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CLERK OF SUPERIOR COURT

2014 JUN -6 PM 1:51

BY EG
DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF PINAL

**In Re: The Establishment of Policy)
And Procedures for Regional Misdemeanor)
Domestic Violence Court (RMDVC))
For Pinal County)
)
)
)**

ADMINISTRATIVE ORDER

NO. 2014-00 *Qnd*

WHEREAS the Presiding Judge of the Superior Court of Arizona in Pinal County exercises administrative supervision over the Superior Court, Clerk of the Superior Court, and Justice of the Peace Courts;

WHEREAS Pinal County Superior Court Administrative Order 2010-0065 establishes the Pinal County Superior Court as a regional justice court facility for the purpose of the Early Disposition Court;

WHEREAS specialty or therapeutic Domestic Violence Court programs have been operational at the Eloy Justice Court and Pinal County Superior Court since 2003, and at the Apache Junction Justice Court from 2004 through 2013;

WHEREAS the Domestic Violence Court programs operate according to practices established by the Domestic Violence Court Task Force, with representatives from Pinal County Superior Court, Pinal County Attorney's Office, the Pinal County Public Defender's Office and private defense bar, Eloy and Apache Junction Justice Courts, and Pinal County Adult Probation, as well as partnerships with law enforcement, and community based victim service providers and batterer intervention providers;

WHEREAS the Domestic Violence Court Task Force has developed a Procedures Manual for the operation of a Regional Misdemeanor Domestic Violence Court;

WHEREAS practitioners have informally requested that the Presiding Judge create a mechanism to make Domestic Violence Court programs available to Justice Courts throughout Pinal County, giving all Justice Court Judges additional sentencing options to help hold offenders accountable and keep victims safer; and

Good cause appearing,

IT IS HEREBY ORDERED establishing the Regional Misdemeanor Domestic Violence Court within the Superior Court of Arizona, Pinal County, which shall meet in the Pinal County Superior Courthouse, on such days and times as established by the RMDVC Judge, and operate according to the following procedures:

1. The procedures as outlined in the Domestic Violence Court Task Force Procedures Manual, and any amendments thereto, are hereby adopted and incorporated by and into this Administrative Order; such amendments may be made from time to time by action of the RMDVC Judge, with the approval of the Presiding Judge of the Superior Court, to guide the functioning of the RMDVC.
2. When a Justice Court Judge has sentenced a defendant to probation supervision within the DV Court program the case, or any charges within that case sentenced to the DVC, will be transferred to the RMDVC for the remainder of the term of probation.
3. The Clerk of the Superior Court is hereby appointed as the Clerk for the RMDVC. As such, the Clerk of Superior Court shall accept payments toward any court ordered financial obligations related to charges sentenced in a Justice Court and transferred to the RMDVC. The Clerk of Superior Court shall make disbursements for such payments as ordered, and pursuant to applicable statute and code.
4. All RMDVC hearings shall be conducted as courts of record, with minutes kept by the Clerk of the Superior Court, which shall be electronically distributed by email to the appropriate parties.
5. Subsequent to DV Court completion through the RMDVC, if a Petition to Revoke Probation is necessary, it will be filed in the RMDVC.
6. Upon conclusion of the case, the Clerk of Superior Court shall transmit an Order of Discharge from Probation or a Minute Entry of "Sentencing of Jail Incarceration" to the appropriate Justice Court.
7. Upon transfer to the RMDVC, defense representation shall be provided by the Pinal County Public Defender's Office, except in cases where a current conflict is identified. The Presiding Judge may designate from time to time alternate private counsel for limited appointment to the RMDVC calendar. But such alternate private counsel shall not be appointed by the RMDVC Judge to continue the engagement outside the RMDVC.

8. RMDVC shall fully honor Victims' Rights.

IT IS FURTHER ORDERED that the Regional Misdemeanor Domestic Violence Court Judge in Pinal County shall be appointed by Presiding Judge of Pinal County.

IT IS FURTHER ORDERED that the RMDVC is established effective June 16, 2014, to allow for the filing of cases into said court, with the first calendar to be heard on July 25, 2014.

DATED this 6 day of June, 2014



Stephen F. McCarville, Presiding Judge

Original: Clerk of the Superior Court
Copies: Judges, Pinal County (Superior, Justice)
Lando Voyles, Pinal County Attorney
Chad Roche, Clerk of the Court
Greg Stanley, County Manager
April Elliott, Public Defender
Todd Zweig, Adult Probation Department
Court Administration
Richard Wintory, Chief Criminal Deputy County Attorney
Victims' Assistance Program
Steve Vilhauer, Chief Deputy
Odette Apodaca, Operations Director
Paul Babeu, Pinal County Sheriff