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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

AC

IN AND FOR THE COUNTY OF PINAL

BY _____
DEPUTY

IN THE MATTER OF:)
GUIDELINES FOR THE APPOINTMENT OF)
MENTAL HEALTH EXPERTS FOR)
EVALUATIONS OF ADULT)
CRIMINAL DEFENDANTS)
_____)

AMENDED ADMINISTRATIVE ORDER
No. 2022- 00060
(Superseding and Replacing
Administrative Order 2019-00029)

WHEREAS: The Presiding Judge of the Superior Court of Arizona in Pinal County exercises administrative supervision over the Superior Court, and Justices of the Peace in Pinal County;

WHEREAS: Court appointments of mental health experts for evaluations in adult criminal court proceedings are made pursuant to ARS § 13-502; §13-4502, et seq.; §13-4518; § 36-3701; and Ariz.R.Crim.P. Rule 11; Rule 26.5;

WHEREAS: Ariz.R.Crim.P. Rule 11.3(a)(1), defines a "mental health expert" as a physician licensed under ARS §32-1421 to 1437 or 32-1721 to 1730; or a psychologist licensed under ARS §32-2071 to 2076; and Rule 11.3 (a)(5) further requires that a "mental health expert" must be: (A) familiar with Arizona's standards and statutes for competence and criminal and involuntary commitment statutes; (B) familiar with the treatment, training, and restoration programs that are available in Arizona; and (C) approved by the court as meeting court-developed guidelines, including demonstrated experience in forensics matters, required attendance at a court-approved training program of not less than 16 hours and any court-required continuing forensic education programs, and annual review criteria;

WHEREAS: ARS §13-4501 (3)(C) further defines a "mental health expert" as a physician who is certified by the court as meeting court developed guidelines using recognized programs or standards; and ARS §36-3701 defines a "competent professional," as it relates to sexually violent persons, as a person who is familiar with the state's sexually violent persons statutes and sexual offender treatment programs available in this state and approved by the superior court as meeting court approved guidelines;

NOW THEREFORE IT IS ORDERED: The following have been established by this Court as guidelines for certification and review of mental health experts for evaluations of adult criminal defendants:

1. All mental health experts approved/certified by this court at the time of this order do not need to re-submit for approval. However, items #5 through #11 below will apply.
2. A mental health expert must be currently licensed as a Psychiatrist or Psychologist with the State of Arizona and be in good standing with their respective licensing boards; and
3. A mental health expert must have completed one of the following:

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- a. Documentation of forensic psychology or psychiatry licensure, and submission of three references familiar with the work product; or
 - b. Three years of documented post-residency experience, including 500 documented hours in forensic psychiatry, and three references familiar with the work product, preferably at least one such letter from a Superior Court Judge, Commissioner, or Hearing Officer; or
 - c. Two years of post-residency experience, with documentation of at least 1) 30 cumulative hours of forensic continuing education, and/or 2) residency training in forensic psychiatry within the previous three years; and three references familiar with the work product, preferably at least one such letter from a Superior Court Judge, Commissioner, or Hearing Officer.
4. In addition to the foregoing qualifications, a mental health expert must provide documentation of completing a 16-hour court-approved training program within the past three years.
 5. Prior to appointment by the Pinal County Superior Court as a mental health expert, all documentation outlined above must be submitted in writing to the Pinal County Superior Court Vulnerable Persons Unit.
 6. A mental health expert certified by this Court must participate in any forensic education training sessions required by the court and provide documentation thereof.
 7. A mental health expert certified by this Court must within three business days, inform the Vulnerable Persons Unit of disciplinary actions for any matter related to mental health services by their respective oversight State Board. This notification must be in writing and sent directly to the Pinal County Superior Court Vulnerable Persons Unit at either of the following addresses:

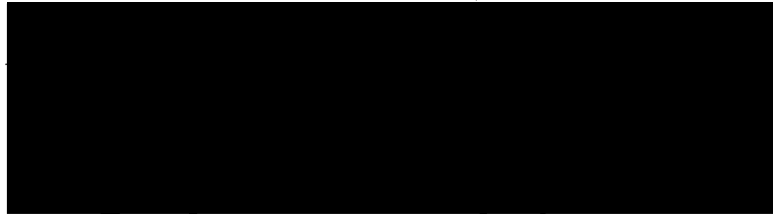
Pinal County Court Administration
Vulnerable Persons Unit
PO Box 1748
Florence, AZ 85132

PinalVPU@courts.az.gov
 8. A mental health expert certified by this Court must within 24 hours notify the Pinal County Superior Court Vulnerable Persons Unit of any arrest, or any pending criminal charge in any jurisdiction.
 9. The Pinal County Superior Court Vulnerable Persons Unit will conduct an annual review to determine whether current certified mental health experts are in compliance with court-required forensic training and education sessions or programs, and whether any have been the subject of professional disciplinary proceedings.

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10. Any certified mental health expert who is not in compliance with the requirements outlined above, or who is found to be subject to professional disciplinary proceedings, may be suspended from Court appointments until such time as the expert comes back into compliance or is released from professional disciplinary proceedings and returned to good standing with their respective licensing board.
11. The Superior Court Administrator, in conjunction with the Vulnerable Persons Unit will develop and maintain policies and procedures to ensure compliance with this Administrative Order.
12. The Pinal County Superior Court Vulnerable Persons Unit will advise mental health experts in writing of any changes to these guidelines, including Administrative Orders, Legislative changes, Court polices, etc.

Dated this 19th day of October 2022



Hon. Joseph R. Georgini,
Presiding Judge

Original: Clerk of the Superior Court

Copies: Pinal County Judges
Rebecca Padilla, Clerk of the Court
Kent Volkmer, County Attorney
Kate Milewski, Public Defender
Cathryn Whalen, Office of Public Defense Services
Todd D. Zweig, Court Administration
Melissa Knight, Vulnerable Persons Unit
Tracy McElroy, Conciliation Court Director