

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

FILED

ADMINISTRATIVE ORDER NO. 2015-001

2015 JAN -6 AM 7:49

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT

IN RE: APPOINTMENT OF CHIEF INTERPRETER AND LAW LIBRARIAN DEPUTY

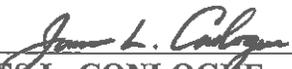
BY

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

ADMINISTRATIVE ORDER NO. 2015-002

2015 JAN -6 PM 3: 22

MARY ELLEN SUMLAP
CLERK OF SUPERIOR COURT
DEPUTY

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

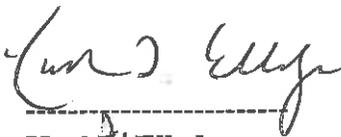
The Board of Supervisors having approved the appointment of Justices of the Peace to serve as juvenile hearing officers at the pleasure of and as authorized by the Presiding Judge of Juvenile Court pursuant to A.R.S. § 8-323, and good cause appearing, it is

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:

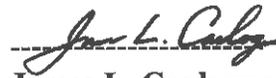
Adam Ambrose, Justice of the Peace, Precinct One
Bruce Staggs, Justice of the Peace, Precinct Three

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

ADMINISTRATIVE ORDER NO. 2015-003

2015 FEB 26 AM 8:10

MARY ELLEN DUNLAP
CLERK OF SUPERIOR COURT

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:

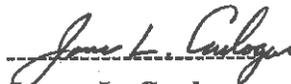
Justice Court, Precinct One	11:00 a.m.
Justice Court, Precinct Two	8:30 a.m.
Justice Court, Precinct Three	8:30 a.m.
Justice Court, Precinct Four	10:30 a.m.
Justice Court, Precinct Five	10:30 a.m. (in person)
	11:30 a.m. (by video)
Justice Court, Precinct Six	11:00 a.m.

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
Presiding Judge

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

FILED

ADMINISTRATIVE ORDER NO. 2015-004

2015 MAR 11 AM 7:50

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

CLERK OF SUPERIOR COURT
DEPUTY

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

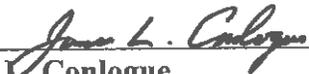
IN RE: REVISIONS TO MERIT RULES 12 and 16

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:

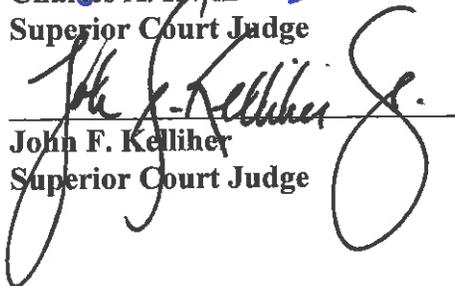
Sections of Rule 12, pertaining to Performance Appraisals are amended and attached hereto. Sections of the Rule 16 pertaining to Causes of Discipline are amended attached hereto.

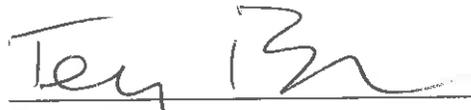
The revisions shall take effect as of March 30, 2015.

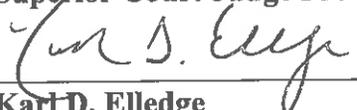
DATED at Bisbee, Arizona, this 9th day of March, 2015.

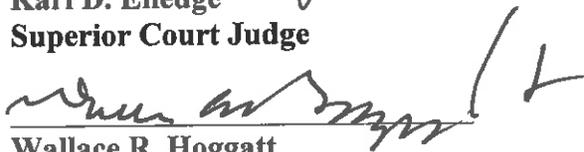

James L. Conlogue
Presiding Judge


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
IN 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 24~~th~~ day of March, 2015.



JAMES L. CONLOGUE
Presiding Judge