

FILED 

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MOHAVE 2016 JAN 12 PM 4:48

VIRLYNN TINNELL
SUPERIOR COURT CLERK

IN THE MATER OF:)
)
SELECTION OF SPECIAL JUDICIAL)
OFFICERS IN THE MOHAVE COUNTY)
COURT SYSTEM)

ADMINISTRATIVE ORDER
2016-02

WHEREAS Arizona Supreme Court Administrative Order 2005-32 provides that the Presiding Judge of the Superior Court in each county shall exercise administrative supervision over all the courts in their county; and

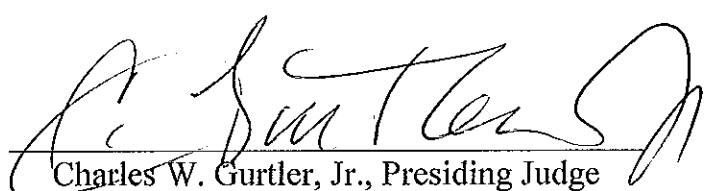
WHEREAS Arizona Supreme Court Administrative Order 2000-80 requires judges responsible for appointing or recommending appointments of special judicial officers to establish written selection procedures for special judicial officers consistent with said code.

IT IS ORDERED that the attached Mohave County Superior Court System Plan for the Recruitment, Selection and Appointment of Special Judicial Officers be adopted for the Mohave County Superior Court.

IT IS FURTHER ORDERED that the attached Mohave County Limited Jurisdiction Court System Plan for the Recruitment, Selection and Appointment of Special Judicial Officers be adopted for the Mohave County Limited Jurisdiction Courts.

IT IS FURTHER ORDERED that this administrative order shall replace any relevant orders previously issued in this regard.

DATED 12th day of January, 2016.


Charles W. Gurtler, Jr., Presiding Judge
Mohave County Superior Court

Original filed with the Clerk of the Superior Court in Mohave County

**MOHAVE COUNTY SUPERIOR COURT SYSTEM PLAN
FOR THE RECRUITMENT, SELECTION AND APPOINTMENT
OF SPECIAL JUDICIAL OFFICERS**

PURPOSE

The following plan for the recruitment, selection and appointment of special judicial officers has been approved by the presiding judge in an effort to: (1) comply with Chapter 3, Section 1-305 of the Arizona Code of Judicial Administration and other related statutes, (2) ensure integrity of the Mohave County Court System, (3) utilize an open and fair process for the appointment of persons to the Mohave County Superior Court bench, and (4) encourage persons with diverse backgrounds and experience to seek Mohave County special judicial officer positions.

This plan is intended to establish formal standards which govern the recruitment, selection, and appointment of all special judicial officers in the Mohave County Superior Court System including judge pro-tempore, court commissioner, and juvenile court hearing officers.

RECRUITMENT

Filling of Judicial Vacancies

This plan shall govern the filling of all judicial vacancies which are not otherwise specified in the Arizona Constitution, Arizona Revised Statutes, and/or the Arizona Rules of Court. All judicial appointments under this plan shall be made through use of an open and competitive recruitment process.

Public Announcements

The recruitment process for special judicial officers shall be initiated through publication of new positions and position vacancies as needed. The Presiding Judge or designee shall prepare position announcements in this regard and post such notices for a minimum of five (5) calendar days. Public announcements may be posted in prominent places including newspapers and internet sites. Public announcements relating to the appointment of special judicial officers shall be adequately circulated to ensure a broad distribution to all interested persons.

Contents of Announcements

Position announcements shall include information regarding the qualifications for the position, an equal opportunity statement and the hiring authority. The Presiding Judge or designee may include any additional information in the announcement as deemed appropriate.

Application Forms

All applications for special judicial officer positions shall be on forms prepared and approved by the Presiding Judge. Application packets shall be obtained from the Superior Court Human Resource Office and shall include a position announcement, an Application Form, an Authorization to Conduct a Background Check Form, the Arizona Code of Judicial Conduct, and any other information specified by

the Presiding Judge. The application and authorization to conduct a fingerprint and background check shall be signed and dated by the applicant pursuant to this Plan.

Filing Applications

Applications shall be filed in the Superior Court Human Resource Office by the position closing date or as otherwise designated in the position announcement. Applications must be received by Superior Court Human Resources by close of business no later than the position closing date to be considered. Applicants may submit documents, resumes, and other supplemental information with their application form to assist in verifying and accurately evaluating the applicant's qualifications for a position. Applicants shall provide all information and/or material at their own expense.

The issuance to or acceptance of any application form shall not be construed as incurring an obligation to the applicant by the Court, or Mohave County, nor constitute the assurance of an applicant of meeting minimum qualifications for a position or being granted an interview in this regard.

Receipt of Applications

The Superior Court Human Resource Office or designee shall be responsible for receiving and opening applications, ensuring that applications are received in compliance with established application procedures and retained in accordance with established records retention policies. Upon the position closing date, the Superior Court Human Resource Office or designee shall forward applications received including any supplemental paperwork submitted by applicant to the Committee on Special Judicial Officer Appointments for review and evaluation.

Appointment and Composition of the Committee on Special Judicial Officer Appointments

The Presiding Judge shall by administrative order appoint an advisory committee of five (5) to seven (7) persons to screen applicants for special judicial officer appointments. The committee shall be composed of at least one Mohave County Superior Court Judge, at least one member of the Mohave County Bar, and at least two (2) members of the public. Committee members shall be appointed for a term as outlined in the administrative order appointing committee members. The committee shall meet as needed, or as otherwise directed by the Presiding Judge, to review and evaluate screening criteria, consider new applications, evaluate possible appointees, and make recommendations for special judicial officer appointments.

Appointment and Role of Committee Chairperson

The Presiding Judge shall appoint a Superior Court Judge to serve as committee chairperson. The committee chairperson shall oversee and coordinate committee activities including scheduling meetings, reviewing and evaluating applications, scoring applications, interviewing applicants, and preparing committee recommendations. The chairperson shall serve as liaison between the Presiding Judge and the committee on committee activities.

EXAMINATION AND INTERVIEWS

Content and Nature of Examinations and Interviews

Examinations and interviews conducted by the committee during the screening process shall be intended to determine whether potential applicants are suited for the posted position. In addition to examinations and interviews, the committee may develop other techniques or mechanisms to evaluate potential applicants. All examinations, interviews, evaluations, ratings, and other screening mechanisms shall be instituted fairly and impartially to ensure integrity of the appointment process.

Evaluation Criteria

The Superior Court Administrator will assist the committee in establishing guidelines for screening and ranking applicants for special judicial officer positions to ensure a fair process. Applicants shall be examined to determine if they possess the minimum qualifications and skills needed to perform the duties and responsibilities of the posted position. The selection of an applicant as a potential candidate or admittance to the examination or interview shall not constitute assurance of a passing rating during any aspect of the examination process.

Conduct of Examination and Interviews

The committee may conduct examinations and interviews in any location in Mohave County as approved by the Presiding Judge. Any committee member who is related to a candidate being interviewed or has any conflict of interest with a candidate, shall be recused from the proceedings and not participate in the screening, examination, interview, or recommendation process. Committee members shall make the chairperson aware of any conflicts which impact their ability to be fair and impartial.

Security of Records and Communications

Upon completion of the examination process, the committee members shall ensure they forward all original and/or copies of applications and other records to the Superior Court Human Resource Manager who shall maintain the official personnel records of all judicial officer applicants and appointees of the Superior Court. These records shall be maintained pursuant to existing Arizona law and as otherwise directed by the Presiding Judge. The Superior Court Human Resource Manager shall ensure that all copies of applications are destroyed immediately upon submission of the original documents to the Presiding Judge.

COMMITTEE RECOMMENDATIONS

Upon completion of the examination or interview process and a majority vote of the committee, the chairperson shall forward to the Presiding Judge the names of the qualified applicants, rated in order of preference, to be considered for special judicial officer positions.

The Superior Court Administrator shall promptly inform the public of the names of the nominees submitted by the committee to the Presiding Judge. The authority to appoint special judicial officers shall rest exclusively with the Presiding Judge.

Disqualification of Applicants

The committee may refuse to examine or interview applicants, or after examination or interview, may disqualify such applicants from being considered for the position if it is determined that applicants: (1) do not meet the minimum qualifications established for the position; (2) have made any false statement of fact on the application form or in any supporting documentation; (3) have used or attempted to use political pressure, threats, or bribery to secure appointment to a position; (4) have not complied with all application policies and procedures; (5) are under indictment for or have been convicted of a crime which would affect an applicant's suitability for employment; (6) have a record of unsatisfactory performance during previous employment; (7) have previously exhibited behavior which does not comply with the Arizona Code of Judicial Conduct; (8) have attempted to make personal contact with any member of the Mohave County Committee on Special Judicial Officer Appointments or Presiding Judge with regard to a pending appointment process; or (9) do not meet other requirements as specified by the Presiding Judge, the committee, or this plan.

APPOINTMENT PROCEDURES

Final Interviews and Reference Checks

Upon receipt of the names of the most qualified applicants, the Presiding Judge shall review the names and applications of those persons recommended by the committee. The Presiding Judge may confer with the chairperson if necessary regarding any applicant, the screening process, and/or the committee's recommendation in this regard. The Presiding Judge may conduct final interviews; direct that a reference check and criminal background check be completed; investigate a candidate's education, experience, and/or other information in the application or supplemental information; to determine the suitability of any applicant recommended by the committee. The Presiding Judge may also seek public comment on recommended candidates for special judicial officer positions.

Non-Appointments

The Presiding Judge retains the right to reject any or all recommendations of the committee. If all recommended candidates are rejected, the position may be re-advertised in accordance with the plan.

Final Appointment

The Presiding Judge shall appoint persons to special judicial officer positions based upon demonstrated ability and required levels of education, knowledge, skills, training and experience. Upon selection of a person for any special judicial officer position, the Presiding Judge or designee shall prepare an administrative order making such an appointment. Upon signing the order, the Presiding Judge or designee shall, if necessary, forward a copy of the order to the Mohave County Board of Supervisors for conformation pursuant to statutory requirements.

Upon order of the Presiding Judge and if necessary, confirmation of the Mohave County Board of Supervisors, the Superior Court Administrator shall file the original order with the Clerk of the Superior Court.

Upon request of the Presiding Judge the Chief Justice of the Arizona Supreme Court may appoint judges pro tempore to the Mohave County Superior Court.

POST-APPOINTMENT PROCEDURES

Orientation and Training Requirements

Persons selected as a special judicial officer shall attend the Arizona Supreme Court judicial orientation and training program within one (1) year of assuming work on the Mohave County bench. The Presiding Judge may require special judicial officers to repeat such programs and/or participate in other programs as necessary to ensure and maintain a high level of service on the Mohave County bench. All special judicial officers shall comply with the Arizona Supreme Court Committee on Judicial Education and Training (COJET) requirements.

Grievances Against Special Judicial Officers

In accordance with the Arizona Code of Judicial Conduct, the Arizona Commission on Judicial Conduct has exclusive jurisdiction to investigate and act on complaints or grievances against any person who serves a judicial function within the Mohave County judicial branch. The determination of which category of judicial service and, accordingly, which specific rules of the Arizona Code of Judicial Conduct apply to an individual judicial officer, depends upon the nature of the particular judicial service as defined in the Arizona Code of Judicial Conduct.

COMPENSATION

Special judicial officers shall be compensated based upon requirements in the Arizona Revised Statutes, Mohave County policy, or as set by the Presiding Judge.

EVALUATION

Special judicial officers shall be periodically reviewed prior to their reappointment. The periodic review may include information obtained from both professional and public participants in the legal process. Any complaints received concerning a special judicial officer shall be considered prior to reappointment.

WAIVER OF THE PLAN

The Presiding Judge may waive any provisions of this plan if it is determined that a judicial branch emergency exists or the ends of justice require such waiver. The Presiding Judge shall ensure that all special judicial appointments are made based upon merit and statutory requirements if waiver of any provision in this plan is necessary.

NON APPLICABILITY

This plan does not apply to the appointment of a retired judge called to serve on a temporary basis or for a specific assignment as a special master or judge pro-tempore; or to a retired Superior Court judge who may be called to service by the Presiding Judge.

**MOHAVE COUNTY LIMITED JURISDICTION COURT SYSTEM PLAN
FOR THE RECRUITMENT, SELECTION AND APPOINTMENT
OF SPECIAL JUDICIAL OFFICERS**

PURPOSE

The following plan for the recruitment, selection and appointment of special judicial officers has been approved by the presiding judge in an effort to: (1) comply with Chapter 3, Section 1-305 of the Arizona Code of Judicial Administration and other related statutes, (2) ensure integrity of the Mohave County Court System, (3) utilize an open and fair process for the appointment of persons to the Mohave County bench, and (4) encourage persons with diverse backgrounds and experience to seek Mohave County special judicial officer positions.

This plan is intended to establish formal standards which govern the recruitment, selection, and appointment of all special judicial officers in the Mohave County Limited Jurisdiction Court System including limited jurisdiction justices of the peace pro tempore.

RECRUITMENT

Filling of Judicial Vacancies

This plan shall govern the filling of all judicial vacancies which are not otherwise specified in the Arizona Constitution, Arizona Revised Statutes, and/or the Arizona Rules of Court. All judicial appointments under this plan shall be made through use of an open and competitive recruitment process.

Public Announcements

The recruitment process for special judicial officers shall be initiated through publication of new positions and position vacancies as needed. The Limited Jurisdiction Presiding Judge or designee shall prepare position announcements in this regard and post such notices for a minimum of ten (10) calendar days. Public announcements may be posted in prominent places including newspapers and internet sites. Public announcements relating to the appointment of special judicial officers shall be adequately circulated to ensure a broad distribution to all interested persons.

Contents of Announcements

Position announcements shall include information regarding the qualifications for the position, an equal opportunity statement and the hiring authority. The Limited Jurisdiction Presiding Judge or designee may include any additional information in the announcement as deemed appropriate.

Application Forms

All applications for special judicial officer positions shall be on forms prepared and approved by the Presiding Judge. Application packets shall be obtained from the Mohave County Human Resource Office and shall include a position announcement, an Application Form, an Authorization to Conduct a Background Check Form, the Arizona Code of Judicial Conduct, any other information specified by the

Presiding Judge. The application and authorization to conduct a fingerprint and background check shall be signed and dated by the applicant pursuant to this Plan.

Filing Applications

Applications shall be filed in the Mohave County Human Resource Office by the position closing date or as otherwise designated in the position announcement. Applications must be received by Mohave County Human Resources by close of business no later than the position closing date to be considered. Applicants may submit documents, resumes, and other supplemental information with their application form to assist in verifying and accurately evaluating the applicant's qualifications for a position. Applicants shall provide all information and/or material at their own expense.

The issuance to or acceptance of any application form shall not be construed as incurring an obligation to the applicant by the Court, Mohave County or constitute the assurance of an applicant of meeting minimum qualifications for a position or being granted an interview in this regard.

Receipt of Applications

The Mohave County Human Resource Office or designee shall be responsible for receiving and opening applications, ensuring that applications are received in compliance with established application procedures and retained in accordance with established records retention policies. Upon the position closing date, the Mohave County Human Resource Office or designee shall forward applications received including any supplemental paperwork submitted by applicant to the Committee on Special Judicial Officer Appointments for review and evaluation.

Appointment and Composition of the Committee on Special Judicial Officer Appointments

The Presiding Judge shall by administrative order appoint an advisory committee of five (5) to seven (7) persons to screen applicants for special judicial officer appointments. The committee shall be composed of at least one Mohave County Limited Jurisdiction Court Judge, at least one member of the Mohave County Bar, and at least two (2) members of the public. The committee shall meet as needed or as otherwise directed by the Presiding Judge to review and evaluate screening criteria, consider new applications, evaluate possible appointees, and make recommendations for special judicial officer appointments.

Appointment and Role of Committee Chairperson

The Presiding Judge shall appoint a Limited Jurisdiction Court Judge to serve as committee chairperson. The committee chairperson shall oversee and coordinate committee activities including scheduling meetings, reviewing and evaluating applications, scoring applications, interviewing applicants, and preparing committee recommendations. The chairperson shall serve as liaison between the Presiding Judge and the committee on committee activities.

EXAMINATION AND INTERVIEWS

Content and Nature of Examinations and Interviews

Examinations and interviews conducted by the committee during the screening process shall be intended to determine whether potential applicants are suited for the posted position. In addition to examinations and interviews, the committee may develop other techniques or mechanisms to evaluate potential applicants. All examinations, interviews, evaluations, ratings, and other screening mechanisms shall be instituted fairly and impartially to ensure integrity of the appointment process.

Evaluation Criteria

The Limited Court Administrator will provide the committee guidelines for screening and ranking applicants for special judicial officer positions to ensure a fair process. Applicants shall be examined to determine if they possess the minimum qualifications and skills needed to perform the duties and responsibilities of the posted position. The selection of an applicant as a potential candidate or admittance to the examination or interview shall not constitute assurance of a passing rating during any aspect of the examination process.

Conduct of Examination and Interviews

The committee may conduct examinations and interviews in any location in Mohave County as approved by the Presiding Judge. Any committee member who is related to a candidate being interviewed or has any conflict of interest with a candidate, shall be recused from the proceedings and not participate in the screening, examination, interview, or recommendation process. Committee members shall make the chairperson aware of any conflicts which impact their ability to be fair and impartial.

Security of Records and Communications

Upon completion of the examination process, the committee members shall ensure they forward all original and/or copies of applications and other records to the Mohave County Human Resource Office who shall maintain the official personnel records of all judicial officer applicants and appointees of the Limited Jurisdiction Court.

COMMITTEE RECOMMENDATIONS

Upon completion of the examination or interview process and a majority vote of the committee, the chairperson shall forward to the Presiding Judge the names of the qualified applicants, rated in order of preference, to be considered for special judicial officer positions.

The Limited Jurisdiction Court Administrator may inform the public of the names of the nominees submitted by the committee to the Presiding Judge. The authority to appoint special judicial officers shall rest exclusively with the Presiding Judge.

Disqualification of Applicants

The committee may refuse to examine or interview applicants, or after examination or interview, may disqualify such applicants from being considered for the position if it is determined that applicants: (1) do not meet the minimum qualifications established for the position; (2) have made any false statement of fact on the application form or in any supporting documentation; (3) have used or attempted to use political pressure, threats, or bribery to secure appointment to a position; (4) have not complied with all application policies and procedures; (5) are under indictment for or have been convicted of a crime which would affect an applicant's suitability for employment; (6) have a record of unsatisfactory performance during previous employment; (7) have previously exhibited behavior which does not comply with the Arizona Code of Judicial Conduct; (8) have attempted to make personal contact with any member of the Mohave County Committee on Special Judicial Officer Appointments or Presiding Judge with regard to a pending appointment process; or (9) do not meet other requirements as specified by the Presiding Judge, the committee, or this plan.

APPOINTMENT PROCEDURES

Final Interviews and Reference Checks

Upon receipt of the names of the most qualified applicants, the Presiding Judge shall review the names and applications of those persons recommended by the committee. The Presiding Judge may confer with the chairperson if necessary regarding any applicant, the screening process, and/or the committee's recommendation in this regard. The Presiding Judge may conduct final interviews; direct that a reference check and criminal background check be completed; investigate a candidate's education, experience, and/or other information in the application or supplemental information; to determine the suitability of any applicant recommended by the committee. The Presiding Judge may also seek public comment on recommended candidates for special judicial officer positions.

Non-Appointments

The Presiding Judge retains the right to reject any or all recommendations of the committee. If all recommended candidates are rejected, the position may be re-advertised in accordance with the plan.

Final Appointment

The Presiding Judge shall appoint persons to special judicial officer positions based upon demonstrated ability and required levels of education, knowledge, skills, training and experience. Upon selection of a person for any special judicial officer position, the Presiding Judge or designee shall prepare an administrative order making such an appointment. Upon signing the order, the Presiding Judge or designee shall, if necessary, forward a copy of the order to the Mohave County Board of Supervisors for conformation pursuant to statutory requirements.

Upon order of the Presiding Judge and if necessary, confirmation of the Mohave County Board of Supervisors, the Superior Court Administrator shall file the original order with the Clerk of the Superior Court.

POST-APPOINTMENT PROCEDURES

Orientation and Training Requirements

Persons selected as a special judicial officer shall attend the Arizona Supreme Court Limited Jurisdiction New Judges orientation and training program within one (1) year of assuming work on the Mohave County bench. The Presiding Judge and/or Presiding Limited Jurisdiction Court Judge may require special judicial officers to repeat such programs and/or participate in other programs as necessary to ensure and maintain a high level of service on the Mohave County bench. All special judicial officers shall comply with the Arizona Supreme Court Committee on Judicial Education and Training (COJET) requirements.

Grievances Against Special Judicial Officers

In accordance with the Arizona Code of Judicial Conduct, the Arizona Commission on Judicial Conduct has exclusive jurisdiction to investigate and act on complaints or grievances against any person who serves a judicial function within the Mohave County judicial branch. The determination of which category of judicial service and, accordingly, which specific rules of the Arizona Code of Judicial Conduct apply to an individual judicial officer, depends upon the nature of the particular judicial service as defined in the Arizona Code of Judicial Conduct.

COMPENSATION

Special judicial officers shall be compensated based upon requirements in the Arizona Revised Statutes.

EVALUATION

Special judicial officers shall be periodically reviewed prior to their reappointment. The periodic review may include information obtained from both professional and public participants in the legal process. Any complaints received concerning a special judicial officer shall be considered prior to reappointment.

WAIVER OF THE PLAN

The Presiding Judge may waive any provisions of this plan if it is determined that a judicial branch emergency exists or the ends of justice require such waiver. The Presiding Judge shall ensure that all special judicial appointments are made based upon merit and statutory requirements if waiver of any provision in this plan is necessary.

NON APPLICABILITY

This plan does not apply to the appointment of a retired judge called to serve on a temporary basis or for a specific assignment as a special master or judge pro-tempore who may be called to service by the Presiding Judge. In addition, this plan does not apply to the appointment of a retired limited jurisdiction court judge who is appointed by the Presiding Judge to serve as a limited jurisdiction court judge pro-tempore for the remaining duration of their elected or appointed term. After the expiration

of his/her term, a retired limited jurisdiction court judge shall be required to apply for open pro-tempore appointments in accordance with this plan.