ADMINISTRATIVE ORDERS FOR 2015 (TO DATE)

NO.	DESCRIPTION OF ADMINISTRATIVE ORDER
2015-001	IN RE: APPOINTMENT OF CHIEF INTERPRETER AND LAW LIBRARIAN
2015-002	IN RE: APPOINTMENT OF JUSTICES OF THE PEACE AS JUVENILE HEARING OFFICERS IN LIMITED MATTERS
2015-003	IN RE: INITIAL APPEARANCE TIMES FOR JUSTICE COURTS IN COCHISE COUNTY
2015-004	IN RE: APPOINTMENT OF THE JUSTICE OF THE PEACE PRO TEMPORE SELECTION COMMITTEE
2015-005	IN RE: REVISIONS TO MERIT RULES 12 AND 16
2015-006 (AMENDING AND REPLACING 2013-07)	IN RE: GUIDELINES FOR COMPENSATION AND ASSOCIATED EXPENSES OF COURT APPOINTED COUNSEL, PARALEGALS, INVESTIGATORS, COURT REPORTERS, INTERPRETERS AND PHYSICIANS
2015-007	IN RE: APPOINTMENT OF JUSTICES OF THE PEACE PRO TEMPORE
2015-008	IN RE: APPOINTMENT OF SUPERIOR COURT JUDGE PRO TEMPORE
2015-009	IN RE: APPOINTMENT OF THE JUSTICES OF THE PEACE PRO TEMPORE
2015-010	IN RE: APPOINTMENT OF SUPERIOR COURT JUDGE PRO TEMPORE AND JUVENILE COURT COMMISSIONER
2015-011	IN RE: APPOINTMENT OF PROBATE REGISTRAR AND DESIGNEES
2015-012	NOT USED
2015-013	IN RE: CLOSING OF JUSTICE COURT MISDEMEANOR AND CIVIL TRAFFIC CASES WHEN THE SENTENCE OR PENALTY IS DEEMED UNENFORCEABLE.
2015-014	IN RE: COINS AS METHOD OF PAYMENT IN COCHISE COUNTY COURTS
2015-015	IN RE: JUDICIAL LEAVE POLICY RESCINDING ADMINISTRATIVE ORDER 95-12
2015-016	PENDING
2015-017	IN RE: PROCEDURE GOVERNING CONFIDENTIAL VICTIM INFORMATION IN COURT CASE FILES

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

FILED

2015 JAN -6 AM 7:49

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT
BY _____ DEPUTY

ADMINISTRATIVE ORDER NO. 2015-001

IN RE: APPOINTMENT OF CHIEF INTERPRETER AND LAW LIBRARIAN

Upon the recommendation of the Court Administrator and otherwise good cause appearing, it is

ORDERED Veronica Olivares 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 January 18, 2015.

DATED at Bisbee, Arizona, this 6th day of January, 2015.

JAMES L. CONLOGUE
Presiding Judge

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

FILED

2015 JAN -6 PM 3:22

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT
DEPUTY

ADMINISTRATIVE ORDER NO. 2015-002

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

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

ORDERED the following named Justices of the Peace 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 the child is under the age of eighteen years on the date of the alleged offense and 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:

Adam Ambrose, Justice of the Peace, Precinct One
Bruce Staggs, Justice of the Peace, Precinct Three

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

DATED at Bisbee, Arizona, this 6th day of January, 2015.

Karl B. Elledge
Presiding Juvenile Court Judge

James L. Conlogue
Presiding Judge

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

FILED

2015 FEB 26 AM 8:10

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT
BY _____
DEPUTY

ADMINISTRATIVE ORDER NO. 2015-003

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 weekday 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	8:30 a.m.
Justice Court, Precinct Four	10:30 a.m.
Justice Court, Precinct Five	10:30 a.m. (in person)
	11:30 a.m. (by video)
Justice Court, Precinct Six	11:00 a.m.

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

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

It is further **ORDERED**, Administrative Order 2008-001 is rescinded.

DATED at Bisbee, Arizona, this 26th day of February, 2015.

James L. Conlogue

James L. Conlogue
Presiding Judge

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

FILED

2015 MAR 11 AM 7:50

CLERK OF SUPERIOR COURT
DEPUTY

ADMINISTRATIVE ORDER NO. 2015-004

IN RE: APPOINTMENT OF THE JUSTICE OF THE PEACE PRO TEMPORE SELECTION COMMITTEE

IT IS HEREBY ORDERED that the following persons are appointed to serve on the Justice of the Peace Pro Tempore Selection Committee:

Chair:	Honorable Tim Dickerson, Justice of the Peace, Precinct 5
Judicial Members:	Honorable Charles A. Irwin, Superior Court, Division I
	Honorable Alma Vildosola, Justice of the Peace, Precinct 2
Attorney Members:	Mark Higgins, Chief Deputy Public Defender
	Brian McIntyre, County Attorney
Public Members:	Dan Frey, Bisbee, Arizona
	Jane Strain, Sierra Vista
	Mignonne D. Hollis, Sierra Vista

It is further **ORDERED**, Administrative Order 2012-010 is rescinded.

DATED at Bisbee, Arizona, this 11th day of March, 2015.

James L. Conlogue
Presiding Judge

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

ADMINISTRATIVE ORDER NO. 2015-005

IN RE: REVISIONS TO MERIT RULES 12 and 16

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:

Sections of Rule 12, pertaining to Performance Appraisals are amended and attached hereto. Sections of the Rule 16 pertaining to Causes of Discipline are amended attached hereto.

The revisions shall take effect as of March 30, 2015.

DATED at Bisbee, Arizona, this 9th day of March, 2015.

James L. Conlogue
Presiding Judge

Charles A. Irwin
Superior Court Judge

John F. Kelliher
Superior Court Judge

Terry Bannon
Superior Court Judge Pro Tempore

Karl D. Elledge
Superior Court Judge

Wallace R. Hoggatt
Superior Court Judge

Rule 12-EMPLOYEE PERFORMANCE DEVELOPMENT APPRAISAL

All classified and unclassified employees shall be subject to performance appraisal.

The employee performance appraisal should be utilized as a tool to assess and develop the level of performance and competence of an employee. Performance appraisals are not subject to the grievance procedures and shall be performed at designated times:

1. Prior to completion of an initial probation period;

2. Prior to completion of a promotional probation period;

3. Annually, at or near an employee's anniversary date, or at such other time as designated by the Presiding Judge of Superior Court;

4. Prior to completion of a special observation period. At the discretion of the department director, this may be in conjunction with a disciplinary action;

5. Such other times as may be deemed necessary by the department director.

Amended 03/30/2015

RULE 16. DISCIPLINARY ACTIONS

A disciplinary action is an action taken in response to inappropriate performance or conduct. Depending on the nature and gravity of the performance or conduct, a disciplinary action up to and including termination may be appropriate, even for a first offense. Department directors may use progressive discipline to correct employee problem performance or conduct.

1. Verbal Counseling. A department director or supervisor may engage in a verbal disciplinary counseling session with an employee at any time for problem resolution. Verbal counseling is neither subject to the grievance procedure nor appealable and the record of which is not placed in the personnel file.

2. Letter of Counseling. A department director or supervisor may issue a Letter of Counseling to an employee in an effort to correct or improve improper performance or conduct. The letter shall contain the specifics of the improper performance or conduct and a copy with the employee's acknowledgement of receipt shall be placed in the employee's personnel file. A Letter of Counseling is neither subject to the grievance procedure nor appealable, however the employee may respond in writing within five working days and the response shall be placed in the personnel file.

3. Letter of Reprimand. A department director or supervisor may issue a Letter of Reprimand to an employee for cause. The letter shall contain the specifics of the improper performance or conduct and a copy with the employee's acknowledgement of receipt shall be placed in the employee's personnel file. A Letter of Reprimand is not appealable but may be the subject of a grievance pursuant to the provisions of RULE 18.

4. Suspension. A department director may suspend an employee without pay or with reduced pay for a period not exceeding ten (10) working days for cause. Such action may be appealed as set forth in RULE 18.

5. Demotion. A department director may demote an employee to a lower grade for cause. Such action may be appealed as set forth in RULE 18.

6. Dismissal. A department director may dismiss a non-probationary employee with regular status for cause. Such action may be appealed as set forth in RULE 18.

7. Each of the following constitute cause for discipline of an employee in court service; however, the list is not all inclusive and the generality of the term "cause" shall not be limited by this enumeration.

   A. Fraud in securing appointment.
   B. Incompetency.
   C. Inefficiency.
   D. Failure to be respectful, cooperative or courteous.
   E. Neglect of duty.
   F. Insubordination.
   G. Dishonesty.

H. Abuse of legal drugs or distribution or use of illegal drugs, or unauthorized possession of a controlled substance, or reporting to work while impaired in the ability to perform one's job by legal drugs, illegal drugs or alcohol.

I. Absence without leave and chronic or excessive absenteeism or tardiness in reporting to work, including abuse of sick leave.

J. Violation of law or failure to comply with court rules, regulations, professional codes of conduct, Supreme Court and local court codes of conduct, policies and procedures.

K. Theft or improper use of court or public property, equipment, funds or information.

L. Unsatisfactory performance of duties.

M. Failure to obtain and maintain required licenses or certification.

8. Pre-action Notice Requirements. When it is intended that a regular status employee be disciplined by a suspension without pay, demotion, or dismissal, a pre-action meeting will be held. The affected employee shall be provided written notice of the charges against him/her and an opportunity to address an appropriate department representative concerning the charges at least three days prior to the disciplinary action being taken.

A. If requested by the employee, the department director or a designated representative shall meet with the employee prior to a final decision on the disciplinary action. The meeting should be held at a time that the employee is reasonably able to attend but no less than three (3) working days after receiving written notice. This meeting is intended to provide an explanation of the department's evidence and action and to give the employee an opportunity to respond to the facts of the situation prior to a final decision being made by the department director. If no meeting is requested the employee may respond in writing within three (3) working days after receiving notice of the disciplinary action.

B. Any relevant information presented by the employee regarding the proposed action shall be considered prior to any final action being taken by the department director. If the final action is adverse to the employee the employee may appeal the action using the appeals procedure specified in RULE 18.

C. The employee shall be give written notice of the final decision and a copy provided to the Court Administrator and the Presiding Judge. A copy will be kept in the employee's personnel file.

9. Administrative Suspension. If a department director determines that it is in the best interest of the court, an employee may be immediately suspended with or without pay and

without prior notice regardless of the other provisions of this rule. Such employees shall be provided written notice of said suspension.

10. Special Observation Period.

A. An employee may be placed on a special observation period for the purpose of closely monitoring the employee's performance or conduct during a specified period of time, not to exceed six months. The purpose of the special observation period is to officially advise the employee that the type of conduct or performance deemed unacceptable by the department director shall be closely monitored. This may or may not be in conjunction with a disciplinary action. (See RULE 12.4).

B. The notice of the special observation period shall be provided to the employee in writing upon the effective date, and shall specify the conduct involved, the purpose of the observation period, the goals to be achieved, and the length of the period.

At the end of the special observation period the employee's supervisor shall prepare a special performance evaluation report and provide it to the department director.

11. Felony or Misdemeanor Arrest, Conviction.

A. An employee who is arrested, summoned or field cited for a felony or misdemeanor offense will, on the next working day, notify his/her supervisor of such incident. This issue will not follow the progressive disciplinary steps.

B. An employee charged, cited or arrested on a felony or a misdemeanor offense involving moral turpitude shall be suspended from work with pay pending an investigation of the charges. Conditions of continued employment or reassignment of duties will be determined by the Presiding Judge based upon the facts of the situation. Time off for court appearances shall be charged to the employee's vacation or compensatory time.

C. In the case of a felony, if the employee is found guilty, he or she shall be dismissed. In the case of a misdemeanor, if the employee is found guilty the disciplinary action decision will be referred to the department director and the Presiding Judge.

Amended 03/30/2015

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

ADMINISTRATIVE ORDER NO. 2015-06 (Amending and Replacing 2013-07)

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 2013-07 regarding compensation and reimbursement to be paid to persons appointed by the superior court and justice courts to the extent such appointments are made, are in need of modification and revision, it is therefore

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

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

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

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

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

3. PARALEGALS ASSISTING COURT-APPOINTED COUNSEL:

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

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

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

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

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

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

Three hundred dollars ($350.00) per case for Court Appointed Attorneys representing wards.

6. COURT REPORTERS:

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

7. INTERPRETERS:

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

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

8. PHYSICIANS/MENTAL HEALTH EVALUATORS:

Not to exceed five hundred dollars ($500.00) for Rule 11 examinations and reports, which shall be submitted with itemized billing; the usual charges in the community for

physicians in the particular specialty of the witness for forensic services.

IT IS FURTHER ORDERED that the court may order payment in excess of any of the hourly rates or payment caps, either on motion of a party or on the court's own initiative, if it appears that the relevant service is not reasonably available within the limits stated in this Order. However, the rates enumerated within this order are deemed presumptively reasonable. 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 initiated after March 23, 2015. Thereafter, all previous administrative orders pertaining to compensation and reimbursement are hereby void and of no further effect.

DATED at Bisbee, Arizona, this 17th day of March, 2015.

JAMES L. CONLOGUE
Presiding Judge

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

FILED
2015 MAR 24 PM 4:41
MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT
BY _____ DEPUTY

ADMINISTRATIVE ORDER NO. 2015-007

IN RE: APPOINTMENT OF JUSTICES OF THE PEACE PRO TEMPORE

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

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.

William Lakosil
Paul Julien
David Howe
Gerald Till

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

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

Said 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, 2015, to and including June 30, 2016.

DATED at Bisbee, Arizona, this 24th day of March, 2015.

J. L. Conlogue

JAMES L. CONLOGUE
Presiding Judge

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

FILED

2015 JUN -1 AM 8:53

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT
BY _____ DEPUTY

ADMINISTRATIVE ORDER NO. 2015-008

IN RE: APPOINTMENT OF SUPERIOR COURT JUDGE PRO TEMPORE

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

Terry Bannon

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

The Judge 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, 2015, to and including June 30, 2016.

DATED at Bisbee, Arizona, this 1st day of June, 2015.

JAMES L. CONLOGUE
Presiding Judge

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

FILED

ADMINISTRATIVE ORDER NO. 2015-009

2015 JUN 12 PM 1:14

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT
BY _____ DEPUTY

IN RE: APPOINTMENT OF THE JUSTICES OF THE PEACE PRO TEMPORE

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

C.J. Garan

Pamela Housh

Ron Zack

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

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

Said 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.

These individuals are appointed to two terms of service. The initial term of service shall run from June 29, 2015 through June 30, 2015. The second term shall run from July 1, 2015 through June 30, 2016

DATED at Bisbee, Arizona, this 12th day of June, 2015.

James L. Conlogue

JAMES L. CONLOGUE
Presiding Judge

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

FILED

2015 JUN 22 AM 10: 24

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT
BY
DEPUTY

DMINISTRATIVE ORDER NO. 2015-010

IN RE: APPOINTMENT OF SUPERIOR COURT JUDGE PRO TEMPORE AND JUVENILE COURT COMMISSIONER

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

Margaret Macartney

Is hereby appointed as Juvenile Court Commissioner and is dually assigned as 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 and contingent upon available funding.

Said Superior Court Judge Pro Tempore, Juvenile Court Commissioner 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 terms of these appointments is July 1, 2015 to and including June 30, 2016.

DATED at Bisbee, Arizona, this 22nd day of June, 2015.

JAMES L. CONLOGUE
Presiding Judge

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

FILED
2015 JUL 22 PM 3:29
MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT
BY _____
DEPUTY

ADMINISTRATIVE ORDER NO. 2015-011

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) Mary Ellen Dunlap, Clerk of the Superior Court is designated as Probate Registrar for Cochise County.
2) Kathryn Chavez, Tanya Loya, Maria Valdivia, Frances Ranaccelli, Vicki Barton, Cynthia Palmer, Alva Durazo and Stephanie Delk, are designated as Assistant Probate Registrars.
3) This administrative order supersedes administrative order No. 2014-012 and shall be effective upon the date of signing.

DATED at Bisbee, Arizona, this 22nd day of July, 2015.

James L. Conlogue

HONORABE JAMES L. CONLOGUE
Presiding Superior Court Judge

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

FILED

2015 NOV -5 PM 2:23

MARY ELLEN DUNN
CLERK OF SUPERIOR COURT
BY _____
DEPUTY

ADMINISTRATIVE ORDER NO. 2015-013

IN RE: CLOSING OF JUSTICE COURT MISDEMEANOR AND CIVIL TRAFFIC CASES WHEN THE SENTENCE OR PENALTY IS DEEMED UNENFORCEABLE

Good cause appearing and with the approval of the Cochise County Justices of the Peace, **IT IS HEREBY ORDERED**, that the attached "Closing Cases When the Sentence or penalty is Deemed Unenforceable Policy & Procedure" is hereby adopted and is applicable to the Justice Courts of Cochise County.

DATED at Bisbee, Arizona, this 5th day of November, 2015.

James L. Conlogue

JAMES L. CONLOGUE
Presiding Judge

COCHISE COUNTY JUSTICE COURTS
CLOSING OF JUSTICE COURT MISDEMEANOR AND CIVIL TRAFFIC CASES WHEN THE SENTENCE OR PENALTY IS DEEMED UNENFORCEABLE

POLICY & PROCEDURE

INTRODUCTION

The justice courts may not purge a case until the criminal sentence or civil traffic penalty is complete and the retention period has expired. The justice courts have many old cases with incomplete sentences, such as uncollected fines, sanctions, surcharges, fees, and other assessments, or no proof of community service or drug or alcohol counseling. These files require physical or electronic storage space. Effort expended attempting to enforce the sentence or penalty in an old case, reduces the limited resources available to enforce current cases, where successful enforcement is more likely.

This policy will allow the justice courts to deem a criminal sentence or civil traffic penalty complete if the defendant is deceased or age 99 years or older, or if both of the following conditions apply: 1) Ten years has past since the date of sentence or disposition and 2) there has been no contact with the defendant in the five years prior to the current date.

Ten years is a reasonable amount of time for the justice courts to attempt to enforce a misdemeanor sentence or civil traffic penalty. Five years with no contact with the defendant is sufficient to indicate that the defendant either no longer resides in this jurisdiction or has not violated the law in the last 5 years and therefore enforcement of the sentence or penalty may not be in the interest of justice and it would be fair to give the defendant a fresh start.

With the agreement of all the Justices of the Peace for Cochise County, and with the approval of the Cochise County Attorney, and in the interest of justice and the efficient administration of the justice courts, the following policy and procedure is established to allow the justice courts to close cases when the sentence or penalty is deemed unenforceable as defined below.

Deceased Defendants

1. If it is determined that a defendant is deceased, the court may waive or suspend all unpaid fines, civil traffic sanctions, fees, surcharges, restitution, and other assessments, dismiss any pending misdemeanor charges, discharge defendant from probation, recall any warrant, and deem that all other requirements imposed on the defendant are complete. The case will be considered complete as of the date of death, which will begin the running of the record retention period.

2. The court may determine that the defendant is deceased based on a record check, death certificate, obituary, or a report from a law enforcement agency, the Motor Vehicle Division or other governmental agency.

3. The court may presume a defendant is deceased if the defendant has reached the age of 99 years and the court has had no contact with defendant, such as telephone or written communication, payments, court appearances, or new cases, in the five years prior to the current date.

Inactive Cases

1. If 10 years have passed since the date of sentencing or penalty imposed and if there has been no contact with defendant, such as telephone or written communication, payments, court appearances, or new cases, in the five years prior to the current date, the court may deem the case complete. "Deem complete" means the court may waive or suspend all unpaid fines, civil traffic sanctions, fees, surcharges, and other assessments, and may consider any nonfinancial sentencing or penalty requirement, such as counseling, classes, or community service, complete.

2. The court may not waive or suspend restitution.

3. The court must ensure that all reasonable enforcement action is taken before it utilizes this policy to deem a case complete.

Order Deeming Case Complete

The court will enter an order substantially similar to the attachment hereto.

Record Retention

When a case is deemed complete pursuant to this policy, it is also deemed complete for purposes of the commencement of the retention period set forth in the Record Retention and Disposition Schedule, Section 4-302, Arizona Code of Judicial Administration.

Dated: NOV 04 2015.

Timothy B. Dickerson
Presiding Justice of the Peace

I concur in the above policy.

Dated: 11/5/15.

Brian McIntyre
Cochise County Attorney

ATTACHMENT

COCHISE COUNTY JUSTICE COURT PRECINCT _____

STATE OF ARIZONA, Plaintiff, vs. _____, Defendant.	CASE NO. _____	Order Deeming Case Complete

It appears from the court's record that the defendant failed to successfully complete the sentence or penalty imposed in this matter.

_____ The court has determined that the defendant is _____ deceased or _____ that the defendant has reached the age of 99 years and the court has had no contact with defendant in the five years prior to the current date.

_____ The sentence or penalty in this matter was imposed over ten years ago and the court has had no contact with defendant in the five years prior to the current date.

Pursuant to Superior Court Admin Order _____, it is ordered that:

1. Any unpaid fine, penalty, surcharge, fee, restitution, or cost is suspended. (Restitution can only be suspended if the defendant is deceased or age 99 years.)

2. Any nonfinancial sentence or penalty is deemed completed.

3. If there is a warrant, it is recalled.

4. This case is deemed complete as of this date.

Dated:

_____
Justice of the Peace

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

FILED

2015 NOV -5 AM 8: 16

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT
BY _____
DEPUTY

ADMINISTRATIVE ORDER NO. 2015-014

IN RE: COINS AS METHOD OF PAYMENT IN COCHISE COUNTY COURTS

WHEREAS, the processing of large quantities of coins is time consuming and unduly disrupts the efficient and modern administration of the courts, it is appropriate to create a policy establishing reasonable limits on the quantities that will be accepted as payment.

The Cochise County courts will not accept unrolled pennies as payment for fines, assessments, restitution, and/or any other miscellaneous fees or payments, in an amount over fifty cents ($.50), and will not accept unrolled coins of any denomination for such purposes in an amount over five dollars ($5).

The Cochise County courts will accept up to $20 in rolled coins of any denomination as payment for fines, assessments, restitution, and/or any other miscellaneous fees or payments, provided that the case name and number is written on each roll. The customer shall be solely responsible for any shortage discovered in rolled coins.

Authorization to override this policy may be given by any court supervisor, administrator, hearing officer or judge.

Good cause appearing and with the concurrence of the Clerk of the Cochise County Superior Court and the Cochise County Justices of the Peace and Magistrates, it is hereby **ORDERED** that this policy is adopted and is applicable to the Superior Court and its component offices and for the justice courts and magistrate courts of Cochise County.

DATED at Bisbee, Arizona, this 5th day of November, 2015.

James L. Conlogue

HONORABLE JAMES L. CONLOGUE
Presiding Judge

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

FILED

2015 SEP 30 PM 1:03

MARY ALLEN DUNLAP
CLERK OF SUPERIOR COURT
BY _____
DEPUTY

ADMINISTRATIVE ORDER NO. 2015-015

IN RE: JUDICIAL LEAVE POLICY
RESCINDING ADMINISTRATIVE ORDER 95-12

There is a long standing policy providing judicial leave for the elected judges in the Superior and Justice Courts of Cochise County articulated in Cochise County Administrative Order 95-12. The policy established 23 vacation days for each elected judge to balance the need to serve the public through the diligent discharge of judicial duties with the need to ensure that leave is available to assure continued health and vigor for optimal judicial performance.

At the time of the original policy, the policy only covered elected Superior and Justice Court Judges since the court did not have any fulltime non-elected judicial officers defined in the Arizona Code of Judicial Administration as Special Judicial Officers, nor were any anticipated. Given the larger and increasingly complex caseloads that have emerged over the past 20 years, one or more fulltime Special Judicial Officers may become necessary.

IT IS THEREFORE ORDERED:

In the event of the appointment full-time of a Special Judicial Officer, the Presiding Judge may designate that the Special Judicial Officer also be covered by the terms of this administrative order.

IT IS FURTHER ORDERED THAT THE FOLLOWING POLICY PROVISIONS REMAIN IN EFFECT:

1. Superior and Justice Court judges sitting in this county are entitled to up to twenty-three (23) judicial business days of vacation leave each calendar year.
2. Vacation leave shall not accumulate for use in subsequent years.
3. Attendance at judicial education courses and seminars and service and attendance on committees and commissions relating to the administration of justice shall not be deemed vacation leave to the extent of the necessary days required to attendance and travel.
4. As there is no provision in law for overtime or compensatory time for judges, these shall not effect vacation leave computations.

DATED at Bisbee, Arizona, this 30th day of September, 2015.

James L. Conlogue

HONORABLE JAMES L. CONLOGUE
Presiding Superior Court Judge

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

FILED
2015 NOV 10 AM 7:43
CLERK OF SUPERIOR COURT
BY _____
DEPUTY

ADMINISTRATIVE ORDER NO. 2015-017

IN RE: PROCEDURE GOVERNING CONFIDENTIAL VICTIM INFORMATION IN COURT CASE FILES

WHEREAS, the State of Arizona frequently designates victims by initials or fictitious names in charging documents for the salutary purpose of protecting victims' privacy, and

WHEREAS, it is necessary for the court to be able to discover the true and complete names of all victims when necessary to ensure that victims' rights are honored and to determine if recusal is required or appropriate, and

WHEREAS, under Rule 123(d)(2)(C), Rules of the Supreme Court, this court has the authority to seal information contained in adult criminal case files,

NOW, THEREFORE, **IT IS HEREBY ORDERED**:

A. In all adult criminal cases filed in the Superior Court in Cochise County in which the State designates any victim by initials or fictitious name, the State shall file, contemporaneously with the charging document, a confidential statement of the true and correct name of any such victim.

B. Each such confidential statement shall be filed with the Clerk of Superior Court in a sealed envelope marked with the name and number of the case and the words substantially as follows: "CONFIDENTIAL VICTIM INFORMATION TO BE OPENED ONLY BY THE COURT OR PURSUANT TO COURT ORDER."

C. Upon receipt of any confidential statement as described in this order, the Clerk of Superior Court shall cause the outside of the envelope to

be date-stamped and shall include the envelope to be included in the relevant case file.

D. Any confidential statement filed in accordance with this order shall be confidential and shall not be open for inspection by the public. The confidential statement shall be open for review by the court or pursuant to court order.

DATED this 10th day of November, 2015.

JAMES L. CONLOGUE

Presiding Judge

FOR COURT USE ONLY!!!

CONFIDENTIAL VICTIM INFORMATION

DEFENDANT'S NAME	
CASE NUMBER	

VICTIMS

***Note:** If victim is deceased or victim is a minor, please make sure to add the victim representative information.*

CO-DEFENDANT'S

DEFENDANT'S NAME	
CASE NUMBER	
DEFENDANT'S NAME	
CASE NUMBER	
DEFENDANT'S NAME	
CASE NUMBER	