

IN THE PRESCOTT VALLEY MAGISTRATE COURT
IN THE COUNTY OF YAVAPAI, IN AND FOR THE STATE OF ARIZONA

In the Matter of:)	
)	
)	Administrative Order
COVID-19 MITIGATION MEASURES)	
)	No. 2020 - 001
)	
)	
)	

PREFATORY: Due to concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona has declared a statewide emergency pursuant to A.R.S. section 26-303 and in accordance with A.R.S. section 26- 301 (15). Furthermore, the Mayor of the Town of Prescott Valley has declared that a local emergency exists in the Town of Prescott Valley due to the COVID-19 pandemic which endangers life or property within the Town. See Mayor Proclamation – 2 dated 3/19/20. Cooperation by the Judicial Branch is essential to reducing the risk associated with this public health emergency. The Arizona Supreme Court has issued Administrative Order 2020-48 which may be amended from time to time. The goal of this court is to assist in the elimination of the incidence of social contact or in the alternative to minimize social contact as allowed by law. The safety and health of all citizens, justice partners, court staff and judges shall be the primary consideration in the interpretation of this Administrative Order (AO). Furthermore, the Presiding Judge of the Yavapai County Superior Court has indicated each municipal court may adopt a local Administrative Order; therefore,

IT IS ORDERED, effective upon the signing of this AO, until otherwise rescinded, the following procedures will be in place for the Prescott Valley Magistrate Court.

1. Any individuals who have a fever, cough, shortness of breath or other symptoms of illness will not be allowed to enter court areas. The person(s) will be directed to call their lawyer or the court for further information. This applies to court staff and will be enforced by the court supervisor or judge.
2. All parties and counsel, if any, to cases are authorized to appear telephonically for any hearing unless the judge issues an order for in-person appearance, or an in-person appearance is constitutionally or statutorily required.
3. For hearing in which an in-person appearance is required, the court will arrange the scheduled hearings in such a way that provides for ten or fewer participants in the courtroom at one time, whenever possible. In all such in-person appearance cases, the court will provide for social distancing as recommended by the CDC.
4. The court is authorized, after consideration of existing space, social distancing and the principal of an open courtroom to order non-participants to leave the courtroom to provide safety of the participants at the hearing. The court is authorized to limit all in-person proceedings to attorneys, parties, victims, witnesses, jurors, court personnel, and other necessary persons, in order to provide for the safety of the participants and court staff. If the person(s) who is asked to leave the courtroom is not exhibiting any symptoms of illness, the person will be given the option of finding a space near the courtroom that allows for social distancing. If the person is ill

or does not maintain social distancing, court staff is authorized to direct the person(s) to leave the building.

5. If telephonic appearances are not permitted for a specific type of hearing, the court will liberally grant continuances so long as victim rights and any applicable laws are followed.
6. If a defendant is in custody, video conferencing will be utilized as available unless the court orders an in-person appearance.
7. The court waives the requirement of notarized signatures for the written waiver and affidavit provided in Rule 14.3(b), Arizona Rules of Criminal Procedure.
8. Customers wishing to make payments may do so as follows:
 - a. By phone at 928-772-8277, Monday through Friday from 8:00 am to 4:30 pm.
 - b. Mail a check or money order to the court through the U.S. mail to the court address.
 - c. On-line at www.azcourtpay.com, 24 hours per day (there may or may not be a \$5.00 charge for each payment).
 - d. In-person at any PayNearMe kiosk, the locations of which can be located at <https://home.paynearme.com/merchant-locations/>
9. Court filings will be accepted by mail, email (prescottvalleymagistrate@court.az.gov), special delivery and inter office delivery.
10. Defendants, counsel, and the court may communicate by mail, telephone, email, and any other methods that may help limit in-person contact.
11. In extraordinary circumstances and with appropriate precautions, the court may conduct in-person hearings with more than 10 people but in no event more than 25 persons in domestic violence protective proceedings.

IT IS FURTHER ORDERED as follows:

1. The judge may conduct proceedings using appearances of the parties by audio, video, or other means that allow all parties to fully participate.
2. Clerks may provide 30-day continuances on criminal arraignments, pre-trials, non-jury trials, and order to show cause hearings after determining if the prosecutor has any objection.
3. The judge may provide defendant(s) up to 60 days from conviction date to report for self-surrender for any jail commitments to minimize the risk of infection to defendants and all persons in the jail facility.
4. Clerks may provide an eight (8) week continuance on civil/civil traffic arraignments, hearings, and driving school extensions.
5. Clerks or the judge may conduct payment plan negotiations by phone, correspondence or email.

IT IS FURTHER ORDERED that time may be excluded for speedy trial purposes in accordance with the Arizona Supreme Court AO 2020-48.

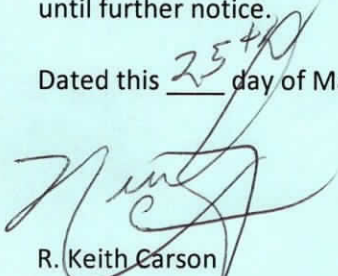
IT IS FURTHER ORDERED that electronic and digital signatures are approved as alternative signing options.

IT IS FURTHER ORDERED that in consideration of the court being located within the Town municipal building that has been closed to in-person access, the court is limiting in-person access to the court until further notice. The courtroom is closed; except for all order of protection and injunction against harassment proceedings. Telephonic appearances may take place where feasible.

IT IS FURTHER ORDERED cancelling all non-essential court functions until further notice.

IT IS FURTHER ORDERED that any local rules or orders contradicting the above are suspended until further notice.

Dated this 25th day of March, 2020.

A handwritten signature in black ink, appearing to read "R. Keith Carson", written over the date line.

R. Keith Carson
Prescott Valley Magistrate