

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

FILED
CAROL BEALE

93 JUL 19 AM 10:10

LINDA SEARY
SUPERIOR COURT CLERK

ADMINISTRATIVE ORDER
93-15

IN THE MATTER OF:

THE APPOINTMENT OF A JUDGE PRO TEMPORE
FOR WEEKEND AND HOLIDAY DUTY IN THE
JUSTICE AND MUNICIPAL COURTS IN
BULLHEAD CITY AND KINGMAN

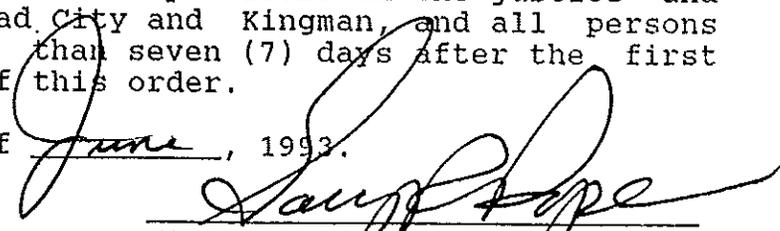
At the request of Honorable Gary R. Arend, Justice of the Peace in Bullhead City; Honorable Laura Billings, City Magistrate in Bullhead City; Honorable Bill Gumaer, Justice of the Peace in Kingman; and Honorable Kathy McCoy, City Magistrate in Kingman; and in accordance with provisions of A.R.S. 22-122 et seq. and the existing Arizona Supreme Court administrative orders granting the presiding judge of the superior court administrative supervision of the justice and municipal courts;

IT IS ORDERED that John Lether be appointed as judge pro tempore of the justice and municipal courts in Bullhead City and Kingman to provide adequate judicial coverage in these courts on weekends and holidays for the period of July 1, 1993 through December 31, 1993.

IT IS FURTHER ORDERED that:

1. The attached administrative guidelines regarding weekend and holiday duty in the Bullhead City and Kingman justice of the peace and municipal courts are adopted.
2. The new administrative requirements hereby adopted shall be in effect from July 1, 1993, through December 31, 1993.
3. A copy of this order and the attached administrative guidelines shall be distributed to all justices of the peace and city magistrates in Mohave County, the Mohave County sheriff, the chief court clerks and/or office supervisors in the justice and municipal courts in Bullhead City and Kingman, and all persons who require copies no later than seven (7) days after the first day of the effective date of this order.

DATED this 14th day of June, 1993.


GARY R. POPE, PRESIDING JUDGE
OF THE SUPERIOR COURT OF
MOHAVE COUNTY

APPROVED:

Mohave County Board of Supervisors


Sam Standerfer, Chairman

**ADMINISTRATIVE GUIDELINES REGARDING
WEEKEND AND HOLIDAY DUTY IN THE BULLHEAD CITY AND KINGMAN
JUSTICE OF THE PEACE AND MUNICIPAL COURTS**

Effective July 1, 1993 through December 31, 1993

A. Purpose

Pursuant to A.R.S. 22-121, the presiding judge of the superior court may appoint a justice of the peace pro tempore for any precinct of that county where needed in the manner provided by Title 22, Chapter 1, Article 2 subject to the approval of the Board of Supervisors. The purpose of these administrative guidelines is to establish and clarify policies, procedures, and practices for use of a judge pro tempore on weekends and holidays in the justice and municipal courts in Bullhead City and Kingman.

B. General Administrative Requirements

The following general administrative guidelines shall be followed during the effective period of this appointment:

1. The judge pro tempore appointed by the presiding judge to assume weekend and holiday duty in the justice and municipal courts shall have the same judicial powers and duties as a duly elected justice of the peace.

2. The justice of the peace pro tempore appointed to assume these duties shall be responsible for work in the Bullhead City and Kingman justice and municipal courts as assigned on all Saturdays and Sundays and on all holidays during the effective date of this order. In the event that a judge pro tempore appointed to assume the above duties is unable to perform such duties, he or she shall contact the city magistrate in the respective jurisdiction to determine his or her availability to assume these duties. If the city magistrate in the respective municipality is unavailable to serve, the justice of the peace pro tempore shall contact the justice of the peace in the respective jurisdiction to determine his or her availability to assume these duties. If the justice of the peace in the respective jurisdiction is unavailable to serve, the justice of the peace pro tempore shall contact a judge pro tempore authorized to serve in the respective justice or municipal court during the same period to determine their availability to serve. If the judge pro tempore appointed to assume weekend or holiday duties is unable to secure a suitable replacement pursuant to these guidelines, he or she shall contact the presiding judge of the superior court to determine other possible arrangements.

3. The judge pro tempore appointed to assume weekend and holiday duty shall be paid a specified rate established by the Mohave County Board of Supervisors for weekend duty, holiday duty, and other occasions when justices of the peace are absent for more than eight hours with a minimum daily pay of 4 hours and a maximum daily pay of 8 hours. The judge pro tempore shall also be reimbursed meals and the current mileage rate for travel to and from their place of residence and assigned court locations.

4. The judge pro tempore appointed to cover weekend and holiday duty in the Bullhead City and Kingman justice and municipal courts shall submit monthly claims against Mohave County using the appropriate county form for time worked and costs incurred during the effective period to the Mohave County court administrator. The claims shall indicate the dates and times worked and the daily reimbursable amounts for pay, meals, and mileage. The judge pro tempore shall attach receipts to the claim form for any costs incurred pursuant to existing county reimbursement policies. The court administrator shall maintain records regarding these claims in an effort to monitor administrative costs related to weekend and holiday duty and to evaluate future court budget needs. The court administrator shall promptly forward claims received from the judge pro tempore to the county finance department for payment to the judge pro tempore.

5. The justices of the peace and magistrate judges in Bullhead City and Kingman shall be responsible for ensuring that the judge pro tempore appointed to assume weekend and holiday duty has adequate staff to ensure administrative support during these times. The justices of the peace and magistrate judges shall ensure that there are at least two employees available, one each from the justice and municipal courts, to assist the judge pro tempore in each location on each day he or she works pursuant to this contract. A different mutually agreeable alternative plan for use of administrative staff may be utilized upon approval of the presiding judge of the superior court. The justices of the peace in both Bullhead City and Kingman shall appoint one clerk from their court to coordinate use of justice and municipal court administrative staff in their locations to ensure adequate employee pooling and coverage.

6. Upon approval of the Mohave County Board of Supervisors, justice court staff shall be paid at 1 1/2 times their normal hourly rate for weekend and holiday duty worked above 40 hours with a minimum daily pay of four hours and a maximum daily pay of eight hours. Justice court staff shall include time worked above 40 hours as overtime on their bi-weekly payroll reports. Justices of the peace should, to the extent possible, stagger employee work hours during pay periods to reduce overtime expenses during weekend and holiday duty. Municipal court staff shall be paid a flat hourly rate of \$12.00 for weekend and holiday duty with a minimum daily pay of four hours and a maximum daily pay of eight hours. Municipal court

staff shall submit claims against the county for time worked to the court administrator for payment processing. Court staff shall not be eligible for mileage, lodging, and/or per diem reimbursement except upon approval of the presiding judge of the superior court.

7. The judge pro tempore and court staff appointed to assume weekend and holiday duty shall perform their duties in the most cost effective and efficient manner possible in an effort to minimize county costs for weekend and holiday assignments.

8. The judge pro tempore shall utilize the Bullhead City and Kingman justice court facilities for weekend and holiday duty, unless directed otherwise by the presiding judge of the superior court. The justices of the peace and magistrate judges in Bullhead City and Kingman shall coordinate starting times for weekend and holiday hearings with the judge pro tempore and the sheriff's office in an effort to set hearings pursuant to the needs of the four courts, comply with Arizona Criminal Rule 4.1 (a), properly notice victims of hearings pursuant to Arizona Victim Rights law, and assist the judge pro tempore with his or her travel needs. The justices of the peace and magistrate judges in Bullhead City and Kingman shall also seek resources and/or law enforcement personnel to assist the courts in improving security during weekend and holiday duty.

9. The justice of the peace pro tempore and court staff assigned to assume weekend and holiday duties in the Bullhead City and Kingman courts shall be the only persons eligible for weekend and holiday reimbursement except as otherwise authorized by this order. Justice court pro tempore judges not previously appointed for weekend and holiday duty shall be reimbursed expenses pursuant to these guidelines if they serve weekend or holiday duty for the assigned judge pro tempore. The justices of the peace and magistrate judges in Bullhead City and Kingman shall not be eligible for reimbursement for service performed on weekends or holidays pursuant to this order.

10. The judge pro tempore assigned to handle weekend or holiday duty shall make the court administrator aware of any issues or concerns he or she has related to these guidelines. The court administrator shall provide administrative assistance and support in this regard to ensure the effective management of these policies.