

### Rule 5.1. Appointed Counsel; Compensation

When a defendant is entitled to appointed counsel pursuant to Rule 6.1(b), Arizona Rules of Criminal Procedure, the Court will appoint the Public Defender. If it is determined that the Public Defender cannot be appointed, the Court will appoint the Legal Defender. If neither the Public Defender nor the Legal Defender can be appointed, the Court will appoint the Legal Advocate or any other available public defense agency. If no public defense agency can be appointed, the Court will appoint private counsel under contract with the county to provide indigent defense legal services. The rate of compensation for court-appointed private counsel and related professional support services will be established by the Court pursuant to A.R.S. § 13-4013(A) and administered by the county through its indigent defense contract. The Court will not review claims for compensation by appointed private counsel or claims for related expenses except as provided in the county contract.

### Rule 5.2. Pretrial Release of Persons Charged with Misdemeanors

**(A) Authority to Grant Release and Establish Conditions.** The Presiding Judge of the Court and the Chief Magistrate of the City of Tucson may appoint one or more staff members of the Pretrial Release Program of the Court to authorize the release of, and establish the conditions of release for, persons charged with misdemeanors who meet criteria for release established by the Presiding Judge.

**(B) Promise to Appear.** If release is authorized, the person charged with a misdemeanor will, before release, sign a promise to appear specifying the date, time and place of his appearance.

**(C) Failure to Appear.** If such person fails to keep the promise to appear, a warrant may issue for such person's arrest.

### Rule 5.3. Criminal Arraignments

All criminal arraignments shall be heard by the Hearing Officer at a time designated by the Presiding Judge on every Court business day. If the Hearing Officer is unavailable, another Judicial Officer may hear arraignments at the discretion of the Presiding Judge.

### Rule 5.4. Setting of Trial--Status Conference, Pleas and Continuances

**(A)** ~~At arraignment, the Court will set a fix a date and time at least four weeks case management conference approximately thirty days later, for purpose of taking a change of plea or setting of a trial date pursuant to Rule 8.2, Arizona Rules of Criminal Procedure.~~ At the case management conference, the Court will discuss the status of disclosure and will determine whether State has offered a plea agreement. If a defendant believes that they are missing disclosure at the case management conference, they are to provide a specific description of such outstanding disclosure.

**(B)** ~~At arraignment, the Court will also set a pretrial conference at least sixty days after the arraignment date for the purpose of setting jury trial as may be necessary. The Court will also set a status conference 30 days before trial, and such other orders necessary to facilitate completion of discovery and the orderly progress of the case to disposition.~~

**(C)** ~~All trials must be set in accordance Rule 8.2(a), Arizona Rules of Criminal Procedure, and all requests for continuance of a trial shall~~ will be governed by Rule 8.5, Arizona Rules of Criminal Procedure.