemic.

The strategic goals are:

1. The courts must deal with crises in a manner that protects the health and safety of everyone working in or attending court facilities; and
2. The courts must remain open and accessible to the public to ensure the administration of justice and to provide vital court services.

## **II. Tactical Objectives**

Given the extent and duration of the impact of an influenza pandemic, court operations in Cochise County may be impacted for an extended period of time. Therefore, in addition to mission essential functions for the Cochise County Courts, a broader set of tactical objectives are required. These objectives are designed to address the unique situation brought about by an influenza pandemic and may or may not apply to other emergency situations.

In the activation of COOP due to the onset of an influenza pandemic, the tactical objectives for the Cochise County Courts are to:

1. Have the capacity to perform all mission essential functions of the courts, and,
2. Have the capacity to address all emergency matters and cases filed in the Cochise County Courts that may be associated with the quarantine and isolation of individuals and other public health related cases.

These objectives for the courts may need to be performed in a situation where no, or only limited, face-to-face contact is possible or could present significant impact to judges, attorneys, parties, administrative staff, court clerks and other court staff, law enforcement, detention officers, state and local public health officials, jurors etc., due to illness.

## **II. Tactical Objectives, Continued**

Limitations on face-to-face contact may require a specified number of days under which operations are limited to mission essential functions and other public health emergency matters.

Transition to full operations will be initiated as soon as possible. However, if full operations cannot be initiated within 30 days, efforts will begin to increase operations in order to perform the long term tactical objectives described below.

In the case of an extended period of COOP activation (in excess of 30 days) due to the onset of an influenza pandemic, the tactical objective for the Cochise County Courts is to have the capacity to perform:

1. Time sensitive criminal matters, including the capacity to conduct jury trials;
2. Emergency civil matters (Orders of Protection, Injunctions Against Harassment, Mental Health Petitions, etc); and
3. Matters pertaining to election challenges;
4. Time sensitive delinquency and dependency matters;
5. Urgent matters in guardianship and conservatorship cases;
6. Receiving returns from the Grand Jury;
7. Any other mission essential functions.

Again, these long-term objectives may need to be performed under a situation where no, or only limited, face-to-face contact is possible or could present significant impact to judges, attorneys, parties, administrative staff, court clerks, and other staff, law enforcement, detention officers, state and local public health officials, jurors etc., due to illness.

## **III. Planning Assumptions**

The following are planning assumptions used in the Cochise County Courts. These assumptions were utilized to develop the information that follows.

The planning assumptions are:

- An increase in cases in the Cochise County Courts with individuals seeking relief and other matters may occur;
- Court operations in Cochise County may be detrimentally impacted by the pandemic for an extended period of time;
- Response and recovery will be bottom-up with local court officials in the Cochise County Courts being primarily responsible for the response and recovery efforts in the courts with only limited support from federal and state government officials.

- Of the judges, attorneys, parties, administrative staff, court clerks and other staff, law enforcement, detention officers, state and local public health officials, jurors etc., in Cochise County necessary to perform the mission essential functions and other tactical objectives, up to forty percent will not be available due to illness;
- Face-to-face contact between judges, attorneys, parties, administrative staff, court clerks and other staff, state and local public health officials, jurors etc., in Cochise County necessary to perform the mission essential functions and other tactical objectives may be dramatically curtailed;
- The court facilities, court infrastructure, public utilities and services associated with the Cochise County Courts will be physically intact during the response and recovery from the pandemic but services necessary to maintain operations in the courts may be limited due to isolation, quarantine, or illness with the impacted communities.
- The Superior Court and the Justice Courts in Cochise County will coordinate among specific regions in the county and provide cooperative sharing of staff and other court resources as may be needed in isolated incidents.

#### **IV. Local Public Health Contacts**

In order to ensure the planning efforts in the Cochise County Courts are integrated with other local emergency planning efforts, the Cochise County Courts will schedule and hold meetings with local public health and/or emergency management officials.

The primary contact within the local public health and/or emergency management community for Cochise County is:

|               |   |
|---------------|---|
| Name:         | <b><i>Vaira Harik</i></b>   |
| Title:        | Cochise County Health Director  |
| Work Phone:   | (520) 432-9404  |
| Mobile Phone: | (520) 508-1053  |
| Home Phone:   | (520)   |
| Other:        | <u><a href="mailto:vharik@cochise.az.gov">vharik@cochise.az.gov</a></u> |

The secondary contact within the local public health and/or emergency management community for Cochise County is:

Name: *Mike Evans*  
Title: Emergency Services Coordinator  
Work Phone: (520) 432-9220  
Mobile Phone: (520) 559-2147  
Home Phone: (520) 459-8503  
Other: [mevans@cochise.az.gov](mailto:mevans@cochise.az.gov)

The Cochise County Courts will follow-up with local public health and/or emergency management officials so the courts are kept informed regarding current local preparedness and planning efforts. The Cochise County Courts will follow through on any additional local preparedness efforts to ensure the courts are prepared to do their part to successfully respond and recover from a pandemic.

## V. Legal Issues

### A. Habeas Corpus Proceedings (relating to quarantine or isolation matters)

1. Necessary forms have been created (see Appendices) and are also available with the Clerk of the Superior Court.
2. Alternative means for conducting remote hearings (by telephone or videoconferencing) will be viable options.
3. Consideration will be given to the following, depending on the circumstances, and alternative means of distributing documents and notifying parties will be implemented:
  - a. How will petitions be filed?
  - b. How will judges be notified of petitions?
  - c. How will parties and counsel be notified of hearings?
  - d. Who should/must be present at a hearing?
  - e. Counsel: Who will appear for the petitioner (if indigent) and for the State?

4. Similar considerations will be given in the event an Order needs to be transmitted to the Court of Appeals.

B. The court will be prepared for the following emergency categories:

#### **Warrants**

1. Requests from executive branch agencies to enter property in public health emergencies.
2. Requests from law enforcement for arrests or search warrants related to public health emergencies.
3. Seizure of bodily fluids.
4. Seizure of a person or persons for quarantine purposes

#### **Arrests of Persons Disobeying Quarantines**

1. Nature of the offense/entitlement to bond.
2. First Appearance.
3. Habeus Corpus

#### **Civil Proceedings to Enforce Administrative Orders Quarantine/Isolation/Other Related Matters**

1. Court enforcement of administrative orders.
2. Injunctive relief.

#### **Mandatory Vaccinations**

#### **Enforcement of Curfew Orders**

## **VI. Technology Plans – Keeping Courts Open with No or Limited Face-to-Face Contact**

An influenza pandemic will likely place extraordinary limits on face-to-face court interactions. The Cochise County Courts will work with the Administrative Office of the Courts and the Cochise County Information and Technology Department to ensure that the Automation infrastructure components for the Cochise County Courts are sufficient to be prepared to perform the tactical objectives listed above by videoconference, video arraignment, telephone/teleconference, or other methods under conditions in which no or limited face-to-face contact is available.

As a matter of policy, the Cochise County Courts agree that many court proceedings can be held via video conference. There may be some legal limitations to some specific court proceedings being held via videoconference or telephone, but for planning purposes, the courts will use these alternative methods to the maximum extent allowed by law, in conducting business included within the tactical objectives for the Cochise County Courts listed above.

## **VII. Infection Control Precautions**

The Cochise County Courts have established a working relationship with local public health and emergency management officials. Cochise County Courts will heed the information from public health and emergency management officials as well as information coming from the federal and state level.

The nature of an influenza pandemic will likely place extraordinary limits on face-to-face interactions in the Cochise County Courts. Therefore this pandemic plan will enable the courts to remain open by conducting hearings and performing the tactical objectives by video conference, telephone/teleconference, or other methods under conditions in which no or limited face-to-face is available. (See item VI above). By using technology to hold court via videoconference, telephone/teleconference, or other methods, the courts will be prepared to minimize the need for face-to-face contact while still ensuring the capacity to keep the courts open. This reduction in face-to-face contact will serve as the primary infection control precaution for the Cochise County Courts.

Additionally, the Cochise County Courts will implement additional infection control precautions including:

- Providing education regarding the importance of proper hand hygiene (regular and thorough hand washing with soap and water or alcohol based hand rub);
- Providing education regarding the importance of proper cough etiquette (cover mouth and nose with a tissue or shirt sleeve, dispose of tissue immediately, and perform hand hygiene); and

- Planning for adequate social distancing at the work place (keeping three (3) feet distance from other persons), if conditions require.

Following the Arizona Department of Health Services (ADHS) Recommended Employer Responses (non-healthcare for the Influenza Season) (see Appendices)

The use of personal protective equipment (PPE) will also be a part of the infection control precautions for the Cochise County Courts. Guidelines given from public health will be followed.

### **VIII. Employee Education**

The Cochise County Courts will initiate an education effort to inform all court personnel on the threat posed by a pandemic. All court employees will be provided information to help them prepare themselves and their families for a possible influenza pandemic. Coordination with public health will assist the courts in completing this effort.

### **IX. Improve Communications**

In the event of an influenza pandemic, communication between the Cochise County Courts internally and externally with judges, attorneys, parties, administrative staff, court clerks and other staff, law enforcement, detention officers, state and local public health officials, jurors and general public will be crucial. Exchange of cell and home phone numbers between all of the courts' designated emergency contact members will be completed. A list of contact information for agencies that frequently conduct business with the courts will also be maintained.

In coordination with the emergency and health departments as well as the Board of Supervisors in Cochise County, utilization of local media outlets and the Cochise County website will provide information to the public. Designating an information call in number for the public is essential.

### **X. Personnel Issues**

While it is not possible to know how many staff members would be affected, federal studies indicate as much as 40% of the work force being unavailable during a pandemic. Contingencies for scheduling, overtime etc., must be addressed. In the operations plan, courts must build in redundancy to each position due to the possibility of illness striking a team member.

### **XI. Jury Management**

Coordination between Judges and the Clerk of the Court will guide the issues pertaining to jury management. Messages to prospective jurors will be regularly maintained both by the telephonic check-in service as well as postings to the jury duty link on the Cochise County website.

In the event that insufficient numbers of prospective jurors report for service, and there are multiple trials scheduled, all affected judges will jointly determine whether trials must be vacated and rescheduled and will work directly with the Clerk of the Court in such circumstances.





\_\_\_\_\_, the dwelling house or usual abode of (name:)  
, with (name:)

\_\_\_\_\_ a person of suitable age and discretion then residing therein.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

By: \_\_\_\_\_

(Signature)

Printed name: \_\_\_\_\_

Title: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

**APPENDIX B**

\_\_\_\_\_  
Cochise County Attorney

Notice of Hearing on Petition

\_\_\_\_\_  
Deputy County Attorney

State Bar No. \_\_\_\_\_

150 Quality Hill Rd

Bisbee, AZ 85603

Tel: (520) 432-8700

Fax: (520) 432-4208

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

**IN AND FOR THE COUNTY OF COCHISE**

**In the Matter of:**

\_\_\_\_\_  
**(name of person(s))**

)  
)  
)  
)  
)

**Case No.**

**NOTICE OF HEARING ON PETITION  
FOR ISOLATION OR QUARANTINE**

\_\_\_\_\_ )

NOTICE IS HEREBY GIVEN that the Petitioner, the Director of the Cochise County Health Department, has filed with this Court a Petition for Isolation and Quarantine in order to protect the public health.

A hearing has been set to consider the Petition on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_, at \_\_\_\_\_ o'clock \_\_.m., before the Honorable \_\_\_\_\_, Judge of the Superior Court for Cochise County, Division \_\_\_\_\_, located in the Cochise County Courthouse at 100 Quality Hill, Bisbee, Az 85603. You may appear telephonically by calling the Division \_\_\_\_ office at the time set for the hearing. The telephone number is: (520)\_\_\_\_\_

Please notify the Court if you are not represented by legal counsel and the Court will appoint a lawyer for you.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_

\_\_\_\_\_  
Director  
Cochise County Health Department  
1415 Melody Lane Bldg. A  
Bisbee, AZ 85603  
(520) 432-9400

By: \_\_\_\_\_

**APPENDIX C**

\_\_\_\_\_  
Cochise County Attorney

Order Appointing Atty

\_\_\_\_\_  
Deputy County Attorney

State Bar No. \_\_\_\_\_

150 Quality Hill Rd

Bisbee, AZ 85603

Tel: (520) 432-8700

Fax: (520) 432-4208

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**

**IN AND FOR THE COUNTY OF COCHISE**

In the Matter of: \_\_\_\_\_ )

Case No. \_\_\_\_\_ )

(name of person(s)) \_\_\_\_\_ )

**ORDER APPOINTING ATTORNEY ON  
PETITION FOR ISOLATION OR  
QUARANTINE**

\_\_\_\_\_  
The Petition of the Cochise County Health Department Director for the Isolation and Quarantine of the above-named persons having been brought before this court, and the Court being required to appoint an attorney for the person or persons who are the subject of the Isolation and Quarantine Order,

**IT IS HEREBY ORDERED THAT:**

\_\_\_\_\_The Cochise County Public Defender's office is appointed to represent the above-named person or persons in this matter; or,

\_\_\_\_\_, attorney at law, is appointed to represent the above-named person or persons in this matter.

**IT IS FURTHER ORDERED THAT:**

The attorney assigned to the case shall attend the hearing on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_.m. in Division \_\_\_\_\_ of the Cochise County Superior Court.

Given the urgency of this matter, no continuances will be granted without the stipulated, voluntary compliance of the above-named persons with the terms and conditions of the Isolation and Quarantine issued by the Petitioner, Cochise County Health Department Director.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

Judge of the Superior Court  
Cochise County

**APPENDIX D**

\_\_\_\_\_  
Cochise County Attorney

Gov-Declared Emergency Order

\_\_\_\_\_  
Deputy County Attorney  
State Bar No. \_\_\_\_\_  
150 Quality Hill Rd  
Bisbee, AZ 85603  
Tel: (520) 432-8700  
Fax: (520) 432-4208

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

**In the Matter of:**  
\_\_\_\_\_  
**(name of person(s))**  
\_\_\_\_\_

)  
)  
)

**Case No.**  
  
**ORDER FOR ISOLATION OR  
QUARANTINE**

The Petition of the Director of the Cochise County Health Department for an Order for Isolation or Quarantine filed pursuant to A.R.S. §36-624, having come before this Court, the Court finds:

1. The identity of the person or persons who are the subject of this petition for isolation or quarantine is/are:

\_\_\_\_\_  
(Name) (Address)

\_\_\_\_\_  
(Name) (Address)

2. Persons with shared or similar characteristics or circumstances, as identified by the Petitioner, are: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Petitioner has conducted an investigation and found that a suspected highly contagious and fatal disease, namely \_\_\_\_\_, exists in Cochise County.

4. The Governor of the State of Arizona has declared an emergency pursuant to A.R.S. §36-787.

5. Petitioner has identified the above-named person or persons, and those having shared or similar characteristics or circumstances, as having contracted or having been exposed to the disease.

6. Notice to the above-named persons has been given as provided by law.

7. By a preponderance of the evidence, isolation or quarantine has been shown to be reasonably necessary to protect the public health.

8. It is necessary to continue the Director's quarantine order beyond the ten days allowed by A.R.S. §36-789B

**IT IS THEREFORE ORDERED:**

1. That the above-named person (s) and all persons with shared or similar characteristics or circumstances be isolated or quarantined for a period not to exceed thirty (30) days in accordance with the following terms and conditions of isolation or quarantine:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Cochise County shall serve a conformed copy of this Order on the affected person or group of persons in accordance with the Arizona Rules of Civil Procedure.

3. The Petitioner may, before this Order expires, move to continue the isolation or quarantine for an additional period not to exceed thirty days.

4. Non-compliance with this Order may result in criminal charges and/or an Order of detention in a facility designated by this Court.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Judge of the Superior Court  
Cochise County

**APPENDIX E**

\_\_\_\_\_  
Cochise County Attorney

Non-Declared Emergency Order

\_\_\_\_\_  
Deputy County Attorney  
State Bar No. \_\_\_\_\_  
150 Quality Hill Rd  
Bisbee, AZ 85603  
Tel: (520) 432-8700  
Fax: (520) 432-4208

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

|   |   |   |   |
|---|---|---|---|
| <b>In the Matter of:</b><br>_____<br><b>(name of person(s))</b> | ) |   | <b>Case No.</b><br><br><b>ORDER FOR ISOLATION OR<br/>QUARANTINE</b> |
| _____   | ) | ) |   |
| _____   | ) | ) |   |
| _____   | ) | ) |   |

The Petition of the Director of the Cochise County Health Department for an Order for Isolation or Quarantine filed pursuant to A.R.S. §36-624, having come before this Court, the Court finds:

1. The identity of the person or persons who are the subject of this petition for isolation or quarantine is/are:

|        |  |           |
|--------|--|-----------|
| (Name) |  | (Address) |
|--------|--|-----------|

|        |  |           |
|--------|--|-----------|
| (Name) |  | (Address) |
|--------|--|-----------|

2. Persons with shared or similar characteristics or circumstances, as identified by the Petitioner, are: \_\_\_\_\_

3. Petitioner has conducted an investigation and found that an infectious or contagious disease, namely \_\_\_\_\_, exists in Cochise County.

4. Petitioner has identified the above-named person or persons, and those having shared or similar characteristics or circumstances, as having contracted or having been exposed to the disease.

5. Notice to the above-named persons has been given as provided by law.

6. By a preponderance of the evidence, isolation or quarantine has been shown to be reasonably necessary to protect the public health.

7. It is necessary to continue the Director's quarantine order beyond the ten days allowed by A.R.S. §36-789B

**IT IS THEREFORE ORDERED:**

1. That the above-named person (s) and all persons with shared or similar characteristics or circumstances be isolated or quarantined for a period not to exceed thirty (30) days in accordance with the following terms and conditions of isolation or quarantine:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Cochise County shall serve a conformed copy of this Order on the affected person or group of persons in accordance with the Arizona Rules of Civil Procedure.

3. The Petitioner may, before this Order expires, move to continue the isolation or quarantine for an additional period not to exceed thirty days.

4. Non-compliance with this Order may result in criminal charges and/or an order for detention in a facility designated by the Court.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Judge of the Superior Court  
Cochise County

**APPENDIX F**

\_\_\_\_\_  
Cochise County Attorney

Gov-Declared Emergency Petition

\_\_\_\_\_  
Deputy County Attorney  
State Bar No. \_\_\_\_\_  
150 Quality Hill Rd  
Bisbee, AZ 85603  
Tel: (520) 432-8700  
Fax: (520) 432-4208

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

|  |   |   |
|--|---|---|
| <p>In the Matter of: _____ )<br/>(name of person(s)) )<br/>_____ )</p> | ) | <p>Case No. _____<br/><br/>PETITION FOR ISOLATION OR<br/>QUARANTINE</p> |
|--|---|---|

Comes Now the Petitioner, the Director of the Cochise County Health Department, pursuant to A.R.S. §36-788 and -789, and states as follows:

1. The person or persons who are the subject of this petition for isolation or quarantine is/are:

|                 |  |                    |
|-----------------|--|--------------------|
| _____<br>(Name) |  | _____<br>(Address) |
|-----------------|--|--------------------|

|                 |  |                    |
|-----------------|--|--------------------|
| _____<br>(Name) |  | _____<br>(Address) |
|-----------------|--|--------------------|

2. The premises subject to isolation or quarantine are:

\_\_\_\_\_

3. The date and time at which isolation and quarantine and other control measures began is \_\_\_\_\_.

4. Petitioner has conducted an investigation and found that a suspected highly contagious and fatal disease, namely \_\_\_\_\_, exists in Cochise County.

5. Petitioner issued a Quarantine Order, a copy of which is attached hereto as Exhibit A, to the above named person(s) on \_\_\_\_\_ at o'clock \_\_\_\_m. by (personally serving the above named persons) posting a copy of the Quarantine Order in a conspicuous place, namely, \_\_\_\_\_.

6. It is necessary to continue to quarantine order beyond the ten days allowed by A.R.S. §36-789B.

7. Petitioner has delivered a copy of the sanitation measures and quarantine conditions, a copy of which is attached hereto as Exhibit B, to the above-named persons with the Quarantine Order.

8. Petitioner will serve the above-named person(s) within twenty-four hours of filing this petition in accordance with the Arizona Rules of Civil Procedure.

9. Petitioner has complied with and intends to comply with the conditions and principles for isolation and quarantine set forth in Arizona statute and the Arizona Administrative Code.

10. The basis on which isolation or quarantine is justified pursuant to A.R.S. Title 36, Article 9 is: \_\_\_\_\_.

11. The following form of isolation or quarantine is the least restrictive means necessary to protect the public health: \_\_\_\_\_.

WHEREFORE, Petitioner requests that the Court:

1. Set this matter for hearing within five days of the filing date of this petition pursuant to A.R.S. §36-789E.

2. Issue an Order requiring the person or group of persons to remain in isolation or quarantine in the manner stated above and authorizing law enforcement to assist if necessary to enforce the terms of the Order.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

\_\_\_\_\_, Director  
Cochise County Health Department  
1415 Melody Lane Bldg. A  
Bisbee, AZ 85603  
(520) 432-9400

AFFIDAVIT

State of Arizona        )  
                                  ) ss.  
County of Cochise )

\_\_\_\_\_, being duly sworn, states that she is the duly appointed Director of the Cochise County Health Department and is the Petitioner in the foregoing Petition, and that the statements made in the Petition are accurate and complete to the best of her knowledge.

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

Copies of the foregoing were mailed/delivered on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

To:

**APPENDIX G**

\_\_\_\_\_  
Cochise County Attorney

Non-Declared Emergency Petition

\_\_\_\_\_  
Deputy County Attorney

State Bar No. \_\_\_\_\_

150 Quality Hill Rd

Bisbee, AZ 85603

Tel: (520) 432-8700

Fax: (520) 432-4208

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

In the Matter of: \_\_\_\_\_ )

Case No. \_\_\_\_\_

(name of person(s)) \_\_\_\_\_ )

**PETITION FOR ISOLATION OR  
QUARANTINE**

Comes Now the Petitioner, the Director of the Cochise County Health Department,  
pursuant to A.R.S. §36-624, and states as follows:

1. The person or persons who are the subject of this petition for isolation or  
quarantine is:

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Address)

2. The premises subject to isolation or quarantine are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. The date and time at which isolation and quarantine and other control measures  
began is \_\_\_\_\_.

4. Petitioner has conducted an investigation and found that an infectious or  
contagious disease, namely \_\_\_\_\_, exists in Cochise  
County.

5. Petitioner issued a Quarantine Order, a copy of which is attached hereto as Exhibit A, to the above named persons on \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_m. by (personally serving the above named persons) (posting a copy of the Quarantine Order in a conspicuous place, namely, \_\_\_\_\_)

6. It is necessary to continue to quarantine order beyond the ten days allowed by A.R.S. §36-789B

7. Petitioner has delivered a copy of the sanitation measures and quarantine conditions, a copy of which is attached hereto as Exhibit B, to the above-named persons with the Quarantine Order.

8. Petitioner will serve the above-named person(s) within twenty-four hours of filing this petition in accordance with the Arizona Rules of Civil Procedure.

9. Petitioner has complied with and intends to comply with the conditions and principles for isolation and quarantine set forth in Arizona statute and the Arizona Administrative Code.

10. The basis on which isolation or quarantine is justified pursuant to A.R.S. Title 36, Article 9 is: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. The following form of isolation or quarantine is the least restrictive means necessary to protect the public health: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

WHEREFORE, Petitioner requests that the Court:

1. Set this matter for hearing within five days of the filing date of this petition pursuant to A.R.S. §36-789E.
2. After hearing, issue an Order requiring the person or group of persons to remain in isolation or quarantine in the manner state above and authorizing law enforcement to assist if necessary to enforce the terms of the Order.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

---

\_\_\_\_\_, Director  
Cochise County Health Department  
1415 Melody Lane Bldg. A  
Bisbee, AZ 85603  
(520) 432-9400

FILED

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

2010 JUN 30 PM 6:10

ADMINISTRATIVE ORDER NO. 2010-09

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

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

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

**Donna M. Beumler**

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

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

**Gerald F. Till**

Is hereby reappointed as Juvenile Court Commissioner and is dually assigned as a Superior Court Judge 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;
- C. Other judicial assignments as assigned by the presiding judge and weekend or holiday initial appearance calendars as assigned by the presiding justice of the peace, all of such assignments contingent upon available funding.

**John F. Kelliher**  
**Margaret Macartney**  
**Ann Battaglia Roberts**

Are hereby reappointed as juvenile Court Commissioners and are dually assigned as Superior Court Judges Pro Tempore under the following terms and 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**

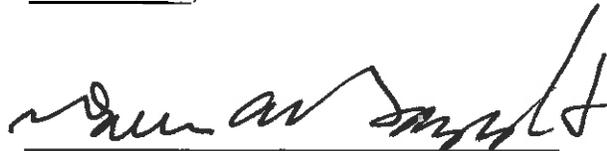
Is hereby reappointed as Justice of the Peace Pro Tempore on a county-wide basis under the following terms and conditions:

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

The term of these appointments is July 1, 2010, to and including June 30, 2011.

DATED at Bisbee, Arizona, this 30<sup>th</sup> day of June, 2010.



**WALLACE R. HOGGATT**  
Presiding Judge

**FILED**  
JUN 09 2010  
RACHELLE M. RESNICK  
CLERK SUPREME COURT  
BY

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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

PRO TEMPORE ORDER  
No. 2010 - 13

The presiding judge of the Superior Court of Arizona in Cochise County has requested the appointment of court commissioners to serve as judges pro tempore 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 July 1, 2010, and ending June 30, 2011, in accordance with A.R.S. §§ 12-141 et. seq., and will serve as assigned by the presiding judge.

|                       |                   |
|-----------------------|-------------------|
| John F. Kelliher      | State Bar #007316 |
| Margaret McCartney    | State Bar #013312 |
| Ann Battaglia Roberts | State Bar #018233 |
| Gerald F. Till        | State Bar #004028 |

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 agreement by the appointees to serve for no additional compensation or benefits, fiscal or otherwise, other than that to which they are entitled as Superior Court Commissioners, as provided in A.R.S. § 12-142(C) and A.R.S. § 12-143 for service as judges pro tempore.

DATED this 9th day of June, 2010.

  
\_\_\_\_\_  
REBECCA WHITE BERCH  
Chief Justice

**FILED**  
JUN 09 2010  
RACHELLE M. RESNICK  
CLERK SUPREME COURT  
BY

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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. 2010 - 12

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, 2010 and ending June 30, 2011, 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  
Kimberly A. Corsaro      State Bar #014875

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 9th day of June, 2010.

  
REBECCA WHITE BERCH  
Chief Justice

## Coakley, Faye

---

**From:** board@co.cochise.az.us  
**Sent:** Wednesday, May 26, 2010 11:29 AM  
**To:** Coakley, Faye  
**Subject:** Agenda Number CAD100003

This message is to let you know that the status of the agenda number CAD100003 after the BOS meeting is: **APPROVED**

Agenda Number: **CAD100003**

For Board Meeting of: **5/25/10**

Agenda Description: **Approve reappointments of Superior Court Judge Pro Tempore, Donna M. Beumler, pursuant to A.R.S. §12-141; Juvenile Court Commissioners/Judges Pro Tempore John F. Kelliher, Margaret Macartney, Ann Battaglia-Roberts and Gerald F. Till, pursuant to A.R.S. §8-231 and 12-141; and approve authorization to call upon an appropriately appointed Superior Court Judge Pro Tempore from another county in extenuating circumstances (Judge Kimberly Corsaro of the Superior Court in Santa Cruz County), pursuant to A.R.S. §12-144 for the period beginning July 1, 2010 to and including June 30, 2011.**

COMMENTS FROM BOS:

n/a

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

FILED

~~2010 JUL -1 PM 1:14~~

ADMINISTRATIVE ORDER NO. 2010-10

DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

BY \_\_\_\_\_  
DEPIXY

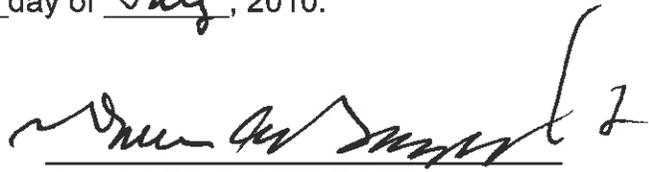
Pursuant to the provisions of Rule 92(a)(1), Rules of the Supreme Court of Arizona, and Rules (1)(b) and (c), Local Rules of Practice of the Superior Court, Cochise County, pertaining to regular and special assignments of all judges in this court, and otherwise good cause appearing, it is

**ORDERED** as follows:

1. Division Six is the designation for the Superior Court Judge *Pro Tempore* division.
2. Division Six shall hear such matters, in such locations, as assigned by the Presiding Judge.
3. Division Seven is the designation for any and all visiting judges.
4. Effective June 3, 2010, *nunc pro tunc*, all newly-filed adult criminal cases each week shall be divided equally among Divisions Three, Four and Five. Separate files involving co-defendants charged in the same indictment or information shall, to the extent practicable, be assigned to the same division.
5. All newly-filed domestic relations cases shall be assigned as follows: 40% to Division One, 20% each to Divisions Three, Four and Five.
6. All newly-filed civil cases shall be divided equally between Divisions One, Two and Four.
7. All newly-filed private severance cases and newly-filed adoption cases shall be assigned to Division Six.
8. All sexually violent persons cases, all mental health cases and all appeals from the limited jurisdiction courts shall be assigned to Division Three.
9. Extraditions, interstate compact cases and intrastate transfer of jurisdiction cases shall be assigned to Division Five.
10. All newly-filed guardianship, conservatorship, and probate cases shall be assigned to Division Two.

11. All IV-D matters, whether newly-filed cases or filed in existing domestic relations cases, shall be assigned to Division Four.
12. Effective June 21, 2010, *nunc pro tunc*, all newly-filed delinquency cases shall be assigned to Division Six.
13. Effective July 28, 2010, all newly-filed dependency cases shall be assigned to Division Six.
14. Except as stated otherwise in this order, all assignments enumerated in this order are effective upon the date of this order. This order shall thereafter supersede and supplant all previous administrative orders making regular and special assignments of judges in this court, specifically Administrative Orders 2010-04, 2008-13, 2008-03 and 2007-27.
15. Pending cases may be reassigned by court administration, in working with the divisions of this court, at the direction of the Presiding Judge, so as to ensure that all court divisions have caseloads that are substantially as contemplated by this order.

DATED at Bisbee, Arizona, this 01<sup>st</sup> day of July, 2010.

  
WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2010 JUL 15 PM 4:15

ADMINISTRATIVE ORDER NO. 2010-11

DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: THE APPOINTMENT OF JUSTICE OF THE PEACE ~~PRO TEMPORE~~  
FOR THE PURPOSE OF CONDUCTING A WEDDING CEREMONY

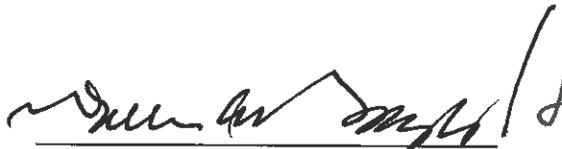
Good cause appearing, it is **ORDERED**

The Honorable George Kirmse, retired justice of the peace in Sierra Vista, Arizona, is appointed as a Justice of the Peace Pro Tempore under the following terms and conditions:

- A. For the purpose of conducting a wedding ceremony on August 14, 2010.
- B. Not for any other official judicial act or decision.

It is further **ORDERED** this appointment be effective for the date of August 14, 2010, only and shall thereafter be null and void.

**DATED** at Bisbee, Arizona this 15<sup>th</sup> day of July, 2010.



**WALLACE R. HOGGATT**  
Presiding Judge

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

FILED

2010 JUL 28 PM 4:31

ADMINISTRATIVE ORDER NO. 2010-12

DENISE J. 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

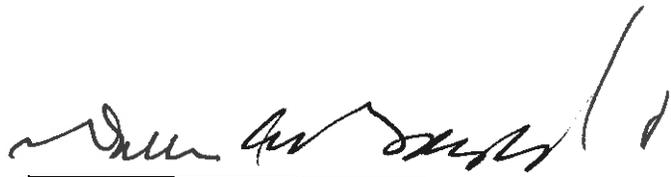
ORDERED as follows:

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. 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.
3. 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.
4. 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 Criminal Law and Motion Day.
5. Division Four shall conduct Criminal Law and Motion on Friday of each week; provided, however, when Friday is a legal holiday, Thursday shall be Criminal Law and Motion Day.
6. Division Four shall conduct Civil Law and Motion on Friday; provided, however, when Friday is a legal holiday, Thursday shall be civil Law and Motion Day. Civil default matters will be held on Thursday.
7. Division Five shall conduct criminal arraignments on Monday of each week; provided, however, when Monday is a legal holiday, Tuesday shall be the day for criminal arraignments.
8. 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                 |
| Division Two:   | Civil Matters    | 1:30 p.m. to 5:00 p.m.            |
|                 | Criminal Matters | 9:00 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 Four:  | Civil Matters    | 9:00 a.m.                         |
|                 | Criminal Matters | 1:30 p.m.                         |
| Division Five:  | Civil Matters    | 9:00 a.m.                         |
|                 | Criminal Matters | 1:30 p.m.                         |
|                 | Arraignments     | 1:30 p.m.                         |

9. This administrative order shall be effective August 2, 2010, and shall thereafter supersede and supplant all previous administrative orders setting the Law and Motion Calendars.

DATED at Bisbee, Arizona, this 28<sup>th</sup> day of July, 2010.



WALLACE R. HOGGATT

Presiding Judge

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

FILED

2010 JUL 28 PM 12:32

ADMINISTRATIVE ORDER NO. 2010-13

IN RE: RESTRICTIONS ON THE USE OF SECURITY SURVEILLANCE RECORDINGS

DENISE L. LOMAX  
CLERK OF SUPERIOR COURT  
DEPUTY

To provide for the safety, security and protection of judges, employees, the public, and court facilities, court security staff has installed a surveillance camera system that monitors activities throughout court facilities in Cochise County. The system also records and temporarily maintains the images it receives, for the purpose of later review in the event of a security breach.

Rule 123 of the Arizona Rules of Court governs public access to court records. It constitutes the Supreme Court's open records policy and establishes a presumption that court records will be open and accessible to the public. However, under section (e)(4) of that rule, "all security plans, codes and other records that provide for the security of information, individuals or property...are closed." Thus, the digital recordings made by the security surveillance cameras are excluded from public access under Rule 123.

Practical concerns underscoring the need to retain such recordings exclusively for the court's security use include, without limitation:

1. The recordings could be used to capture threatening acts or attacks on participants in court proceedings or theft and damage to court property.
2. It is not possible to exclude from the security recordings jurors, minor victims and other participants in court proceedings whose images may be protected by law.
3. The recordings may capture protected communications between attorneys and their clients.

For the reasons cited above, it is hereby **ORDERED**:

- (1) The digital recordings made by the court's security surveillance camera system are to be used only for the purpose of ensuring the safety and security of judges, employees, the public and the integrity of court facilities.
- (2) Such digital recordings are to be retained only for the minimum time dictated by the characteristics of the installed surveillance system, unless otherwise directed by the presiding judge.
- (3) Only court personnel and designated law enforcement officers with court security responsibilities are permitted access to these recordings without the written authorization of the presiding judge, or designee, upon a finding of exceptional need.

If a request is received to view such a recording other than as stated in (3) above, court security staff shall be directed to retain the requested portion of the recording until such time as the presiding judge, or designee, has determined whether to authorize the release of the recording. If the presiding judge so authorizes, court staff shall make a copy of the requested recording and shall provide it to the requestor.

DATED at Bisbee, Arizona, this 28<sup>th</sup> day of July, 2010.

A handwritten signature in black ink, appearing to read "Wallace R. Hoggatt", with a vertical line to the right of the signature.

**WALLACE R. HOGGATT**

**Presiding Judge**

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

FILED

2010 JUL 29 AM 11:13

ADMINISTRATIVE ORDER NO. 2010-14

DENISE J. LONEN  
CLERK OF SUPERIOR COURT

IN RE: DESIGNATION OF HOLIDAY

BY \_\_\_\_\_

The Cochise County Board of Supervisors having designated, by Resolution No. 2009-50, approved on September 1, 2009, the fourth Friday in November of each year as a legal holiday in place of the second Monday in October of each year, pursuant to the authority granted by Arizona Revised Statutes §11-413, and

The Arizona State Legislature having this year amended Arizona Revised Statutes §12-127 to allow the Presiding Judge of a county in which the Board of Supervisors has made such a designation to apply it to the Superior Court within that county,

It is hereby **ORDERED**:

- A. The Superior Court in and for Cochise County, including each division thereof and the office of the Clerk of Superior Court, shall be open for the transaction of business on the second Monday in October of each year.
- B. The Superior Court in and for Cochise County, including each division thereof and the office of the Clerk of Superior Court, shall be closed and shall not be open for the transaction of business on the fourth Friday in November of each year.
- C. This order shall remain in effect for so long as Cochise County Resolution No. 2009-50 remains in effect.

DATED at Bisbee, Arizona, this 29<sup>th</sup> day of July, 2010.



WALLACE R. HOGGATT

Presiding Judge

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

SEP 10 2010

---

ADMINISTRATIVE ORDER NO. 2010-15 (Amending and Replacing 2008-26)

---

DENISE G. LUNDIN  
CLERK SUPERIOR COURT DEPUTY

---

**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 counsel for indigent persons in cases assigned by the Indigent Defense Coordinator. Counsel shall not be compensated for any work performed by counsel of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions.

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

Seventy-five dollars (\$75.00) per hour for legal services provided by counsel for indigent persons in cases assigned by the Indigent Defense Coordinator. Counsel shall not be compensated for any work performed by counsel of a non-legal nature that would ordinarily be performed by support personnel, including secretarial and clerical support work involved in preparing and transmitting documents, copying, organizing, filing or similar functions.

3. **CO-COUNSEL FOR INDIGENT DEFENDANTS IN CAPITAL CASES:**

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

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

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

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

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

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

**IT IS FURTHER ORDERED** that the rates set forth above shall be effective for all court appointed services as of August 30, 2010. Thereafter, all previous administrative orders pertaining to compensation and reimbursement are hereby void and of no further effect.

**DATED** at Bisbee, Arizona, this 10<sup>th</sup> day of September, 2010.

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

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

**FILED**  
Time 3:30 P.M.

OCT 19 2010

ADMINISTRATIVE ORDER NO. 2010-16

DENISE I. LUNDIN  
CLERK SUPERIOR COURT

BY \_\_\_\_\_ DEPUTY

IN RE: FEES FOR COPIES CHARGED BY CONSTABLES

WHEREAS, there is uncertainty as to whether Constables of the Justice Courts in Cochise County should charge for copies made by them, and if so, at what rate; and

WHEREAS, Arizona Revised Statutes Section 22-281, which specifies the rate of fifty cents per page for copies, applies by its terms only to Justices of the Peace and not to Constables; and

WHEREAS, Cochise County Ordinance 038-09, adopted March 24, 2009, specifies the rate of thirty cents per page for black and white copies, and other rates for other formats, but is specifically addressed to public records request; and

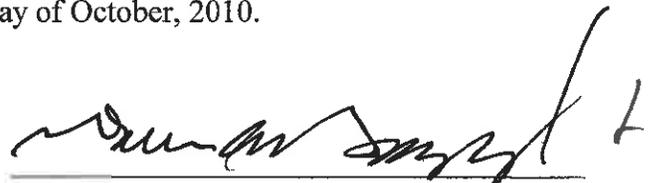
WHEREAS, to the extent possible, the rates charged by Constables in this county should be the same as those charged by other county offices, and

WHEREAS, the rates set forth in Cochise County Ordinance 038-09 are reasonable,

It is hereby **ORDERED**:

All Constables in Cochise County shall charge for copies in accordance with Cochise County Ordinance 038-09, a copy of which is attached hereto.

**DATED** at Bisbee, Arizona, this 19<sup>th</sup> day of October, 2010.



WALLACE R. HOGGATT  
Presiding Judge

**ORDINANCE 038-09**

**ADOPTING AN ORDINANCE AMENDING FEE SCHEDULES TO PROVIDE FOR A STANDARDIZED COST OF COPYING AND ELECTRONIC MEDIA FOR PURPOSES OF PUBLIC RECORDS REQUESTS**

**WHEREAS**, ARS § 11-251.08 gives the Cochise County Board of Supervisors the authority to charge fees for services sufficient to cover costs and ARS § 39-121 et. seq. gives the Board authority to charge costs of providing copies and electronic media in response to public records requests (such copies and electronic media are hereinafter referred to as "documents"; and

**WHEREAS**, County Departments and Offices charge varying rates for providing documents in response to public records; and

**WHEREAS**, some County Departments and Offices have put the costs charged to the public for documents in Board-approved fee schedules and County ordinances enacted pursuant to ARS § 11-251.05; and

**WHEREAS**, the Board desires to standardize the costs charged for providing documents to the public; and

**WHEREAS**, the County Auditor has calculated an average cost of making copies and electronic media, as set forth on Exhibit A attached hereto; and

**WHEREAS**, based on said calculations, the Board believes that it is fair and equitable to charge \$0.30 per page for black and white copies, \$0.30 per page for each hard copy page that is scanned or converted into electronic format, \$0.35 per page for color copies, and \$6.00 per disk, and \$10.00 for a disk of the County's budget;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY, ARIZONA THAT**

**A. Departments and Offices shall charge \$0.30 per page for black and white copies, \$0.30 per page for each hard copy page that is scanned or converted into electronic format, \$0.35 per page for color copies, and \$6.00 per disk, and \$10.00 for a disk of the County's budget;**

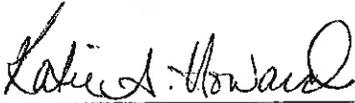
**B. This Ordinance shall be deemed to amend any other fee schedule or ordinance that is inconsistent with the charges set forth herein.**

PASSED AND ADOPTED BY THE BOARD OF SUPERVISORS OF COCHISE COUNTY,  
ARIZONA, THIS 24th DAY OF MARCH, 2009.



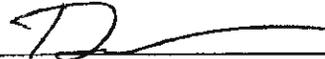
\_\_\_\_\_  
Ann English, Chairman  
Cochise County Board of Supervisors

ATTEST:



\_\_\_\_\_  
Katie Howard  
Clerk of the Board

APPROVED AS TO FORM:



\_\_\_\_\_  
Britt Hanson  
Chief Civil Deputy Attorney

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

FILED

2010 OCT 29 PM 3: 29

ADMINISTRATIVE ORDER NO. 2010-17

IN RE: AMENDING ADMINISTRATIVE ORDER NO. 2004-10

DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT  
BY  
DEPUTY

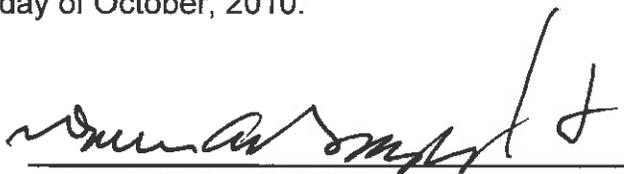
Good cause appearing, it is **ORDERED**:

Administrative Order No. 2004-10, pertaining to Uniform Standards for Indigence and Guidelines for Assessment of Attorney Fees, specifically Paragraph Four, is amended, as follows:

4. The Defendant's Financial Statement, submitted as part of the request for appointment of an attorney, shall be kept confidential and the Clerk shall file the original Financial Statement in a separate envelope, in the court file, which shall be marked "Confidential". Access to this confidential information shall be granted to officials employed by the court or the county, in their official capacity, as it pertains to the management of indigent defense services. The confidential Financial Statements shall not be made available for public dissemination.

This Administrative Order shall be effective this date and shall remain in effect until further Order of this Court.

DATED at Bisbee, Arizona, this 29<sup>th</sup> day of October, 2010.

  
WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2010 DEC 21 PM 12:01

ADMINISTRATIVE ORDER NO. 2010-18

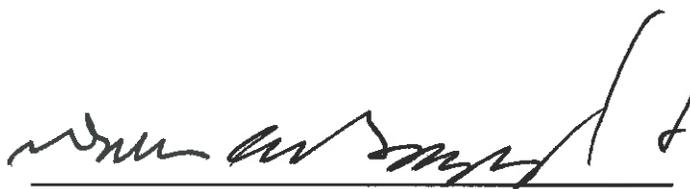
DEBORAH L. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: ADOPTION OF COCHISE COUNTY LIMITED JURISDICTION COURTS  
RESTITUTION DISURSEMENT POLICY & PROCEDURE

Good cause appearing and with the approval of the Cochise County Justices of the Peace at the quarterly Justice of the Peace meeting held in Benson, Arizona, on November 16, 2010,

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

Dated at Bisbee, Arizona, this 21<sup>st</sup> day of December, 2010.



**WALLACE R. HOGGATT**  
Presiding Judge

**COCHISE COUNTY LIMITED JURISDICTION COURTS  
RESTITUTION DISBURSEMENT POLICY & PROCEDURE**

**PURPOSE:**

To establish guidelines for disbursing restitution monies.

**DISCUSSION:**

In accordance with ARS 13-804A, upon a defendant's conviction for an offense causing economic loss to any person, the court may order that restitution be paid by the defendant to any person who suffered an economic loss caused by the defendant's conduct. Restitution payments shall be made to the court unless the court directs otherwise. The court shall, as promptly as practicable, forward restitution payments to the victim (Rule 26.12b of the Arizona Rules of Criminal Procedure.) The risk of the court having a check returned after the restitution check has been issued is minimal.

It is the court's responsibility to ensure that victims' losses are repaid in a reasonable amount of time. The following procedure will ensure that restitution monies received from the defendant are promptly paid to the victim.

**PROCEDURE:**

1. The court shall accept the following methods of payment for restitution: cash, money order, cashier's check, credit card.
2. Upon receipt of court-ordered restitution, the court shall post the payment into the appropriate case file no later than the next business day.
3. The court shall deposit the restitution monies into the court's bond/restitution bank account.
4. The court shall issue a check to the victim within 10 days of receipt of the restitution payment from the defendant.
5. All restitution payments received through FARE or credit card shall be posted into the appropriate case file. A demand for payment either directly to the victim or as reimbursement to the court's bond/restitution account shall be submitted to the Finance Department no later than the next business day after receipt.

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

FILED

2010 DEC 21 PM 12:01

ADMINISTRATIVE ORDER NO. 2010-19

DEMISE J. LUNDIN  
CLERK OF SUPERIOR COURT

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

DEPUTY

Good cause appearing and with the approval of the Cochise County Justices of the Peace at the quarterly Justice of the Peace meeting held in Benson, Arizona, on November 16, 2010,

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

Dated at Bisbee, Arizona, this 21<sup>st</sup> day of December, 2010.



WALLACE R. HOGGATT  
Presiding Judge

**COCHISE COUNTY LIMITED JURISDICTION COURTS  
DELETING 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. Although the courts destroy the case file, case information remains on Public Access. This can cause confusion and possible harm to parties seeking to clarify or dispute online case information without success when the case file has been destroyed. The Advisory Committee on Supreme Court Rule 123 believes there should be consistency among electronic case information and the actual case file and recommends that the electronic case information be deleted when case files are destroyed. 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 delete those records.

**POLICY/PROCEDURE**

1. The courts shall 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, once it has been determined that there are no outstanding receivables in the case file, 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.
2. A supervisor or designated clerk shall run the "Event Index" for Code 5199 for a specified time period – weekly, monthly, quarterly.
3. A supervisor or designated clerk shall delete the electronic record in the case management system:

Utilities >  
Case Delete >  
Delete All Records for a Case >  
Case Number >

"Dispositioned charges exist on this case. Future dispositions for this case will require manual reporting. Are you sure you want to delete this record?" Y >

The actual case file should be destroyed using appropriate destruction methods that will ensure the protection of individuals' privacy. The electronic case file will be deleted from the access to public information within 24 hours.

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

FILED

2010 DEC -2 AM 11:38

ADMINISTRATIVE ORDER NO. 2010-20

DENISE L. LINDEN  
CLERK OF SUPERIOR COURT  
BY

IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

Pursuant to the provisions of Rule 92(a)(1) of the Supreme Court of Arizona, and Rules (1)(b) and (c), Local Rules of Practice of the Superior Court, Cochise County, pertaining to regular and special assignments of all judges in this court, and otherwise good cause appearing, it is

**ORDERED** as follows:

1. Division Six is the designation for the Superior Court Judge Pro Tempore division.
2. Division Six shall hear such matters, in such locations, as assigned by the Presiding Judge.
3. Division Seven is the designation for any and all visiting judges.
4. All newly-filed adult criminal cases each week shall be divided equally among Divisions Two, Three, Four and Five. Separate files involving co-defendants charged in the same indictment or information shall, to the extent practicable, be assigned to the same division.
5. All newly-filed domestic relations cases shall be assigned as follows: 40% to Division One, 20% each to Divisions Two, Four and Five.
6. All newly-filed civil cases shall be divided equally between Divisions One, Two, Three and Four.
7. All newly-filed private severance cases and newly-filed adoption cases shall be assigned to Division Six.
8. All sexually violent persons cases, all mental health cases and all appeals from the limited jurisdiction courts shall be assigned to Division Three.
9. Extraditions, interstate compact cases and intrastate transfer of jurisdiction cases shall be assigned to Division Five.
10. All newly-filed guardianship, conservatorship, and probate cases shall be assigned to Division Two.

11. All IV-D matters, whether newly-filed cases or filed in existing domestic relations cases, shall be assigned to Division Four.
12. All newly-filed delinquency cases shall be assigned to Division Six.
13. All newly-filed dependency cases shall be assigned to Division Six.
14. Pending cases may be reassigned by the office of court administration, in working with the divisions of this court, at the direction of the Presiding Judge, so as to ensure that all court divisions have caseloads that are substantially as contemplated by this order.
15. All assignments enumerated in this order shall be effective January 3, 2011. Thereafter, this order shall supersede and supplant all previous administrative orders making regular and special assignments of judges in this court, specifically Administrative Order 2010-10.

DATED at Bisbee, Arizona, this 02<sup>nd</sup> day of December, 2010.



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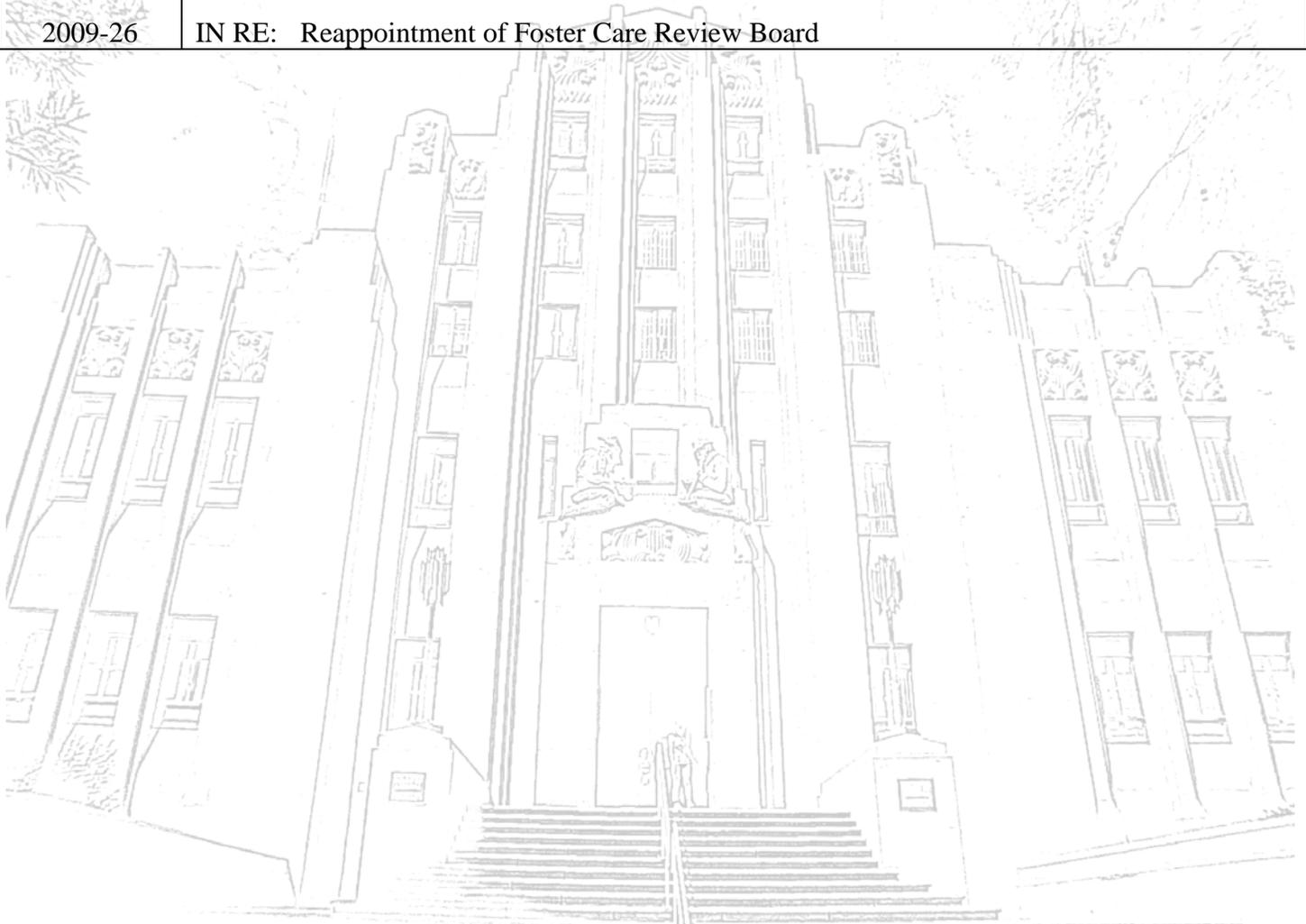
**WALLACE R. HOGGATT**  
Presiding Judge

## ADMINISTRATIVE ORDERS FOR 2009

| No.     | DESCRIPTION OF ADMINISTRATIVE ORDER  |
|---------|--|
| 2009-01 | IN RE: Appointment to State Foster Care Review Board   |
| 2009-02 | IN RE: Approval of Deferred Incarceration Sanction Plan  |
| 2009-03 | IN RE: Appointment of Foster Care Review Board   |
| 2009-04 | IN RE: Abrogating Rule 30, Local Rules of Practice for Cochise County  |
| 2009-05 | IN RE: Adoption of Cochise County Limited Jurisdiction Courts Counterfeit Cash Policy & Procedure                          |
| 2009-06 | IN RE: Adoption of Cochise County Limited Jurisdiction Courts Confidential Information Policy & Procedure                  |
| 2009-07 | IN RE: Adoption of Cochise County Limited Jurisdiction Courts Bond Refund/Disbursement Policy & Procedure                  |
| 2009-08 | IN RE: Amending Administrative Order No. 2008-28 Cochise County Limited Jurisdiction Records Search Policy & Procedure     |
| 2009-09 | ----- No Administrative Order Issued -----   |
| 2009-10 | IN RE: Appointment of Probate Registrar Designees  |
| 2009-11 | IN RE: Appointment of Superior Court Judge Pro Tempore, Juvenile Court Commissioners and Justices of the Peace Pro Tempore |
| 2009-12 | IN RE: Assignment of Retired Judge   |
| 2009-13 | ----- No Administrative Order Issued -----   |
| 2009-14 | IN RE: Appointment of a Town Magistrate as Juvenile Hearing Officer in Limited Matters                                     |
| 2009-15 | IN RE: Appointment of Probate Registrar and Designees  |
| 2009-16 | IN RE: Judicial Administrative Fee Schedule  |
| 2009-17 | IN RE: Termination of Appointment of Judge Pro Tempore/Juvenile Court Commissioner   |
| 2009-18 | IN RE: Department of Public Safety Photo Enforcement Cases   |
| 2009-19 | IN RE: Appointment to State Foster Care Review Board   |
| 2009-20 | IN RE: Appointment to State Foster Care Review Board (Amending Administrative Order No. 2009-19)                           |
| 2009-21 | IN RE: Appointment to State Foster Care Review Board   |
| 2009-22 | IN RE: Appointment to State Foster Care Review Board – Alternate Status  |

## ADMINISTRATIVE ORDERS FOR 2009 (cont'd)

| No.     | DESCRIPTION OF ADMINISTRATIVE ORDER                               |
|---------|---|
| 2009-23 | IN RE: Justice Court Holiday Schedule                             |
| 2009-24 | IN RE: Response Fee in Non-Appearance Family Law Matters          |
| 2009-25 | IN RE: Appointment of Foster Care Review Board – Alternate Status |
| 2009-26 | IN RE: Reappointment of Foster Care Review Board                  |



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

FILED

2009 JAN 23 AM 9:02

ADMINISTRATIVE ORDER NO. 2009-01  
(AMENDING Administrative Order No. 2008-37)

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

IN RE: APPOINTMENT TO STATE FOSTER CARE REVIEW BOARD

Upon request of the Foster Care Review Board,

**IT IS ORDERED REAPPOINTING** Mr. Donald Manring and Ms. Patricia Schloss as members of the State Foster Care Review Board for Cochise County, with a term expiring the third Monday of January, 2011.

DATED this 21 day of January, 2009.



ANN R. LITTRELL  
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 Jan. 23, 20 09

DENISE I. LUNDIN, Clerk

By Mania Valdivia 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  
Mr. Donald Manring, c/o State Foster Care Review Board  
Ms. Patricia Schloss, c/o State Foster Care Review Board

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

FILED

2009 FEB -5 PM 2:18

ADMINISTRATIVE ORDER NO. 2009-02

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

IN RE: APPROVAL OF DEFERRED INCARCERATION SANCTION PLAN

WHEREAS, the Chief Justice of the Supreme Court of Arizona issued Administrative Order No. 2009-01 on January 08, 2009, to address the state's ongoing financial crisis, and

WHEREAS, Administrative Order No. 2009-01 directs, among other things, that each Presiding Judge of the Superior Court work to reduce jail sentences and revocations to prison to the extent feasible and to the extent that such reductions will not compromise public safety, and

WHEREAS, the Superior Court bench in Cochise County, under the leadership of the Honorable James L. Conlogue, Presiding Criminal Judge, and with the advice of the Criminal Justice Task Force, has devised a plan to help accomplish such reductions, and

WHEREAS, it appears that the plan, entitled *Deferred Incarceration Sanction* and attached hereto, sets forth a reasonable procedure to accomplish the reductions envisioned by Supreme Court Administrative Order No. 2009-01, and

WHEREAS, the *Deferred Incarceration Sanction* plan neither compromises public safety nor impairs any defendant's legal rights, and

WHEREAS, appropriate language was drafted to include in each plea agreement presented to the Court to give effect to the *Deferred Incarceration Sanction* plan, which language reads as follows:

DEFERRED JAIL TIME: If Defendant is sentenced to probation, Defendant shall be incarcerated in the Cochise County Jail for a period of thirty (30) days. This period of incarceration will be deferred during any and all periods of time during which Defendant is fully compliant with the terms and conditions of probation. Up to fourteen (14) days of this deferred incarceration may be imposed at any time or times during the term of probation if the Court concludes that Defendant violated any term or condition of probation. Any portion of this deferred incarceration not imposed during the term of probation shall be automatically vacated upon Defendant's successful completion of probation.

The Court will determine whether Defendant violated a term or condition of probation based upon a verified petition filed by the

## Deferred Incarceration Sanction

A.R.S. §13-901(F) provides that "(w)hen granting probation the court may require that the defendant be imprisoned in the county jail at whatever time or intervals, consecutive or nonconsecutive, the court shall determine, within the period of probation ... ." A.R.S. §13-901(D) provides that "(a)t any time during the probationary term of the person released on probation, any probation officer, without warrant or other process and at any time until the final disposition of the case, may rearrest any person and bring the person before the court."

It may become necessary, from time to time during the term of probation, for a probation officer to re-arrest a probationer under circumstances which do not warrant the filing of a Petition to Revoke Probation. The procedures set forth herein shall apply to the re-arrest of a probationer under those circumstances.

It is the intent of this policy to provide the probation officer with an intermediate sanction which may prevent the necessity of revocation of probation. It is the further intent of this policy to provide a non-complying probationer with the opportunity for a fresh start on probation after a short period of incarceration.

Nothing herein shall be construed as a delegation of the Court's judicial power and responsibility. The Court must specifically approve any incarceration of a probationer after notice and an opportunity to be heard.

IT IS THEREFORE ORDERED as follows:

1. The sentencing Court may impose a period of deferred incarceration in the County Jail of up to thirty (30) days, as a term and condition of probation, if agreed upon in writing by the Defendant after consultation with Counsel. The deferred incarceration provision may be set forth as part of a Plea Agreement executed by the Defendant.
2. A probation officer may request imposition of the deferred jail time, in an increment not to exceed fourteen (14) days, by filing a verified petition with the Court requesting incarceration. The petition must set forth specific facts which establish a violation of the written terms and conditions of probation and the reasons for the incarceration. The Court must be able to make an independent determination that a probation violation occurred on the basis of the petition. Any request for incarceration must be approved by the probation officer's supervisor before filing with the Court.
3. The probation officer may bring the probationer before the Court to request imposition of the deferred jail time or the probation officer may arrest and detain the probationer pending an expedited determination by the Court. If the probationer is arrested, the Court must make the determination within twenty-four (24) hours of arrest. The probationer shall be released if the determination is not made by the Court within twenty-four (24) hours of arrest. The probationer shall be provided with a copy of the petition and request for incarceration prior to the determination. The probationer shall appear before the Court by video (unless the Court orders a personal appearance) and shall be heard by the Court regarding imposition of the deferred jail time. The Court shall then determine whether the jail time is necessary and appropriate. The Judge assigned to the case, or the Duty

DEFERRED INCARCERATION SANCTION

Defendant shall be incarcerated in the Cochise County Jail for a period of thirty (30) days. This period of incarceration is deferred during any and all periods of time in which Defendant is fully compliant with the terms and conditions of probation.

Up to fourteen (14) days of this deferred incarceration may be imposed at any time or times during the term of probation if the Court finds by a preponderance of the evidence that Defendant violated any term or condition of probation. Any portion of this deferred incarceration not imposed during the term of probation shall be automatically vacated upon the successful completion of probation.

The Court will determine whether Defendant violated a term or condition of probation based upon a verified petition filed by the Cochise County Adult Probation Department. Defendant will be provided with a copy of any such petition, and will be provided an opportunity to be heard, before the deferred incarceration is imposed.

Any violation of probation known to the assigned Adult Probation Officer at the time the deferred incarceration is imposed shall not later be alleged in any Petition to Revoke Probation.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judge of the Superior Court

\_\_\_\_\_  
Date

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

STATE OF ARIZONA, )  
 )  
 Plaintiff, ) No. CR200900  
 )  
 vs. ) ORDER IMPLEMENTING DEFERRED  
 ) INCARCERATION SANCTION  
 )  
 NAME )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

This matter came before the Court for hearing the Petition to Implement Deferred Incarceration filed on \_\_\_\_\_. The Court verified that Defendant received a copy of the Petition prior to the hearing. Defendant was heard on the request to implement the deferred incarceration.

After considering the Petition and after providing the Defendant an opportunity to be heard, the Court finds that Defendant violated his/her probation as set forth in the Petition and that the imposition of a period of incarceration is justified and appropriate.

IT IS THEREFORE ORDERED that Defendant shall be incarcerated in the Cochise County Jail for a period of \_\_\_\_ days beginning on \_\_\_\_\_. The Court will immediately deliver a copy of this Order to the Cochise County Jail.

IT IS FURTHER ORDERED that the Cochise County Adult Probation Department shall verify Defendant's release at the conclusion of the period of incarceration and promptly notify this Court of that release.

DONE IN OPEN COURT this \_\_\_\_ day of February, 2009.

\_\_\_\_\_  
Superior Court Judge

Copies delivered to:  
Defendant c/o CCSO/Jail  
Defense Counsel at most recent hearing  
APO

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

STATE OF ARIZONA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 NAME )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

No. CR200900

PETITION TO IMPLEMENT DEFERRED  
INCARCERATION SANCTION

Defendant was placed on Standard/Intensive Probation for a period of \_\_\_\_ years beginning \_\_\_\_ (date) \_\_\_\_ having been convicted of the offense(s) of \_\_\_\_\_. The Court imposed a period of deferred incarceration of up to thirty (30) days as a term and condition of Defendant's probation. Defendant has served \_\_\_\_ days of that deferred incarceration prior to the filing of this Petition.

Defendant violated the terms and conditions of his/her probation. Specifically, Defendant violated Condition number \_\_\_\_ of his/her probation as follows:

Specific and detailed facts establishing the violation.

Based upon the violation(s) set forth herein, the undersigned Adult Probation Officer requests that this Court impose \_\_\_\_ (up to 14) \_\_\_\_ days of incarceration at this time for the following reasons:

Include the reason why a Petition to Revoke Probation was not filed.

Defendant was arrested on \_\_\_\_ (date) \_\_\_\_ at \_\_\_\_ (time) \_\_\_\_ . Defendant was provided a copy of this Petition to Implement Deferred Incarceration.

The undersigned Adult Probation Officer declares under penalty of perjury that the foregoing is true and correct.

DATED this \_\_\_\_ day of February, 2009.

\_\_\_\_\_  
Adult Probation Officer

Reviewed: \_\_\_\_\_

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

FILED  
THIRD  
FEB 18 2009

ADMINISTRATIVE ORDER NO. 2009-03

DENISE J. 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** Andrew Schuster as a member of the Foster Care Review Board, Cochise County #04, to fill the vacancy left, with a term expiring the third Monday of January, 2011.

DATED this 13 day of February, 2009.

  
\_\_\_\_\_  
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. Susan Peacock, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Linda Bednarek, Foster Care Review Board Supervisor,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Mr. Andrew Schuster, c/o Foster Care Review Board  
Ms. Betty Ploeger, c/o Foster Care Review Board

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

FILED  
THIRD  
FEB 18 2009

ADMINISTRATIVE ORDER NO. 2009-03

DENISE J. 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** Andrew Schuster as a member of the Foster Care Review Board, Cochise County #04, to fill the vacancy left, with a term expiring the third Monday of January, 2011.

DATED this 13 day of February, 2009.

  
\_\_\_\_\_  
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. Susan Peacock, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Linda Bednarek, Foster Care Review Board Supervisor,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Mr. Andrew Schuster, c/o Foster Care Review Board  
Ms. Betty Ploeger, c/o Foster Care Review Board

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

FILED

2009 MAR -2 PM 2:42

FILED  
FEB 24 2009  
RACHELLE M. HESNICK  
CLERK SUPREME COURT  
BY

ADMINISTRATIVE ORDER NO. 2009-01  
BY DENISE I. LUNDIN  
DEPUTY CLERK OF SUPERIOR COURT

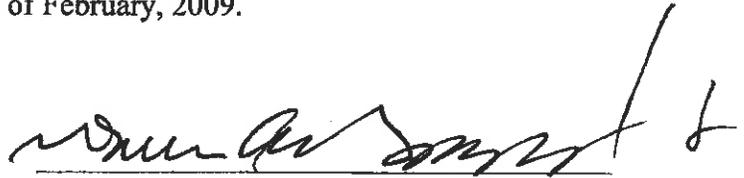
R-09-0019

IN RE: ABROGATING RULE 30, LOCAL RULES OF PRACTICE FOR COCHISE  
COUNTY

A majority of the judges of the Superior Court in Cochise County having approved,  
pursuant to Rule 83, Arizona Rules of Civil Procedure, the proposed amendment to the Cochise  
County local court rules,

IT IS ORDERED abrogating Rule 30, Local Rules of Practice for the Cochise County  
Superior Court, effective today.

DATED at Bisbee, Arizona, this 13th day of February, 2009.



WALLACE R. HOGGATT  
Presiding Judge  
Superior Court, Cochise County

APPROVED this 24th day of February, 2009.



RUTH V. MCGREGOR  
Chief Justice  
Arizona Supreme 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: March 02, 2009  
DENISE I. LUNDIN, Clerk  
By Cynthia Proctor Deputy

**FILED**

Time \_\_\_\_\_ M

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

**MAR 03 2009**

**ADMINISTRATIVE ORDER NO. 2009-05**

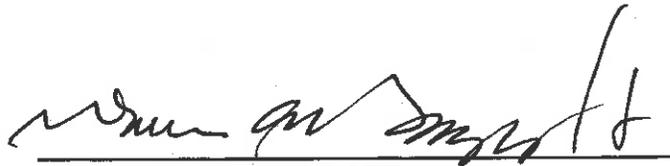
**DENISE I. LUNDIN  
CLERK SUPERIOR COURT  
DEPUTY**

**IN RE: ADOPTION OF COCHISE COUNTY LIMITED JURISDICTION COURTS  
COUNTERFEIT CASH 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 Benson, Arizona, on February 24, 2009,

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

Dated at Bisbee, Arizona, this 3rd day of March, 2009.



**WALLACE R. HOGGATT  
Presiding Judge**

**FILED**

Time \_\_\_\_\_ M

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

**MAR 03 2009**

**ADMINISTRATIVE ORDER NO. 2009-06**

**DENISE I. LUNDIN  
CLERK SUPERIOR COURT**

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

**IN RE: ADOPTION OF COCHISE COUNTY LIMITED JURISDICTION COURTS  
CONFIDENTIAL INFORMATION 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 Benson, Arizona, on February 24, 2009,

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

Dated at Bisbee, Arizona, this 3rd day of March, 2009.



**WALLACE R. HOGGATT**  
Presiding Judge

**FILED**

Time \_\_\_\_\_ M

**MAR 03 2009**

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

**ADMINISTRATIVE ORDER NO. 2009-07**

BY DENISE I. LUNDIN  
CLERK SUPERIOR COURT DEPUTY

**IN RE: ADOPTION OF COCHISE COUNTY LIMITED JURISDICTION COURTS  
BOND REFUND/DISBURSEMENT 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 Benson, Arizona, on February 24, 2009,

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

Dated at Bisbee, Arizona, this 3rd day of March, 2009.



**WALLACE R. HOGGATT**  
Presiding Judge

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

FILED

2009 MAR 25 AM 7:58

ADMINISTRATIVE ORDER NO. 2009-08

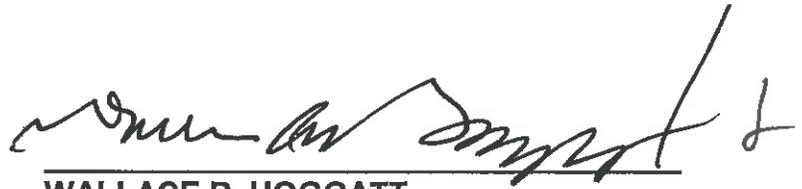
WALLACE R. HOGGATT  
CLERK OF SUPERIOR COURT

IN RE: AMENDING ADMINISTRATIVE ORDER NO. 2008-28 COCHISE COUNTY  
LIMITED JURISDICTION RECORDS SEARCH POLICY & PROCEDURE

Good cause appearing in that legislative changes were made to certain fees which affect the Limited Jurisdiction Records Search Policy & Procedure,

**IT IS HEREBY ORDERED**, that Administrative Order 2008-28 is hereby amended.

Dated at Bisbee, Arizona, this 23rd day of March, 2009.



WALLACE R. HOGGATT  
Presiding Judge

# 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 \$24 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 \$24.00 (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 \$24 Clerk Fee<sup>3</sup>. Requests for records that are not in the active files<sup>4</sup> will be charged an additional \$24.00 Clerk Fee. Fees for records search requests shall not be waived and shall be paid prior to the commencement of the search.

---

<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 \$24 research fee and a \$24 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                                       | \$24.00         |
| Certification                                       | \$24.00         |
| Payment History Report                              | \$24.00         |
| Audio Recordings                                    | \$24.00         |
| Duplication of a Record (DUI Packet/Court Abstract) | \$24.00         |
| 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, \$24.00
  - 5961 - Record duplication/audio fee, \$24.00
  - 5964 - Research/ locate document fee, \$24.00
  - 5965 - Payment History report fee, \$24.00
  - 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 \$24.00 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 \$24.00 Clerk Fee. Requests for court records for commercial purposes shall be assessed a Clerk Fee of \$24.00 per record.

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

I Request: \_\_\_\_\_ View only (No fee)  
\_\_\_\_\_ Copies only (\$24.00 Research Fee plus \$.50 per page)  
\_\_\_\_\_ Certification (\$24.00 per certification plus all other applicable fees)  
\_\_\_\_\_ Audio/CD (\$24.00 per CD)  
\_\_\_\_\_ Duplication of a record (DUI Packet/Court Abstract) - \$24.00

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 \$24.00 \_\_\_\_\_  
Clerk Fee \$24.00 \_\_\_\_\_  
Certification Fee \$24 per case \_\_\_\_\_  
Programming Cost \_\_\_\_\_  
Audio/CD \$24 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

2009 JUN 30 AM 8:47

ADMINISTRATIVE ORDER NO. 2009-011

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, 2009, to and including June 30, 2010.

DATED at Bisbee, Arizona, this 30<sup>th</sup> day of June, 2009.

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

**WALLACE R. HOGGATT**  
Presiding Judge

**Ferrara, Karen**

---

**From:** Howard, Katie [KHoward@cochise.az.gov]  
**Sent:** Monday, June 15, 2009 3:55 PM  
**To:** Ferrara, Karen  
**Subject:** Will this do?

|           |   |          |
|-----------|---|----------|
| CAD090002 | REAPPOINT 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, ANN LUND; ALL REAPPOINTMENTS ARE FOR THE PERIOD BEGINNING JULY 1, 2009 TO AND INCLUDING JUNE 30, 2010 | Approved |
|-----------|---|----------|

Thanks,

**Katie Howard**  
**Clerk of the Board**  
**520/ 432-9204**  
**khoward@cochise.az.gov**

**Our Programs Are Public**  
**Our Service Is Personal**

**[www.cochise.az.gov](http://www.cochise.az.gov)**

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED  
JUN - 9 2009  
RACHELLE M. RESNICK  
CLERK SUPREME COURT  
BY

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. 2009 - 22

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, 2009 and ending June 30, 2010, 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  
Kimberly A. Corsaro      State Bar #014875

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 9th day of June, 2009.

  
\_\_\_\_\_  
RUTH V. MCGREGOR  
Chief Justice

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED  
JUN - 9 2009  
RACHELLE M. RESNICK  
CLERK SUPREME COURT  
BY

In the Matter of: )

APPOINTMENT OF A COURT )  
COMMISSIONER TO SERVE AS A )  
JUDGE PRO TEMPORE IN THE )  
SUPERIOR COURT OF THE STATE )  
OF ARIZONA IN AND FOR THE )  
COUNTY OF COCHISE )

PRO TEMPORE ORDER  
No. 2009 - 23

The presiding judge of the Superior Court of Arizona in Cochise County has requested the appointment of a court commissioner to serve as a judge pro tempore 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 Gerald F. Till, State Bar #004028, is appointed judge pro tempore to serve the Superior Court in Cochise County for a term beginning July 1, 2009 and ending June 30, 2010, in accordance with A.R.S. §§ 12-141 et. seq., and will serve as assigned by the presiding judge.

IT IS FURTHER ORDERED that this appointment is conditioned upon the approval of the Cochise County Board of Supervisors pursuant to A.R.S. § 12-141, and upon the agreement by the appointee to serve for no additional compensation or benefits, fiscal or otherwise, other than that to which he is entitled as a Superior Court Commissioner, as provided in A.R.S. § 12-142(C) and A.R.S. § 12-143 for service as a judge pro tempore.

DATED this 9th day of June, 2009.

  
RUTH V. MCGREGOR  
Chief Justice

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED  
JUN 26 2009  
RACHELLE M. RESNICK  
CLERK SUPREME COURT  
BY

In the Matter of: )

APPOINTMENT OF A COURT )  
COMMISSIONER TO SERVE AS A )  
JUDGE PRO TEMPORE IN THE )  
SUPERIOR COURT OF THE STATE )  
OF ARIZONA IN AND FOR THE )  
COUNTY OF COCHISE )

PRO TEMPORE ORDER  
No. 2009 - 47

The presiding judge of the Superior Court of Arizona in Cochise County has requested the appointment of a court commissioner to serve as a judge pro tempore 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 Jeanne Benda Whitney, State Bar #009022, is appointed judge pro tempore to serve the Superior Court in Cochise County for a term beginning July 1, 2009 and ending June 30, 2010, in accordance with A.R.S. §§ 12-141 et. seq., and will serve as assigned by the presiding judge.

IT IS FURTHER ORDERED that this appointment is conditioned upon the approval of the Cochise County Board of Supervisors pursuant to A.R.S. § 12-141, and upon the agreement by the appointee to serve for no additional compensation or benefits, fiscal or otherwise, other than that to which she is entitled as a Superior Court Commissioner, as provided in A.R.S. § 12-142(C) and A.R.S. § 12-143 for service as a judge pro tempore.

DATED this 26th day of June, 2009.

  
RUTH V. MCGREGOR  
Chief Justice

FILED

2009 JUN 30 AM 8:47

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

---

DENNIS L LUNDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
D. H. H. H. H.

---

ADMINISTRATIVE ORDER NO. 2009-012

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IN RE: ASSIGNMENT OF RETIRED JUDGE

---

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 case in the Superior Court of Cochise County:

State of Arizona vs. Leonard Irwin Bacon, CR200100478

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

The term of this assignment is July 1, 2009, to and including June 30, 2010.

DATED at Bisbee, Arizona, this 30<sup>th</sup> day of June, 2009.



WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2009 JUL 13 AM 8:29

ADMINISTRATIVE ORDER NO. 2009-14

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: APPOINTMENT OF A TOWN MAGISTRATE AS JUVENILE  
HEARING OFFICER IN LIMITED MATTERS

BY DEPUTY

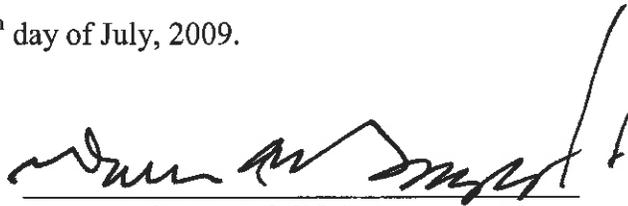
The Town of Huachuca City, Arizona, by its governing council, having approved the appointment of the following municipal judge to serve as juvenile hearing officer at the pleasure of and as authorized by the Presiding Judge of the Juvenile Court pursuant to A.R.S. §8-323, and good cause appearing, it is

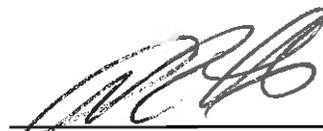
**ORDERED** that the Honorable DONALD G. THOMSON is hereby appointed as a Juvenile Hearing Officer of Cochise County, Arizona. The matters to be heard by such Juvenile Hearing Officer are limited to cases in which a child under the age of eighteen years on the date of the alleged offense is charged with violating any non-alcohol related provision of the motor vehicle code not declared to be a felony, and violations of any city, town or political subdivision ordinance not pertaining to curfew violations, effective July 27, 2009, and until further order of the court or rescission of operation of law.

It is further **ORDERED**, pursuant to A.R.S. §8-323(H) that within five days after disposition that such Juvenile Hearing Officer shall transmit a copy of the citations, findings and disposition to the Juvenile Court for record keeping purposes.

Other than as supplemented herein, Cochise County Administrative Order No. 2009-14 shall remain in full force and effect.

**DATED** at Bisbee, Arizona, this 6<sup>th</sup> day of July, 2009.

  
WALLACE R. HOGGATT 07-13-2009.  
Presiding Judge

  
ANN R. LITRELL  
Presiding Juvenile Court Judge

FILED

2009 AUG 18 PM 2:47

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

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

---

**ADMINISTRATIVE ORDER NO. 2009-15**

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

---

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, Maria Valdivia, Karin Saavedra, Mary Edie, Edie Valencia, Fran Ranacelli, and Stephanie Reyna are designated as Assistant Probate Registrars.
- 3) Carol Helton, Fran Ranacelli, Mary Edie, Maria Valdivia, 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 14<sup>th</sup> day of August, 2009.



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WALLACE R. HOGGATT  
Presiding Judge

FILED

2009 AUG 14 PM 4:37

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

---

DENISE L. LUNDEN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

ADMINISTRATIVE ORDER NO. 2009-016

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IN RE: JUDICIAL ADMINISTRATIVE FEE SCHEDULE

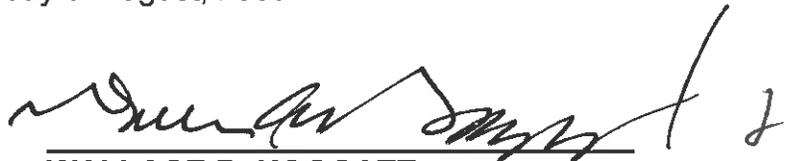
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**WHEREAS**, a Judicial Administrative Fee Schedule was authorized and adopted by the Cochise County Board of Supervisors in 2004 and amended in 2008, and

**WHEREAS**, A.R.S. §25-381.13 expressly prohibits the assessment of a fee when parties seek conciliation services in circumstances not related to a domestic relations case, it is hereby

**ORDERED** that the \$65 fee for requesting such services, as specified in Section 6.1 of the current Judicial Administrative Fee Schedule, be considered null and void and that no such fee shall be assessed or collected by the Clerk of this Court.

**Dated** at Bisbee, Arizona, this 14<sup>th</sup> day of August, 2009.



WALLACE R. HOGGATT  
Presiding Judge

FILED

2009 AUG 21 PM 12:36

DENISE J. LUNDIN  
CLERK OF SUPERIOR COURT

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

---

BY \_\_\_\_\_

ADMINISTRATIVE ORDER NO. 2009-017

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IN RE: TERMINATION OF APPOINTMENT OF JUDGE PRO TEMPORE/JUVENILE  
COURT COMMISSIONER

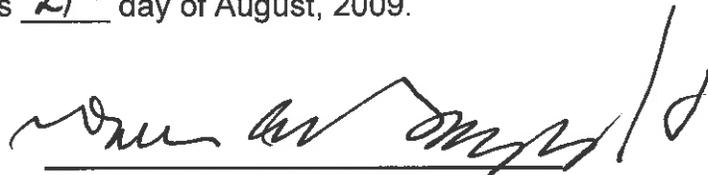
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Good cause appearing, it is

**ORDERED**, the appointment of Jeanne Benda Whitney as Juvenile Court Commissioner/Judge Pro Tempore of this court, is suspended immediately.

It is further **ORDERED** that the Presiding Judge of the Superior Court in Cochise County hereby requests the Chief Justice of the Arizona Supreme Court to terminate the appointment of Jeanne Benda Whitney as Judge Pro Tempore for this court.

DATED at Bisbee, Arizona, this 21<sup>st</sup> day of August, 2009.



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

FILED

2009 OCT 29 PM 3: 28

ADMINISTRATIVE ORDER NO. 2009-018

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

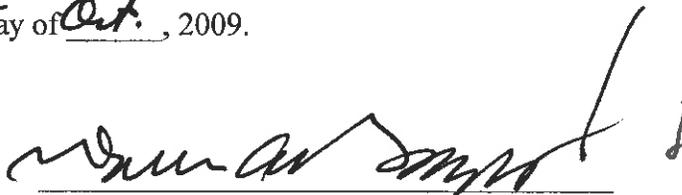
BY \_\_\_\_\_

IN RE: DEPARTMENT OF PUBLIC SAFETY PHOTO ENFORCEMENT CASES

Good cause appearing, and to implement Arizona Revised Statutes Section 28-1592, it is hereby

**ORDERED** that any judge, justice of the peace, or city or town magistrate within this County may dismiss any Department of Public Safety Photo Enforcement case that has not been served or acknowledged within 120 days of the date of filing.

DATED at Bisbee, Arizona, this 29<sup>th</sup> day of Oct., 2009.



WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2009 OCT -7 PM 3:44

ADMINISTRATIVE ORDER NO. 2009-19

DENISE I. 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** Ms. Anna Magoffin as a member of the Foster Care Review Board Removal Team for Cochise County 02, with a term expiring the third Monday of January, 20121

DATED this 7<sup>th</sup> day of October, 2009.



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 OCTOBER 8, 20 09

DENISE I. LUNDIN, Clerk

By Stephanie Lepera Deputy

- xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Linda Bednarek, Foster Care Review Board Supervisor,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Esma Murrieta, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Elis Castillo, Foster Care Review Board 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

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ADMINISTRATIVE ORDER NO. 2009-20  
(AMENDING Administrative Order No. 2009-19)

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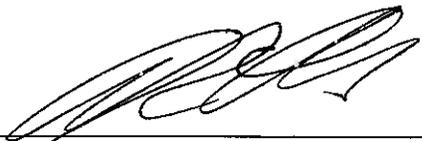
IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

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Upon request of the Foster Care Review Board,

**IT IS ORDERED APPOINTING** Ms. Anna Magoffin as a member of the Foster Care Review Board for Cochise County 02, with a term expiring the third Monday of January, 2011

DATED this 4 day of October, 2009.

  
\_\_\_\_\_  
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 OCTOBER 16, 20 09  
DENISE I. LUNDIN, Clerk  
By Stephanie Reyme, Deputy

xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Linda Bednarek, Foster Care Review Board Supervisor,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Esma Murrieta, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Elis Castillo, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Anna Magoffin, c/o Foster Care Review Board

OCT 14 2009

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

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

ADMINISTRATIVE ORDER NO. 2009-21

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

Upon request of the Foster Care Review Board,

**IT IS ORDERED APPOINTING** Mr. Charles Hancock as a member of the Foster Care Review Board for Cochise County 01, with a term expiring the third Monday of January, 2011

DATED this 14 day of October, 2009.



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 October 20, 2009

DENISE I. LUNDIN, Clerk

By Teresa Pacheco Deputy

- xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Linda Bednarek, Foster Care Review Board Supervisor,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Ms. Esma Murrieta, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Susan Peacock, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353  
Mr. Charles Hancock, c/o Foster Care Review Board

FILED  
Time \_\_\_\_\_ M

OCT 14 2009

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

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

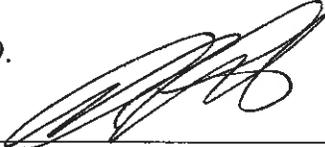
ADMINISTRATIVE ORDER NO. 2009-22

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD  
- ALTERNATE STATUS

Upon request of the Foster Care Review Board,

**IT IS ORDERED APPOINTING/TRANSFERRING** Mr. John Auchincloss as an  
alternate member of the Foster Care Review Board for Cochise County 01, with a term expiring  
the third Monday of January, 2013

DATED this 14 day of October, 2009.

  
\_\_\_\_\_  
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 OCTOBER 16, 20 09

DENISE I. LUNDIN, Clerk  
By Stephanie Lynn Deputy

- xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Ms. Linda Bednarek, Foster Care Review Board Supervisor,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Ms. Esma Murrieta, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Susan Peacock, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Mr. John Auchincloss, c/o Foster Care Review Board

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

FILED

2009 NOV -9 PM 4:35

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 2009-23

BY \_\_\_\_\_

IN RE: JUSTICE COURT HOLIDAY SCHEDULE

The Arizona State Legislature having amended A.R.S. §11-413(A), effective on an emergency basis July 10, 2009, to provide, among other things, that “[n]otwithstanding section 1-301, for the purposes of opening county offices for the transaction of business, the board of supervisors of any county by resolution may designate the fourth Friday in November as a legal holiday in place of the second Monday in October[,]” *and*

The Board of Supervisors of Cochise County, Arizona, having adopted Resolution No. 09-50 on September 01, 2009, designating the fourth Friday in November as a legal holiday in place of the second Monday in October, *and*

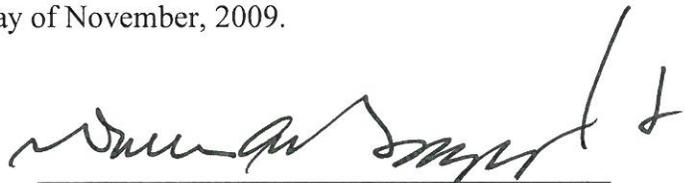
The six Justice Courts in Cochise County having been open for the regular conduct of business on October 12, 2009, the second Monday in October of this year, acting in reliance on Resolution No. 09-50, *and*

It being considered necessary and appropriate for the undersigned Presiding Judge of Cochise County to clarify that the six Justice Courts of Cochise County are “county offices” that are subject to Resolution No. 09-50,

***NOW, THEREFORE, IT IS HEREBY ORDERED*** that any of the Justice Courts in Cochise County, Arizona, that remained open for business throughout the day on Monday, October 12, 2009, may remain closed on Friday, November 27, 2009.

***IT IS FURTHER ORDERED*** that the weekend and holiday schedule for initial appearances as previously set by the Presiding Justice of the Peace shall remain in full force and effect.

DATED at Bisbee, Arizona, this 09<sup>th</sup> day of November, 2009.



WALLACE R. HOGGATT  
Presiding Judge

FILED

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

2009 DEC -4 PM 1:13

ADMINISTRATIVE ORDER NO. 2009-024

DENISE J. LUNDIN  
CLERK OF SUPERIOR COURT

BY \_\_\_\_\_

IN RE: RESPONSE FEE IN NON-APPEARANCE FAMILY LAW MATTERS

WHEREAS, Rule 45(A), Arizona Rules of Family Law Procedure, provides for consent decrees, orders, or judgments without a hearing in legal separation, annulment, dissolution, paternity, and maternity actions, and

WHEREAS, Rule 45(A) allows such a consent decree, order, or judgment "upon a showing that the required appearance fees have been paid or deferred," and

WHEREAS, a respondent in such an action who does not file a response or other pleading or motion contesting the action has not appeared in the action so as to be obligated to pay the response fee, and

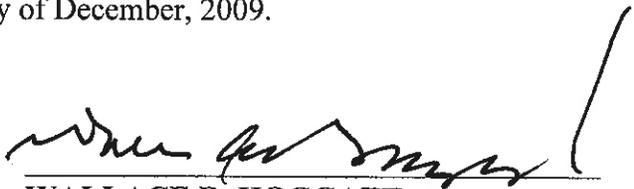
WHEREAS, a respondent's signatures on an acceptance or waiver of service and a consent decree, without more, do not constitute an appearance so as to trigger the obligation to pay the response fee,

**IT IS THEREFORE ORDERED:**

A respondent in a domestic relations action who does not file a response or other pleading or motion contesting the action, and who merely signs a waiver or acceptance of service and a consent decree, has not appeared in the action and may not be charged a response fee.

Nothing in this order shall relieve any other respondent from the obligation to pay a response fee or to obtain a waiver or deferral for such fee.

DATED at Bisbee, Arizona, this 04<sup>th</sup> day of December, 2009.

  
WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2009 DEC -7 PM 2:39

ADMINISTRATIVE ORDER NO. 2009-25

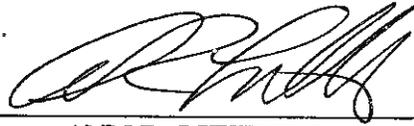
DENISE L LUNDIN  
CLERK OF SUPERIOR COURT SV  
BY  
DEPUTY

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD  
- ALTERNATE STATUS

Upon request of the Foster Care Review Board,

IT IS ORDERED APPOINTING/TRANSFERRING Mr. Donald Manning as an  
alternate member of the Foster Care Review Board for Cochise County 03, with a term expiring  
the third Monday of January, 2013.

DATED this 7 day of December, 2009.



ANN R. LITTRELL  
PRESIDING JUVENILE COURT JUDGE

- xc: Ms. Sandy Guizzetti, Foster Care Review Board, Regional Manager,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Ms. Linda Bednarek, Foster Care Review Board Supervisor,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Ms. Esma Murrieta, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Elis Castillo, Foster Care Review Board Program Specialist,  
400 W. Congress, Ste. 341, Tucson, AZ 85701-1353
- Ms. Susan Peacock, Foster Care Review Board Program Specialist,  
400 West congress, Ste. 341, Tucson, AZ 85701-1353
- Mr. Donald Manning, c/o Foster Care Review Board

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 Dec 08, 2009  
DENISE L LUNDIN, Clerk  
By [Signature] Deputy

DEC 17 2009

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

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

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ADMINISTRATIVE ORDER NO. 2009-26

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IN RE: REAPPOINTMENT TO FOSTER CARE REVIEW BOARD

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Upon request of the Foster Care Review Board,

**IT IS ORDERED APPOINTING** Patricia Crowell as a member of the Foster Care Review Board, Cochise County 01 and Barbara Kuttner as a member of the Foster Care Review Board Cochise County 04, with term(s) expiring the third Monday of January, 2013.

DATED this 17 day of December, 2009.

  
\_\_\_\_\_  
ANN R. LITTRELL  
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. Patricia Crowell, c/o Foster Care Review Board  
Ms. Barbara Kuttner, c/o Foster Care Review Board

## 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

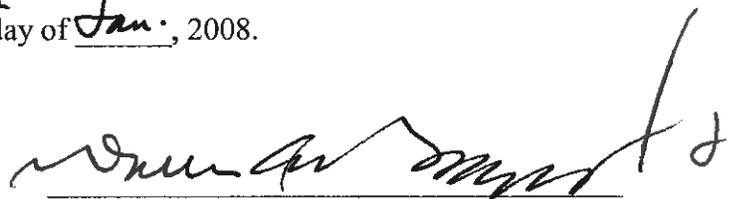
Pursuant to Rule 4.1, Arizona Rules of Criminal Procedure, the undersigned hereby assures the following fixed times each week day for conducting initial appearances in each of the County's Justice Courts:

|                               |   |
|-------------------------------|---|
| 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)<br>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<br>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<br>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<br>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.



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**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 \_\_\_\_\_

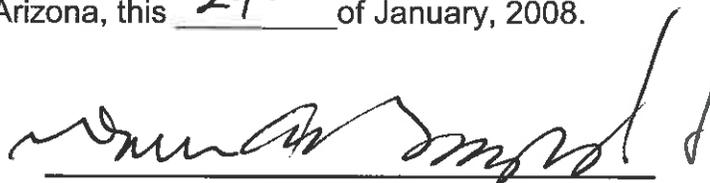
IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

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

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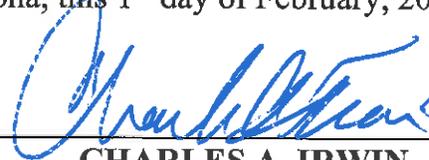
**ADMINISTRATIVE ORDER NO. 2008-004  
IN RE: USE OF BILINGUAL PLEADINGS**

---

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.



---

**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

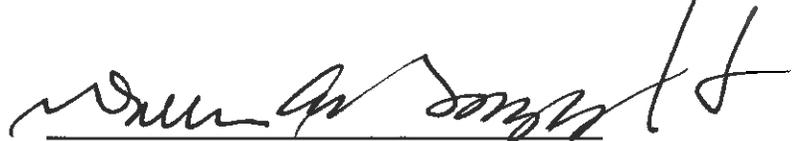
DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

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*.



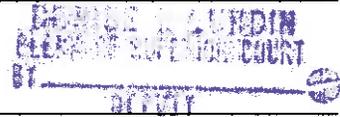
\_\_\_\_\_  
**WALLACE R. HOGGATT**  
Presiding Judge

**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.

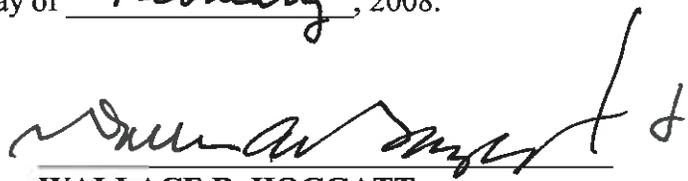
By reason of the foregoing, as well as the findings contained in Superior Court of Arizona, Cochise County, Administrative Order No. 93-12, it is hereby ORDERED:

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,

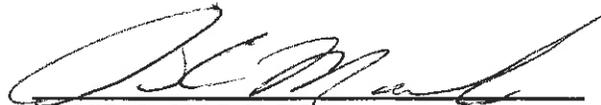
**IT IS HEREBY ORDERED:**

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

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

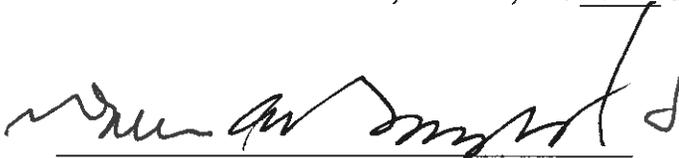
IN RE: APPROVAL OF A CHANGE TO RULE 2 OF THE RULES OF THE JUDICIAL  
MERIT SYSTEM DEFINING THE "JUDICIAL MERIT COMMITTEE"

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**

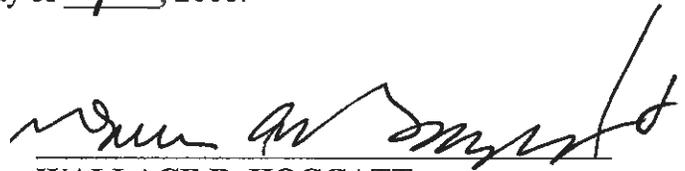
DEWISSE IS LINDSAY  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

**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**

---

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

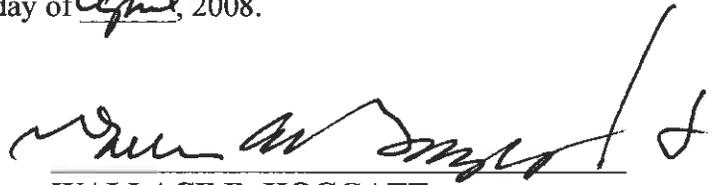
**IN RE: DESIGNATION OF SUPERIOR COURT JUDGE TO JUDICIAL MERIT  
COMMITTEE**

---

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**

---

**ADMINISTRATIVE ORDER NO. 2008-12**

---

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

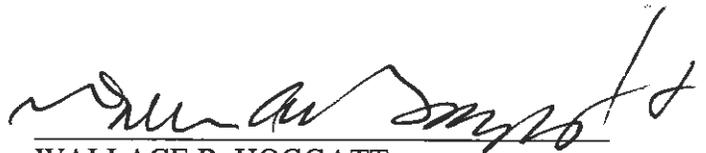
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Pursuant to the provisions of A.R.S. § 14-1307 pertaining to the appointment of Probate Registrar and other designees, it is

**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

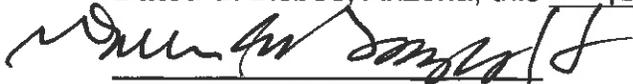
DENISE J. LUNDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

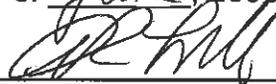
To relieve congestion in the court calendar and other good cause appearing, it is  
**ORDERED** as follows:

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**

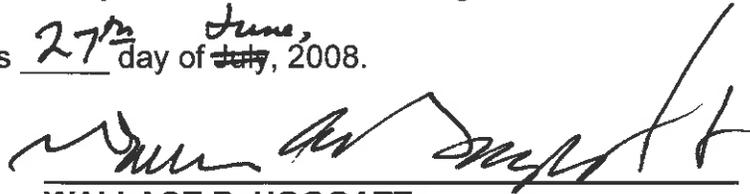
Is hereby reappointed as Justice of the Peace Pro Tempore on a county-wide basis under the following terms and conditions:

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.

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

**WALLACE R. HOGGATT**  
Presiding Judge

IN THE SUPREME COURT OF THE STATE OF ARIZONA

---

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 NOTIFICATION 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

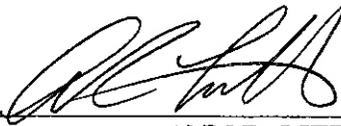
IN RE: REASSIGNMENT/RETAINMENT OF CASES

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

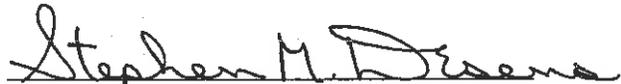
IN RE: REASSIGNMENT/RETAINMENT OF CASES

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  
CCLTY

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  
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 \_\_\_\_\_

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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:

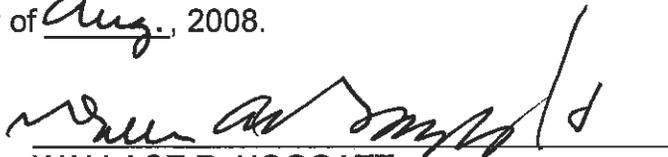
State of Arizona vs. Leonard Irwin Bacon, CR200100478

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 I. 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.

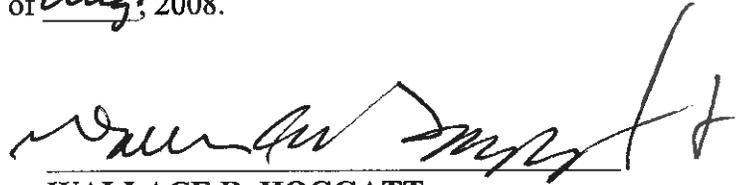
IT IS FURTHER ORDERED that this appointment shall be effective for one (1) year from the date it is signed, and that the appointment is subject to renewal.

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.

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

2008 AUG 27 AM 9:05

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ADMINISTRATIVE ORDER NO. 2008-24

---

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

BY \_\_\_\_\_

---

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

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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. LITTRELL  
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):**

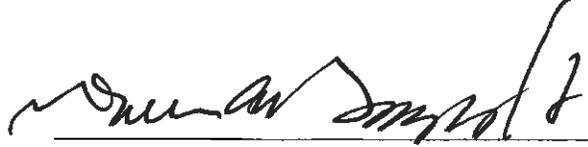
Transcription of interview tapes of English-speaking persons will be reimbursed at a rate of not more than one dollar (\$2.00) per page. Transcriptions of interview tapes of Spanish-speaking persons will be reimbursed at a rate of not more than two dollars (\$4.50) per page. Copying charges will be reimbursed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

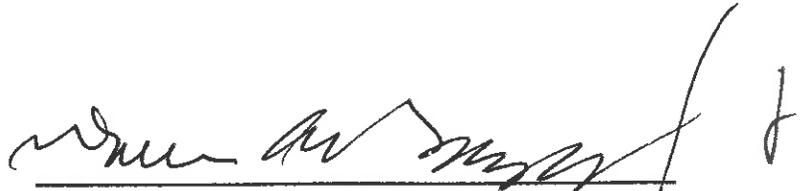
DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

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.

---

<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:

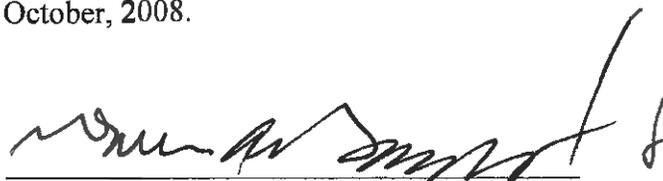
1. Division One shall conduct Civil Law and Motion Day on Monday of each week; provided, however, when Monday is a legal holiday, Tuesday shall be Civil Law and Motion Day.
2. Division One shall conduct Criminal Law and Motion Day on Wednesday of each week; provided, however, when Wednesday is a legal 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<br>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<br>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<br>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

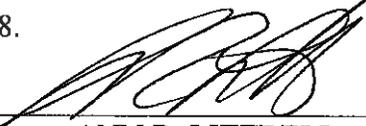
DENSE I. LUNDIN  
CLERK SUPERIOR COURT  
BY: \_\_\_\_\_ DEPUTY

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

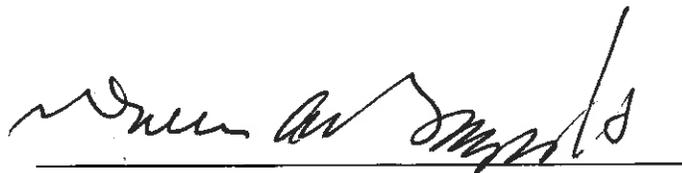
DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT

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.

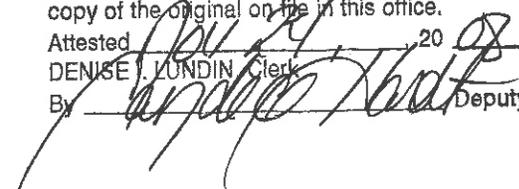


WALLACE R. HOGGATT

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**

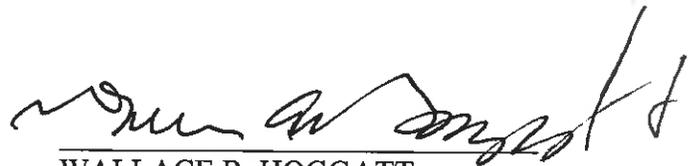
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Pursuant to the provisions of A.R.S. § 14-1307 pertaining to the appointment of Probate Registrar and other designees, it is

**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

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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.



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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]*.

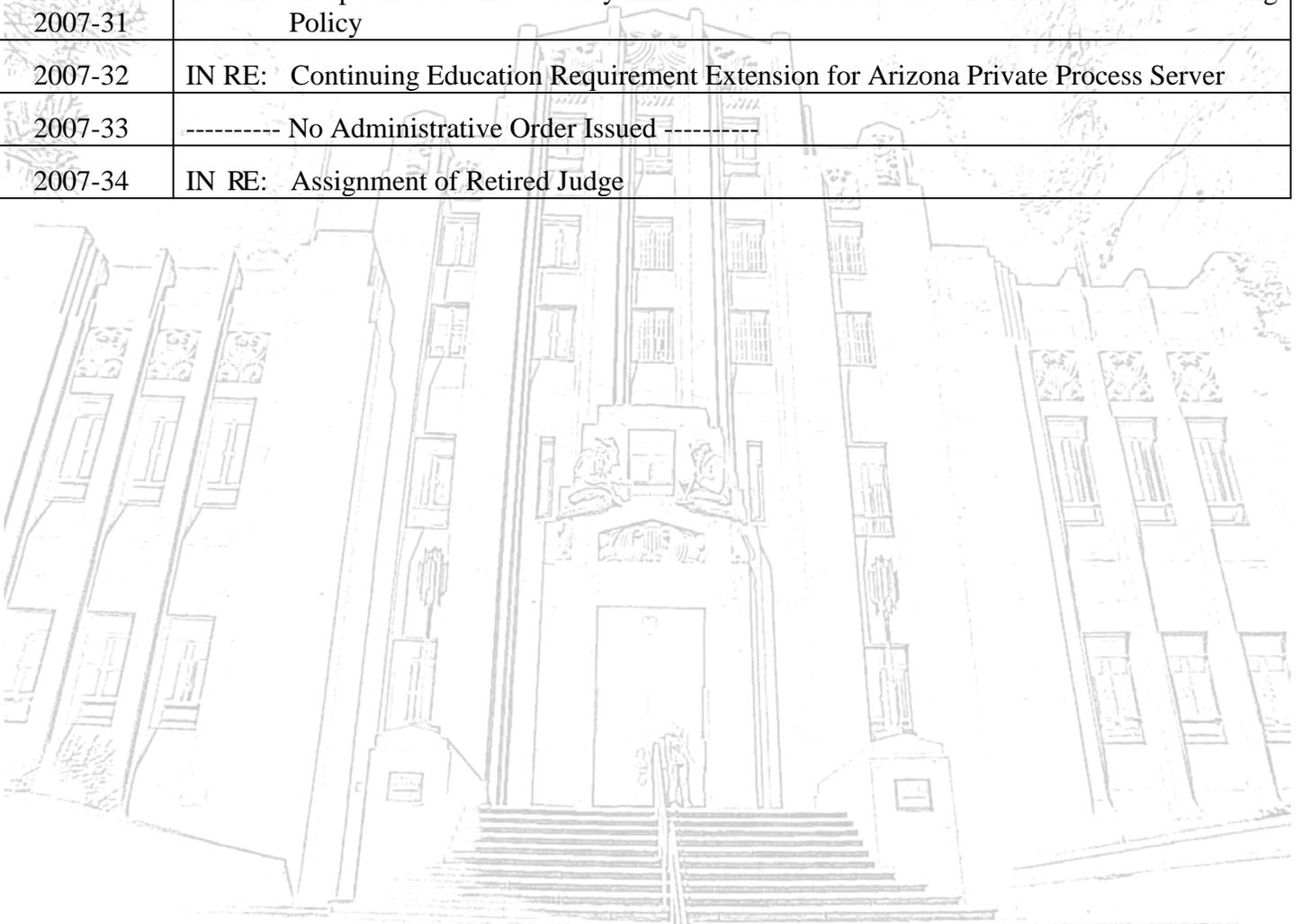
*[Closing]*

## ADMINISTRATIVE ORDERS FOR 2007

| No.     | DESCRIPTION OF ADMINISTRATIVE ORDER  |
|---------|--|
| 2007-01 | IN RE: Changes in Law and Motion Calendars   |
| 2007-02 | IN RE: Appointments of Juvenile Court Commissioner and Justice of the Peace Pro Tempore                                    |
| 2007-03 | IN RE: Appointment of Presiding Justice of the Peace   |
| 2007-04 | IN RE: Assignments of Superior Court Judges  |
| 2007-05 | IN RE: Appointment of Associate Presiding Judge  |
| 2007-06 | IN RE: Appointment on the Superior Court Judge Pro Tempore Selection Committee   |
| 2007-07 | IN RE: Appointment of Superior Court Judges to Serve as Judge of the Juvenile Division of the Superior Court               |
| 2007-08 | IN RE: Appointment of a Replacement Member of the Superior Court Judge Pro Tempore Selection Committee                     |
| 2007-09 | IN RE: Appointment of Probate Registrar and Designees  |
| 2007-10 | IN RE: Justice and Magistrate Courts Weekend and Holiday Coverage  |
| 2007-11 | IN RE: Appointment of Justices of the Peace and City Magistrates as Juvenile Hearing Officers in Limited Matters           |
| 2007-12 | IN RE: Appointment of Probate Registrar and Designees  |
| 2007-13 | IN RE: Authorizing the County Attorney to Prepare, Sign and File Mental Health Petitions                                   |
| 2007-14 | IN RE: Appointment of Drug Court Commissioners   |
| 2007-15 | IN RE: Regular and Special Assignments of Judges   |
| 2007-16 | IN RE: Changes in Law and Motion Calendars   |
| 2007-17 | IN RE: No Bond Orders Pursuant to A.R.S. 13-3961   |
| 2007-18 | IN RE: Length of Court Sessions  |
| 2007-19 | IN RE: Verbatim Record at Preliminary Hearings   |
| 2007-20 | IN RE: Appointment of a Town Magistrate as Juvenile Hearing Officer in Limited Matters                                     |
| 2007-21 | IN RE: Adoption of Cochise County Justice Courts Cash Short/Over Policy  |
| 2007-22 | IN RE: Appointment of Elected Justices of the Peace as Juvenile Hearing Officers in Limited Matters                        |
| 2007-23 | IN RE: Appointment of Superior Court Judge Pro Tempore, Juvenile Court Commissioners and Justices of the Peace Pro Tempore |
| 2007-24 | IN RE: Assignment of Retired Judge   |
| 2007-25 | IN RE: Approval of Use of Force Policy in Court Security   |
| 2007-26 | IN RE: Appointment of Chief Interpreter and Law Librarian  |

## ADMINISTRATIVE ORDERS FOR 2007 (cont'd)

| No.     | DESCRIPTION OF ADMINISTRATIVE ORDER   |
|---------|---|
| 2007-27 | IN RE: Regular and Special Assignments of Judges  |
| 2007-28 | IN RE: Adoption of Cochise County Limited Jurisdiction Courts Voiding Procedure                             |
| 2007-29 | IN RE: The Appointment of Justices of the Peace, Pro Tempore  |
| 2007-30 | IN RE: The Appointment of Justice of the Peace Pro Tempore for the Purpose of Conducting a Wedding Ceremony |
| 2007-31 | IN RE: Adoption of Cochise County Limited Jurisdiction Courts Unclaimed Funds/Escheating Policy             |
| 2007-32 | IN RE: Continuing Education Requirement Extension for Arizona Private Process Server                        |
| 2007-33 | ----- No Administrative Order Issued -----  |
| 2007-34 | IN RE: Assignment of Retired Judge  |



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

FILED

07 JAN -4 AM 10:03

ADMINISTRATIVE ORDER NO. 2007-01

IN RE: CHANGES IN LAW AND MOTION CALENDARS

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

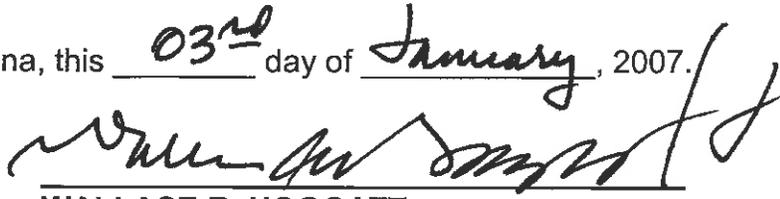
Pursuant to Rules 2 and 3 of the Local Rules of Practice of the Superior Court, Cochise County, it is

**ORDERED** as follows:

1. Divisions One and Two shall conduct Law and Motion Day on Monday of each week, except when it is a legal holiday, then Tuesday shall be Law and Motion Day;
2. Division Three shall conduct Law and Motion Day on Friday of each week, except when it is a legal holiday, then Thursday shall be Law and Motion Day.
3. 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      |
|                |                  | 3:00 out-of-custody matters       |
| Division Two:  | Civil Matters    | 1:30 to 5:00 p.m.                 |
|                | Criminal matters | 8:30 a.m. in-custody matters      |
|                |                  | 10:00 a.m. out-of-custody matters |
| Division Three | Criminal Matters | 9:00 a.m. In-custody matters      |
|                |                  | 1:30 p.m. out-of-custody matters  |
4. Unless otherwise directed, all Superior Court arraignments shall be heard by Division Five of this court, on Monday of each week, commencing at 1:00 p.m., except when it is a legal holiday, then arraignments will be heard on Tuesday.
5. The administrative order is effective immediately and shall remain in full force and effect until further order of this court.

DATED at Bisbee, Arizona, this 03<sup>rd</sup> day of January, 2007.



WALLACE R. HOGGATT  
Presiding Judge

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

FILED

07 JAN -4 PM 2:02

ADMINISTRATIVE ORDER NO. 2007-02

IN RE: APPOINTMENTS OF JUVENILE COURT COMMISSIONER AND JUSTICE OF  
THE PEACE PRO TEMPORE

DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT  
DEPUTY

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

**G. Philip Maxey**

is hereby reappointed as Juvenile Court Commissioner under the following terms and conditions:

- A. As assigned to the juvenile court drug 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.

Said juvenile court commissioner and justice 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.

The term of each appointment is January 2, 2007, to and including December 31, 2007, and is further subject to available funding in the Fiscal year beginning July 1, 2007.

**DATED** at Bisbee, Arizona, this 04<sup>th</sup> day of Jan., 2007.

  
WALLACE R. HOGGATT  
Presiding Judge

**Ferrara, Karen**

---

**From:** Ferrara, Karen  
**Sent:** Thursday, October 19, 2006 9:33 AM  
**To:** Haney, Vanessa  
**Subject:** FW: Agenda Number CAD060008

Hi Vanessa,

Please see below - the electronic notice from our Board of Supervisors - approval of Pro Tem James Conlogue's reappointment. Please let me know if this is sufficient notice for your needs....

best regards,  
Karen Ferrara

-----Original Message-----

**From:** Coakley, Faye [mailto:FCoakley@co.cochise.az.us]  
**Sent:** Tuesday, October 17, 2006 2:01 PM  
**To:** Ferrara, Karen  
**Subject:** FW: Agenda Number CAD060008

FYI...

---

**From:** board@co.cochise.az.us [mailto:board@co.cochise.az.us]  
**Sent:** Tuesday, October 17, 2006 2:00 PM  
**To:** Coakley, Faye  
**Subject:** Agenda Number CAD060008

This message is to let you know that the status of the agenda number CAD060008 after the BOS meeting is:  
**APPROVED**

Agenda Number: **CAD060008**

For Board Meeting of: **10/17/06**

Agenda Description: **Reappointment of James Conlogue as Superior Court Judge Pro Tem, pursuant to A.R.S. 12-144; Phillip Maxey as Juvenile Court Commissioner, pursuant to A.R.S. 8-231; and Leslie Sanson as Justice of the Peace Pro Tem for the Sierra Vista Justice Court, pursuant to A.R.S. 22-121, for the period January 1, 2007 to and including December 31, 2007 (subject to available funding).**

COMMENTS FROM BOS:

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

FILED  
07 JAN -4 PM 2:02

ADMINISTRATIVE ORDER NO. 2007-03

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: APPOINTMENT OF PRESIDING JUSTICE OF THE PEACE

The Honorable Michael J. Herbolich having ended his term as elected Justice of the Peace and with the designation of the elected justices of the peace serving terms of office effective January 2, 2007, and with the approval of the Presiding Judge, it is

**ORDERED** David M. Morales, Justice of the Peace for Precinct One of Cochise County is hereby appointed Presiding Justice of the Peace, until further order of this court.

DATED at Bisbee, Arizona, this 04<sup>th</sup> day of January, 2007.



WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2007 JAN 18 PM 1:22

ADMINISTRATIVE ORDER NO. 2007-04

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

IN RE: ASSIGNMENTS OF SUPERIOR COURT JUDGES

Pursuant to Rule 92(a)(1), Rules of the Supreme Court,

**IT IS HEREBY ORDERED** that, until further order:

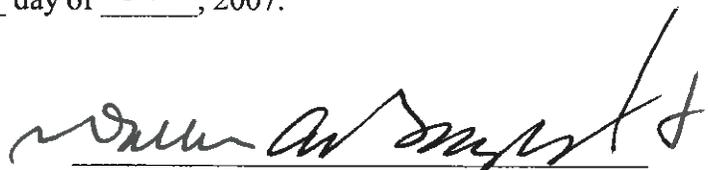
A. The Honorable Charles A. Irwin, Judge of the Superior Court, Division One, shall serve, and is hereby APPOINTED, as Presiding Family Law Judge, and as such shall have and is hereby GRANTED authority to schedule and assign, with the approval of the Presiding Judge, all family law cases to ensure that hearings, trials, and other matters are set as required by law or as indicated by the circumstances of each case. He shall also serve, and is hereby APPOINTED, as Judge of the Family Conciliation Court.

B. The Honorable Stephen M. Desens, Judge of the Superior Court, Division Two, shall serve, and is hereby APPOINTED, as Presiding Civil Judge, and as such shall have and is hereby GRANTED authority to schedule and assign, with the approval of the Presiding Judge, all non-family law related civil matters to ensure that hearings, trials, and other matters are set as required by law or as indicated by the circumstances of each case.

C. The Honorable Ann R. Littrell, Judge of the Superior Court, Division Four, shall continue to serve as Presiding Juvenile Court Judge, and shall continue to have those duties set by statute, rule, or other applicable law.

D. The Honorable James L. Conlogue, Judge of the Superior Court, Division Five, shall serve, and is hereby APPOINTED, as Presiding Criminal Judge, and shall have and is hereby GRANTED authority to schedule and assign, with the approval of the Presiding Judge, all criminal cases to ensure that hearings, trials, and other matters are set as required by law or as indicated by the circumstances of each case.

DATED at Bisbee, Arizona, this 18<sup>th</sup> day of Jan, 2007.



WALLACE R. HOGGATT  
Presiding Judge

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

**FILED**

2007 JAN 18 PM 1:22

**ADMINISTRATIVE ORDER NO. 2007-05**

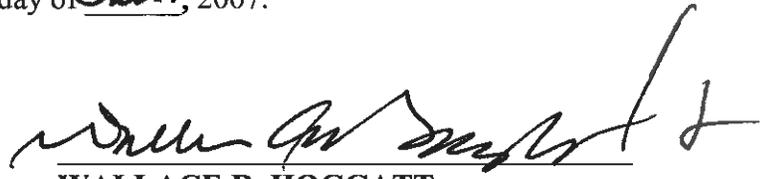
DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

**IN RE: APPOINTMENT OF ASSOCIATE PRESIDING JUDGE**

Pursuant to Rule 92(a)(4), Rules of the Supreme Court,

**IT IS HEREBY ORDERED**, subject to the approval of the Supreme Court of Arizona, that the Honorable James L. Conlogue, Judge of the Superior Court, Division Five, Cochise County, is **APPOINTED** and shall serve as Associate Presiding Judge of Cochise County.

**DATED** at Bisbee, Arizona, this 18<sup>th</sup> day of Jan., 2007.



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

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

**FILED**

2007 JAN 19 PM 2:20

**ADMINISTRATIVE ORDER NO. 2007-06**

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

**IN RE: APPOINTMENT ON THE SUPERIOR COURT JUDGE PRO TEMPORE  
SELECTION COMMITTEE**

**IT IS HEREBY ORDERED** that the following persons are appointed to serve on the Superior Court Judge Pro Tempore Selection Committee:

Susan Arbuthnot of Willcox;  
Frank Bothwell of Sierra Vista;  
Melissa DiPeso of Benson;  
Adela Flores of Sierra Vista;  
Judy Gignac of Sierra Vista;  
Britt Hanson of Bisbee;  
George Kirmse of Sierra Vista;  
Gene Manning of Sierra Vista;  
James L. Riley of Bisbee;  
Jane Strain of Sierra Vista;  
Ruben Teran of Douglas.

**IT IS FURTHER ORDERED** that James L. Riley is appointed and shall serve as Chair of the Committee.

**IT IS FURTHER ORDERED** that the Committee shall have the power and duties set forth in Section 1-305(D)(3)(a) of the Arizona Code of Judicial Administration.

**DATED** at Bisbee, Arizona, this 19th day of January, 2007.



**WALLACE R. HOGGATT**  
Presiding Judge

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

FILED

2007 FEB -2 PM 4:11

ADMINISTRATIVE ORDER NO. 2007-07

BY DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT  
DEPUTY

IN RE: APPOINTMENT OF SUPERIOR COURT JUDGES TO SERVE AS A JUDGE OF  
THE JUVENILE DIVISION OF THE SUPERIOR COURT

Good cause appearing,

**IT IS HEREBY ORDERED** that each and every currently serving Judge of the Superior Court shall be, and is hereby, appointed to serve as a Judge of the Juvenile Division of the Superior Court.

DATED at Bisbee, Arizona, this 02<sup>nd</sup> day of Feb., 2007.

  
WALLACE R. HOGGATT  
Presiding Judge

  
ANN R. LITRELL  
Presiding Juvenile Judge

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

**FILED**

**2007 FEB -7 PM 3:22**

**ADMINISTRATIVE ORDER NO. 2007-08**

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

**IN RE: APPOINTMENT OF A REPLACEMENT MEMBER OF THE SUPERIOR  
COURT JUDGE PRO TEMPORE SELECTION COMMITTEE**

Due to Mrs. Flores' inability to continue to serve on this committee,

**IT IS HEREBY ORDERED** that Juan Flores of Douglas, is appointed to serve on the Superior Court Judge Pro Tempore Selection Committee in the place of Adela Flores.

**DATED** at Bisbee, Arizona, this 07<sup>th</sup> day of February, 2007.



**WALLACE R. HOGGATT  
Presiding Judge**

FILED

2007 FEB 15 PM 1:11

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

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

ADMINISTRATIVE ORDER NO. 2007-09

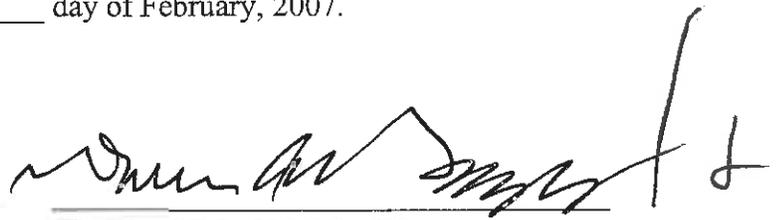
IN RE: APPOINTMENT OF PROBATE REGISTRAR AND DESIGNEES

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) Darlene Cooke, Leticia Estrada, Mary Edie, Sandra Bernal and Edie Valencia are designated as Assistant Probate Registrars.
- 3) Carol Helton and Jennifer Bachert are designated as Assistant Probate Registrar 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 13<sup>th</sup> day of February, 2007.



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 2/15/07, 20

DENISE I. LUNDIN, Clerk

By Darlene Cooke Deputy

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

FILED

2007 MAR -1 PM 3:01

ADMINISTRATIVE ORDER NO. 2007-010

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
BY  
DEPUTY

IN RE: JUSTICE AND MAGISTRATE COURTS WEEKEND AND HOLIDAY  
COVERAGE

The Presiding Judge of Cochise County, having the authority under Rule 1.7, Arizona Rules of Criminal Procedure, to assign available Justices of the Peace or City or Town Magistrates, including Justices of the Peace *Pro Tempore* and Magistrates *Pro Tempore*, to handle initial appearances in criminal matters, and the undersigned desiring to delegate that responsibility to the Presiding Justice of the Peace for Cochise County,

**IT IS HEREBY ORDERED** that the Presiding Justice of the Peace for Cochise County, the Honorable David C. Morales, shall, in consultation with the affected justices of the peace and magistrates, establish and circulate on a quarterly basis schedules of weekend and holiday duty. The Presiding Justice of the Peace for Cochise County shall ensure that such schedules are promptly provided to the Presiding Judge of Cochise County, the Cochise County Jail, the Cochise County Attorney, the Cochise County Public Defender, the Cochise County Legal Defender, all Justices of the Peace and Magistrates in the County, and any other person or office the Presiding Justice of the Peace may consider appropriate to receive such notice.

This Order shall be effective at the beginning of the weekend that includes July 01, 2007.

DATED at Bisbee, Arizona, this 01<sup>st</sup> day of March, 2007.



WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2007 MAR -8 PM 2:49

ADMINISTRATIVE ORDER NO. 2007-11

IN RE: APPOINTMENT OF JUSTICES OF THE PEACE AND CITY MAGISTRATES  
AS JUVENILE HEARING OFFICERS IN LIMITED MATTERS

DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT  
DEPUTY

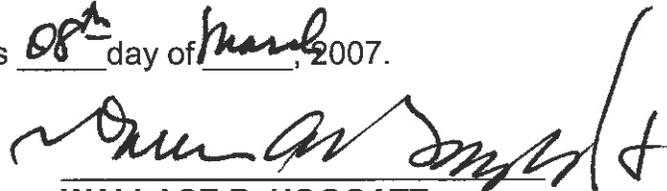
The Board of Supervisors having approved the appointment of Justices of the Peace and city or town councils having approved the appointment of the following named municipal judges to serve as juvenile hearing officers at the pleasure of and as authorized by the Presiding Judge of the Juvenile Court pursuant to A.R.S. § 8-323, and good cause appearing, it is

**ORDERED** the following named Justices of the Peace and City Magistrates of Cochise County, Arizona, are hereby appointed as Juvenile Hearing Officers. The matters to be heard by Juvenile Hearing Officers are limited to cases in which a child under the age of eighteen years on the date of the alleged offense is charged with violating any non-alcohol related provision of the motor vehicle code not declared to be a felony, and violations of any city, town or political subdivision ordinance not pertaining to curfew violations, effective this date and until further order of the court or rescission of operation of law:

**David C. Morales**, Justice of the Peace, Precinct One  
**Alma Vildosola**, Justice of the Peace, Precinct Two and Douglas Magistrate  
**Joseph P. Knoblock**, Justice of the Peace, Precinct Three  
**Trevor Ward**, Justice of the Peace, Precinct Four  
**Timothy Dickerson**, Justice of the Peace, Precinct Five  
**Leslie Sansone**, Justice of the Peace Pro Tempore, Precinct Five  
**Michael Skiles**, Justice of the Peace, Precinct Six  
**Gary R. Hatch**, City Magistrate, City of Willcox

It is further **ORDERED**, pursuant to A.R.S. § 8-323 (H) that within five days after disposition that Juvenile Hearing Officer shall transmit a copy of the citations, findings and disposition to the Juvenile Court for record keeping purposes. Juvenile Hearing Officer appointments from previous Orders are hereby and immediately rescinded.

Dated at Bisbee, Arizona, this 08<sup>th</sup> day of March, 2007.



**WALLACE R. HOGGATT**  
Presiding Judge

FILED

2007 MAR 27 AM 9:54

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

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

---

**ADMINISTRATIVE ORDER NO. 2007- 12**

---

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

---

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) Rander A. Gregory, Sondra Whitmer, Letticia Estrada, Mary Edie, Sandra Bernal and Edie Valencia are designated as Assistant Probate Registrars.
- 3) Carol Helton and Jennifer Bachert are designated as Assistant Probate Registrar 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 27<sup>th</sup> day of March, 2007.



**WALLACE R. HOGGATT**  
Presiding Judge

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

FILED

2007 APR 23 PM 12:08

ADMINISTRATIVE ORDER NO. 2007-013

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

IN RE: AUTHORIZING THE COUNTY ATTORNEY TO PREPARE, SIGN AND FILE  
MENTAL HEALTH PETITIONS

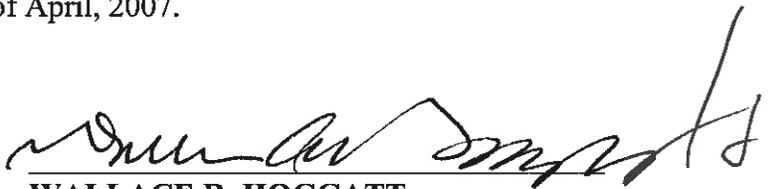
The Court has reviewed and considered the request by Britt Hanson, Chief Civil Deputy Cochise County Attorney, and Dr. William Sullivan, the Medical Director of Southeast Arizona Behavioral Health Services (SEABHS), asking that the Court enter an administrative order authorizing and directing the County Attorney to prepare, sign and file mental health petitions when SEABHS so requests.

Mark Suagee, the Cochise County Public Defender, has had the opportunity to consider the request and stated that he has no objection to the entry of such an administrative order.

Good cause appearing,

**IT IS HEREBY ORDERED** that pursuant to A.R.S. §§36-521(D) and (F), the Cochise County Attorney is hereby authorized and directed to prepare, sign and file petitions on behalf of SEABHS when SEABHS so requests. Nothing in this order shall be construed to prevent the Medical Director of SEABHS from preparing, signing or filing a petition on his own.

**DATED** at Bisbee, Arizona, this 23<sup>rd</sup> day of April, 2007.



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

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

FILED  
2007 APR 23 PM 12:09

ADMINISTRATIVE ORDER NO. 2007-014

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

IN RE: APPOINTMENT OF DRUG COURT COMMISSIONERS

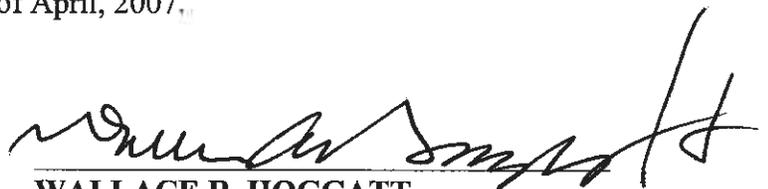
Pursuant to §1-305(D)(3)(b), Arizona Code of Judicial Administration, and the Presiding Judge having reviewed all applications for Drug Court Commissioner, with the assistance of the Honorable James L. Conlogue, Associate Presiding Judge, and the three drug court coordinators,

**IT IS HEREBY ORDERED:**

A. Michael J. Herbolich, Esquire, and Jeanne Benda Whitney, Esquire, are hereby appointed Commissioners of the Juvenile Drug Court of the Superior Court of Arizona, Cochise County. Commissioner Herbolich shall handle drug court proceedings primarily in Douglas, and Commissioner Benda Whitney shall handle drug court proceedings primarily in Benson, although either may be assigned to conduct drug court proceedings in other locations as they may be needed.

B. The Presiding Judge shall request that the Chief Justice of the Supreme Court of Arizona appoint Commissioner Herbolich and Commissioner Benda Whitney, as Judges *Pro Tempore* of the Superior Court, to give them the power of detaining persons participating in the Drug Court Program, and shall seek appropriate approval of the Cochise County Board of Supervisors.

DATED at Bisbee, Arizona, this 23<sup>rd</sup> day of April, 2007.

  
WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2007 APR 30 PM 2:28

ADMINISTRATIVE ORDER NO. 2007-015

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

IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

Pursuant to the provisions of Rule 92(a)(1), Rules of the Supreme Court of Arizona, and Rules (1)(b) and (c), Local Rules of Practice of the Superior Court, Cochise County, pertaining to regular and special assignments of all judges in this court, and otherwise good cause appearing, it is

**ORDERED** as follows:

1. Division Six is the designation for the Superior Court Judge *Pro Tempore* division.
2. Division Six shall hear such matters, in such locations, as assigned by the Presiding Judge.
3. Division Seven is the designation for any and all visiting judges.
4. All newly filed adult criminal cases each week shall be divided equally between Divisions One, Two, Three, and Five. Separate files involving co-defendants charged in the same indictment or information shall, to the extent practicable, be assigned to the same division.
5. All newly filed domestic relations cases shall be divided equally between Divisions One, Two, Three, and Five.
6. All newly filed civil cases shall be divided equally between Division One, Two, and Five. No newly filed civil cases shall be assigned to Division Three, unless under exigent circumstances or by separate order of this court.
7. All newly filed adoption cases shall be assigned to Division Four.
8. All sexually violent persons cases, all mental health cases, and all appeals from limited jurisdiction courts shall be assigned to Division Three.
9. All interstate compact cases shall be assigned to Division Two.
10. All intrastate transfer of jurisdiction cases shall be assigned to Division Five.

11. All newly filed guardianship, conservatorship, and probate cases shall be assigned to Division Six – and all such cases pending in this Court shall be reassigned to Division Six – unless under exigent circumstances or by separate order of this court.
12. All IV-D matters, whether newly filed cases or filed in existing domestic relations cases, shall be assigned to Division Six, unless under exigent circumstances or by separate order of this court.
13. Except as set forth herein, all cases pending as of April 30, 2007, shall remain in the divisions to which they are currently assigned.
14. This administrative order shall be effective May 01, 2007, and shall thereafter supersede and supplant all previous administrative orders making regular and special assignments of judges in this court.

**DATED** at Bisbee, Arizona, this 30<sup>th</sup> day of April, 2007.



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

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

FILED

2007 APR 30 PM 2:28

ADMINISTRATIVE ORDER NO. 2007-016

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

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

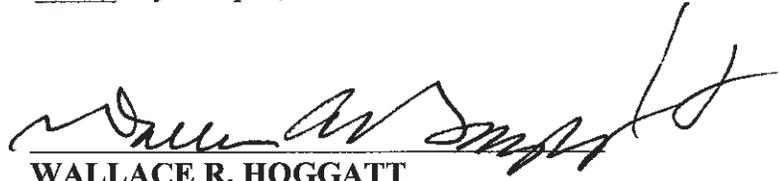
**ORDERED** as follows:

1. Divisions One and Two 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.
2. 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.
3. Division Five 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.
4. Division Five shall conduct Criminal Law and Motion Day on Friday of each week; provided, however, when Friday is a legal holiday, Thursday shall be Criminal 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      |
|                 |                  | 3:00 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. The schedule set forth above for Division Three shall be effective June 01, 2007. Otherwise, this administrative order shall be effective May 01, 2007, and shall thereafter supersede and supplant all previous administrative orders setting the Law and Motion Calendars.

DATED at Bisbee, Arizona, this 30<sup>th</sup> day of April, 2007.

  
WALLACE R. HOGGATT  
Presiding Judge

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

FILED

2007 MAY -7 AM 10:48

ADMINISTRATIVE ORDER NO. 2007-017

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

IN RE: NO BOND ORDERS PURSUANT TO A.R.S. §13-3961

The undersigned Presiding Judge for Cochise County, on the advice of the Honorable James L. Conlogue, Presiding Criminal Judge, and following participation in the summit conference of relevant participants in the criminal justice system on April 25, 2007, and a follow-up training for judges, magistrates, and initial appearance masters on May 01, 2007, hereby makes the following **ORDERS** to implement Supreme Court Administrative Order No. 2007-30:

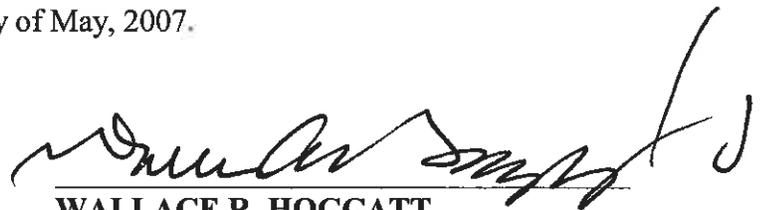
A. The attached and incorporated No Bond Addendum/Law Enforcement Part of Release Questionnaire shall be used by law enforcement in connection with initial appearances of persons who are alleged or believed to be persons for whom bond may not be set pursuant to Article II, Section 22, of the Arizona Constitution.

B. The attached and incorporated A.R.S. §13-3961 No Bond Custody Order and Order Setting Evidentiary Hearing shall be used by any and all judges, justice of the peace, magistrates, or initial appearance masters conducting initial appearances in appropriate cases.

C. The attached and incorporated No Bond Custody Order Following Evidentiary Hearing shall be used by any and all judges, justices of the peace, and magistrates following the relevant evidentiary hearing.

This Order is effective today.

DATED at Bisbee, Arizona, this 07<sup>th</sup> day of May, 2007.



WALLACE R. HOGGATT  
Presiding Judge

No Bond Addendum  
Law Enforcement Part of Release Questionnaire

DEFENDANT'S NAME: \_\_\_\_\_

**If the alleged offense enumerated in A.R.S. §13-3961(A), is the proof evident or the presumption great that the person is guilty of the alleged offense?**

\_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, explain in detail (e.g., arresting officer or other law enforcement officers witnessed offense, physical evidence directly connects defendant to offense, multiple eye-witnesses, defendant admissions, victim statements, nature of injuries, incriminating photographic, audio, visual, or computer evidence, defendant attempted to flee or resist arrest).

RESPONSE:

**Has the person entered or remained in the United States illegally?**

\_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, probable cause is established for the following reasons. Explain in detail (e.g., admission of the person, statements of co-defendants at the time of arrest, verification of illegal presence, information provided at the issuance of a warrant in conjunction with a direct complaint or grand jury proceeding establishes illegal presence).

RESPONSE:

**If there is probable cause that the person entered or remained in the United States illegally, is the proof evident or presumption great that the person committed a class 1, 2, 3 or 4 felony or a violation of A.R.S. §28-1383?**

\_\_\_\_\_ Yes      \_\_\_\_\_ No

If yes, explain in detail

RESPONSE:

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Name:

Agency:

Badge No.:

IN THE JUSTICE COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE  
PRECINCT NO. \_\_\_\_\_

STATE OF ARIZONA, )  
)  
Plaintiff, )  
vs. )  
\_\_\_\_\_ )  
Defendant. )  
\_\_\_\_\_ )

CASE NO. \_\_\_\_\_  
A.R.S. §13-3961 NO BOND  
CUSTODY ORDER and  
ORDER SETTING  
EVIDENTIARY HEARING

Defendant is charged with committing an offense set forth in A.R.S. §13-3961(A). This Court conducted an initial appearance pursuant to Rule 4.2, Arizona Rules of Criminal Procedure on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ m. On probable cause,

The Court finds that the proof is evident or the presumption great that Defendant committed the offense(s) of: \_\_\_\_\_  
\_\_\_\_\_. This finding is subject to *de novo* review at the evidentiary hearing.

The Court further finds that the proof is evident or the presumption great that Defendant has entered or remained in the United States illegally. This finding is subject to *de novo* review at the evidentiary hearing.

IT IS THEREFORE ORDERED holding Defendant without bond pending further order of the Court.

IT IS FURTHER ORDERED setting this matter for an evidentiary hearing on \_\_\_\_\_, 20\_\_\_\_, at 8:00 a.m. in the Justice Court Precinct One Courtroom, Bisbee, Arizona.

As Alternative Release Conditions, IT IS FURTHER ORDERED that, in the event the evidentiary hearing does not occur as scheduled and cannot occur within the time allowed by law, or if the evidence at such hearing is insufficient to sustain a no bond order, the release conditions shall be as follows: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

An interpreter fluent in the \_\_\_\_\_ language shall be present for the hearing.

DONE IN OPEN COURT this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Justice of the Peace/Judge of the Superior Court

This Order was faxed immediately after its entry to:  
Justice Court, Precinct One - (520) 432-5271  
IDC - (520) 432-8461  
Cochise County Attorney - (520) 432-4208  
Division Five - (520) 432-8488  
Court Interpreter - (520) 432-2630  
Cochise County Jail, Bisbee - (520) 432-7035  
This Court immediately contacted IDC by telephone at (520) 432-8460

IN THE JUSTICE COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF COCHISE  
PRECINCT NO. \_\_\_\_\_

STATE OF ARIZONA, )  
 )  
 ) Plaintiff, )  
 vs. )  
 )  
 \_\_\_\_\_, )  
 ) Defendant. )  
 \_\_\_\_\_ )

CASE NO. \_\_\_\_\_  
  
NO BOND CUSTODY  
ORDER FOLLOWING  
EVIDENTIARY HEARING

Following an evidentiary hearing on \_\_\_\_\_, 20\_\_\_\_, beginning at \_\_\_\_\_ m.,  
the State present by \_\_\_\_\_, and the Defendant present in person and by \_\_\_\_\_,

On review *de novo* from the relevant findings made at the initial appearance,

The Court hereby FINDS: [check one] \_\_\_\_\_ The proof IS evident or the presumption great, OR  
\_\_\_\_\_ The proof IS NOT evident nor the presumption great, that the Defendant committed the offense(s) of:

The Court hereby FURTHER FINDS: [check one] \_\_\_\_\_ The proof IS evident or the presumption  
great, OR \_\_\_\_\_ The proof IS NOT evident nor the presumption great, that the Defendant has entered or  
remained in the United States illegally.

IT IS HEREBY ORDERED:

\_\_\_\_\_ The Defendant shall remain in the custody of the Sheriff without bond or other release  
conditions.

\_\_\_\_\_ The Alternative Release Conditions set by the A.R.S. §13-3961 No Bond Custody Order and  
Order Setting Hearing of \_\_\_\_\_, 20\_\_\_\_, shall be effective immediately.

OTHER ORDERS: \_\_\_\_\_

DONE IN OPEN COURT this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Justice of the Peace/Judge of the Superior Court

xc: County Attorney  
Defense Counsel  
Defendant

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

**FILED**

2007 MAY 15 PM 2: 22

**ADMINISTRATIVE ORDER NO. 2007-018**

DENISE J. LOWDIN  
CLERK OF SUPERIOR COURT

**IN RE: LENGTH OF COURT SESSIONS**

Good cause appearing, it is

**ORDERED**, that in all court proceedings in Cochise County, Arizona, the judge, justice of the peace, magistrate, or other presiding officer subject to the orders of the Presiding Judge of this County, shall observe the following:

A. Except as provided in paragraph B below, no court session shall proceed longer than sixty (60) minutes without providing the court reporter and other court staff with a recess of at least five (5) minutes during which the court reporter shall not report any matter.

B. As an alternative to the limitation set forth in paragraph A above, a court session may proceed for up to ninety (90) minutes, provided that the court reporter and other court staff shall have a recess of at least fifteen (15) minutes during which the court reporter shall not report any matter.

C. A lunch break of at least one (1) hour shall be provided each day.

**DATED** at Bisbee, Arizona, this 15<sup>th</sup> day of May, 2007.



**WALLACE R. HOGGATT**

**Presiding Judge**

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

**FILED**

**2007 JUN -5 AM 9:58**

**ADMINISTRATIVE ORDER NO. 2007-019**

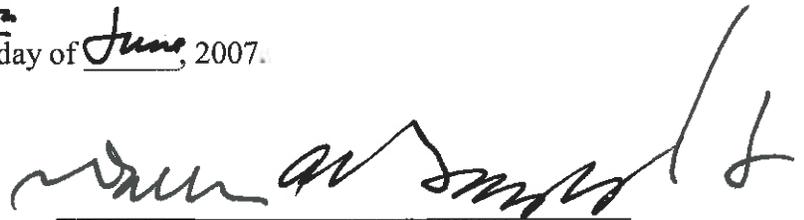
**DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT**

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

**IN RE: VERBATIM RECORD AT PRELIMINARY HEARINGS**

Pursuant to the authority of Rule 5.2, Arizona Rules of Criminal Procedure, the undersigned, as Presiding Judge for Cochise County, hereby **DIRECTS** all judges, justices of the peace, and magistrates who conduct preliminary hearings in this county to provide for a verbatim record of such proceedings by digital audio recordings, unless a certified court reporter is requested by a party. In accordance with the rule, any request for a certified court reporter for a preliminary hearing shall be honored unless the court is in a geographic location where certified court reporters are not reasonably available.

**DATED** at Bisbee, Arizona, this 05<sup>th</sup> day of June, 2007.



**WALLACE R. HOGGATT  
Presiding Judge**

**FILED**

Time \_\_\_\_\_ M

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

JUN 12 2007

DENISE L LUNDIN  
CLERK SUPERIOR COURT  
BY \_\_\_\_\_ DEPUTY

**ADMINISTRATIVE ORDER NO. 2007-020**

**IN RE: APPOINTMENT OF A TOWN MAGISTRATE AS JUVENILE HEARING  
OFFICER IN LIMITED MATTERS**

The Town of Huachuca City, Arizona, by its governing council, having approved the appointment of the following named municipal judge to serve as juvenile hearing officer at the pleasure of and as authorized by the Presiding Judge of the Juvenile Court pursuant to A.R.S. §8-323, and good cause appearing, it is

**ORDERED** that the Honorable KENNETH CURFMAN is hereby appointed as a Juvenile Hearing Officer of Cochise County, Arizona. The matters to be heard by such Juvenile Hearing Officer are limited to cases in which a child under the age of eighteen years on the date of the alleged offense is charged with violating any non-alcohol related provision of the motor vehicle code not declared to be a felony, and violations of any city, town or political subdivision ordinance not pertaining to curfew violations, effective this date and until further order of the court or rescission of operation of law.

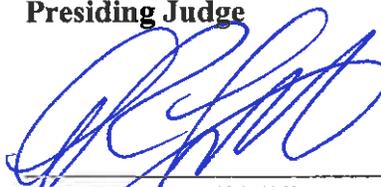
It is further **ORDERED**, pursuant to A.R.S. §8-323(H) that within five days after disposition that such Juvenile Hearing Officer shall transmit a copy of the citations, findings and disposition to the Juvenile Court for record keeping purposes.

Other than as supplemented herein, Cochise County Administrative Order No. 2007-11 shall remain in full force and effect.

**DATED** at Bisbee, Arizona, this 11<sup>th</sup> day of June, 2007.



**WALLACE R. HOGGATT  
Presiding Judge**



**ANN R. LITRELL  
Presiding Juvenile Court Judge**



# TOWN OF HUACHUCA CITY

*The Sunset City*

500 NORTH GONZALES BOULEVARD • HUACHUCA CITY, ARIZONA 85616  
PHONE (520) 456-1354 • TDD (520) 456-1353 • E-MAIL: [townclerk@huachucacity.org](mailto:townclerk@huachucacity.org)  
FAX: (520) 456-2230

## RESOLUTION 07-04

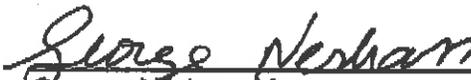
A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, APPROVING OF MAGISTRATE TO HEAR JUVENILE MATTERS IN THE HUACHUCA CITY COURT, PURSUANT TO A.R.S. SECTION 8-232

WHEREAS, the Huachuca City Magistrate may be authorized by the Presiding Judge to hear cases in which a child under the age of eighteen years on the date of the alleged offense is charged with violating any non-alcohol related provision of the motor vehicle code not declared to be a felony and violations of Huachuca City Town ordinances not pertaining to curfew violations;

WHEREAS the Mayor and Town Council of Huachuca City desire to have the City Magistrate preside over such matters;

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Town Council do hereby approve that the Magistrate serve as Juvenile Hearing Officers in accordance with the authority granted by the Cochise County presiding Superior Court Judge, Wallace R. Hoggatt.

Passed and adopted by the Town Council of The Town of Huachuca City this 8<sup>th</sup> day of June , 2007,

  
George Nerhan, Mayor

ATTEST:

  
Ron Armstrong, Town Clerk

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

FILED

2007 JUN 14 AM 8:47

ADMINISTRATIVE ORDER NO. 2007-21

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: ADOPTION OF COCHISE COUNTY JUSTICE COURTS CASH SHORT/OVER  
POLICY

Good cause appearing and with the approval of the Cochise County Justices of the Peace,

**IT IS HEREBY ORDERED**, that the attached "Cash Short/Over Policy" is hereby adopted.

Dated at Bisbee, Arizona, this 14<sup>th</sup> day of June, 2007.



**WALLACE R. HOGGATT**  
Presiding Judge

## **COCHISE COUNTY JUSTICE COURTS CASH SHORT/OVER POLICY**

### **PURPOSE:**

To establish guidelines for documenting all cash short/over

### **DISCUSSION:**

Daily cash shortages and overages will be monitored, reviewed, and documented on an as needed basis by the court manager/supervisor. All employees will be responsible to report any unresolved shortage/overage to the manager/supervisor immediately.

### **POLICY:**

Court staff must adhere to strict cash controls as evidenced by secure work stations, appropriate receipting/suspending, documentation of all voided, manual and bond receipts, immediate endorsement of checks, timely mail processing, closeout reconciliations and random audits. The court manager/supervisor is ultimately responsible for the overall cash internal controls.

All staff members performing cashier functions have the unique responsibility of acting as custodian for the court's monies. As such, they are directly responsible for adequately safeguarding and accounting for court monies under their control.

All cash shortages and overages are to be closely monitored. Each short/over incident will be evaluated, taking into consideration the frequency, amount and any unusual circumstances.

Each incident involving a shortage or overage will be evaluated and reported to the court manager/supervisor. Upon evaluation, disciplinary actions may be taken.

Employees performing cashier functions will follow the following procedures if a cash shortage/overage occurs:

Try to find the shortage/overage during cash out process:

- a. Review all files and receipts taken for that day.
  - b. If not found, the following steps must be taken.
1. Cashier will report shortage/overage to manager/supervisor immediately by submitting a written statement. The statement shall include the following information:
    - a. Cashier's name and register number
    - b. Amount of shortage/overage
    - c. Explanation of what may have caused the shortage/overage
    - d. What steps were taken to find the shortage/overage
  2. If an overage occurs the cashier will create an OT number under miscellaneous case type, event code 9517 overpayment refund. Receipt into the bond/overage account for the court. If a shortage occurs the manager/supervisor will prepare a demand to replenish the shortage from the court's expense line "Cash Over/Short."

3. Shortage/Overage will be recorded on the short/over log and the written statement will be attached to the log.
4. Both Cashier and Manager/Supervisor will research all shortages/overages within two weeks of occurrence. If the shortage/overage is found, manager/supervisor will take appropriate steps to remedy the error. Based on circumstances pertaining to each incident, whether the shortage/overage is found or not found, the following disciplinary actions may occur:
  - verbal counseling
  - letter of counseling
  - letter of reprimand
  - disciplinary action which may include termination

By my signature below, I acknowledge receipt of and understand that I am responsible for complying with the Cash Short/Over Policy.

---

Signature

---

Date

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

FILED

2007 JUN 29 PM 2:29

ADMINISTRATIVE ORDER NO. 2007-22

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: APPOINTMENT OF ELECTED JUSTICES OF THE PEACE AS JUVENILE  
HEARING OFFICERS IN LIMITED MATTERS

The Cochise County Board of Supervisors having approved the appointment of the elected Justices of the Peace in Cochise County to serve as juvenile hearing officers at the pleasure of and as authorized by the Presiding Judge of the Juvenile Court pursuant to A.R.S. §8-323, and good cause appearing, it is

**ORDERED** that the six elected Justices of the Peace in Cochise County are hereby appointed as Juvenile Hearing Officers of Cochise County, Arizona. The matters to be heard by such Juvenile Hearing Officers are limited to cases in which a child under the age of eighteen years on the date of the alleged offense is charged with violating any non-alcohol related provision of the motor vehicle code not declared to be a felony, and violations of any city, town or political subdivision ordinance not pertaining to curfew violations, effective this date and until further order of the court or rescission of operation of law.

It is further **ORDERED**, pursuant to A.R.S. §8-323(H) that within five days after disposition that such Juvenile Hearing Officers shall transmit a copy of the citations, findings and disposition to the Juvenile Court for record keeping purposes.

**DATED** at Bisbee, Arizona, this 29<sup>th</sup> day of June, 2007.

  
James A. Conlogue, Associate Presiding Judge  
(For Wallace R. Hoggatt, Presiding Judge)

  
Ann R. Littrell  
Presiding Judge of the Juvenile Court

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

---

**ADMINISTRATIVE ORDER NO. 2007-23**

---

**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 a 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.

**Michael J. Herbolich  
Jeanne Benda Whitney**

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 Court Drug 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:

**FILED**

2007 JUN 29 PM 2: 29

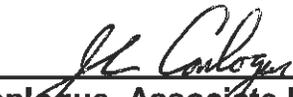
DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

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, 2007 to and including June 30, 2008.

DATED at Bisbee, Arizona, this 29<sup>th</sup> day of June, 2007.

  
\_\_\_\_\_  
James L. Conlogue, Associate Presiding Judge  
(For Wallace R. Hoggatt, Presiding Judge)

# Final Approval For Agenda Number CAD070007

### Wording of Agenda Item

[View Detail](#)

Approve reappointments of Superior Court Judge Pro Tempore Donna Beumler pursuant to A.R.S. § 12-144; Juvenile Court Commissioners/Judges Pro Tempore Michael Herbolich and Jeanne Benda Whitney pursuant to A.R.S. § 8-231; 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; reappointments and authorizations are for the period beginning July 1, 2007, to and including June 30, 2008.

### BOS Notes before meeting

### BOS Notes After Meeting

Approved w/ 2 votes, Mr. Newman being absent

### Final Approved Status

- APPROVED
- DISAPPROVED
- TABLED
- NO ACTION REQUIRED
- OTHER

### Notes for Motion page:

Want to put this Agenda Item to another meeting, please select a meeting date:

### Select department(s) that you want to send email to

- Select 1:
- Select 2:
- Select 3:

### [Agenda Main Page](#)

# Final Approval For Agenda Number CAD070008

**Wording of Agenda Item**

[View Detail](#)

Approve the reappointments of Justice of the Peace Pro Tems Leslie Sansone (JP5) and Ann Lund (emergency back up only) pursuant to A.R.S. §22-121; approve the current elected justices of the peace to serve as juvenile hearing officers, pursuant to A.R.S. § 8-323; reappointments and authorizations are for the period beginning July 1, 2007, to and including June 30, 2008.

**BOS Notes before meeting**

**BOS Notes After Meeting**

Approved w/ 2 votes, Mr. Newman being absent.

**Final Approved Status**

- APPROVED
- DISAPPROVED
- TABLED
- NO ACTION REQUIRED
- OTHER

Notes for Motion page:

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**Select department(s) that you want to send email to**

- Select 1:
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**[Agenda Main Page](#)**

# Final Approval For Agenda Number CAD070007

**Wording of Agenda Item**

[View Detail](#)

Approve reappointments of Superior Court Judge Pro Tempore Donna Beumler pursuant to A.R.S. § 12-144; Juvenile Court Commissioners/Judges Pro Tempore Michael Herbolich and Jeanne Benda Whitney pursuant to A.R.S. § 8-231; 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; reappointments and authorizations are for the period beginning July 1, 2007, to and including June 30, 2008.

**BOS Notes before meeting**

**BOS Notes After Meeting**

Approved w/ 2 votes, Mr. Newman being absent

**Final Approved Status**

- APPROVED
- DISAPPROVED
- TABLED
- NO ACTION REQUIRED
- OTHER

**Notes for Motion page:**

Want to put this Agenda Item to another meeting, please select a meeting date:

**Select department(s) that you want to send email to**

- Select 1:
- Select 2:
- Select 3:

**[Agenda Main Page](#)**

# Final Approval For Agenda Number CAD070008

**Wording of Agenda Item**

[View Detail](#)

Approve the reappointments of Justice of the Peace Pro Tems Leslie Sansone (JP5) and Ann Lund (emergency back up only) pursuant to A.R.S. §22-121; approve the current elected justices of the peace to serve as juvenile hearing officers, pursuant to A.R.S. § 8-323; reappointments and authorizations are for the period beginning July 1, 2007, to and including June 30, 2008.

**BOS Notes before meeting**

**BOS Notes After Meeting**

Approved w/ 2 votes, Mr. Newman being absent.

**Final Approved Status**

- APPROVED
- DISAPPROVED
- TABLED
- NO ACTION REQUIRED
- OTHER

Notes for Motion page:

Want to put this Agenda Item to another meeting, please select a meeting date:

Select department(s) that you want to send email to

Select 1: --SELECT--

Select 2: --SELECT--

Select 3: --SELECT--

[Agenda Main Page](#)

IN THE SUPREME COURT OF THE STATE OF ARIZONA

---

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. 2007 - 37

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 as judges pro tempore to serve the Superior Court in Cochise County for terms beginning July 1, 2007, and ending June 30, 2008, in accordance with A.R.S. §§ 12-141 et. seq., and will serve as assigned by the presiding judge.

|                      |                    |
|----------------------|--------------------|
| Donna Beumler        | State Bar #014117  |
| Michael Herbolich    | State Bar # 001756 |
| 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 services as judges pro tempore.

DATED this 15th day of June, 2007.

---

RUTH V. MCGREGOR  
Chief Justice

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

**FILED**

2007 JUL -6 PM 4:20

**ADMINISTRATIVE ORDER NO. 2007-024**

DENISE I. LINDIN  
CLERK OF SUPERIOR COURT

BY \_\_\_\_\_

**IN RE: ASSIGNMENT OF RETIRED JUDGE**

Pursuant to Arizona Supreme Court Administrative Order No. 2007-43, attached hereto and incorporated herein, 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 until December 31, 2007.

**DATED** at Bisbee, Arizona, this 06<sup>th</sup> day of July, 2007.



**WALLACE R. HOGGATT**

**Presiding Judge**

IN THE SUPREME COURT OF THE STATE OF ARIZONA

---

In the Matter of: )  
 )  
CALLING A RETIRED JUDGE ) Administrative Order  
BACK TO ACTIVE DUTY ) No. 2007-43  
 )  
 )  
 )  
 )  
 )  
 )  
\_\_\_\_\_ )

Pursuant to the request of the Presiding Judge in Cochise County, and it appearing necessary to the administration of justice that the Honorable Thomas Collins, a retired judge of that court, be temporarily authorized to perform the duties of a superior court judge and, in accordance with the authority granted to the Chief Justice by Article 6, Sections 3 and 20 of the Arizona Constitution; therefore,

IT IS ORDERED that the Honorable Thomas Collins, a retired judge of the Superior Court in Cochise County, is called back to duty for a term beginning upon signature of this Order and ending December 31, 2007, and is authorized to perform the duties of a superior court judge as assigned by the presiding judge.

IT IS FURTHER ORDERED that Judge Collins receive the difference between the rate of a sitting superior court judge and the retirement pay of the retired superior court judge salary pursuant to Article VI, Section 20 of the Arizona Constitution.

Dated this 14th day of June, 2007.

---

RUTH V. MCGREGOR  
Chief Justice

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

---

FILED  
07 JUL 30 PM 3:43

ADMINISTRATIVE ORDER NO. 2007-25

---

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

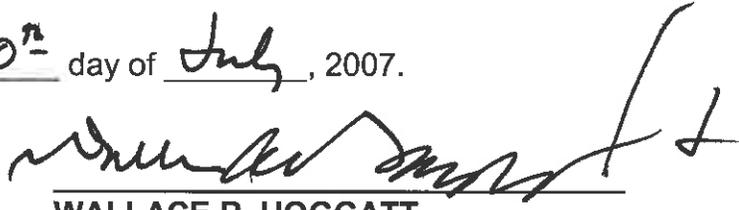
IN RE: APPROVAL OF USE OF FORCE POLICY IN COURT SECURITY

---

Good cause appearing and the Court having reviewed and approved, it is  
**ORDERED**

The Use of Force Policy for Court Security Officers, attached hereto and  
incorporated herein, is effective this date and until further order of this Court.

DATED at Bisbee, Arizona, this 30<sup>th</sup> day of July, 2007.



WALLACE R. HOGGATT  
Presiding Judge



**SUPERIOR COURT OF ARIZONA  
IN COCHISE COUNTY  
COURT SECURITY**

**USE OF FORCE 30**

|  |                                      |                            |
|--|--------------------------------------|----------------------------|
| Supersedes:<br>Use of Force, Revised July 28, 1996 | Chief of Security:<br>Thomas J. Hilb | Effective Date:<br>7/30/07 |
|--|--------------------------------------|----------------------------|

**30.01 PURPOSE**

- A. The purpose of this policy is to establish guidelines regarding reasonable and acceptable Use of Force behavior, to provide for a high degree of officer safety and to provide for the treatment of any injury. It shall be the policy of this department to employ only reasonable and necessary force to overcome resistance to affect a detention and protect the officer or another in the performance of the officer's duty.
- B. Security personnel may use less lethal defensive equipment when warranted, but only in accordance with the guidelines and procedures set forth in this policy. Less lethal defensive equipment not authorized in this policy may not be utilized in any Cochise County court facility.

**30.02 DEFINITIONS**

- A. **BODILY INJURY**: Physical pain, illness, or any impairment from physical condition.
- B. **DEADLY FORCE**: Deadly Force as used in this policy, is defined as intentional use of force, which can cause death or serious bodily injury or which creates a degree that a reasonable and prudent person would consider likely to cause death or serious bodily injury. It includes but is not limited to, use of firearms, neck restraint, and intentional intervention with a vehicle (forcible stops or ramming).
- C. **DE-ESCALATE**: To use the least amount of force to stop the actions of a subject and reduce the amount of force applied as the threat is neutralized or controlled or the subject becomes compliant.
- D. **HOG-TIE**: Connecting a leg restraint device with a hand restraint device, and positioning a subject in a facedown direction.
- E. **JEOPARDY**: A hazard, a threat, or a peril.
- F. **IMMEDIATE THREAT**: An immediate threat is considered to exist if the subject has demonstrated actions that would lead one to reasonably believe that a subject will continue to pose a threat of death or serious bodily injury if not detained without delay.

**30.04      LEVELS OF CONTROL/FORCE**

- A. Once an officer determines to use physical force, the level of force used will be dependent upon the officer's perception of resistance and danger of that resistance, and whether that resistance is placing the officer or another in jeopardy of injury or death. It is important to note that each officer's perception of the danger of the level of resistance will be based upon his/her past training, experience, and knowledge of physical control techniques.

Officers should de-escalate the level of force applied once the threat is neutralized, controlled or the subject becomes compliant.

- B. The levels of force specifically authorized by Cochise County Court Security in ascending order are:

1. Officer Presence/Verbal Direction
2. Physical Restraint
3. Soft Empty Hand Control
4. Chemical Agents/Advanced TASER (touch stun and probes)
5. Hard Empty Hand Control.

- C. **Officer Presence/Verbal Direction:** The majority of situations can be resolved by good communication skills or verbal direction. Often, the mere presence of an officer and proper verbal direction will be sufficient to persuade most individuals to follow an officer's directions. In any verbal confrontation, fear and anger must be defused before a subject will be able to understand the officer's commands. This will require good communication skills and patience. Successful communication techniques can prevent many physical confrontations from escalating to higher levels.

- D. **Handcuffs and Restraints:** The purpose of handcuffs, flexcuffs, or transport handcuffs is to restrain the movements of a subject in a manner that provides a safe means of transportation for officers. Restraints also prevent further physical resistance from the subject. The departmental policies for the use of restraints are as follows:

1. All subjects taken into custody should be handcuffed behind their back. This is to ensure the safety of the officer or other persons. Exceptions to this rule are:
  - a. When the subject has an injury that does not permit his/her arms to move behind the back
  - b. When the subject's age, physical condition, mental condition, or physical limitations may also indicate a change in this procedure to include handcuffing in the front or not using handcuffs at all. This decision should be based on:
    - (1) Whether the subject posed an immediate threat to officers, themselves or others
    - (2) Whether the subject was actively resisting or evading detention

- G. LETHAL WEAPON: Any object or material, when in the manner it is used or intended to be used, is capable of producing death or serious bodily injury.
- H. LESS-LETHAL WEAPON: Any object or material, when in the manner it is used or intended to be used, is not likely to result in death or serious bodily injury.
- I. PHYSICAL OR NON-DEADLY FORCE: Any force, action or weapon that produces a result necessary to control the actions of another and does not involve the use of deadly force.
- J. REASONABLE BELIEF: Having knowledge of facts which, although not amounting to direct knowledge, would cause a reasonable person, knowing the same facts, to reasonably reach the same conclusion.
- K. SERIOUS BODILY INJURY: Bodily injury which, either at the time of the actual injury or a later time, involves a substantial risk of death, a substantial risk of serious permanent disfigurement, a substantial risk of protracted loss or impairment of the function of any part or organ of the body, or breaks, fractures, or burns of the second or third degree.

### 30.03 PHILOSOPHY

- A. For the purposes of this policy, the use of force will be expressed from two perspectives; resistance and control. Both resistance and control can be in the form of verbal communication or physical action.
  - 1. *Resistance* is manifested by a subject's attempts to evade an officer's attempt at control. The amount and type of resistance will vary, based on a variety of factors.
  - 2. *Control* is the force an officer uses to influence or neutralize the unlawful, physical actions of a subject. Generally, there are four instances an officer is justified in using physical control methods. They are:
    - a. To stop potentially dangerous and unlawful behavior
    - b. To protect the officer or another from injury or death
    - c. To prevent subjects from injuring themselves
    - d. In the process of effecting a lawful arrest or detention.
- B. *Justification* for the use of force by Court Security personnel is measured by two broad standards. First, the officer's use of control methods was initiated by a subject's resistance. Second, the level of physical force used by the officer was reasonable and necessary and not excessive when considering the type of resistance offered by the subject.
- C. *Progression of Force*: Officers will consider and, if possible, employ a progression of force. The progression of force may not be possible under all circumstances. The levels of control are illustrated in the Levels of Control portion of this policy.

- (3) All subjects handcuffed should have the handcuffs double-locked and checked for tightness. The exception to this rule is when the detention environment is tactically unsafe for the officer to double-lock the handcuffs.
  2. If a subject complains the handcuffs are too tight, the detaining officer is to immediately ensure that unnecessary tightness, which may prevent proper blood circulation, does not occur.
  3. To ensure proper safety for officers, all subjects will be handcuffed before being searched.
  4. Except under exceptional circumstances, officers should not handcuff a subject to fixed objects such as posts, vehicles, buildings, etc.
- E. **Empty Hand Control:** Physical control methods may be as subtle as gently guiding a subject's movements, to more dynamic techniques such as strikes or kicks that may have a higher potential of injury to the subject.
1. *Soft Empty Hand Control:* This level of control is designed for primarily low levels of resistance, but can be used to control any level of resistance. Soft Empty Hand Control techniques are techniques that have minimal or nonexistent possibility of injury. Generally, these techniques are used to control passive or demonstrator types of resistance and defensive resistance. However, Soft Empty Hand Control techniques can be utilized for any level of resistance.

Examples of Soft Empty Hand Control techniques are joint locks, strength techniques and the use of pressure points.

- F. **Chemical Agents:** The department-approved chemical agent is a tool that can provide a means by which an officer can defend himself or another from injury and a means of controlling an offender when an officer is facing resistance in the form of active aggression or in certain cases, passive or defensive physical resistance. The policies of carrying and the uses of department-approved chemical agents are as follows:
1. No officer shall carry or utilize any chemical agent for which he or she has not been certified.
  2. The chemical agent should be carried in an appropriate holder, never displayed or pointed at another individual in the form of horseplay.
  3. At no time shall an officer unnecessarily brandish, or use the chemical agent as an intimidating device, unless the officer is attempting to prevent a further escalation of force.
  4. In the event that chemical agents are used to control a subject, application of the agent will cease when the subject discontinues resistance or aggression or can be safely controlled.
  5. Chemical agents are irritating to the eyes, nose and skin. Any time an officer uses a chemical agent for subject control, the officer will ensure that the subject will receive adequate medical attention as soon as possible.
  6. If the subject refuses medical treatment, the officer will contact a Police or Fire EMT who will offer medical treatment to the subject again. A refusal to

the EMT shall be noted by the EMT on a First Care Form, which will be attached to the officer's use of force report. If treatment is requested, the subject should be transported to a medical facility for treatment as soon as possible.

7. When an officer transfers a subject who has been exposed to chemical agents, the officer will notify jail personnel in order to prevent unnecessary contamination of other jail occupants or jail staff.
8. Any time an officer finds it necessary to use a chemical agent for subject control, the officer will contact a supervisor for the purpose of informing the supervisor of the nature of the incident.

### **30.05 X-26 TASER PROCEDURES**

- A. Security Officers desiring to carry the TASER shall submit to the following screening and testing requirements:
  1. Complete psychological screening administered by a psychologist approved by Court Administration.
    - a. The Chief of Security or Court Administrator may deny authorization to carry a TASER if the results from the psychological evaluation indicate that the officer may be unfit.
  2. Completed an approved training course and obtained certification to carry and deploy the TASER.
- B. The TASER is an alternative less lethal application of force not intended to replace self-defense techniques. The use of the TASER shall be in accordance with required training programs. Only personnel who successfully completed the required training will be allowed to use them. The policies for carrying and uses of the TASER are as follows:
  1. Security Officers may be required to carry the TASER while on duty. Exceptions to this include when officers are working administrative functions such as ceremonial duties, or administrative proceedings.
  2. The TASER shall be worn on the duty belt in the issued holster.
  3. The TASER shall be worn on the weak hand side.
- C. The decision to use the TASER is based on the same criteria a Security Officer uses when selecting, if appropriately trained, to deploy chemical spray (OC). The decision must be made dependent on the actions of the subject(s) or the threat facing the Officer, and the totality of the circumstances surrounding the incident. In any event, the use of the TASER must be reasonable and necessary.
  1. All personnel must be certified, as a user, by a TASER Certified Instructor prior to being authorized to deploy the TASER in and around a courthouse. This training shall consist of a minimum of four hours of instruction with the successful completion of a proficiency exam.

2. All trained personnel must attend an annual in-service training to remain certified.
  - a. The Human Resources Director will maintain certification and re-certification records.
  
- D. An Officer is authorized to use the X-26 after he/she has clearly displayed a physical presence and thus identified themselves as a Court Security Officer by making identification if they are not in uniform or clearly bearing official title. The Officer must also give verbal warning and verbal commands to a resisting subject or detainee if the situation allows. Verbal warnings and commands would not be necessary if reaction time was of the essence to officer safety or the safety of others. A subject failing to comply and showing NO INTENTION OF COMPLIANCE to the officer's official, lawful instructions may be incapacitated by the use of the X-26 TASER.
  
- E. The use of this weapon should, in most cases, eliminate the need for actual hands-on active countermeasures and the possibility of officer or subject injury. Officers may, when trained, utilize soft empty hand control tactics prior to the use of the X-26 TASER based upon the totality of the circumstances. The officer is not required to attempt soft empty hand control tactics if the officer believes that they would be ineffective and/or the officer believes the use of the X-26 TASER would reduce the likelihood or possibility of more serious injuries to the subject, the officer, and third parties.
  
- F. The X-26 TASER may also be utilized on a subject, previously under control, who suddenly reacts violently and requires immediate attention during the post detention and/or booking process.
  
- G. The use of the X-26 TASER is intended solely as a control device to minimize injuries to the Officers and subjects. Its purpose is to enable the Officer to carry out his/her duties in a safe, efficient and most professional manner. The timely and appropriate use of the X-26 TASER can greatly reduce injuries to both Officers and subjects. Any escalated use of force may be thereby avoided.
  
- H. Center mass of the body should be the primary target area when firing the X-26 TASER, particularly center mass of the back, as clothing tends to be tighter on this part of the body. The head and face should not be targeted unless the appropriate level of force can be justified. It is to be used as a way of averting a potentially injurious or dangerous situation.
  
- I. When fired the X-26 TASER emits a sound similar to small caliber gunfire, although it is significantly lower in volume. Thus to reduce the likelihood of an accidental discharge of a back up officer due to a "sympathetic fire response" the Officer deploying the X-26 TASER should take appropriate steps to ensure safety. Anytime the X-26 TASER is to be deployed in a tactical setting, the Officer deploying the X-26 TASER shall announce that he/she is about to deploy by saying "TASER! TASER!" in a clear and audible tone, so that other Officers will be aware that the shot is from a X-26 TASER and not a firearm.

- J. The X-26 TASER will never be used as a means of punishment. The X-26 TASER is a weapon and shall be treated as such with the same respect given to firearm safety. Horseplay of any type is forbidden. Violations of this policy will be considered serious infractions, which will result in disciplinary actions not to exclude the possibility of criminal prosecution if the situation warrants.

### **30.06 LIMITATIONS FOR THE USE OF THE X-26 TASER**

- A. Use of the X-26 TASER is prohibited in the following situations:
1. On any known or obviously pregnant female.
  2. On any subject who is saturated with or in the presence of highly flammable or combustible materials and liquids.
  3. On any subject who may receive a secondary injury resulting from a fall from its use, i.e. standing on a roof ledge.
  4. On subjects who are handcuffed, unless they are physically violent ***and*** otherwise uncontrollable. (*See 30.05, paragraph E.*)
  5. On subjects who are in the control of an officer and are not actively physically resisting.
  6. On subjects who are in the control of an officer and pose no immediate threat of violence to self or others.
  7. For the purposes of escorting or prodding, or waking unconscious or intoxicated individuals.
  8. Waking, unconscious, or intoxicated, individuals.
  9. On individuals in control of a moving vehicle.
  10. On individuals holding a firearm when their finger is on the trigger.
- B. The X-26 TASER has an effective range of 3 to 19 feet with a 21 foot cartridge. The recommended range for use of the X-26 TASER is between 5 to 15 feet. Range fewer than 3 feet may not provide adequate distribution of the probes to allow the unit to function properly.

### **30.07 DUTIES AFTER DEPLOYMENT OF THE X-26 TASER**

- A. Immediate action should be taken to care for the injured, to apprehend any subject, and to protect the area.
- B. Once the subject is restrained or has complied the X-26 TASER should be turned off.
- C. An X-26 TASER will not be left unattended except in exigent circumstances as when an Officer is forced to act alone in taking custody or an immediate threat.
- D. Medical personnel will be summoned to the scene to assess the subject. If the exam or other circumstances dictate the subject needs further medical treatment, the subject will be transported to the nearest medical facility. Medical treatment will not be refused for anyone who requests it.

- E. Probes located in sensitive areas such as the face, neck, groin or breast will be removed only by medical personnel.
  - 1. The Officer will do removal of probes in other areas. The preferred method to remove the probe from tissue is to stabilize the flesh with one gloved hand at least 6 inches from impact point; this will minimize the chance of the barb hooking the skin of hand stabilizing the flesh. Firmly and quickly pull the probe free with the other gloved hand.
  - 2. Inspect probe making sure the barb is still intact. Place the probe in a sharps container or into the expended cartridge bore.
  - 3. Inspect puncture sites and wipe with alcohol or iodine wipes. Place a band-aid on puncture site as needed. **Probes that have been removed from skin will be treated as Biohazards and handled as such.**
- F. A photograph of each injury caused by the TASER probe(s) shall be taken as soon as practicable after the incident.
- G. Officer(s) will locate and identify any witnesses to the incident.
- H. Contact appropriate Law Enforcement Agency to facilitate arrest if necessary.
- I. Jail personnel shall be informed the subject was controlled by the use of an X-26 TASER.

**30.08 OFFICER REPORTING REQUIREMENTS - TASER**

- A. The officer shall complete a detailed Incident Report describing all facts and circumstances related to the deployment of the TASER.
- B. The on-duty supervisor shall be notified as soon as possible after the deployment of the X26 TASER.
- C. The Officer that deployed the X-26 TASER will complete the Security Officer "Use of Force - TASER" form as required per policy.
- D. If deemed necessary an investigation of TASER use may be ordered by the Chief of Security or Court Administrator.
- E. Each TASER will be downloaded annually, by appropriately trained staff, and any time deemed necessary by the Department. Each time a TASER is fired or activated the officer will make written documentation of such use on the TASER DEPLOYMENT LOG that is maintained for each TASER. The Chief of Court Security will be responsible for maintaining these records. .
  - 1. Exception to D above shall be TASER deployment during times of training.

**30.09 Hard Empty Hand Control**

- A. This level of control is for high levels of defensive resistance or active aggression. These techniques are applied when lower forms of control have failed or are not applicable because the subject's resistance level was perceived at a dangerous level. Techniques that fall into this level of force have a probability of creating soft or connective tissue damage, skin lacerations that require medical attention or bone fractures. Although the use of these techniques may create some minimal injury to the subject, an officer may be risking injury to himself or have to utilize higher levels of control (such as impact weapons) if Hard Empty Hand Control had not been used.

Techniques that are considered as Hard Empty Hand tactics are: Striking techniques that may be delivered with an officer's open hand, fist, forearm, leg or foot. The target points for the types of strikes will be delivered to major muscle mass such as the legs, arms or shoulders. If the targets are these, the strikes will create muscle cramping, thus inhibiting muscle action. However, it may be necessary for the officer to strike areas where there is a potential for injury, such as the face or very sensitive areas of the body.

- B. **Medical Considerations:** Any time an officer finds it necessary to strike a subject where an injury occurs, it is the policy of this department that the officer shall immediately contact a supervisor and advise the supervisor of the nature of the injury. The officer will insure that first aid is rendered and that proper medical attention is obtained.
- C. **Neck Restraints:** Neck restraints, regardless of type, are **NOT** authorized.

**30.10 OFFICER USE OF FORCE REPORTING REQUIREMENTS**

- A. The officer shall complete a detailed Incident Report describing all facts and circumstances leading to the use of force.
- D. The on-duty supervisor shall be notified as soon as possible after the incident has been brought under control.
- C. If deemed necessary an investigation into the use of force may be ordered by the Chief of Security or Court Administrator.

**OFFICER USE OF FORCE REPORT -- TASER**

Date/Time: \_\_\_\_\_ TASER Officer's Name: \_\_\_\_\_

E-mail: \_\_\_\_\_ Department: \_\_\_\_\_

Name of Subject(s) \_\_\_\_\_

On Scene Supervisor: \_\_\_\_\_ Officer(s) Involved: \_\_\_\_\_

TASER Model (check one):     X26             M26

Nature of the call or incident: \_\_\_\_\_ Charges: \_\_\_\_\_ Booked: Y / N

Location of Incident:     Court House  Courtroom  Hallway  Parking lot

Type of Force Used (check all that apply):  Physical  Less-lethal  Chemical

Nature of the Injuries and Medical Treatment Required: \_\_\_\_\_

Medical Exam: Y / N    Suspect Under the Influence: Alcohol / Drugs (specify): \_\_\_\_\_

Was a Security Officer, Police Officer, or Citizen Injured other than by TASER? Y / N

Incident Type (circle appropriate response(s) below):

Civil Disturbance    Violent Subject    Barricaded    Warrant    Other

Age: \_\_\_\_\_ Sex: \_\_\_\_\_ Height: \_\_\_\_\_ Race: \_\_\_\_\_ Weight: \_\_\_\_\_

TASER use (circle one):    Success / Failure                      Suspect wearing heavy clothes: Y / N

Number of Air Cartridges fired: \_\_\_\_\_    Number of cycles applied: \_\_\_\_\_

Usage (check one):  Arc Display Only  Laser Display Only  TASER Application

TASER:            Is this a dart probe contact: Y / N            Is this a drive stun contact: Y / N

Approximate target distance at the time of the dart launch:    \_\_\_\_\_ feet

Distance between the two probes:    \_\_\_\_\_ inches            Need for additional shot? Y / N

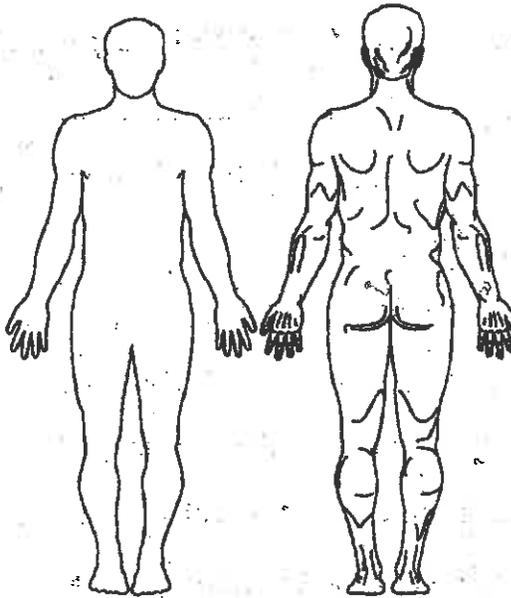
Did dart contacts penetrate the subject's skin?    Y / N                      Probes removed on scene? Y / N

Did TASER application cause injury?    Y / N            If yes, was the subject treated for the injury? Y / N

DESCRIPTION OF INJURY: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

APPLICATION AREAS

(Place "X's" where probes hit suspect AND "O's" where stunned)



SYNOPSIS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Need for additional applications? Y / N    Did the device respond satisfactorily? Y / N

Describe the subject's demeanor after the device was used or displayed?

\_\_\_\_\_

Chemical Spray: Y / N

Baton or Blunt Instrument: Y / N

Describe other means attempted to control the subject:

Photographs Taken: Y / N

Report completed by: \_\_\_\_\_

ADDITIONAL INFORMATION \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

TASER Serial #: \_\_\_\_\_ Medical Facility: \_\_\_\_\_ Doctor: \_\_\_\_\_

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

FILED

2007 AUG 13 PM 2:18

DENISE J. LUNDIN  
CLERK OF SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 2007-26

BY \_\_\_\_\_

IN RE: APPOINTMENT OF CHIEF INTERPRETER AND LAW LIBRARIAN

Upon the recommendation of the Court Administrator and otherwise good cause appearing, it is

**ORDERED** Frances Simmons be appointed as Chief Court Interpreter and Law Librarian of the Superior Court in Cochise County.

It is further **ORDERED** this appointment shall be effective September 9, 2007.

**DATED** at Bisbee, Arizona, this 13<sup>th</sup> day of Aug., 2007.



**WALLACE R. HOGGATT**  
Presiding Judge

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

FILED

2007 AUG 29 AM 9:24

DENISE L. LUNDIN  
CLERK OF SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 2007-027

BY \_\_\_\_\_

IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

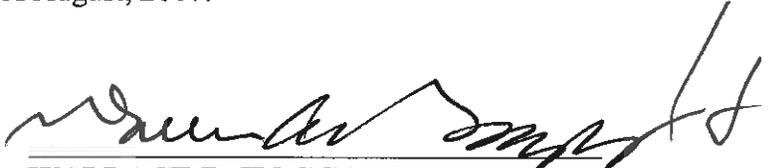
Pursuant to the provisions of Rule 92(a)(1), Rules of the Supreme Court of Arizona, and Rules (1)(b) and (c), Local Rules of Practice of the Superior Court, Cochise County, pertaining to regular and special assignments of all judges in this court, and otherwise good cause appearing, it is

**ORDERED** as follows:

1. Division Six is the designation for the Superior Court Judge *Pro Tempore* division.
2. Division Six shall hear such matters, in such locations, as assigned by the Presiding Judge.
3. Division Seven is the designation for any and all visiting judges.
4. Effective September 01, 2007, all newly filed adult criminal cases each week shall be divided equally between Divisions Two, Three, and Five. Separate files involving co-defendants charged in the same indictment or information shall, to the extent practicable, be assigned to the same division.
5. Effective December 01, 2007, all newly filed domestic relations cases shall be assigned as follows: 40% to Division One; 20% each to Divisions Two, Three and Five.
6. All newly filed civil cases shall be divided equally between Divisions One, Two, and Five. No newly filed civil cases shall be assigned to Division Three, unless under exigent circumstances or by separate order of this court.
7. All newly filed adoption cases shall be assigned to Division Four.
8. All sexually violent persons cases, all mental health cases, and all appeals from limited jurisdiction courts shall be assigned to Division Three.
9. All interstate compact cases shall be assigned to Division Two.
10. All intrastate transfer of jurisdiction cases shall be assigned to Division Five.

11. All newly filed guardianship, conservatorship, and probate cases shall be assigned to Division Six – and all such cases pending in this Court shall be reassigned to Division Six – unless under exigent circumstances or by separate order of this court.
12. All IV-D matters, whether newly filed cases or filed in existing domestic relations cases, shall be assigned to Division Six, unless under exigent circumstances or by separate order of this court.
13. Except as set forth herein, all cases pending as of August 29, 2007, shall remain in the divisions to which they are currently assigned.
14. This administrative order shall be effective September 01, 2007, and shall thereafter supersede and supplant all previous administrative orders making regular and special assignments of judges in this court.

**DATED** at Bisbee, Arizona, this 29th day of August, 2007.



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

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

FILED

2007 AUG 30 PM 3: 32

ADMINISTRATIVE ORDER NO. 2007-28

DENISE J. LUNDIN  
CLERK OF SUPERIOR COURT

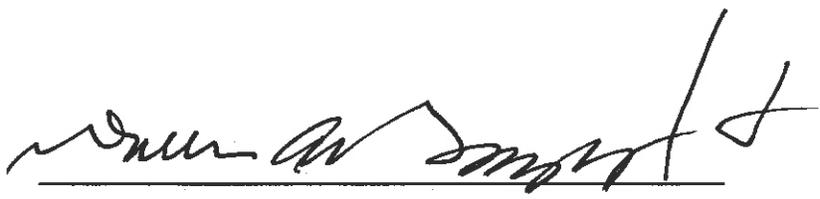
IN RE: ADOPTION OF COCHISE COUNTY LIMITED JURISDICTION COURTS  
VOIDING PROCEDURE

BY \_\_\_\_\_

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 Benson, Arizona on August 28, 2007,

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

Dated at Bisbee, Arizona, this 30<sup>th</sup> day of August, 2007.



**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 August 30, 20 07

DENISE J. LUNDIN, Clerk

By Gynthia Sproule Deputy

# Voiding Procedures

## - Introduction -

A receipt should be voided for any valid cause other than the payment being returned to the court for non-sufficient funds. Generally, a receipt should only be voided in the same month it was issued. A receipt issued in a prior month should not be voided, rather the allocation should be negated or changed using Case Financial Docket adjustments. As long as the End of Month reconciliation has not been performed, voiding a receipt is acceptable. The daily fee book associated with the voided receipt and/ or replacement receipt should be run again. Voiding a receipt removes the amount from the payment column and increases the ending balance for each receivable type affected by the voided receipt.

When a receipt is voided, the ROA displays a "V" in the Void column next to the receipt. The Amount column remains unchanged. To view the voided receipt, enter a 'Y' in the View Payment History Only box, highlight the receipt event and press Enter – the receipt detail view screen will appear. The receipt displays as voided. The second memo line is replaced with the deputy number and the date the receipt was voided. Another way of viewing the receipt is to highlight the receipt in the ROA and then press F5 to View Event Description.

## I. Voiding a Receipt

- A person creating the receipt should not void the receipt.
- Print the receipt to be voided.
- The person who issues the receipt and the person voiding the receipt need to initial the voided receipt. Additionally, write "Void" on the receipt, state the reason for voiding and the date voided.
- File the voided receipt in a separate file.
- Voided receipts must be retained and may be destroyed in accordance with the Records Retention and Destruction Schedule (Court Financial Records)

### A. Voiding a payment receipt paid by check

- Void a payment receipt only in current month – prior months voided receipts need to be corrected using case financial docket entries.
  - **Exceptions:**
    - As long as the End of Month reconciliation has not been performed, voiding a receipt is acceptable.
    - If a correction to a previous month's receipt is necessary and the allocation will not change, voiding a receipt is an acceptable procedure. (For example, money was receipted for a check instead of cash. The daily and monthly fee book report should be run again to show the correction).
    - The person who issues the check can also void the disbursement check.

- The voided check needs to be kept with the check stubs.

- **AZTEC Navigation:**
  - Money Management > Receipting > Receipts Journal > Void Receipts
  - Enter receipt number to be voided
  - State the reason for the void
  - Place initials after comment
  - CTRL-T to save the entry

**B. Voiding a credit card receipt** (before finalizing the batch procedure for the credit card terminal)

- **AZTEC Procedure:**
  - Void the receipt in AZTEC
- **Credit Card Terminal Procedure:**
  - Void a credit card charge if an error was made
  - Press the “Void” button and follow displayed instructions.

**C. Credit Card Refund** (after finalizing the batch procedure for the credit card terminal)

- **AZTEC Procedure:**
  - Void the receipt in AZTEC in the same month, or complete the necessary case financial docket entries for prior months.
- **Credit Card Terminal Procedure:**
  - Negate a credit card charge back (refund) with the credit card machine.
  - On the credit card machine proceed as follows:
    - Press “Cancel”
    - Press “Refund”
    - Enter Credit card number and press “Enter”
    - Enter Expiration Date and press “Enter”
    - Enter amount of refund and press “Enter”
    - The transaction receipt for the refund will print to be included in the daily batch.

**D. Voiding a bond receipt**

- **AZTEC Procedure:**
  - Void original receipt in AZTEC using “Void Receipts”
  - Navigation: Money management > Receipting > Receipts Journal > Void Receipts
  - The bond is removed from the Outstanding Bail section of the Bail Account Retrieval Report
  - Note: A cash bond transfer receipt cannot be voided in AZTEC

**E. Voiding a disbursement check**

- **AZTEC Procedure:**
  - Use the Stop Payment screen in AZTEC
  - Enter the bank number
  - Enter the check number
  - Enter event code (need event code!)

## II. Dishonoring Payments

### A. NSF check

- A payment should be dishonored when it is returned to the court by a bank for non-sufficient funds (NSF). Receipts associated with NSF checks may be dishonored regardless of whether the receipt was issued in the current or a prior month. Dishonored payments will also show in the Allocation Detail Report in the Dishonored Payment portion of the report.
  - The original receipt number associated with the returned check is necessary to perform the dishonoring process. Dishonor dates before the original receipt date or after the current date are disallowed. Courts should use the current date to dishonor a check.
  - Use the following event codes: 5902 Pymt: Bad check fee, or 5863 NSF/ No Fee charged
- **AZTEC Navigation:**
  - Main Menu > Money Management > Receipting > Dishonor a Payment
- **Procedure:**
  - Enter number of receipt to be dishonored and answer 'YES' to pop up message. Enter the date the court received dishonor notice from bank, not the original receipt date – this action will write to the fee book. Enter event code and enter 'YES' to pop up box. When a receipt is dishonored, the memo text is replaced with the dishonor details.. In the receivables retrieval, after dishonor the Assmnt/ Adj column (+) increases each receivable type proportionally. The Payment column is unchanged.

### B. Bond NSF:

- When the payment being dishonored is for the posting of a cash bond, one extra step is required. The original offsetting event (the 'Bond Ordered' event, i.e. 5076) must be deleted manually, followed by a manual receivables totaling. Deleting the 'ordered' event and manually totaling the case corrects the Receivables Retrieval screen.

### C. Reports:

- **Print Receipt Edit Report** generates a list of all receipts included in a date or receipt number range. Included are valid, voided and dishonored receipts. The date, register number, deputy ID, party and memo entries are printed for each receipt.
- **Allocate and Print Fees Report (Fee Book)** will reflect dishonored payments in the Dishonored Amount, affecting the net amount. Any adjustment made using the case financial docket screen with the 'P' will be reflected in the Adjusted Amnt column. Positive case financial entries made with the 'P' will be reflected as a minus in the fee book and vice a versa.

### **III. Miscellaneous Receipting**

**A. Note:**

- No case number required for any receipts; receipts cannot be retrieved unless a receipt number is available.

**B. Use for:**

- Copies
- Record Searches

**C. AZTEC Navigation:**

- Money Management > Receipting > Receipts Journal > Miscellaneous

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

**FILED**

2007 SEP 11 AM 8:57

DEBUSE L. LUNDIN  
CLERK OF SUPERIOR COURT

---

**ADMINISTRATIVE ORDER NO. 2007-029**

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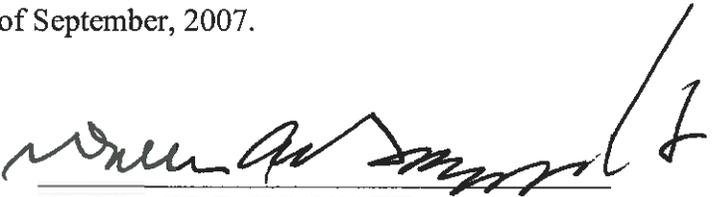
**IN RE: THE APPOINTMENT OF JUSTICES OF THE PEACE, *PRO TEMPORE***

---

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

**IT IS HEREBY ORDERED** that Michael J. Herbolich and Ann S. Lund be and are hereby appointed Justices of the Peace, *Pro Tempore*, for all precincts, Cochise County, for the term commencing this date and ending June 30, 2008.

**DATED** at Bisbee, Arizona, this 10<sup>th</sup> day of September, 2007.



**WALLACE R. HOGGATT**  
Presiding Judge

FILED

07 NOV 26 PM 2:56

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

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

ADMINISTRATIVE ORDER NO. 2007-30

IN RE: THE APPOINTMENT OF JUSTICE OF THE PEACE PRO TEMPORE  
FOR THE PURPOSE OF CONDUCTING A WEDDING CEREMONY

Good cause appearing, it is **ORDERED**

The Honorable George Kirmse, retired justice of the peace in Sierra Vista, Arizona, be appointed as a Justice of the Peace Pro Tempore under the following terms and conditions:

- A. For the purpose of conducting a wedding ceremony on December 22, 2007.
- B. Not for any other official judicial act or decision.

It is further **ORDERED** this appointment is effective for the date of December 22, 2007, only, and shall thereafter be null and void.

**DATED** at Bisbee, Arizona, this 23<sup>rd</sup> day of November, 2007.



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 November 26, 2007

DENISE I. LUNDIN, Clerk

By Denise Lundin Deputy

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

FILED

2007 NOV 28 PM 2:08

ADMINISTRATIVE ORDER NO. 2007-31

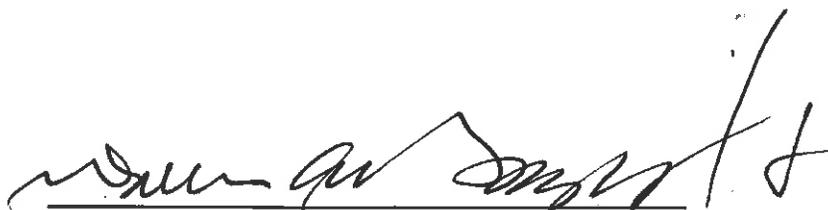
IN RE: ADOPTION OF COCHISE COUNTY LIMITED JURISDICTION COURTS COURT  
UNCLAIMED FUNDS/ESCHEATING POLICY

DENSE L LUNDIN  
CLERK OF SUPERIOR COURT  
DEPUTY

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 Willcox, Arizona, on November 27, 2007,

**IT IS HEREBY ORDERED**, that the attached "Unclaimed Funds/Escheating Policy" is hereby adopted and is applicable to the justice and magistrate courts of Cochise County.

Dated at Bisbee, Arizona, this 28<sup>th</sup> day of November, 2007.



**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: November 28, 2007

DENSE L LUNDIN, Clerk

By [Signature] Deputy

## **Unclaimed Funds/Escheating Policy**

Escheatment is the reversion of property to the state in the absence of legal heirs or claimants. In the courts, funds are usually considered unclaimed when there are checks that have not been cashed and/or unidentified funds that cannot be applied to a case or refunded to the payer. The courts need to identify outstanding and unclaimed monies. Outstanding monies/ funds can be transmitted to the County Treasurer (Justice Courts) per ARS § 22-116, the Department of Revenue (Municipal Courts) per ARS § 44-308, reimbursed to other courts/ agencies, or reimbursed to the payee accordingly.

### **1. Unclaimed Funds – Justice Courts:**

By April 1<sup>st</sup> of each year Justice Courts are required to compile a list of all unclaimed funds on deposit with the court for more than two (2) years and to submit those funds to the County Treasurer.

The list should display:

- The date of deposit
- The name of the person depositing the money with the justice court
- The amount of deposit
- A case number if available (this is not required by statute but may assist an individual making a claim with the Treasurer)

Send the list with a check to the County Treasurer for the total amount of the list.

Courts should be sure to hold the funds for the entire allowable period of time before submitting to the County Treasurer.

### **2. Unclaimed Funds – Municipal Courts**

By November 1<sup>st</sup> of each year Municipal Courts are required to submit all unclaimed funds on deposit with the court for more than three (3) to the Arizona Department of Revenue (DOR) in accordance with ARS 44-302, 44-307 and 44-308. The court should make a final attempt to contact the party 120 days prior to remitting the funds to the DOR.

The Municipal Court shall make a report to the DOR that contains the following:

- A description of the property
- The last known address, social security number or taxpayer identification number of the owner of the property with a value of at least \$50
- An aggregate amount of items with a value of less than \$50 each
- The date of the check issued or deposit made

Send the report with a check for the amount shown on the report to the Arizona Department of Revenue.

Courts should be sure to hold the funds for the entire allowable period of time before escheating to the DOR.

**3. Check procedure:**

If a check is received by the court and readily identifiable as not belonging to the court, i.e. endorsed to another court or agency, do not endorse the check, but rather return it to the sender, or the appropriate court, or agency.

**4. Unidentifiable Checks:**

All checks are to be endorsed immediately, i.e. "For Deposit Only to (court's name)", and to be deposited within one day upon receipt (MAS I.3).

- a. If the signature on a check is illegible and there is no return address on an envelope or the check and no case number:
  - i. Duplicate the check (photocopy).
  - ii. Place the copy in a file labeled "unidentified monies". The "unidentified monies" file is a paper trail for potential disputes over payments.
  - iii. Deposit the check in the suspense account.
- b. Unidentifiable funds should be endorsed and placed in a "suspense" account (BN case number to be applied) until research can be done to determine where the funds belong (which may include contacting the payer). When determined, the monies need to be transferred accordingly or use the AZTEC case transfer module.

**5. Outstanding Checks:**

On at least a monthly basis, investigate all checks disbursed by the court that are outstanding for more than six months.

- a. Send a letter to the payee's last known address advising the payee that the check has not been cashed, and if the payee does not cash the check, or contact the clerk within 30 days, payment will be stopped and the funds will be turned over to the local treasurer as unclaimed fees.
- b. If the payee responds that the check has been lost, reissue the check by following the procedures for canceling a check.

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

FILED

2007 DEC -7 PM 4:24

ADMINISTRATIVE ORDER NO. 2007-32

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

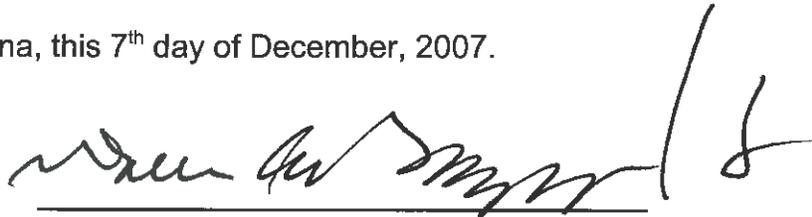
IN RE: CONTINUING EDUCATION REQUIREMENT EXTENSION FOR ARIZONA  
PRIVATE PROCESS SERVER

Good cause appearing, Arizona Private Process Server, Mr. Todd Tenney, having requested an extension of time to comply with the Continuing Education Requirements, as set forth in the Arizona Code of Judicial Administration, Section §7-204,

**IT IS HEREBY ORDERED** that Mr. Tenney is granted an extension of time to obtain the mandatory Continuing Education, not to extend beyond Tuesday, December 11, 2007.

**IT IS FURTHER ORDERED** that documentation of attendance or completion of this required education be submitted to this court, no later than Friday, December 14, 2007.

**DATED** at Bisbee, Arizona, this 7<sup>th</sup> day of December, 2007.



**WALLACE R. HOGGATT**  
Presiding Judge

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

FILED

2007 DEC 21 PM 3: 21

ADMINISTRATIVE ORDER NO. 2007-034

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

BY \_\_\_\_\_

IN RE: ASSIGNMENT OF RETIRED JUDGE

Pursuant to Arizona Supreme Court Administrative Order No. 2007-104, attached hereto and incorporated herein, 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:

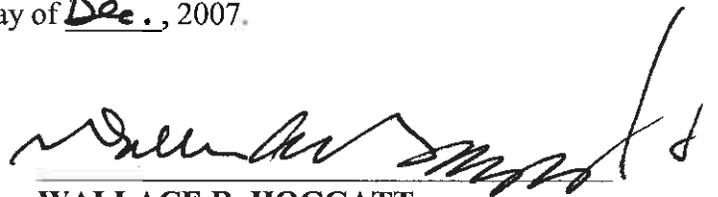
State of Arizona vs. Leonard Irwin Bacon, CR200100478

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 until June 30, 2008.

**DATED** at Bisbee, Arizona, this 21<sup>st</sup> day of Dec., 2007.



WALLACE R. HOGGATT  
Presiding Judge



## ADMINISTRATIVE ORDERS FOR 2006

| No.     | DESCRIPTION OF ADMINISTRATIVE ORDER   |
|---------|---|
| 2006-01 | IN RE: Appointment to Foster Care Review Board  |
| 2006-02 | IN RE: Appointment to Foster Care Review Board  |
| 2006-03 | IN RE: The Release of Indictment Information  |
| 2006-04 | IN RE: Appointment to Foster Care Review Board  |
| 2006-05 | IN RE: Appointment to Foster Care Review Board  |
| 2006-06 | IN RE: The Appointment of Justice of the Peace Pro Tempore for the Purpose of Conducting a Wedding Ceremony |
| 2006-07 | IN RE: Designation of Election Division   |
| 2006-08 | IN RE: Court Certification of Mediators and Arbitrators   |
| 2006-09 | IN RE: Rescinding Administrative Order No. 2005-12  |
| 2006-10 | IN RE: Rescinding Administrative Order No. 2002-16  |
| 2006-11 | IN RE: Compensation Plan for Probation Officers   |
| 2006-12 | IN RE: Appointment of Probate Registrar and Designees   |
| 2006-13 | IN RE: Regular and Special Assignment of Judges   |
| 2006-14 | IN RE: Appointment of Initial Appearance Masters  |
| 2006-15 | IN RE: Appointment of Initial Appearance Masters  |
| 2006-16 | IN RE: Appointment of Forms Committee   |
| 2006-17 | IN RE: Adoption of Personal Identifying Information Records Disposal Policy and Procedure                   |
| 2006-18 | IN RE: Keeping of the Official Record   |
| 2006-19 | IN RE: Regular and Special Assignments of Judges  |
| 2006-20 | IN RE: Regular and Special Assignments of Judges  |

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

FILED

TIME \_\_\_\_\_ M

JAN 12 2006

ADMINISTRATIVE ORDER NO. 2006-01

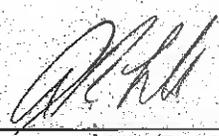
DENISE I. LUNDIN  
CLERK SUPERIOR COURT  
By \_\_\_\_\_ DEPUTY

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

Upon the request of the Foster Care Review Board,

IT IS ORDERED: APPOINTING Patricia O'Brien to the Cochise County Board #02, with term expiring on the third Monday of January, 2008.

DATED this 12 day of January, 2006.



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.

Witnessed January 13, 2006  
DENISE I. LUNDIN, Clerk  
[Signature] Deputy

xc: Chris Corman, FCRB, 400 W. Congress, Suite 341, Tucson, AZ 85701-1353  
Caroline I. Lautt-Owens, 1501 W. Washington Street, Phoenix, AZ 85007-3131

FILED

TIME \_\_\_\_\_ M

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

JAN 31 2006

ADMINISTRATIVE ORDER NO. 2006-02

DENISE I. LUNDIN  
CLERK SUPERIOR COURT  
By \_\_\_\_\_ DEPUTY

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

Upon the request of the Foster Care Review Board,

**IT IS ORDERED: APPOINTING Patsy Jones** to the Cochise County Board #04, with term  
expiring on the third Monday of January, 2008.

DATED this 31 day of January, 2006.



ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

xc: Chris Corman, FCRB, 400 W. Congress, Suite 341, Tucson, AZ 85701-1353  
Caroline I. Lault-Owens, 1501 W. Washington Street, Phoenix, AZ 85007-3131

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 February 03 2006

DENISE I. LUNDIN, Clerk  
By D. B. [Signature] Deputy

FILED

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

2006 FEB -2 PM 4:02

ADMINISTRATIVE ORDER NO. 2006-03

DENISE L LUNDIN  
CLERK OF SUPERIOR COURT  
By \_\_\_\_\_  
DEPUTY

IN RE: THE RELEASE OF INDICTMENT INFORMATION

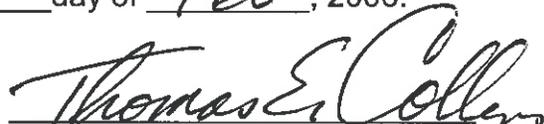
Pursuant to A.R.S. § 12-2813 and in the interest of the furtherance of justice and otherwise good cause appearing, it is **ORDERED**

The Clerk of the Superior Court shall make available to the Office of Indigent Defense Coordinator, by paper or electronic means, copies of Indictments returned by the Grand Jury each week, except for those classified as Secret Indictments, and Informations filed subsequent to Preliminary Hearings conducted in this county.

It is further **ORDERED**

The Office of Indigent Defense Coordinator shall disburse this information only in the course of official duties, specifically for the purpose of appointments of counsel for indigent defendants.

DATED at Bisbee, Arizona, this 2<sup>nd</sup> day of Feb, 2006.

  
THOMAS E. COLLINS  
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 February 02, 2006  
DENISE L. LUNDIN, Clerk  
By D. Baird Ayala Deputy

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

**FILED**

ADMINISTRATIVE ORDER NO. 2006-04

2006 MAR 10 PM 3:11

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

BY \_\_\_\_\_  
DEPUTY

Upon the request of the Foster Care Review Board,

**IT IS ORDERED: APPOINTING Sheila Gordon** to the Removal Review Team of the  
Cochise County Board #01.

DATED this 9 day of March, 2006.



ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

xc: Chris Corman, FCRB, 400 W. Congress, Suite 341, Tucson, AZ 85701-1353  
Caroline I. Lutt-Owens, 1501 W. Washington Street, Phoenix, AZ 85007-3131

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 March 10, 2006  
DENISE I. LUNDIN, Clerk  
By Candace Karolt Deputy

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

**FILED**

2006 MAR 21 AM 8:09

ADMINISTRATIVE ORDER NO. 2006-05

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

BY \_\_\_\_\_  
DEPUTY

Upon the request of the Foster Care Review Board,

**IT IS ORDERED: APPOINTING Claire Pape** to the Cochise County Board #01, with term expiring the third Monday of January, 2008 (replacing Marvin Brown).

DATED this 16 day of March, 2006.



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 March 21, 2006

DENISE I. LUNDIN, Clerk  
By Carolee Saurdt Deputy

xc: Chris Corman, FCRB, 400 W. Congress, Suite 341, Tucson, AZ 85701-1353  
Caroline I. Lutt-Owens, 1501 W. Washington Street, Phoenix, AZ 85007-3131



FILED

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

2006 MAY -3 PM 2:55

ADMINISTRATIVE ORDER 2006-07

DENISE L LINDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

IN RE: DESIGNATION OF ELECTION DIVISION

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

Division Three of this court, the Honorable Wallace R. Hoggatt, is hereby designated the "election division" of this court, to whom all election contests are assigned.

A copy of a memorandum from the Chief Justice of the Supreme Court of Arizona to all presiding judges, dated April 20, 2006, is appended hereto, which provides further instructions regarding the designated "election division".

DATED at Bisbee, Arizona, this 3<sup>rd</sup> day of May, 2006.



Thomas E. Collins  
Presiding Judge

**To:** Superior Court Presiding Judges  
**From:** Chief Justice Ruth V. McGregor  
**Subject:** Election cases  
**Date:** April 20, 2006

## **MEMORANDUM**

This is an election year for local, state and national offices. Experience has taught us that you can expect to see a number of election contests filed in your courts, many of which will result in appeals. As you know, these cases are usually filed at the last minute, with impending deadlines for getting names on ballots and printing those ballots, compounded by early voting. Included for your use is a memo with a few deadlines noted, but relevant statutes in Titles 16 and 19, A.R.S. contain a litany of deadlines, keyed to election dates, filing dates, or certification dates.<sup>1</sup> I expect you are also aware that ongoing challenges to redistricting and the implementation of Proposition 200's identification at the poll requirements may affect this year's candidate filings and the issues litigated.

For nominating petition and initiative contests, litigants usually appeal directly from the superior court to the Arizona Supreme Court. Referendum contests generally proceed to the Court of Appeals, which has concurrent jurisdiction with this court. In the past, we have found that some superior courts have not promptly heard these cases or assembled the record for transmittal on appeal properly, making appellate review more difficult. Typically, our deadlines for deciding these matters are comparable to those in the superior court. Anticipating the time frames and actively managing election matters helps greatly.

If you have not already done so, I ask you to consider a number of measures that might make things easier should an election contest be filed in your court. These steps will also improve matters for us when a judgment is appealed.

1. Please designate an "election division" if you have more than one judge on your bench. This would be the judge or judges to whom election contests would be assigned, absent peremptory challenges or other recusals. The judge(s) should become familiar with the applicable statutes and procedures, and be ready when cases are filed. For example, an election judge will know that under A.R.S. § 16-351, the nomination petition challenge statute, there are only ten days to hear and to decide a case. Election cases take precedence on court calendars.

Judges should be cognizant of when early voting is set to begin (August 10 for the primary, October 5 for the general election), as well as of primary and general election dates (September 12 and November 7, this year). In the past, one judge set hearings with seeming disregard to ballot printing and the commencement of early voting. Another required the parties to wait five days to approve the form of judgment, although the court could have expedited approval *sua sponte*. Judges clearly should not cause unnecessary

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<sup>1</sup> Another helpful source of information is the Secretary of State's website, [www.sosaz.com](http://www.sosaz.com).

delay.

2. A responsible court reporter should be designated to handle election cases. This reporter either should already have taken vacation by late June, or will not have a vacation until after the assigned case can reasonably be expected to conclude. A few years back one court reporter took the notes for an election contest and then left for vacation. We were unable to get a transcript and had to affirm for lack of any other option. We want to make sure that this does not happen again. The judge who hears an election contest should be responsible for seeing that a record is promptly produced.

3. The judge hearing an election contest should make sure that the judge's staff, the clerk's office, and the court reporter all work together to see that the case is promptly decided, all orders and judgments are promptly signed, and the record on appeal is prepared for transmittal as quickly as possible.

4. Please make every effort to avoid assigning election cases to a pro tem judge. If, as a last resort, you must use a pro tem, we request you find one who is full time and who has the time to become familiar with the statutes and to promptly hear and decide these cases.

The designated duty justice at this Court will supervise election appeals over the summer. Our staff attorneys assigned to election cases are Judy Schaffert, telephone number (602) 542-9384 or Ellen Crowley, telephone number (602) 542-9388. Either of these attorneys will be happy to answer any procedural questions you might have. If you cannot reach them, please call the duty justice or my judicial assistant, Rose Knapp, telephone number (602) 542-5789. She will always know how to find me.

Thank you for giving this your consideration.

attachment

cc. All Justices  
Noel Dessaint  
Judy Schaffert  
Ellen Crowley  
David Byers

# Important Election Dates for 2006

## **PRIMARY ELECTION**

September 12, 2006

Registration closes August 14, 2006 at midnight

## **GENERAL ELECTION**

November 7, 2006

Registration closes October 9, 2006 at midnight

## **EARLY VOTING BEGINS**

Primary Election: August 10, 2006

General Election: October 5, 2006

## **CANDIDATE NOMINATION PETITIONS**

### **PARTISAN**

*Petition signature requirements are available on the Secretary of State's website, <http://www.azsos.gov/election/2006/info/importantdates.htm>*

First day to file: May 15, 2006

Last day to file: June 14, 2006 at 5 p.m.

Last day to file court challenges in superior court: June 28, 2006

Last day for court to hear and decide challenges: July 7, 2006

Last day to appeal to supreme court: July 12, 2006

## **CANDIDATE NOMINATION PETITIONS**

### **"NOMINATION OTHER THAN BY PRIMARY" / "INDEPENDENT"**

First day to file: May 15, 2006

Last day to file: June 14, 2006 at 5 p.m.

court dates same as above

## **NEW PARTY PETITIONS**

### **General Election Qualifications**

Number of signatures required: 26,834

Last day to submit to County Recorder for signature verification: March 16, 2006 at 5 p.m.

Last day to file verified petition signatures with Secretary of State: April 25, 2006 at 5 p.m.

## **WRITE-IN CANDIDATES**

Primary Election: Must file not later than August 3, 2006 at 5 p.m.

General Election: Must file not later than September 28, 2006 at 5 p.m.

## **NON-PARTISAN ELECTION CHALLENGES**

Last day to file non-partisan nominations for general election: August 9, 2006

Last day to file court challenges in nonpartisan races: August 23, 2006  
Last day for superior court to hear and decided challenges: September 1, 2006  
Last day to appeal to supreme court: September 6, 2006

**JUSTICES AND JUDGES**

First day to file for retention: August 9, 2006  
Last day to file for retention: September 8, 2006 at 5 p.m.

**REFERENDUM & INITIATIVE PETITIONS**

When actions may be filed in court to enjoin measures from being printed on ballot; all actions concerning initiatives shall be advanced on calendar and appealed within 10 days to Supreme Court: July-August 2006

Last day to file statewide initiative petitions: July 6, 2006 at 5 p.m.  
Last day for secretary of state to send petitions for signature verification to county recorders: July 21, 2006<sup>1</sup>  
Last day for county recorders to verify signatures: August 4, 2006  
Last day to file court action challenging signature verification: August 14, 2006  
Signatures required for statewide:  
    Initiative measures: 122,612  
    Constitutional Amendments: 183,917  
    Signatures required: 61,306

**ARGUMENTS FOR OR AGAINST BALLOT MEASURES**

Last day to file: July 14, 2006 at 5 p.m.

**OFFICIAL CANVASS OF PRIMARY ELECTION**

September 25, 2006

**OFFICIAL CANVASS OF GENERAL ELECTION**

November 27, 2006

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<sup>1</sup> Pursuant to A.R.S. § 19-121.01(A), the secretary of state actually has 15 business days from the date of filing of an initiative or referendum petitions to send petitions to the county recorders. This deadline was shortened to 15 calendar days to allow sufficient time for legal challenges and printing deadlines.

FILED

2006 MAY -3 PM 2: 54

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

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

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ADMINISTRATIVE ORDER 2006-08

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IN RE: COURT CERTIFICATION OF MEDIATORS AND ARBITRATORS

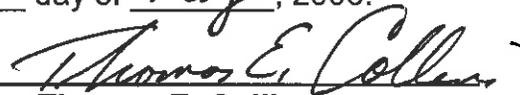
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Upon the recommendation of the Alternative Dispute Resolution (ADR) Program Director, and upon the court's own consideration, it is

**ORDERED** the individuals named in the attached Exhibit appended hereto and made a part hereof, are certified as mediators and arbitrators of the Cochise County ADR Program.

It is further **ORDERED** that all previous Administrative Orders concerning the above referenced certification of mediators and arbitrators are hereby rescinded.

DATED at Bisbee, Arizona, this 3<sup>rd</sup> day of May, 2006.



\_\_\_\_\_  
Thomas E. Collins  
Presiding Judge

**ACTIVE VOLUNTEER AND STAFF MEDIATORS AND ARBITRATORS  
APRIL 27, 2006**

| <b>NO.</b> | <b>YEAR</b> | <b>NAME</b>                        | <b>MEDIATION</b> | <b>ARBITRATION</b> |
|------------|-------------|------------------------------------|------------------|--------------------|
| 1.         | 1993        | Hannon, Roy - Sierra Vista         | X                | X                  |
| 2.         |             | Law, Glenn - Elfrida               | X                | X                  |
| 3.         |             | Luna, Dave - Hereford              | X                | X                  |
| 4.         |             | Manring, Gene - Sierra Vista       | X                | X                  |
| 5.         |             | Ross, Ramiro "Tito" - Bisbee       | X                | X                  |
| 6.         | 1994        | Breeding, William - Sierra Vista   | X                | X                  |
| 7.         |             | Cottingham, Edward - Hereford      | X                | X                  |
| 8.         |             | Strain, Jane - Sierra Vista        | X                | X                  |
| 9.         | 1995        | Law, Penny - Elfrida               | X                | X                  |
| 10.        | 1997        | Reinhart, Lowenid - Sierra Vista   | X                | X                  |
| 11.        |             | Wright, Cynthia - Sierra Vista     | X                | X                  |
| 12.        | 1998        | Raschke, Jay - Sierra Vista        | X                | X                  |
| 13.        |             | Ryan, William - Sierra Vista       | X                | X                  |
| 14.        |             | Strain, Robert - Sierra Vista      | X                | X                  |
| 15.        | 1999        | Slagle, Lynn - Hereford            | X                |                    |
| 16.        | 2001        | Gill, Joseph - Sierra Vista        | X                | X                  |
| 17.        |             | Kuttner, Barbara - Hereford        | X                | X                  |
| 18.        |             | Thoming, Lee - Sierra Vista        | X                | X                  |
| 19.        | 2002        | Bockhorst, Roland - Sierra Vista   | X                | X                  |
| 20.        |             | Mundt, Gene - Hereford             | X                | X                  |
| 21.        | 2003        | Zurcher, Wendy - Hereford          | X                |                    |
| 22.        | 2004        | Housh, Pamela                      | X                |                    |
| 23.        | 2005        | Jasso, Victor                      | X                |                    |
| 24.        | 2006        | Dirks, Richard - Hereford          | X                | X                  |
| 25.        |             | Halbert, George - Sierra Vista     | X                | X                  |
| 26.        |             | Hinkley, Harold - Sierra Vista     | X                | X                  |
| 27.        |             | Newmark, Charles - Sierra Vista    | X                | X                  |
| 28.        |             | Parent, Carole - Bisbee            | X                | X                  |
| 29.        |             | Parr, Aaron - Hereford             | X                | X                  |
| 30.        |             | Plummer, V.J. - Sierra Vista       | X                | X                  |
| 31.        |             | Williamson, Marta - Sierra Vista   | X                | X                  |
| 32.        |             | Zavadin, Norbert "Nick" - Hereford | X                | X                  |

Thomas E. Collins  
Presiding Judge



Karen D. Ferrara  
Court Administrator

**SUPERIOR COURT OF ARIZONA  
COCHISE COUNTY  
OFFICE OF THE COURT ADMINISTRATOR  
ALTERNATIVE DISPUTE RESOLUTION PROGRAM**

**MEMORANDUM**

To: Karen Ferrara, Court Administrator  
Honorable Tomas E. Collins, Presiding Judge

From: Pamela Housh, ADR Program Director

Subject: Certification of Mediators and Arbitrators for ADR Program

Date: April 27, 2006

On the attached page is a list of the current, active mediators and arbitrators associated with the Cochise Superior Court's Alternative Dispute Resolution Program. Each have completed the minimum training of forty hours of Mediation Skills Training. Arbitrators have also completed an additional forty hours of Arbitration Skills Training. They have all participated in ongoing quarterly meetings to the satisfaction of the Program Director since at least March of 2004. This list comprises the only sanctioned mediators and arbitrators associated with the program as of this date.

As has been the practice in the past, I am requesting an Administrative Order be issued to document certification of these mediators and arbitrators in compliance with Arizona Revised Statutes and Rules.

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

ADMINISTRATIVE ORDER NO. 2006-09

IN RE: RESCINDING ADMINISTRATIVE ORDER NO. 2005-12

FILED

2006 MAY 11 PM 4:45

DEBISE L. LUNDIN  
CLERK OF SUPERIOR COURT

BY  
DEPUTY

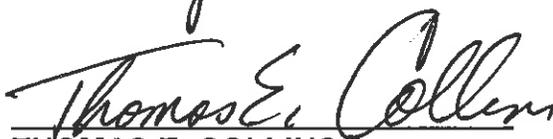
Whereas, the Arizona Supreme Court having administrative supervision over all courts of the state pursuant to the Constitution of Arizona, Article VI, and further delegating administrative supervision of courts of limited jurisdiction to the Presiding Judge of the county in which those courts operate by Supreme Court Administrative Order 2005-32, and

Whereas, pursuant to the above stated administrative supervision, this court issued Administrative Order No. 2005-12, pertaining to the City of Bisbee Municipal Court, and

Whereas, effective the 8<sup>th</sup> day of May, 2006, the City of Bisbee and the County of Cochise entered a court consolidation agreement to provide a more efficient use of existing court personnel and facilities, it is therefore

**ORDERED**, that Administrative Order No. 2005-12 is rescinded.

**DATED** at Bisbee, Arizona, this 11<sup>th</sup> day of May, 2006.

  
THOMAS E. COLLINS  
Presiding Judge

Time **FILED** M

JUL 13 2006

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

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

---

ADMINISTRATIVE ORDER NO. 2006-10

---

IN RE: RESCINDING ADMINISTRATIVE ORDER NO. 2002-06

---

The judges of this court having met, discussed and concurred, and otherwise good cause appearing, it is **ORDERED**:

Administrative Order 2002-06 pertaining to the "Initial Felony Case Management Process" in this court, is **RESCINDED**, effective this date.

DATED at Bisbee, Arizona, this 13<sup>th</sup> day of July, 2006.



THOMAS E. COLLINS  
Presiding Judge

FILED

2006 AUG 22 PM 1:29

DEBRA LUNDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

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

---

ADMINISTRATIVE ORDER NO. 2006-11

---

IN RE: COMPENSATION PLAN FOR PROBATION OFFICERS

---

At the recommendation of the Court Administrator, Adult Probation Chief and Director of Juvenile Court Services, and

With the approval of supplemental funding from the Cochise County Board of Supervisors, effective August 13, 2006,

And otherwise good cause appearing, it is

**ORDERED** the revised Compensation Plan for Probation Officers in Cochise County, attached hereto, is approved and effective until further order of the court.

**DATED** at Bisbee, Arizona, this 22<sup>nd</sup> day of Aug, 2006.

  
THOMAS E. COLLINS  
Presiding Judge

**Judicial Salaries w/Adjustments**  
**Effective 8/13/06**

**Classified - Probation Officer**

| RANGE | CLASSIFICATION                               | APPRENTICE | 1 YEAR | 3 YEARS | 5 YEARS | 8 YEARS | 10 YEARS | 12 YEARS | 14 YEARS | 16 YEARS | 18 YEARS | 20 YEARS | 22 YEARS | 24 YEARS | 26 YEARS | 28 YEARS |
|-------|--|------------|--------|---------|---------|---------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| C-10  | Probation Officer                            | 33,500     | 34,505 | 36,515  | 39,530  | 40,716  | 41,937   | 43,195   | 44,491   | 45,826   | 47,201   | 48,617   | 50,075   | 51,578   | 53,125   | 54,719   |
| C-10  | Probation Officer Lead*<br>*pay differential |            | 36,230 | 38,341  | 41,507  | 42,752  | 44,034   | 45,355   | 46,716   | 48,117   | 49,561   | 51,048   | 52,579   | 54,157   | 55,781   | 57,455   |



**SUPERIOR COURT OF ARIZONA  
COCHISE COUNTY  
OFFICE OF THE COURT ADMINISTRATOR**

**A Message to all Probation Officers  
From Karen Ferrara, Court Administrator  
August 21, 2006**

Effective both July 2, and August 13, 2006, the Cochise County Board of Supervisors approved salary increases for employees. The increase approved effective July 2, 2006, was a 2% cost of living adjustment (COLA), which was applicable to all non-elected and non judge pro tem, regular and temporary status employees, the intent of which was to offset the increase in employee contributions to the Arizona State Retirement System (ASRS) and the increase in dependent health care premiums.

Effective August 13, 2006, the Board also approved the equivalent of another 3.4% increase to employees, which at the decision of the Board was equally spread among employees in the form of an adjustment of \$1,144 per year to all employees, excluding Elected Officials, seasonal employees, Sheriff's Deputies and the employees of the judicial system. For employees within the judicial system, the Board approved a "lump sum" equivalent to be used in accordance with the Judicial Compensation Plan and additionally approved supplemental funding for a revised compensation plan for Probation Officers.

For judicial employees, other than Probation Officers and directly-associated Probation Officer Lead or Supervisory positions, the allotted funds will be applied to the on-going Judicial Compensation Plan, which is driven by position anniversary dates. Any employee scheduled for a qualifying anniversary salary increase will receive a letter from Tracey Romero, Human Resources Director, identifying the anniversary date and amount of salary adjustment. Not all judicial employees are scheduled for anniversary increases each year, thus the 3.4% allocation will not be spread evenly among all staff, as is the case with the county. Our longevity based salary schedule allows for significantly larger percentage increases at certain thresholds (up to 9%) as employees move through years in a particular classification (in addition to other approved COLAs by the Board).

As to Probation Officers, effective August 13, 2006, there is a revised compensation plan. Based on statewide market data and an increasing turnover rate within the two probation departments, the court sought and received supplemental funding from the Board of Supervisors to create a compensation plan more in line with that of the Sheriff's Deputies. Within the revised PO compensation plan are the following changes:

\*\*An increased entry level salary;

\*\*The establishment of an Apprenticeship ladder, allowing for an increase after the one-year timeframe for attending the Probation Academy and obtaining Probation Officer Certification;

\*\*Subsequent salary increases at the completion of the 3<sup>rd</sup> and 5<sup>th</sup> years in the position, consistent with the existing Judicial Compensation Plan, and continuing accordingly for subsequent years;

\*\*Lead Probation Officer assignments have a 5% pay differential, above the base salary, at any qualifying anniversary date. The differential is calculated from the base salary, and does not compound into future anniversary increases. While the percentage of differential has decreased, the base salary has increased such that the effective dollar amounts are only slightly altered.

Attached to this Message is a copy of the Revised Probation Officer Compensation Plan. Any questions regarding this or the Judicial Compensation Plan can be directed to either Tracey Romero (8503) or to me at extension 8505.

Best regards to all,

  
Karen Ferrara

FILED

2006 AUG 29 PM 1:00

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

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

**ADMINISTRATIVE ORDER NO. 2006-12**

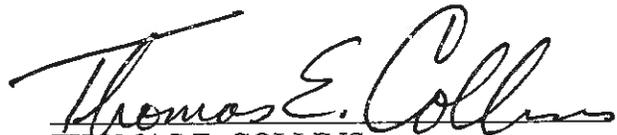
**IN RE: APPOINTMENT OF PROBATE REGISTRAR AND DESIGNEES**

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) Darlene Cooke, Leticia Estrada, Mary Edie and Sandra Bernal are designated as Assistant Probate Registrars.
- 3) Stephanie Holly and Carol Helton are designated as Assistant Probate Registrar 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 29<sup>th</sup> day of August, 2006.

  
 THOMAS E. COLLINS  
 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 August 29, 2006  
 DENISE I. LUNDIN, Clerk  
 By [Signature] Deputy

FILED

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

2006 SEP -1 PM 2:18

AGNES E. LUNDIN  
CLERK OF SUPERIOR COURT

BY \_\_\_\_\_  
DEPUTY

ADMINISTRATIVE ORDER NO. 2006-13

IN RE: REGULAR AND SPECIAL ASSIGNMENT OF JUDGES

Pursuant to the provisions of Rule 91 (c), Rules of the Arizona Supreme Court and Rules 1 (b) and (c), Local Rules of Practice of the Superior Court, Cochise County, pertaining to regular and special assignments of all judges in this court, and otherwise for good cause appearing, it is

**ORDERED**

The assignment of Probate, Guardianship and Conservatorship matters to the Honorable James L. Conlogue, Judge Pro Tempore of the Superior Court, shall remain until further order of this court.

It is further **ORDERED** that pursuant to this assignment, the Honorable James L. Conlogue shall be considered "Probate Judge" for the Superior Court in Cochise County until further order of this court.

**DATED** at Bisbee, Arizona, this 1<sup>st</sup> day of Sept, 2006.

  
\_\_\_\_\_  
THOMAS E. COLLINS  
Presiding Judge

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

2006 NOV -6 AM 10:02

ADMINISTRATIVE ORDER NO 2006-14

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
BY  
DEPUTY

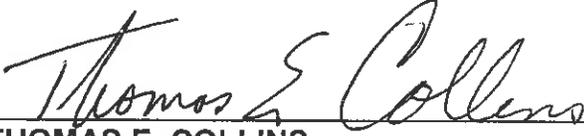
IN RE: APPOINTMENT OF INITIAL APPEARANCE MASTERS

Pursuant to the provisions of Arizona Rules of Criminal Procedure Rule 1.7 (a), and upon the recommendation of the Presiding Justice of the Peace, the following Initial Appearance Masters are hereby appointed to conduct initial appearances under Rule 4 on weekends and holidays for a one-year period commencing on November 1.

James W. Burns  
Ann S. Lund  
Robert Marshall  
Jeanne Benda-Whitney

These appointments are subject to reappointment for additional terms.

Dated at Bisbee, Arizona, this 25<sup>th</sup> day of October, 2006.

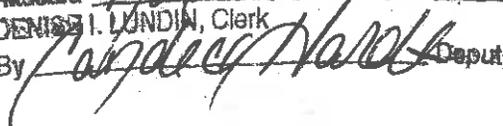
  
THOMAS E. COLLINS  
Presiding Judge

Concurring:

  
MICHAEL J. HERBOLICH  
Presiding Justice of the Peace

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 Nov 6, 20 06  
DENISE I. LUNDIN, Clerk  
By  Deputy

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

FILED

2006 NOV -6 AM 10:02

ADMINISTRATIVE ORDER NO 2006-15

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

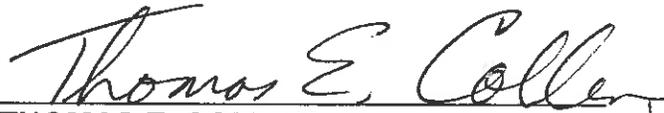
IN RE: APPOINTMENT OF INITIAL APPEARANCE MASTER

Pursuant to the provisions of Arizona Rules of Criminal Procedure Rule 1.7 (a), and upon the recommendation of the Presiding Justice of the Peace, the following Initial Appearance Master is hereby appointed to conduct initial appearances under Rule 4 on weekends and holidays for a two-month period commencing on November 1, 2006 and ending on December 31, 2006.

Alma Vildosola

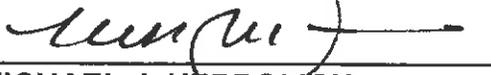
This appointment is subject to reappointment for additional terms.

Dated at Bisbee, Arizona, this 25<sup>th</sup> day of October, 2006.



THOMAS E. COLLINS  
Presiding Judge

Concurring:



MICHAEL J. HERBOLICH  
Presiding Justice of the Peace

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 Nov 6 2006

DENISE I. LUNDIN, Clerk

By [Signature] Deputy

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

FILED

2006 NOV 15 PM 4:37

ADMINISTRATIVE ORDER NO. 2006-16

GENESE I. LUNDIN  
CLERK OF SUPERIOR COURT

BY \_\_\_\_\_  
DEPUTY

IN RE: APPOINTMENT OF FORMS COMMITTEE

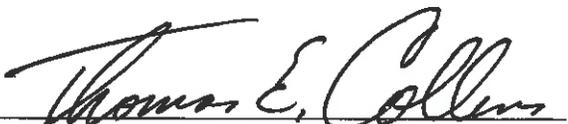
**WHEREAS**, it is the desire of the Arizona Supreme Court to enhance public access to the courts; and

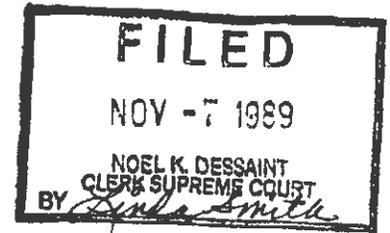
**WHEREAS**, the standardization of forms used by the limited jurisdiction courts in Cochise County would ensure the availability of useable and understandable forms in all the courts; and

**WHEREAS**, standard forms would improve the efficiency of the courts by ensuring that forms and information contained therein are easily recognizable;

**IT IS HEREBY ORDERED**, that a forms committee is hereby appointed and that this committee shall consist of representatives of the justice courts, court administration, superior court, prosecution and defense counsel. It is further ordered that forms developed and approved by the committee shall be used by the limited jurisdiction courts and shall not be amended without the approval of the committee.

Dated at Bisbee, Arizona, this 15<sup>th</sup> day of November, 2006.

  
THOMAS E. COLLINS  
Presiding Judge



SUPREME COURT OF ARIZONA

-----  
LEGAL FORMS DEVELOPMENT AND APPROVAL AUTHORITY  
-----

Administrative Order No. 89-22

In order to promote development and use of uniform and efficient legal forms at all levels of the court system and to enhance the public's access to the courts through the availability of useable and understandable legal forms,

IT IS ORDERED, pursuant to the Ariz. Const. Art. VI, Sec. 3 authority of the Court, that the Administrative Office of the Courts develop and approve all legal forms required by statute.

IT IS FURTHER ORDERED that the Administrative Office of the Courts shall develop and approve for discretionary use by the public such other forms as the Administrative Office deems appropriate to enhance public access to the courts and to improve the efficiency of the courts.

DATED AND ENTERED this 7th day of November , 1989 at the State Capitol, Phoenix, Arizona.

FRANK X. GORDON, JR.  
Chief Justice

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

FILED

2006 NOV 22 PM 3:50

ADMINISTRATIVE ORDER NO. 2006-17

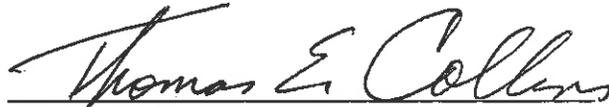
DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
DEPUTY

IN RE: ADOPTION OF PERSONAL IDENTIFYING INFORMATION RECORDS  
DISPOSAL POLICY AND PROCEDURE

Pursuant to the provisions of Arizona Revised Statutes 44-7501A which requires courts to have a procedure in place to ensure that no personal information is included on any discarded or disposed of paper records or documents,

**IT IS HEREBY ORDERED**, that the attached "Personal Identifying Information Records Disposal Policy and Procedure" is hereby adopted.

Dated at Bisbee, Arizona, this 22<sup>nd</sup> day of November, 2006.



THOMAS E. COLLINS  
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.

Attestad Nov 22, 2006

DENISE I. LUNDIN, Clerk

By Abdooq Nard Deputy

## **PERSONAL IDENTIFYING INFORMATION RECORDS DISPOSAL POLICY & PROCEDURE**

There have been growing concerns regarding the protection of personal information due to the rising number of incidents of identity theft. Many of the court documents currently used require personal information such as social security number and driver's license number as well as the individual's first and last name. This information could easily be used to gain access to the individual's personal accounts.

The Arizona State Legislature passed House Bill 2484, an act amending Title 44 of the Arizona Revised Statutes by adding Chapter 32 which relates to the disposal of court records. A.R.S. 44-7501A requires courts to have a procedure in place to ensure that no personal information is included on any discarded or disposed of paper records or documents.

### "Personal information":

(a) Means 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:

(i) The individual's social security number.

(ii) The individual's number on a driver license issued pursuant to section 28-3166 or number on a nonoperating identification license issued pursuant to section 28-3165.

(iii) The individual's financial account number or credit or debit card number in combination with any required security code, access code or password that would permit access to the individual's financial account.

(b) 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.

Therefore, the following policy and procedures shall be followed when discarding or disposing of court records:

### Court Policy

The court shall dispose of all paper records that contain an individual's "Personal information" in a manner that will ensure that the personal information cannot be identified.

### Procedure for Discarding or Disposing of Personal Identifying Information Records

Any court records or documents that contain personal identifying information shall:

a.) have all personal identifying information redacted prior to discarding or disposing of the records or documents, or

b.) have all records or documents shredded by court personnel or by a licensed and bonded commercial shredding company.

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

FILED

2006 NOV 28 PM 3: 52

ADMINISTRATIVE ORDER NO. 2006-18  
IN RE: KEEPING OF THE OFFICIAL RECORD

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
BY  
DEPUTY

Whereas the Superior Court of Cochise County will have an additional official division as of January 2, 2007, and

Whereas the Superior Court of Cochise County regularly faces resource limitations in terms of official court reporters, and

Whereas the Cochise County Board of Supervisors approved funding of digital recording for shared utilization between the court and the clerk of the court, and

Otherwise good cause appearing, it is **ORDERED**

Effective December 29, 2006, those currently employed official court reporters of the Superior Court in Cochise County will be considered employees of the Superior Court, rather than solely employees of individual judges of the superior court, and it is further **ORDERED**

While court reporters may retain a primary assignment judge, those employed official court reporters in Cochise County shall work with the Court Administrator to establish procedures to officially coordinate and plan for weekly coverage of all court calendars for the purpose of keeping of the verbatim record of court proceedings. Such procedures shall be promulgated as soon thereafter as may be reasonably possible.

It is further **ORDERED** that no later than December 29, 2006, the digital record keeping system "For the Record" as managed jointly between the Court Administrator and the Clerk of the Superior Court, shall be fully implemented and utilized for the purpose of capturing a verbatim record of court proceedings where and when an official court reporter is neither available nor required. The clerk need not utilize digital recording for any proceeding conducted in chambers or in any location other than properly equipped courtrooms. Such utilization of "For the Record" shall have written protocols and procedures, as established by the administrator and the clerk of this court and approved by the Presiding Judge.

Dated at Bisbee, Arizona, this 28<sup>th</sup> day of Nov., 2006.

  
THOMAS E. COLLINS  
Presiding Judge

  
WALLACE R. HOGGATT  
Associate Presiding Judge

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

FILED

2006 DEC 18 PM 3:42

ADMINISTRATIVE ORDER NO. 2006-19

IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

DENISE J. LUNDIN  
CLERK OF SUPERIOR COURT  
BY  
DEPUTY

Pursuant to the provisions of Rule 91 (c), Rules of the Arizona Supreme Court and Rules 1 (b) and (c), Local Rules of Practice of the Superior Court, Cochise County, and otherwise for good cause appearing, it is

**ORDERED** as follows:

1. Effective January 2, 2007, the Honorable Charles A. Irwin, Judge of the Superior Court, Division One, shall be assigned all cases currently assigned to the Honorable Wallace R. Hoggatt, Division Three of the Superior Court, with the following exceptions:

Appeals filed from limited jurisdiction courts in this county;  
Adoption cases, up to and including March 31, 2007, which will thereafter be assigned to Division One.

2. Effective January 2, 2007, the Honorable Wallace R. Hoggatt, Division Three of the Superior Court shall be assigned all cases currently assigned to the retiring Honorable Thomas E. Collins, Division One of the Superior Court, including Mental Health matters.

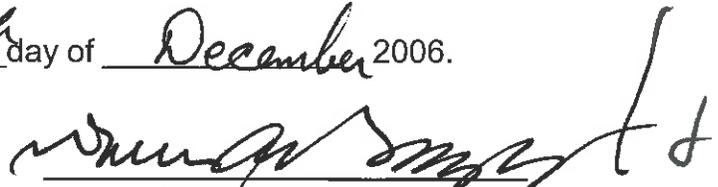
3. Exceptions to these case assignments shall be handled on an individual basis. All other regular assignments to the judges of this court remain as previously ordered.

4. Pursuant to Administrative Order 91-12 and Rule 93 (1) and (2), Rules of the Arizona Supreme Court, the office of the court administrator shall maintain and publish all assignments and advise parties of the status of the calendars of this court. The assignment of cases shall be monitored and where calendar conflicts and unbalanced caseloads result, reassignments will be made as deemed necessary.

5. This administrative order shall be effective January 2, 2007.

DATED at Bisbee, Arizona, this 18<sup>th</sup> day of December 2006.

  
THOMAS E. COLLINS  
Presiding Judge

  
WALLACE R. HOGGATT  
Associate Presiding Judge

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

FILED

06 DEC 29 AM 9:30

ADMINISTRATIVE ORDER NO. 2006-20

IN RE: REGULAR AND SPECIAL ASSIGNMENTS OF JUDGES

DEWISE L. LUNDIN  
CLERK OF SUPERIOR COURT  
BY  
DEPUTY

Pursuant to the provisions of Rule 1 (a) (1), Uniform Rules of Practice of the Superior Court of Arizona, and Rules 1 (b) and (c), Local Rules of Practice of the Superior Court in Cochise County, pertaining to regular and special assignments of all judges in this court, and otherwise good cause appearing, it is

**ORDERED** as follows:

1. Effective January 2, 2007, all newly filed adult criminal cases each week shall be assigned in the following manner:

One half to the Honorable Wallace R. Hoggatt.

One quarter each to the Honorable Stephen M. Desens and the Honorable Charles A. Irwin.

2. Effective January 2, 2007, all newly filed domestic relations and civil cases shall be divided equally between the Honorable Stephen M. Desens and the Honorable Charles A. Irwin.

No newly filed domestic relations or civil cases shall be assigned to the Honorable Wallace R. Hoggatt, unless under exigent circumstances or by separate order of this court.

3. Effective January 2, 2007, all newly filed Mental Health cases and all newly filed appeals from Limited Jurisdiction Courts shall be assigned to the Honorable Wallace R. Hoggatt.

**DATED** at Bisbee, Arizona, this 29<sup>th</sup> day of Dec, 2006.

  
THOMAS E. COLLINS  
Presiding Judge

## ADMINISTRATIVE ORDERS FOR 2005

| No.     | DESCRIPTION OF ADMINISTRATIVE ORDER   |
|---------|---|
| 2005-01 | IN RE: The Matter of Appointed Counsel  |
| 2005-02 | IN RE: The Disposal of Applications for Deferral or Waiver of Filing Fees   |
| 2005-03 | IN RE: The Matter of Court Security in the Justice and Superior Courts of Cochise County                                  |
| 2005-04 | IN RE: The Appointment of Justice of the Peace Pro Tempore for the Purpose of Conducting a Wedding Ceremony               |
| 2005-05 | IN RE: Processing of Informal Probate Cases   |
| 2005-06 | IN RE: Appointment of the Presiding Judge of the Juvenile Court   |
| 2005-07 | IN RE: Tombstone Magistrate   |
| 2005-08 | IN RE: Appointment of Probate Registrar and Designees   |
| 2005-09 | IN RE: Appointment to Foster Care Review Board  |
| 2005-10 | IN RE: Standard Jury Panel Selection Process  |
| 2005-11 | IN RE: Appointment of Initial Appearance Masters  |
| 2005-12 | IN RE: The City of Bisbee Municipal Court   |
| 2005-13 | IN RE: Appointment of Justice of the Peace Pro Tem  |
| 2005-14 | IN RE: Appointment to Foster Care Review Board  |
| 2005-15 | IN RE: Attendance at Foster Care Review Board Reviews   |
| 2005-16 | IN RE: Appointment to Foster Care Review Board  |
| 2005-17 | IN RE: Appointment of Superior Court Judge Pro Tempore, Justice of the Peace Pro Tempore and Juvenile Court Commissioners |
| 2005-18 | IN RE: Appointment of Justice of the Peace Pro Tempore  |
| 2005-19 | IN RE: Arizona Rules of Family Law Procedure  |

FILED

05 JAN 20 PM 2:29

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

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
BY

ADMINISTRATIVE ORDER NO. 2005-01

DEPUTY

IN RE: THE MATTER OF APPOINTED COUNSEL

Good cause appearing, it is

**ORDERED** that effective immediately, James F. Miller, Esq., is relieved of any further responsibility in any case in which any division of this court, the indigent defense coordinator, or any justice or municipal court in this county has appointed him to serve as counsel.

**IT IS FURTHER ORDERED** that all cases pending in this court or in the justice courts in which Mr. Miller was appointed to serve as counsel, shall be referred to the Indigent Defense Coordinator for reassignment of counsel. Any municipal court shall make appropriate arrangements for appointment of counsel in which Mr. Miller had been appointed.

**Dated** at Bisbee, Arizona this 20<sup>th</sup> day of January, 2005.

  
**THOMAS E. COLLINS**  
Presiding Judge

copies distributed to:

All Judges of all courts in Cochise County  
Office of the Indigent Defense Coordinator  
Public Defender's Office  
Legal Defender's Office  
Cochise County Attorney's Office  
James. F. Miller, Esq.

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 January 20, 20 05  
DENISE I. LUNDIN, Clerk  
By Candice Nordt Deputy

FILED

05 APR -6 PM 3:13

CLERK OF SUPERIOR COURT  
COUNTY OF COCHISE  
ARIZONA

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

ADMINISTRATIVE ORDER NO. 2005-02

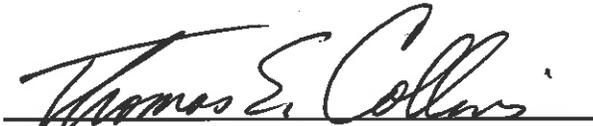
IN RE: THE DISPOSAL OF APPLICATIONS FOR DEFERRAL OR WAIVER OF  
FILING FEES

Whereas the Arizona Supreme Court Code of Judicial Administration 5-206 and Administrative Order 2002-31 provide for the deferral or waiver of filing fees under certain circumstances; and

Whereas when the applications for such deferral or waiver are denied or when they are granted but no associated case is filed with the court, the applications and orders accumulate and create storage problems for the Clerk of the Superior Court;

It is therefore ORDERED that applications and orders for deferral or waiver of filing fees may be destroyed by the Clerk's Office if no case is actually filed within ninety (90) days of the court ruling on the applications for deferral or waiver of filing fees.

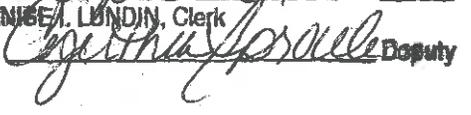
DATED at Bisbee, Arizona, this 4<sup>th</sup> day of March, 2005.

  
THOMAS E. COLLINS  
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: April 04 2005

DENISE L. LUNDIN, Clerk  
By  Deputy

FILED

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

05 APR -5 PM 1:29

ADMINISTRATIVE ORDER NO. 2005-03

CLERK OF SUPERIOR COURT

IN RE: THE MATTER OF COURT SECURITY IN THE JUSTICE AND SUPERIOR  
COURTS OF COCHISE COUNTY

**Whereas**, the Court has reconsidered its existing security policies in light of changes in the security threat to judicial officers, courthouses and the public, prevailing national standards and recommendations from law enforcement agencies, and

**Whereas**, the Court has considered the comments and advisory recommendations of various stakeholders who access court facilities, and

**Whereas**, there is a demonstrable need for enhanced security in all current and future justice and superior court facilities in Cochise County, and

**Whereas**, Arizona Supreme Court Administrative Order 1996-25 defines the Presiding Judge's authority to establish court security policies and procedures, it is therefore

**ORDERED:**

1. Police Officers, whether or not in uniform, with official department-issued identification who appear in court as witnesses pursuant to a subpoena or for official business such as seeking a search warrant, and who do not have any pending family court or criminal case or order of protection or injunction against harassment or eviction or any pre-disciplinary or disciplinary proceedings against them, upon signing in at any designated security checkpoint, may keep possession of their weapons in court facilities. The Court Administrator shall establish sign-in procedures that include a verification that the police officer is complying with these judicial security policies. The Court recognizes that Police Officers in uniform who appear in court in the normal course of their duties are, by virtue of their duties, also additional security officials within court facilities. The Police Officer shall follow the policy of each judge as to whether weapons may be brought into a particular courtroom or checked in a gun locker before entering the courtroom.
2. A Police Officer who is coming to court as a party in a case shall not seek bypass and shall not bring any weapons into court facilities. A Police Officer coming to court as a party should not wear a uniform. Under these circumstances, when a Police Officer is coming as a party to a lawsuit, a Police Officer shall go through screening as any other member of the public and be subject to the same rules as any other member of the public.

3. A Police Officer who is coming to court as a witness in the normal course of duty, but who has a pending family or criminal court case or order of protection or injunction against harassment or eviction case or a pre-disciplinary or disciplinary hearing pending, upon signing in at any security station in court facilities, shall place all weapons into a gun locker before entering the court facility and proceed through the regular public security screening process.
4. A Police Officer without official department-issued identification, who is not readily identifiable as a law enforcement official, shall not bring a weapon into court facilities.
5. For purposes of this Order, the term "Police Officer" includes federal, state and local law enforcement officers, probation and surveillance officers, detention and corrections officers, who are authorized by their employing agency to carry firearms in the course of their official duties.
6. Police Officers must have any firearm secured in a "level-two" safety holster, i.e., one with a security strap in place. Firearms in open-top holsters shall not be permitted in court facilities.
7. Police Officers not in uniform who have their weapons visibly displayed must also have official identification or badges visibly displayed while in court facilities.
8. This administrative order supercedes and supplants all previous administrative orders pertaining to weapons in justice and superior court facilities in Cochise County.

DATED at Bisbee, Arizona, this 5<sup>th</sup> day of April, 2005.

  
 THOMAS E. COLLINS  
 Presiding Judge

Copies:

Karen D. Ferrara, Court Administrator ✓  
 Jody Klein, County Administrator ✓  
 Thomas Hilb, court Security Chief ✓  
 Ed Rheinheimer, County Attorney ✓  
 Mark Suagee, County Public Defender ✓  
 Mike Politi, County Legal Defender ✓  
 Denise Lundin, Clerk of the Court ✓  
 All Judges of the Justice and Superior Courts in 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 5, 2005  
 DENISE I. LUNDIN, Clerk  
 By Candice Wardt Deputy

FILED

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

2005 MAY 20 AM 10:10

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 2005-04

BY \_\_\_\_\_  
DEPUTY

IN RE: THE APPOINTMENT OF JUSTICE OF THE PEACE PRO TEMPORE FOR THE  
PURPOSE OF CONDUCTING A WEDDING CEREMONY

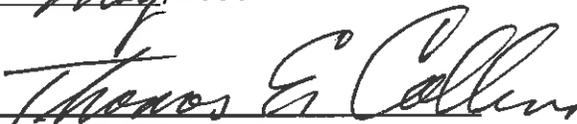
Good cause appearing, it is **ORDERED**

The Honorable George Kirmse, retired justice of the peace in Sierra Vista, Arizona, be appointed as a Justice of the Peace Pro Tempore under the following terms and conditions:

- A. For the purpose of conducting a wedding ceremony on May 28, 2005.
- B. Not for any other official judicial act or decision.

It is further **ORDERED** this appointment is effective for the date of May 28, 2005, only and shall thereafter be null and void.

**DATED** at Bisbee, Arizona, this 20<sup>th</sup> day of May, 2005.

  
 \_\_\_\_\_  
 THOMAS E. COLLINS  
 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 May 20 20 05  
DENISE I. LUNDIN, Clerk  
By Carolee Nordt Deputy

FILED

05 JUN -6 PM 3:10

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF COCHISE

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

ADMINISTRATIVE ORDER NO. 2005- 05

IN RE: PROCESSING OF INFORMAL PROBATE CASES

Due to the nature and complexity of processing informal probates, the Clerk of the Superior Court/Probate Registrar has requested that her office be allowed up to 24 hours from time and date of filing, excluding weekends and holidays, to issue Letters as Registrar.

**IT IS ORDERED:** Allowing the Clerk of Superior Court/Probate Registrar up to 24 hours, excluding weekends and holidays, to issue Letters as Registrar.

DATED this 6<sup>th</sup> day of June, 2005.

  
THOMAS E. COLLINS  
PRESIDING JUDGE

XC: Local Attorneys

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 June 7, 20 05

DENISE I. LINDIN, Clerk

By Candace Hardt Deputy

FILED

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

2005 JUN 27 PM 2: 25

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

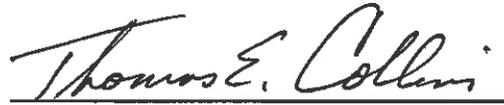
ADMINISTRATIVE ORDER NO. 2005-06

IN RE: APPOINTMENT OF THE PRESIDING JUDGE OF THE JUVENILE COURT

Good cause appearing and with the consensus of the judges of this court, it is

**ORDERED**, the Honorable Ann R. Littrell is appointed Presiding Judge of the Juvenile Court in this County, effective July 1, 2005, until further order of this court.

**DATED** at Bisbee, Arizona, this 27<sup>th</sup> day of June, 2005.



THOMAS E. COLLINS  
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 June 27, 2005

DENISE I. LUNDIN, Clerk

By Mary Edip Deputy

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

FILED

2005 JUL 27 PM 3:34

ADMINISTRATIVE ORDER NO. 2005-07

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

IN RE: TOMBSTONE MAGISTRATE

**The Tombstone City Council**, having appointed David Morales as City Magistrate; and

**The Court**, having approved an Intergovernmental Agreement between the City of Tombstone and the County of Cochise transferring the duties and functions of the Tombstone Magistrate Court to Justice Court Precinct One effective August 1, 2005;

**Therefore**, pursuant to the request of the currently presiding City Magistrate, the ruling in CV200500435, and the terms and requirements of the Intergovernmental Agreement, Tombstone City Magistrate, Kenneth Curfman, is relieved of all responsibilities in the Tombstone Municipal Court effective 12:01 a.m., August 1, 2005.

Dated at Bisbee, Arizona, this 27<sup>th</sup> day of July 2005.

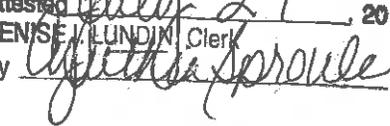
  
THOMAS E. COLLINS  
Presiding Judge

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 July 27, 2005

DENISE J. LUNDIN, Clerk

By  Deputy

FILED

2005 JUL 27 PM 2:00

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

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

ADMINISTRATIVE ORDER NO. 2005-08

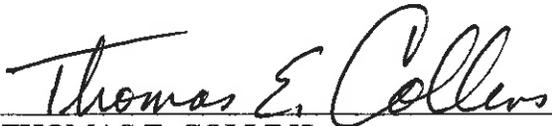
IN RE: APPOINTMENT OF PROBATE REGISTRAR AND DESIGNEES

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) Darlene Cooke, Alva Durazo and Leticia Estrada are designated as Assistant Probate Registrars.
- 3) Stephanie Holly is designated as an Assistant Probate Registrar 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 27<sup>th</sup> day of July, 2005.

  
THOMAS E. COLLINS  
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 July 27, 20 05

DENISE I. LUNDIN, Clerk

By Cynthia Spraul Deputy

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

2005 AUG 29 PM 2:56

ADMINISTRATIVE ORDER NO. 2005-09

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

Upon the request of the Foster Care Review Board,

IT IS ORDERED: APPOINTING the following persons to the Foster Care Review Board,  
Cochise 01, all with terms expiring on the third Monday of January, 2008:

Ross Anderson

Marvin Brown

Hong Lim

DATED this 26 day of August, 2005.



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 August 29 20 05

DENISE I. LUNDIN, Clerk

By Candace Hardt Deputy

xc: Chris Corman, FCRB, 400 W. Congress, Suite 341, Tucson, AZ 85701-1353  
Caroline I. Lault-Owens, 1501 W. Washington Street, Phoenix, AZ 85007-3131

FILED

05 SEP 14 PM 4: 16

DENISE J. LUNDIN  
CLERK OF SUPERIOR COURT  
BY  
ARIZONA  
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF COCHISE

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ADMINISTRATIVE ORDER NO. 2005- 10

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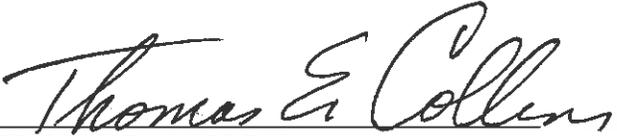
IN RE: STANDARD JURY PANEL SELECTION PROCESS

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**IT IS ORDERED:**

Pursuant to A.R.S. §21-326, the Clerk of Court's book entitled "Next Generation Procedure Manual, Arizona Superior Court, Cochise County, is approved as the Superior Courts' Standard Jury Panel Selection.

DATED this 14<sup>th</sup> day of September, 2005.

  
THOMAS E. COLLINS  
PRESIDING JUDGE

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

FILED  
2005 OCT 24 AM 10:05  
CLERK OF SUPERIOR COURT  
COUNTY OF COCHISE, ARIZONA

ADMINISTRATIVE ORDER NO. 2005-11

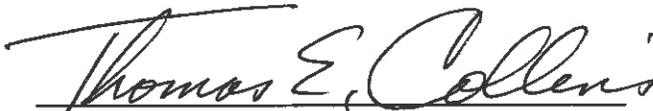
IN RE: APPOINTMENT OF INITIAL APPEARANCE MASTERS

Pursuant to the provisions of Arizona Rules of Criminal Procedure Rule 1.7 (a), and upon the recommendation of the Presiding Justice of the Peace, the following Initial Appearance Masters are hereby appointed to conduct initial appearances under Rule 4 on weekends and holidays for a one-year period commencing on October 29, 2005:

Jeanne Benda-Whitney  
Richard E. Boyer  
James W. Burns  
Ann S. Lund  
Robert Marshall  
Alma Vildosola

These appointments are subject to reappointment for additional terms.

Dated at Bisbee, Arizona, this 24<sup>th</sup> day of October, 2005.

  
THOMAS E. COLLINS  
Presiding Judge

Concurring:

  
MICHAEL HERBOLICH  
Presiding Justice of the Peace

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 Oct 24, 20 05  
DENISE I. LUNDIN, Clerk  
By Carolee Hardt Deputy

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

FILED

2005 OCT 26 PM 2:06

ADMINISTRATIVE ORDER NO. 2005-12

DEMISE J. LUTSEN  
CLERK OF SUPERIOR COURT  
BY \_\_\_\_\_  
2005

IN RE: THE CITY OF BISBEE MUNICIPAL COURT

**Whereas**, the Bisbee City Magistrate, the Honorable Richard Boyer, requested an Operational Review of his court be conducted by the staff of the Administrative Office of the Arizona Supreme Court, and

**Whereas**, the Operational Review Report was received by the Bisbee City Magistrate and this court in September of 2005, and

**Whereas**, the Operational Review identified nineteen (19) findings of operational issues that need to be addressed in order for the Court to operate more effectively and efficiently, and

**Whereas**, the Arizona Supreme Court having administrative supervision over all courts of the state pursuant to the Constitution of Arizona, Article VI, and further delegating administrative supervision of courts of limited jurisdiction to the Presiding Judge of the county in which those courts operate by Supreme Court Administrative Order 2005-32, it is

**ORDERED** as follows:

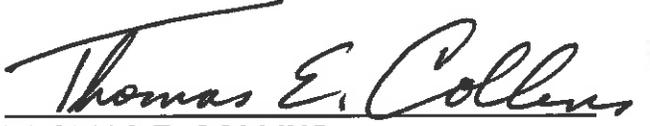
1. The Honorable Richard Boyer, Bisbee City Magistrate, shall construct a specific plan of action to become compliant with statutory, administrative and court policy and procedure requirements. A written plan of action shall be made available to the Court Administrator and Presiding Judge of this court no later than December 15, 2005.

2. The Office of the Court Administrator will provide necessary staff to work directly with Judge Boyer in constructing the plan of action as well as to work within the magistrate court on a day to day basis, as needed, until corrective measures are in place.

**Whereas**, it has come to this court's attention that the two employees of the Bisbee Magistrate Court are sisters, one in a supervisory position over the other as well as the only two employees in this court other than the Judge and this arrangement not only having the appearance of impropriety but also in noncompliance with the Code of Conduct for Judicial Employees, as adopted by the Arizona Supreme Court in 1996 and again amended in Supreme Court Administrative Order 1997-41, it is further

**ORDERED** that Judge Boyer will immediately address this personnel matter and in cooperation with the City of Bisbee will make reassignment of staff or otherwise alleviate the current staffing situation in as equitable a manner possible, but no later than November 30, 2005.

**DATED** at Bisbee, Arizona, this 26<sup>th</sup> day of October, 2005.

  
**THOMAS E. COLLINS**  
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 10-26, 2005

DENISE J. LUNDIN, Clerk

By Laralee Hardt Deputy

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

FILED

2005 OCT 25 PM 4:43

ADMINISTRATIVE ORDER NO. 2005-13

IN RE: APPOINTMENT OF JUSTICE OF THE PEACE PRO TEM

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
COCHISE COUNTY

**Whereas** this court was notified that the Honorable Jimmy V. Judd, Justice of the Peace in Precinct Three, due to medical conditions, is unable to sit as the justice of the peace at this time, and

**Whereas** this court is further informed that matters are scheduled in said court, and

**Whereas** to the extent possible other justices of the peace in this county will be assisting in coverage of this court but are not immediately available and there being no other qualified judicial officer immediately available, and

**Whereas** Ann S. Lund, a prior justice of the peace pro tem in Cochise County having now given notice of her availability for emergency coverage, it is

**ORDERED** Ann S. Lund is appointed as Justice of the Peace Pro Tem for Precinct Three, on an emergency and temporary basis, as needed but not to extend beyond December 31, 2005.

**DATED** at Bisbee, Arizona, this 25<sup>th</sup> day of October, 2005.



THOMAS E. COLLINS  
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 10-25 20 05

DENISE I. LUNDIN Clerk

By Caroleca Hardth Deputy

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

FILED

2005 NOV 28 PM 2:17

ADMINISTRATIVE ORDER NO. 2005-14

DENISE L. LUNDY  
CLERK OF SUPERIOR COURT SV  
BY \_\_\_\_\_  
DEPUTY

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

Upon the request of the Foster Care Review Board,

**IT IS ORDERED: RE-APPOINTING Donald Manning** to the Cochise County Removal Review Team, with term expiring on the third Monday of January, 2009.

**IT IS FURTHER ORDERED: RE-APPOINTING** the following members to the Cochise County Local Boards indicated, all with terms expiring on the third Monday of January, 2009:

| <u>NAME</u>           | <u>BOARD</u> |
|-----------------------|--------------|
| John Auchincloss, Jr. | CH 01        |
| James Finley          | CH 01        |
| Yolanda Anderson      | CH 02        |
| Michele Douglass      | CH 03        |
| Patricia Pringle      | CH 03        |
| Josette Hallford      | CH 04        |
| Donald Manning        | CH 04        |

DATED this 28 day of <sup>November</sup>~~December~~, 2005.



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 Nov 29 20 05  
DENISE L. KUNDIN, Clerk  
By Angela Chard Deputy

xc: Chris Corman, FCRB, 400 W. Congress, Suite 341, Tucson, AZ 85701-1353  
Caroline I. Lauth-Owens, 1501 W. Washington Street, Phoenix, AZ 85007-3131

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

FILED

2005 NOV 29 AM 9:56

ADMINISTRATIVE ORDER NO. 2005-15

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

IN RE: ATTENDANCE AT FOSTER CARE REVIEW BOARD REVIEWS

As part of the community awareness and legislative outreach project, the State Foster Care Review Board wishes to invite members of the Arizona Legislature to observe case reviews conducted by local boards. Dependency proceedings are confidential pursuant to state statutes and Rule 123, Rules of the Supreme Court. A.R.S. §8-519(C) requires that all records and information in the possession of the Foster Care Review Board regarding children and their parents or relatives be deemed confidential and disclosed only pursuant to the Child Welfare and Placement, General Provisions found in Title 8, Chapter 5, or by order of the Court.

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution, and pursuant to A.R.S. §8-519(C), and Rule 123(d)(1)(B) of the Supreme Court,

**IT IS ORDERED** that the Foster Care Review Board Program of the Administrative Office of the Supreme Court may afford legislators an opportunity to observe a local foster care review board proceeding effective November 1, 2005, through February 28, 2006.

**IT IS FURTHER ORDERED** that the records and information shall remain confidential for all purposes and to all other persons as required by law, or as otherwise ordered by a court of competent jurisdiction.

DATED this 29 day of November, 2005.

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 11/29, 2005  
DENISE I. LUNDIN, Clerk  
By [Signature] Deputy

ANN R. LITRELL  
PRESIDING JUVENILE COURT JUDGE

xc: Chris Corman, FCRB, 400 W. Congress, Suite 341, Tucson, AZ 85701-1353  
Caroline I. Lauth-Owens, 1501 W. Washington Street, Phoenix, AZ 85007-3131

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

FILED

ADMINISTRATIVE ORDER NO. 2005-16

2005 DEC 22 PM 2:59

IN RE: APPOINTMENT TO FOSTER CARE REVIEW BOARD

DENISE I. LUNDIN  
CLERK OF SUPERIOR COURT  
COCHISE COUNTY

Upon the request of the Foster Care Review Board,

**IT IS ORDERED: RE-APPOINTING Marvin Brown** to the Cochise County Board #01,  
with term expiring on the third Monday of January, 2008.

**IT IS FURTHER ORDERED: APPOINTING Sheila Gordon** to the Cochise  
County Board #03, with term expiring on the third Monday of January, 2008.

DATED this 22 day of December, 2005.



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 Dec 22, 20 05

DENISE I. LUNDIN, Clerk

By Carolee Hardt Deputy

xc: Chris Corman, FCRB, 400 W. Congress, Suite 341, Tucson, AZ 85701-1353  
Caroline I. Lutt-Owens, 1501 W. Washington Street, Phoenix, AZ 85007-3131

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

FILED

2005 DEC 28 PM 2:11

ADMINISTRATIVE ORDER NO. 2005-17

DR. SCOTT LUNDIN  
CLERK OF SUPERIOR COURT

IN RE: APPOINTMENT OF SUPERIOR COURT JUDGE PRO TEMPORE, JUSTICE  
OF THE PEACE PRO TEMPORE AND JUVENILE COURT COMMISSIONERS

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

**James L. Conlogue**

is hereby reappointed as a 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.

**James L. Conlogue**  
**G. Philip Maxey**

are hereby reappointed as Juvenile Court Commissioners under the following terms and conditions:

- A. As assigned to the Juvenile Court Drug 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**

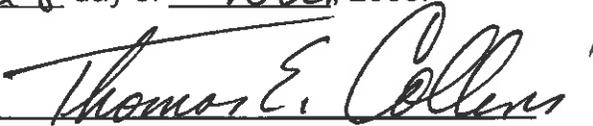
Is hereby reappointed as justice of the peace pro tempore for Justice Court Precinct Five under the following terms and conditions:

- 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.

Said superior court judge pro tempore, justice of the peace pro tempore and juvenile court commissioners 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 this appointment is January 1, 2006 to and including December 31, 2006 and is further subject to available funding in the Fiscal Year beginning July 1, 2006.

DATED at Bisbee, Arizona, this 28<sup>th</sup> day of Dec. 2005.

  
THOMAS E. COLLINS  
Presiding Judge

COUNTY OF GILCHRIST  
STATE OF ARIZONA

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

Attested December 28, 2005  
DENISE I. LUNDIN, Clerk  
By J. Benedict Deputy

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED  
DEC 16 2005  
NOEL K. DEBOER  
CLERK OF THE SUPREME COURT  
BY

*Karen*

In the Matter of:

APPOINTMENT OF A JUDGE PRO TEMPORE )  
TO THE SUPERIOR COURT OF THE STATE )  
OF ARIZONA IN AND FOR THE COUNTY )  
OF COCHISE )

PRO TEMPORE ORDER  
No. 2005 - 57

The presiding judge of the Superior Court of Arizona in Cochise County has requested the appointment of a judge 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 James L. Conlogue, State Bar #010818, is appointed as judge pro tempore to serve the Superior Court in Cochise County for a term beginning January 1, 2006, and ending December 31, 2006, in accordance with A.R.S. §§12-141 et. seq., and will serve as assigned by the presiding judge.

IT IS FURTHER ORDERED that this appointment is 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 is the compensation due to said appointee pursuant to A.R.S. §12-141. The appointee as a judge pro tempore.

DATED this 16th day of December, 2005.

*Ruth V. McGregor*  
RUTH V. MCGREGOR  
Chief Justice

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

FILED

2005 DEC 28 PM 2:11

ADMINISTRATIVE ORDER NO. 2005-18

DENISE LUNDIN  
CLERK OF THE SUPERIOR COURT  
COCHISE COUNTY

IN RE: APPOINTMENT OF JUSTICE OF THE PEACE PRO TEMPORE

Whereas this court has been notified of the appointment of Joseph P. Knoblock as Justice of the Peace in Precinct Three, effective January 3, 2006, and

Whereas it will be necessary for Justice of the Peace Knoblock to attend New Judge Orientation as provided by the Arizona Supreme Court, and,

Whereas to the extent possible other justices of the peace in this county will assist in coverage of this court but may not be immediately available during those times Justice of the Peace Knoblock is attending New Judge Orientation, it is **ORDERED**

Ann S. Lund is appointed as Justice of the Peace Pro Tempore for Precinct Three, on an emergency and temporary basis, as needed but not to extend beyond June 30, 2006.

It is further **ORDERED**:

Said justice of the peace pro tempore shall submit time records in the performance of duties for hourly pay calculations and payment to the Office of the Court Administrator of this court.

DATED at Bisbee, Arizona, this 28<sup>th</sup> day of Dec, 2006.

  
THOMAS E. COLLINS  
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 December 28, 20 05  
DENISE LUNDIN, Clerk  
By Bernadette Deputy

FILED

2005 DEC 29 PM 12: 03

SPRINGFIELD  
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. 2005-19

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IN RE: ARIZONA RULES OF FAMILY LAW PROCEDURE

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Rule 7(C) of the Arizona Rules of Family Law Procedure (ARFLP), provides that a fee, established by administrative order, be paid to the Clerk of the Court to cover the cost of service of documents upon persons whose address is ordered protected from disclosure.

**IT IS ORDERED:**

Effective January 1, 2006, setting a fee of \$5.00 for postage and handling to cover the cost of service of documents upon persons whose address is ordered protected from disclosure pursuant to Rule 7, ARFLP. All monies received shall be deposited pursuant to A.R.S. § 12-284, the Clerk's filing fee schedule.

DATED this 29<sup>th</sup> day of December, 2005.

  
THOMAS E. COLLINS  
PRESIDING JUDGE