

IN THE BULLHEAD CITY MUNICIPAL COURT
IN THE COUNTY OF MOHAVE, IN AND FOR THE STATE OF ARIZONA

In the Matter of:)	
)	
ADOPTION AND IMPLEMENTATION)	Administrative Order
OF PRESUMPTIVE STANDARDS FOR)	No. 2022 - 01
REMOTE AND IN-PERSON HEARINGS)	AMENDED
FOR THE BULLHEAD CITY)	
MUNICIPAL COURT)	
)	

In June 2021, the Arizona Supreme Court’s COVID-19 Continuity of Court Operations During a Public Health Emergency Workgroup (Plan B Workgroup) recommended best practices that should be retained or adapted post-pandemic, which included a recommendation that courts continue to use and expand technology to conduct remote court proceedings. In January 2022 the workgroup reconvened and issued a report, *Recommended Remote and In-Person Hearings in Arizona State Courts in the Post-Pandemic World* (“Report”) which includes as Appendix 1 recommendations regarding which hearing types should be held remotely and which should be held in person (“Presumptive Standards”).

On August 3, 2022, the Supreme Court issued Administrative Order No. 2022-88 adopting the Presumptive Standards as set forth in Appendix 1 of the Report and requiring the presiding judge of each municipal court to issue an administrative order adopting standards regarding which hearing types will be held remotely and which hearing types will be held in person. Administrative Order No. 2022-88 allows the presiding judge of the municipal court, after consultation and approval from the presiding judge of the superior court in the county, to adapt the Presumptive Standards as necessary due to limitations in local court resources, bandwidth, technology hardware, software, and staffing or, for good cause, to meet unique needs in their respective cities. It also calls for a draft of the order to be provided to allow for approval by the Chief Justice.

Upon consultation with and approval from the presiding judge of the superior court in Mohave County, pursuant to Supreme Court Administrative Order No. 2022-88, and having been notified that the Chief Justice approves its issuance,

IT IS ORDERED adopting the Chart attached hereto as the presumptive manner for holding hearings set on or after October 1, 2022, in the Bullhead City Municipal Court.

IT IS FURTHER ORDERED adapting the Presumptive Standards adopted by the Supreme Court for the following hearing types and reasons:


- Any and all Bond Forfeiture/Exoneration Hearings, due to the likelihood of the defendant having a warrant for failure to appear, the Bullhead City Municipal Court requires an in-person appearance for the defendant.
- Any and all ID hearings as it may be difficult for the citing officer to correctly identify the party in question should remote appearances be permitted; the Bullhead City Municipal Court requires an in-person appearance for all parties.

IT IS FURTHER ORDERED that all other hearings in the Bullhead City Municipal Court will be held in the presumptive manner upon written request by the involved party/parties and upon approval by the judge assigned to the case. The assigned judge may make a hearing-specific deviation from the presumptive manner in which a hearing may be held if holding the hearing in the presumptive manner is not practical or otherwise not in the interest of justice. The court must provide notice to the involved parties when such a remote hearing is utilized.

IT IS FURTHER ORDERED that for any hearing scheduled to be conducted remotely, the individual charged with an offense may elect to attend the hearing in person.

IT IS FINALLY ORDERED that, notwithstanding the presumptive manner for holding hearings and the adaptations to the presumptive manner outlined in this Order, any hearing type, with the exception of criminal trials, may be conducted remotely upon the request of a party, good cause appearing, and consistent with the requirements of applicable rules.

Dated this 28th day of September 2022.



Peter Psareas
Presiding Judge, City of Bullhead City, Mohave
County

Appendix 1
Recommended Remote and In-Person Hearings in the Post-Pandemic World
by Case Type and Hearing Types

Case Type	Hearing Type	Remote	In-Person
Limited Jurisdiction Proceedings Involving Criminal Misdemeanor Charges; under the Rules of Court Procedure for Civil Traffic, Boating, Marijuana and Parking and Standing Violations (CTBMPSV) and Juvenile Hearing Officer Proceedings			
<i>Criminal Misdemeanor</i>			
	Appearance/Arrestment/Initial	X	
	Pre-trial Motion – Non-witness	X	
	Pre-trial/Motion – Witness		X
	Change of Plea/Sentencing	X	
	Pre-trial Conference	X	
	Order to Show Cause		X
	Case Management Conference/Trial Preparedness Conference	X	
	Settlement Conference	X	
	Jury Trial		X
	Bench Trial		X
	Probation Violation Arrestment	X	
	Probation Violation Hearing		X
	Probation Violation Disposition		X
	Other – Non-witness	X	
	Other – Witness		X
	Bond Forfeiture	X	
<i>CTBMPSV</i>			
	Arrestment	X	
	Trial/Contested Hearing		X
	Photo Enforcement Hearing	X	
	Other (including ID Hearings, Local Ordinance, Parking)	X	
<i>Juvenile Hearing Officer Proceedings</i>		X	

Appendix 1
Recommended Remote and In-Person Hearings in the Post-Pandemic World
by Case Type and Hearing Types

Case Type	Hearing Type	Remote	In-Person
<i>Proceedings Under Arizona Rules of Protective Order Procedure</i>			
	Ex Parte Hearing	X	
	Contested Protective Order [Evidentiary] Hearing		X
	Other	X	
<i>Proceedings Under the Arizona Rules of Procedure for Eviction Actions</i>			
	Initial Appearance	X ²	
	Jury Selection		X
	Jury Trial		X
	Bench Trial	X	
	Writ of Restitution	X	
	Post-Judgment	X	
<i>Proceedings Under the Arizona Rules of Small Claims Procedure</i>			
	Hearing	X	
	Alternative Dispute Resolution	X	
<i>Proceedings Under the Arizona Justice Court Rules of Civil Procedure</i>			
	Pre-trial/Motion – Non-witness	X	
	Pre-trial/Motion – Witness		X
	Mediation Conference	X	
	Settlement Conference	X	
	Jury Selection		X
	Jury Trial		X
	Bench Trial	X	
	Other	X	

² By statute:

Notwithstanding any other law, in a special detainer or forcible detainer proceeding before the court, any party, including an attorney or witness upon written notice to the court, shall be permitted to participate at the initial appearance remotely by using a telephone or video conference connection. If the court continues a contested matter to a later date, at the discretion of the court, the court may require all parties, attorneys and witnesses to participate in person.

Ariz. Rev. Stat. § 22-206.