IN THE AVONDALE CITY COURT
IN THE COUNTY OF MARICOPA IN AND FOR THE STATE OF ARIZONA

In the Matter of:	)	
	)	
LIMITING COURT OPERATIONS DURING A PUBLIC HEALTH EMERGENCY AND TRANSITION TO RESUMPTION OF CERTAIN OPERATIONS	)	Administrative Order No. 2020 – 005 (Replacing Order 2020-004)

Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona declared a statewide emergency on March 11, 2020. Additionally, the Arizona Supreme Court has issued Administrative Order No. 2020-79 (Replacing Administrative Order No. 2020-75) authorizing limitations of court operations during a public health emergency, and providing direction on transition to resumption of certain operations that prioritizes the safety of the public, judges, and employees of the judiciary.

On March 30, 2020, in order to further reduce the continuing spread of COVID-19, the Governor issued Executive Order 2020-18 urging Arizona residents to stay-at-home other than for essential activities. While the Executive Order has expired, the Avondale City Court believes that to protect the health and safety of the public and of its employees, certain limitations and changes to court practices and operations are still necessary during this transition period to conducting some in-person court proceedings and court activities.

Therefore, to continue mitigating in-person proceedings while conducting some in-person court proceedings in the Avondale City Court, to the greatest extent possible consistent with core constitutional rights and until further order of the Arizona Supreme Court, pursuant to Administrative Order No. 2020-79,

IT IS ORDERED that Administrative Order 2020-004 is replaced by this order.

IT IS FURTHER ORDERED that starting JUNE 1, 2020, some in-person proceedings will resume in the Avondale City Court. The Court will continue to hold telephonic hearings, can hold video hearings, and remain available to process all case types and non-appearance proceedings.

IT IS FURTHER ORDERED that attendance at any in-person proceeding held pursuant to one of the limited exceptions below will be limited to parties, witnesses, victims, law enforcement officers, and lawyers participating in the proceeding. Family members of the parties may be permitted, if spacing permits and if approved by the judge.

IT IS ORDERED as follows:

(a) No more than 15 non-court employees shall be in courtroom #2 at one time. No more than 11 non-court employees shall be in courtroom #1 at one time. These numbers reflect limits on spacing in each courtroom where the CDC social distancing guidelines can be followed by the Court. Social distancing requirements must be complied with during all in-person proceedings.

(b) A member of the Court Management Team shall work with the Avondale Police Department to ensure that civil traffic and criminal arraignment times on citations are spread out through morning and afternoon court sessions.

(c) All participants in court proceedings, including attorneys, parties, victims, witnesses, jurors, court personnel, and other necessary persons, notify the Court prior to appearing at the courthouse, of any COVID-19 diagnosis, symptoms or exposure notification by public health authorities and to make alternative arrangements to participate in the proceeding.

(d) All persons with scheduled appearances are required to notify the Court of any COVID-19 symptoms or suspected exposure and to refrain from entering the courthouse.

(e) All persons entering the Court without a scheduled appearance are required to notify the Court of any COVID-19 symptoms or suspected exposure and to refrain from entering the courthouse.

(f) The Court accepts and adopts the "Arizona Courts Health Screening Protocols For Judicial And Court Personnel" provided by the Administrative Office of the Courts (AOC). This protocol will be effective on Monday, June 1, 2020, until further notice.

(g) Court staff and judicial officers shall continue to wear their own or the court provided masks, face coverings, or face shields, as they have since May 14, 2020, when having any in-person contact with other personnel or the public. The only exception is that when they are at their workspace, they may remove their mask or face covering if they are not required to interact with the public, and they are more than six feet away from any other person.

(h) The Court accepts and adopts the "Arizona Courts Health Screening Protocols For The Public" provided by the Administrative Office of the Courts (AOC). This protocol will be effective on Monday, June 1, 2020, until further notice.

(i) All visitors to the courthouse shall wear a mask, face covering, or face shield as of May 26, 2020. Any visitor that refuses to cooperate with or who does not pass the screening protocol, or who refuses to wear a mask or face covering shall not be permitted to enter the courthouse. Children under three years of age and those with breathing problems are exempted from this provision.

(j) During in-courtroom proceedings, the judicial officer may authorize the temporary removal of masks or face coverings for purposes of witness

testimony, defendant identification, making an appropriate record, or other reasons deemed necessary by the judicial officer provided that appropriate social distancing or other protective measures are followed.

(k) Proceedings may take place by teleconferencing or by video conferencing, consistent with core constitutional rights. In-person contact should be limited as much as possible by utilizing teleconferencing, video conferencing, fax and email to resolve cases and protect the health and safety of all participants.

(l) All in-custody hearings will proceed as normal.

(m) No jury trials shall take place before July 16, 2020.

(n) All prospective jurors shall be summoned to the Avondale City Hall lobby/Council Chambers. Jury selection will take place in the Council Chambers with utilization of the Sonoran and Mohave conference rooms during individual voir dire. This procedural change is to comply with the CDC social distancing spacing requirements.

(o) For all criminal cases subject to this Order, time is excluded for the purpose of calculating time under Rule 8, *Rules of Criminal Procedure*, between March 18, 2020, and August 1, 2020, subject to further direction of the Arizona Supreme Court.

(p) All Protective Order proceedings will continue with the direction that telephonic or video appearances can be utilized where feasible until further notice.

(q) Marriage ceremonies may take place in the courthouse with no more than 10 persons present with proper social distancing.

(r) All non-essential functions currently scheduled to be conducted in the Court are cancelled until further notice.

(s) Open Court is canceled until further notice. Anyone contacting the Court regarding Open Court shall be directed to contact the Court by email, fax, or in writing to address their matter.

(t) All proceedings occurring within the Court are to be conducted in a manner consistent with the Center for Disease Control social distancing recommendations until further notice. The courtrooms and lobby area have been labeled for social distancing spacing.

IT IS FURTHER ENCOURAGED that all parties continue to work towards the resolution and settlement of the cases subject to this Order. If the parties need a scheduled hearing prior to June 1, 2020, the parties are directed to file a motion with the Court which includes their specific request. The Court will decide whether a hearing will be scheduled (telephonic, video, or in person).

Dated this 26th day of May, 2020.

Craig L. Jennings
Presiding Judge