

FILED
KRISTI YOUTSEY RUIZ
CLERK OF SUPERIOR COURT

2010 JUL 30 PM 3:05

BY _____
DEPUTY 

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF PINAL**

IN THE MATTER OF)
ASSIGNMENTS AND)
DUTIES OF THE SUPERIOR)
COURT COMMISSIONERS/)
JUDGES PRO TEM (JPT),)
_____)

ADMINISTRATIVE ORDER
No. 2010- 77

WHEREAS the Presiding Judge of the Superior Court of Arizona in and for Pinal County is the chief judicial officer of the county and has administrative authority over all courts in Pinal County, pursuant to Article VI of the Arizona Constitution and Arizona Supreme Court Administrative Order No. 2005-32 (revised May 16, 2005); and

WHEREAS the Superior Court is modifying certain caseload management practices in an ongoing effort to enhance the efficiency of the Judicial Branch of Government in Pinal County, and the resource demands placed on the Superior Court have changed since prior Administrative Orders that allocated caseloads, specifically the Civil case flow has grown disproportionately to other case-types, which require modification of the current allocation of resources.

NOW, THEREFORE, it is Ordered affirming all current duties and assignments of all full-time and part-time judicial officers of the Superior Court, except where modified by this Administrative Order, effective immediately.

CIVIL:

IT IS ORDERED that Judge Pro Tem Bradley M. Soos is reassigned to the Civil Bench and shall be directly supervised by the Presiding Civil Judge, except that the Presiding Judge shall continue to assign temporary court-calendar coverage duties, as required. Judge Soos shall coordinate with the Presiding Criminal Judge in transitioning from the Criminal Bench.

IT IS FURTHER ORDERED that all new Civil files (identified by the prefix CV), regardless of the specific case type, filed on or after **August 1, 2010**, shall be assigned to the Hon. William J. O’Neil (WJO), Hon. Gilberto V. Figueroa (GVF), Hon. Robert Carter Olson (RCO), and Hon. Bradley M. Soos (BMS) as determined by the two terminal digits of each new Civil file, as follows (which allocates 28% of the new cases to each Superior Court Judge and 16% to the Judge Pro Tem):

00	RCO	10	WJO	20	GVF	30	RCO	40	WJO	50	GVF	60	RCO	70	WJO	80	GVF	90	RCO
01	WJO	11	BMS	21	RCO	31	WJO	41	GVF	51	RCO	61	BMS	71	GVF	81	RCO	91	WJO
02	GVF	12	RCO	22	WJO	32	GVF	42	RCO	52	WJO	62	GVF	72	RCO	82	WJO	92	GVF
03	RCO	13	WJO	23	GVF	33	RCO	43	BMS	53	GVF	63	RCO	73	WJO	83	GVF	93	BMS
04	BMS	14	GVF	24	BMS	34	WJO	44	GVF	54	BMS	64	WJO	74	BMS	84	RCO	94	WJO
05	GVF	15	RCO	25	WJO	35	GVF	45	RCO	55	WJO	65	GVF	75	RCO	85	WJO	95	GVF
06	RCO	16	WJO	26	GVF	36	BMS	46	WJO	56	GVF	66	RCO	76	WJO	86	BMS	96	RCO
07	WJO	17	GVF	27	RCO	37	WJO	47	GVF	57	RCO	67	WJO	77	GVF	87	RCO	97	WJO
08	GVF	18	BMS	28	WJO	38	GVF	48	RCO	58	WJO	68	BMS	78	RCO	88	WJO	98	GVF
09	RCO	19	WJO	29	BMS	39	RCO	49	BMS	59	GVF	69	RCO	79	BMS	89	GVF	99	BMS

IT IS FURTHER ORDERED the Clerk of the Court shall set all initial hearings for forcible entry and detainer, change of name, and civil forfeiture before Judge Soos, **notwithstanding that such cases are permanently assigned to another judge**. The prior order to set these matters for initial hearings before Commissioner/Pro Tem Craig Raymond is vacated.

Judge Soos shall hear the forcible entry and detainers at 1:30 p.m. and other civil matters at 9:00 a.m., every Friday, on behalf of the assigned Superior Court Judge. Judge Soos shall have authority and responsibility to hear and fully adjudicate such matters, unless the permanently assigned Superior Court Judge directs that a matter be returned to the assigned division.

Judge Soos shall not modify the established practices or procedures of this standing law & motion calendar, without prior permission of the Presiding Civil Judge.

IT IS FURTHER ORDERED that Superior Court Judges may delegate the following additional Civil proceedings to Judge Soos: any request for default judgment by motion or hearing; garnishment; supplemental proceedings; provisional remedy in replevin; forcible entry and detainer; change of name; civil forfeiture; requests related to service of process; and other matters with the consent of the Presiding Judge. In any such delegations, the assigned Superior Court’s staff shall provide support to Judge Soos, consistent with current practice on this caseload.

IT IS FURTHER ORDERED that Superior Court Judges may permanently reassign pending and new Civil cases to Judge Soos, if the plaintiff is in the custody of the Department of Corrections or other correctional facility or jail. This authority includes *Habeas Corpus* and civil rights litigation.

IT IS FURTHER ORDERED that Judge Soos shall schedule a regular weekly Law & Motion Civil calendar on a set day and time approved by the Presiding Civil Judge, following consultation by Judge Soos with the Clerk of the Court. Judge Soos shall schedule no Civil hearings on Mondays or Wednesdays, so as to be available for coverage duties, except for trials or upon prior permission of the Presiding Judge.

IT IS FURTHER ORDERED that the Hon. William J. O'Neil, Hon. Gilberto V. Figueroa, and Hon. Robert Carter Olson, shall reassign a portion of their pending Civil caseload to the Hon. Bradley M. Soos, which shall not exceed the following levels from each judge: 55 cases with a 2010 filing date; 32 from 2009; 2 from 2008; and 1 from 2007 or earlier. These matters should be reassigned as soon as practical, since this case transfer authority shall expire on September 15, 2010.

CRIMINAL:

IT IS ORDERED that part-time Commissioners/Judges Pro Tem Delia Neal and Dwight Callahan are assigned to the Criminal Bench and supervised by the Presiding Criminal Judge, except that the Presiding Judge shall continue to assign temporary court-calendar coverage duties, as may be required. Commissioners/JPT Neal & Callahan shall continue to cover initial appearances, including weekend coverage, consistent with current scheduling practices.

IT IS ORDERED that all new Criminal files (identified by the prefix CR), except for those matters assigned to specialty courts, such as "Early Disposition Court", shall be assigned to the Hon. Boyd T. Johnson, Hon. Janna L. Vanderpool, Hon. Delia Neal and Hon. Dwight Callahan, as periodically determined by separate Order of the Presiding Criminal Judge.

The Presiding Criminal Judge shall initially assign approximately 1/3 of new cases to Judges Johnson & Vanderpool and approximately 1/6 each to part-time Commissioners/JPT Neal & Callahan. Judge Johnson shall periodically adjust the percentage of the new Criminal caseload that is assigned to Commissioners/JPT Neal & Callahan, considering whether the new caseload is increasing or decreasing, as well as the effect of recusals and Rule 10, Ariz.R.Crim.P.

IT IS FURTHER ORDERED that Commissioner/JPT Neal shall schedule a Law & Motion Criminal calendar on the 2nd and 4th Tuesdays, and Commissioner/JPT Callahan shall schedule a Law & Motion Criminal calendar on the 1st, 3rd, and (as appropriate) 5th

Tuesdays. All remaining Criminal Bench functions previously assigned to Judge Soos shall be reassigned to Commissioners/JPT Neal & Callahan, as approved by the Presiding Criminal Judge, following consultation of the Commissioners/JPT with the Clerk of the Court. Commissioners/JPT Neal & Callahan shall schedule no Criminal hearings on Mondays, except for trials or upon prior permission of the Presiding Judge.

IT IS FURTHER ORDERED that the Presiding Criminal Judge shall reassign the current Criminal caseload of Judge Soos to Commissioners/JPT Neal & Callahan, considering potential conflicts, as well as any cases that the Presiding Criminal Judge determines that Judge Soos should complete. These matters should be reassigned as soon as practical, by whatever method deemed most appropriate by the Presiding Criminal Judge, but case transfer shall be completed no later than September 15, 2010, and thereafter on a case-by-case basis by the Presiding Criminal Judge.

JUVENILE DEPENDENCY:

IT IS ORDERED that Commissioner/Judge Pro Tem Craig Raymond is reassigned to the Juvenile Bench and supervised by the Presiding Juvenile Judge (or designee), except that the Presiding Judge shall continue to assign temporary court-calendar coverage duties, as may be required. Commissioner/JPT Raymond shall coordinate with the Presiding Civil Judge in transitioning from the Civil Bench.

IT IS FURTHER ORDERED that Commissioner/JPT Raymond shall preside over such dependency calendars, including pre-protective hearings, as may be assigned by the Presiding Juvenile Judge (or designee) every Monday and Wednesday. The objective, to the fullest extent possible and practical, is for the assigned Dependency Superior Court Judge to focus on issues of permanency, largely transitioning to a trial division, and thereby achieving the earliest appropriate adjudication of such matters which is consistent with the best interests of the child.

SUPPORT STAFF FOR COMMISSIONERS/PRO TEMS:

The Superior Court has a serious shortage of support staff, which is not expected to change in the foreseeable future. For this reason, assigned Superior Court Judges shall continue to provide staff support, as needed, when their cases are heard by Commissioners/JPT. In all other circumstances, the Presiding Judge shall allocate the limited support staff that reports to the Presiding Judge.

The Bailiff currently assigned to Judge Soos shall continue to report to Judge Soos but shall be made available for all Commissioners/JPT, as well as other Superior Court Judges, if required. Judge Soos shall give priority to Criminal and Family Court calendars and hearings.

DIVISION NUMBERS:

IT IS FURTHER ORDERED that the regularly assigned Commissioners/JPT shall be renumbered to the following Division numbers:

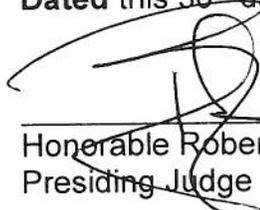
Judge Pro Tem Bradley Soos, Division 100 (changed from 10)
Commissioner/JPT Henry Gooday, Division 101 (not changed)
Commissioner/JPT Theresa Ratliff, Division 102 (changed from 201)
Commissioner/JPT Craig Raymond, Division 103 (changed from 301)
Commissioner/JPT Delia Neal, Division 104 (new)
Commissioner/JPT Dwight Callahan, Division 105 (new)

All future Commissioners/JPT, who have regularly scheduled duties, shall be assigned a sequential Division number that continues this series.

EMERGENCY HEARINGS:

IT IS FURTHER ORDERED that Judge Soos shall continue to prepare and issue, in consultation and collaboration with all Commissioners/JPT, an emergency coverage list, and all regularly scheduled Commissioners/JPT shall participate in covering emergency hearings, as per existing practice.

Dated this 30th day of July, 2010



Honorable Robert Carter Olson
Presiding Judge

- Original: Clerk of the Superior Court
Copies: Judges, Pinal County
Pinal County Attorney
Public Defender
Kristi Youstey Ruiz, Clerk of the Court
Diane McGinnis, Juvenile Court Services
Todd Zweig, Adult Probation Department
Court Administration
Richard Platt, Chief Criminal Deputy County Attorney
Mary Jane Damron, Victims' Assistance Program
Odette Apodaca, Director, Clerk of the Court
Monica Rios, Administrator, Customer Service COSC