

2021 MAY 19 PM 2:33

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

BY AL
DEPUTY

IN THE MATTER OF SETTING THE CURRENT)
STANDARD CAPACITY LEVEL FOR JURY)
TRIALS IN THE SUPERIOR COURT AS OF) ADMINISTRATIVE ORDER
JUNE 1, 2021)
_____) No. 2021 - 000 32

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. 2017-79;

WHEREAS, the Covid-19 Pandemic has previously resulted in the suspension of jury trials and speedy trial rights; and the continuing impact of social distancing and other necessary safety precautions reduce the availability of prospective jurors and reduce the physical capacity of the Superior Court Courthouse to accommodate simultaneous jury trials; and the Presiding Judge having previously adopted *Standard Capacity Levels* and procedures by *Administrative Order 2020-00066*, issued on December 10, 2020, thereby establishing a system to periodically set the jury trial capacity of the Superior Courthouse;

WHEREAS, the Presiding Judge has considered the most recently available public health information, availability of prospective jurors, and the current need for jury trial resources.

NOW, THEREFORE, IT IS ORDERED adopting a *Standard Capacity Level* for the Superior Court Courthouse at *TRIPLE JURY TRIAL CAPACITY*,¹ as defined in *AO2020-00066*, and which is effective on June 1, 2021, provided the Jury

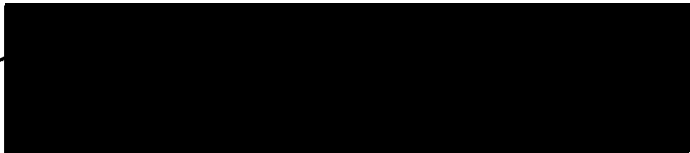
¹ TRIPLE JURY TRIAL CAPACITY permits three simultaneous jury trials in the Superior Court Courthouse, which may include civil trials, but criminal trials are the priority for this resource, in the discretion of the Criminal Presiding Judge or at the direction of the Presiding Judge. As to any available jury trial settings, the Criminal Presiding Judge shall consult with the assigned trial judges and exercise his discretion by presiding over a combined hearing of all remaining cases set for jury trial in any given week, identifying up to three jury trial settings that may proceed to trial and vacating or resetting any other jury trial settings. The Criminal Presiding Judge shall only select one jury trial setting before any trial judge or commissioner, unless that trial judge or commissioner has arranged coverage for simultaneous trials.

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Commissioner projects a sufficient number of jurors to allow three jury trials during any trial week.² Subject to review, this *Standard Capacity Level* shall remain in effect until further order of the Presiding Judge.

IT IS FURTHER ORDERED that, when the Criminal Presiding Judge presides over any combined hearing, the Criminal Presiding Judge shall give preference to in-custody defendants and thereafter to out-of-custody defendants, and shall select no more than one twelve person jury to start in any week, unless appropriate court space is available for an additional twelve person jury.

Dated this 19th day of May 2021, pursuant to the direction by and delegated authority from the Presiding Judge,



Honorable Robert Carter Olson,
Criminal Presiding Judge

Original: Clerk of the Superior Court

Copies: Judges, Pinal County

Kent Volkmer, Pinal County Attorney

Rebecca Padilla, Clerk of the Court

Leo Lew, Interim County Manager

Catherine Whelan, Indigent Defense Services

Kate Milewski, Public Defender

Todd Zweig, Court Administration

Rod McKone, Adult Probation Department

David Rodriguez, Chief Criminal Deputy County Attorney

Victims' Assistance Program

Odette Apodaca, Chief Deputy

Paul Lovelis, Office of Indigent Defense Services (to distribute to Attorneys on the Indigent Appointment lists)

² If the Jury Commissioner projects an insufficient number of jurors to allow three jury trials during any trial week, the Criminal Presiding Judge will limit the trial capacity to match the availability of jurors.