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VIRGINIA TINNELL
SUPERIOR COURT CLERK

In the Matter of:

POLICIES FOR ELECTRONIC FILING IN CRIMINAL CASES IN THE MOHAVE COUNTY SUPERIOR COURT

Administrative Order

No. 2020-14

Due to the concern for the spread of COVID-19 in the general population, the Governor of the State of Arizona has declared a statewide emergency pursuant to A.R.S. § 26-303 and in accordance with A.R.S. §26-301(15). Although the courts in Mohave County remain open for business, cooperation by the Judicial Branch is essential to reducing the risk associated with this public health emergency. The Arizona Supreme Court has instructed Presiding Superior Court Judges to take steps to reduce the number of people entering courthouses and issued Administrative Order 2020-48 and as may be amended by a subsequent Administrative Order.

In an effort to comply with Administrative Order 2020-48 and to reduce the risk associated with this public health emergency, the purpose of this order is to establish a policy for the acceptance of electronically transmitted motions and other documentation in Criminal case types.

IT IS ORDERED that the Clerk of Superior Court in Mohave County is authorized to accept electronic Criminal case filings of motions and other documents via e-mail until further order of the Court. The electronic record maintained through the Clerk's Electronic Document Management System (EDMS) will be the official record.

1. The documents to be filed through the email at the address set forth below and shall be considered the official original record.

efilesuperiorCR@mohavecourts.com

2. The electronically-submitted document shall be deemed filed on the date and time it is accepted by the Clerk of Superior Court as reflected by the applied digital file stamp. Once electronically filed, the Clerk shall email a conformed copy to the party who initially emailed the document.

3. The filing party is responsible for the distribution of each electronically filed pleading to the other respective parties, including the assigned Judicial Division.

4. Until further order, the Mohave County Clerk's Office is authorized to electronically file documents submitted through the address contained in paragraph 1 without reducing same to paper and any paper file impacted shall be marked in a manner designated by the Clerk of the Court to indicate the electronic documents are not included in the file.

5. All documents shall be formatted in compliance with the Arizona Rules of Procedure applicable to the case type, shall be legible and shall be in an unlocked .pdf format. Documents must have a signature or an electronic signature (/s/) affixed to the signature line of the document.

6. All proposed orders submitted shall be in .docx format.

7. Documents may not be larger than 9.5 MB.

8. The Clerk's office will save proposed orders in the prospective Judicial Division's T: folder and the Judicial Assistant's will manage the proposed orders from the T: folder.

9. The Clerk's office shall have the authority to reject electronically submitted documents and require paper filing when necessary.

10. Documents requiring issuance by the Clerk shall be excluded from this order, i.e. Subpoenas, Summons, Warrants. Other exclusions shall be:

a. Confidential documents
b. Evidence

11. In the event electronic distribution is not practical or if there is a request for other than electronic distribution, i.e. the need for a certified document, the Clerk of Court will make distribution through the mail or interoffice.

IT IS FURTHER ORDERED all signed Judicial Orders and Minute Orders shall be electronically submitted by uploading same into the T: Return to Clerk folder. If Orders or Minute Orders are submitted electronically, the Judicial Division shall electronically distribute the same to the parties and indicate on the document with an asterisk (*) next to the party name on the CC: list. The Clerk's office will docket and upload the electronic document into the Clerk's EDMS.

IT IS FURTHER ORDERED there will be no modification to the Clerk's office current processing of any signed Judicial Orders and Minute Orders that are presented by hard copy to the Clerk's office.

IT IS FURTHER ORDERED in addition to case initiation documents, to the extent an individual is appearing in propria persona filing paper documents, and not electronically, the Clerk of the Court shall scan the filed documents to establish the electronic file.

IT IS FURTHER ORDERED Court Administration/IT shall electronically provide the assigned Judicial Division with a list of all filed pleadings. The Judicial Division shall be responsible for reviewing the electronic notification and shall further be responsible for maintaining a calendar or tickling system to timely bring matters that are ripe for consideration and ruling to the Judge's attention.

DATED this 27 day of March, 2020.

Honorable Charles W. Gurtler, Jr.

Presiding Judge

Mohave County Superior Court

Original filed with the Clerk of the Superior Court in Mohave County