

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

FILED
msb

IN AND FOR THE COUNTY OF MOHAVE

02 APR 24 PM 2:36

CLERK OF SUPERIOR COURT

IN THE MATTER OF:)
ADOPTION OF A NEW CASE)
ASSIGNMENT SYSTEM FOR MOHAVE)
COUNTY SUPERIOR COURT)

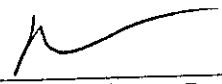
ADMINISTRATIVE ORDER
2002-17

The judges have met and considered the allocation and assignment of all cases filed in the superior court, changes in judicial offices and further decentralization of the court having made it necessary to modify the existing procedures. We have attempted to maintain and further the decentralization concept as much as possible, to make use of existing facilities and make the court accessible to county residents with as little travel as reasonably necessary.

At the same time, to be fiscally responsible in face of difficult financial conditions, we have decided to minimize or eliminate travel by judges and staff to hold hearings in the various facilities. We have also attempted to make best use of the specialized experience and skills of each judicial officer. With these goals in mind,

IT IS ORDERED adopting the procedures outlined in the attached document as the procedure for assignment of cases to the judicial officers of Mohave County Superior Court, effective this date unless stated otherwise in this or other memoranda.

DATED this 24th day of April, 2002.



Presiding Judge

Original filed with the Clerk of Superior Court

CRIMINAL CASES

Criminal cases filed in superior court will continue to be heard on the existing assignment system, with Judges Conn and Weiss each hearing 4 out of 9 and Judge Moon hearing 1 out of 9 new cases.

These assignments will be subject to the procedure whereby any defendant with more than one case pending will have each assigned to the same judge, and cases filed against a given defendant in the future will again be assigned to that same judge.

Criminal appeals from lower court will be assigned to Judge Conn.

Fugitive cases will be assigned to Judge Weiss.

CIVIL CASES

A. GENERAL CIVIL CASES ASSIGNED A CV NUMBER

These cases will be assigned as follows:

1. Cases filed in Lake Havasu City and given a 7000 number will be assigned to Judge Bartlett and heard in Lake Havasu City.
2. Cases filed in Bullhead City and given a 4000 number will be assigned to Judge Wells and heard in Bullhead City.
3. Cases filed in Kingman will be assigned as follows:
 - a) if the case number ends in 2, 6 or 8 the case will be assigned to Judge Bartlett and heard in Lake Havasu City;
 - b) if the case number ends in 4 the case will be assigned to Judge Wells and heard in Bullhead City;
 - c) all other CV cases filed in Kingman will be assigned to Judge Chavez and heard in Kingman.

B. PROBATE/CONSERVATOR/GUARDIANSHIP AND NAME CHANGE CASES

These cases will be decentralized and assigned as follows:

1. Those filed in Lake Havasu City will be given a 7000 number and assigned to Judge Bartlett;
2. Those filed in Bullhead City will be assigned a 4000 number and assigned to Judge Wells;
3. Those filed in Kingman will be assigned to Judge Chavez.

C. ADOPTION CASES

These will be assigned to Judge Chavez.

D. MENTAL HEALTH CASES

These will be assigned to Judge Chavez.

E. CIVIL APPEALS FROM LOWER COURT

These will be assigned to Judge Chavez.

F. SPECIAL ACTION CASES

These will be assigned to Judge Bartlett and heard in Lake Havasu City.

G. SUPPLEMENTAL PROCEEDINGS AND T-FILES

These files will be reassigned to Judge Pro Tempore Roth and heard in Kingman.

DOMESTIC CASES

A. DISSOLUTION/PATERNITY/REGISTRY CASES

1. Cases filed in Lake Havasu City will be given a 7000 number and assigned to Judge Bartlett.

2. Cases filed in Bullhead City will be given a 4000 number and assigned to Judge Wells.

3. Cases filed in Kingman will be assigned to Judge Pro Tem Roth.

B. CHILD SUPPORT (IV-d) CASES

These cases will be assigned to Judge Pro Tem Roth and heard in Kingman.

C. POST-DECREE ENFORCEMENT/MODIFICATION ACTIONS

These will be assigned under the general procedures above. If a petition to modify a custody decree is filed within 3 years of a contested custody trial, the judge who receives the new petition may refer the case to the judge who entered the decree. If that original judge believes it appropriate, he or she may decline to retain the case and return it to the newly assigned judge.

JUVENILE CASES

A. DELINQUENCY (JU) CASES

1. Cases involving non-custody juveniles residing in Lake Havasu City will be given JU-7000 numbers and assigned to Judge Bartlett.
2. Cases involving non-custody juveniles residing in Bullhead City will be given JU-4000 numbers and assigned to Judge Pro Tem Gurtler. Contested trials in these cases will be heard by Judge Moon in Kingman.
3. All other delinquency cases, and those in which the juveniles remain in detention, will be assigned to Judge Moon and heard in Kingman.

B. DEPENDENCY (JD) CASES

1. Cases involving Lake Havasu City children will be given JD-7000 numbers and assigned to Judge Bartlett.
2. Cases involving Bullhead City children will be given JD-4000 numbers and assigned to Judge Pro Tem Gurtler, except that contested trials will be heard by Judge Moon in Kingman.
3. All other dependency cases will be assigned to Judge Pro Tem Roth and heard in Kingman, except that contested trials will be heard by Judge Moon.
4. Severance cases will be assigned and heard under the same procedure as outlined above for dependency cases.

ORDERS OF PROTECTION

Petitions for orders of protection or injunction against harassment that are not filed in existing dissolution cases will be assigned and heard in accordance with the memorandum attached hereto and consistent with the decentralized assignment procedures.

LA PAZ COUNTY CASES

A. CIVIL CASES

Civil cases filed in La Paz county but assigned to a Mohave County judge will be assigned to Judge Bartlett.

B. CRIMINAL CASES

Criminal cases from La Paz County will be assigned to Judge Weiss.

FEE WAIVER/DEFERRALS

Applications for waiver or deferral of fees and costs will be reviewed by special commissioners within the Clerk's staff if the applicant alleges receipt of public welfare benefits.

Applications which must be reviewed by a judge will be processed as follows:

1. Lake Havasu applications will be taken to Judge Bartlett.
2. Bullhead City applications will be taken to Judge Wells.
3. Kingman applications will be taken first to Judge Moon, then to Judge Pro Tem Roth, and then to Judge Chavez if neither of the others is available.

MEMORANDUM

TO: All Superior Court Judges
Clerk Of Superior Court

FROM: Judge Moon *RM*

SUBJECT: Order of Protection/Injunctions Against Harassment

DATE: April 24, 2002

The superior court and the lower courts handle petitions for orders of protection and injunctions against harassment. This is how these petitions should be handled.

A. ORDERS OF PROTECTION

If a petition for order of protection is filed it shall be referred immediately to a superior court judge if:

1. The defendant on an order of protection or injunction against harassment is less than 12 years old.
2. There is currently pending an action for maternity, paternity, annulment, dissolution of marriage or legal separation.

An action is pending if it was filed but final judgment or order has not been entered. If a post decree proceeding has commenced but no final order issued, the action is pending.

3. All other orders of protection or injunctions against harassment should be referred to justice court or municipal court.

B. KINGMAN

1. If a petition under paragraph A.2. above is filed in Kingman, the clerk shall take it along with all other relevant files to Judge Roth. If Judge Roth is not present in Kingman, then the petition shall be taken to a judge in the following order:

- a. Judge Moon
- b. Judge Chavez
- c. Judge Bartlett
- d. Judge Wells
- e. Judge Weiss

The clerk shall only proceed to the next judge on the list only if the assigned judge is not present. If the assigned judge believes he or she can not timely hear the case then the judge or their judicial assistant shall attempt to find a substitute judge.

2. If a petition under A.1. above is filed the clerk shall take the petition along with all relevant files to Judge Roth. If Judge Roth is not present then the petition shall be taken to a judge in the following order:

- a. Judge Moon
- b. Judge Weiss
- c. Judge Chavez
- d. Judge Wells
- e. Judge Bartlett

C. LAKE HAVASU CITY

1. A petition filed under paragraph A.1. and A.2. shall be taken first to Judge Bartlett. If Judge Bartlett is not present then his staff shall fax a copy to Judge Wells.

2. If Judge Wells is not present then petitions under A.1. shall proceed under paragraph B.2. and petitions under A.2. shall proceed under paragraph B.1.

D. BULLHEAD CITY

1. A petition filed under A.1. or A.2. shall be taken first to Judge Wells. If Judge Wells is not present then it shall be faxed to Judge Bartlett.

2. If Judge Bartlett is not present then the petitions under A.1. shall proceed under paragraph B.2. and petitions under A.2. shall proceed under paragraph B.1.

E. NO JUDGE PRESENT

If the listed judges are not present, the clerk shall take the file to Judge Conn. If no superior court judge is present, then the clerk shall contact Justice of the Peace John Taylor to hear the matter.