

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MOHAVE 2019 JAN -8 PM 4: 35

VERDICT No.
SUPERIOR COURT

<p>IN THE MATTER OF:</p> <p>CIVIL CASE PROCESSING PROCEDURE</p>	<p>ADMINISTRATIVE ORDER 2018-04 <i>2019</i></p>
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BACKGROUND – The Arizona Supreme Court has established Case Processing Time Standards for various types of cases including civil cases. Analysis of the processing of civil cases has demonstrated that the Mohave County Superior Court has met or exceeded some of the standards, or is just shy of the standards. The recent amendments to the Rules of Civil Procedure providing for tiered discovery is in accord with the scope and purpose of the Rules of Civil Procedure to secure the just, speedy and inexpensive determination of civil proceedings, and is in accord with the rationale of the Arizona Supreme Court in establishing the case processing time standards. In most cases, a quicker disposition equates to a better result and greater justice for the parties.

The civil time standards make provision for resolution of cases within set periods of time. The time standards provisions acknowledge that specific cases require longer time frames to achieve a just result. Although committed to the time standards, the Court will not sacrifice justice in a given case solely for the purpose of expediency.

In order to achieve the case processing goals, a coordinated effort of the Court, judicial officers, judicial assistants, administrative staff and court clerks, as well as counsel and litigants is necessary. In order to help expedite the successful achievement of the time standards, the following Orders are issued.

IT IS ORDERED directing the Clerk’s Office to immediately notify either in written or electronic format the party filing the initial Complaint or Petition or the party’s counsel, that service of the Summons and Complaint must be made upon all Defendants or adverse parties within ninety (90) days after the Complaint or Petition is filed or the case shall be dismissed without prejudice as to parties not timely served in accordance with Rule 4(i), A.R.C.P.

IT IS FURTHER ORDERED that the Clerk shall timely appoint an Arbitrator if the Plaintiff certifies the matter is Arbitration eligible. Court Administration/IT shall notify the Court that a matter subject to Arbitration has been pending for one hundred forty-five (145) days in accord with Rule 76(e), A.R.C.P. The Court shall place any matter that does not have an Arbitration Award on file within the one hundred forty-five

(145) day timeframe on the Dismissal Calendar for sixty (60) days. Court Administration/IT shall further establish a procedure or protocol to timely notice Arbitration matters for dismissal in accord with Rule 76(d), A.R.C.P.

IT IS FURTHER ORDERED directing Court Administration/Court IT to notify the assigned civil Judge that a matter has been pending for ninety (90) days. Court Administration shall notify each civil division of the Court that a civil matter has been pending for 90 days so that the Judicial Officer may either dismiss the case if appropriate or tickle the matter to discern if a Joint Report is subsequently filed and Scheduling Order proffered.

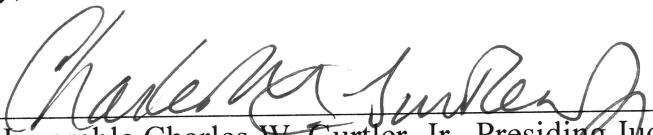
IT IS FURTHER ORDERED that each Judicial Officer shall actively manage civil case matters assigned thereto beginning with the filing of the Complaint. Each Judge assigned to a civil docket shall create a written case management process for that Judicial Officer's cases. Within thirty (30) days of the issuance of this Administrative Order, the Judicial Officer's written case management process shall be posted on the Court's website. Each Judicial Officer shall notify the Presiding Judge of the completion and posting of their written case management process.

IT IS FURTHER ORDERED to the extent an individual is appearing in propria persona filing paper documents, and not electronically, the Clerk of the Court shall scan the filed documents to establish an electronic file. Court Administration/IT shall notify the assigned Judicial Officer's Judicial Assistant upon the filing of the Complaint, Answer, and any Motion, briefing thereon, Notice of Settlement or Notice of Dismissal. The Court's Judicial Assistant shall further be responsible for maintaining a calendar or tickling system to timely bring Motions that are ripe for consideration and ruling to the Judge's attention.

IT IS FURTHER ORDERED that all Judicial Officers when presented with an assigned case list from Court Administration shall review all cases over 180 days old that do not have a pending hearing.

IT IS FURTHER ORDERED directing Court Administration to provide assigned case lists to the Judicial Officers at a minimum on a quarterly basis.

DATED this 8th day of January, 2019.


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

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