

Rule 1.1. Organization of the Court

The Court will be divided into as many divisions as there are judges regularly assigned thereto, and each division will bear a numerical designation. Court commissioners will be assigned numerical and alphabetical designations, and hearing officers will be assigned alphabetical division designations. Court commissioners and hearing officers may also be appointed as judges pro tempore as provided by law. In addition, full-time judges pro tempore may be appointed as resources allow and ~~shall~~ will be assigned alphabetical division designations. The Court will be divided into the following 5 ~~five~~ benches: Civil, Criminal, Family Law, Juvenile, and Probate/Mental Health. The Presiding Judge of the Court will assign Judicial officers to the various benches according to the needs of the Court. The Presiding Judge of the Court will also appoint a Presiding Bench Judge for each of the 5 benches.

Rule 1.2. General Applications

The Rules in this Section ~~will~~ apply to all benches of the Court unless in conflict with a statute or a rule of procedure as adopted by the Arizona Supreme Court for that bench.

Rule 1.3. Motions

Motions generally will be heard on Monday or Friday of each week or as otherwise ordered. If a division's law and motion day ~~Monday~~ is on an official holiday, then the division may ~~next official court day will be~~ designated another date for the hearing of motions that week. The division to which the case is assigned will set all motions for hearing unless otherwise ordered by the Court.

Rule 1.4. Civil Default and Ex Parte Matters

The court commissioners or hearing officers will hear default and ex parte matters unless otherwise ordered by the Court.

~~Rule 1.5. Short Causes, Pretrial Conferences and Special Hearings~~

~~The division to which a case is assigned may set short causes, pretrial conferences and other matters needing a special time for hearing on Monday or at such time as may be appropriate in the discretion of the judicial officer. A short cause is any case stipulated to by all parties to take less than one hour to try to the Court.~~

Rule 1.5. Use of Digital Evidence

The Court has the discretion to require parties to use a digital evidence platform for the presentation and preservation of evidence and exhibits at evidentiary hearings and trials.

~~Rule 1.6. Court Certified Reporters, Special Needs and Interpreters~~

~~(A) Absent an advance request, court Certified reporters will be provided, if available, for first-degree murder hearings only. for regularly scheduled trials or other matters as required by law. If a Otherwise, a court certified reporter may be requested and, if available, will be provided. is needed for any other matter, including juvenile matters, counsel or a self-represented party must notify the division to which the case is assigned and the Manager of the Court Reporters by 12:00 noon of the preceding court day to have a court reporter present. A party may request a certified reporter to be present during other proceedings by filing a written notice requesting a certified reporter with the Clerk of the Court and hand-delivering or emailing the notice to the Managing Reporter. The deadline for providing the written notice to the managing Reporter is no later than noon on the fifth business day before the court proceeding. No matter will be continued for a lack of a court certified reporter, unless such required notification has been given to the division to which the case is assigned and the Manager of the Court Reporters. Absent a timely request. T~~he availability of a ~~court-certified~~ reporter may be limited by the priorities stated in Rule 30, Rules of the Supreme Court of Arizona.

(B) Requests for special needs accommodation for any participant in a court proceeding must be made in writing to the ADA Compliance Officer (~~Facilities Management~~) of the Court, with a copy to the assigned division, ~~together with the medical documentation necessary to determine what reasonable accommodations might be necessary. Such~~ The request and documentation must be submitted at least ~~10 business days~~ one week ~~in advance of~~ before the proceeding for which the accommodation is requested unless otherwise ordered by the Court for good cause shown.

(C) Requests for ~~interpreting~~ interpretation services must be filed with the Clerk of the Court with a copy to the assigned division and to the Director of Court Interpretation and Translation ~~Interpreter~~ Services at least no later than 10 ~~business court~~ days ~~in advance of~~ before the proceeding unless otherwise ordered by the Court for good cause shown.

Rule 1.7. Changes Affecting Court Calendar

The division to which the case is assigned must approve all matters, including stipulations, that affect the Court calendar. No ~~such matter~~ change is effective until ordered or approved by the Court.

Rule 1.-8. Attorney Calendar Conflicts

(A) Notice to Court. Counsel and self-represented parties must notify the Court of ~~call to the Court's attention~~ any scheduling or calendar conflicts. Conflicts will be resolved in accordance with any applicable procedural rules~~Rule 38.1(e), Arizona Rules of Civil Procedure, Rule 8.1, Arizona Rules of Criminal Procedure, or Rule 34(b), Arizona Rules of Family Law Procedure, as applicable.~~

(B) Motion to Adjust. In resolving conflicts between divisions of the Arizona Superior Court in Pima County, counsel and self-represented parties must file a motion to adjust in all conflicting cases, with a notice of hearing to be filed

only before the division with the lowest numbered case. The conflict will be resolved pursuant to the criteria set forth in subsection (c) below.

(C) Resolution of Conflicts. Upon being advised of a scheduling conflict, the judges involved will, confer, if necessary, ~~in person or by telephone~~ to resolve the conflict. While no division has priority in scheduling, the following factors will be considered in resolving the conflict:

- (1) the nature of the cases ~~as civil, criminal, family, probate or juvenile, and the presence of any speedy trial problems;~~
- (2) a case that involves out-of-town witnesses, parties or counsel;
- (3) the age of the cases;
- (4) the matter that was set first; and
- (5) any priority granted by rule or statute.

~~Rule 8.1, Arizona Rules of Criminal Procedure, provides that the trial of criminal cases has priority over the trial of civil cases.~~

Rule 1.9. Change of Judge as a Matter of Right and for Cause

(A) Change of Judge as a Matter of Right. Counsel and self-represented parties must file with the Clerk of the Court any “Notice of Change of Judge” when such change is as a matter of right and serve copies on all parties, the Presiding Judge, ~~Case Management~~ Court Services Division, and the noticed judge. ~~Upon request~~ On proper notice for a change of judge as a matter of right, the case will be transferred to ~~Case Management~~ Court Services Division or designee for reassignment.

(B) Change of Judge for Cause. Counsel and self-represented parties ~~will~~ must file a Motion for Change of Judge for Cause with the Clerk of the Court, and also serve a copy on the Presiding Judge in accordance with ~~the~~ any applicable rules of procedure. As used in this rule, Presiding Judge means Presiding Judge of the Juvenile Court for juvenile cases, and for all other cases, Presiding Judge means Presiding Judge of the Superior Court.

Rule 1.10. Filing Requirements for Orders, Writs, Papers, and Ex Parte Presentations

(A) Supporting Complaint or Petition. No order or writ ~~shall~~ will be signed by any judicial officer before a supporting complaint and/or petition is first filed ~~in the Office of~~ with the Clerk of the Court.

(B) Preparation, Submission, and Signing of Orders and Writs. The party seeking any such orders or writs must prepare and submit the same for signature to the division to which the case is assigned. If the assigned judicial officer is unavailable, any judicial officer may sign the same.

(C) Filing Prerequisites. All matters filed in any cause or submitted for signature of the Court, except evidence offered at a trial or hearing, must clearly indicate thereon the name and address, telephone number, and email address of the person, firm or attorney offering same. Printed firm or attorney designations on pleadings meet this requirement. For attorneys, the filing must contain the attorney's Pima County Attorney Number (PAN). The Clerk of the Court must not accept for filing any document that fails to comply with this subsection.

(D) ~~Submit~~ Submission of Proposed Orders Separately. Proposed orders submitted for signature of the Court must be prepared as a separate document containing the case title and number at the top of each page thereof, and must not be included as an integral part of stipulations, motions or other pleadings. Failure to comply with this rule may result in a continuance of the requested hearing.

Rule 1.11. Copies to Trial Judge of Paper Documents

This provision does not apply to motions or other papers which have been e-filed through the Court's e-filing system. When filing a paper copy of a document ~~For any paper filing~~ with the Clerk of the Court, the party filing the document must deliver a duplicate copy of the document to the assigned division or if not assigned, to Court Services. ~~at the time of the filing of the original with the Clerk of the Court, a copy of all motions or other documents necessary for a judicial ruling or decision must be delivered to the judge of the~~

~~division to which the case has been assigned or to Case Management Services if the case has not been assigned.~~ The original and copies of all such motions and other documents must show the delivery of a copy to the division to which the case has been assigned.

Rule 1.12. E-Filing Through the Court's E-Filing System

Motions or other documents for which a judicial action, ruling, or decision is requested or required, ~~or for which some judicial action is required~~ must be properly designated in the Court's e-filing system and must be properly delivered electronically to the division from which a ruling is sought. The responsibility for proper delivery is upon the e-filing party.

Rule 1.13. Notification of Pending Motions

(A) Notification. For any motion submitted and pending for 45 days, the filing party must file a notice and indicate that judicial action is requested in ~~notify the Court's~~ through e-filing system indication that judicial action is ~~required~~ or give notice by mail, if appropriate, as to the pending status and must request a ruling.

(B) Copies. A copy of any motion that requests a judicial officer to rule without hearing must be provided to the assigned division and the other party. The Court will not consider any issues unless the assigned division receives a copy of the written request and any responsive pleadings.

Rule 1.14. Duplicated Copies and Exhibits

(A) Quality of Duplication. The Clerk of the Court will only accept filings that are clearly legible. Illegible documents will be rejected for filing. ~~No pleading or motion will be accepted by the Clerk of the Court for filing unless it is clearly legible.~~

(B) Exhibits; Custody and Return. Every exhibit offered or admitted in evidence will be held in the Clerk of the Court's custody either in physical copy or the digital evidence platform. The Court may order the return of an original exhibit provided an appropriate copy or a duplicate is substituted therefore. Unless otherwise ordered, marked but non-offered exhibits will be returned to the party.

Rule 1.15. Attachments to Pleadings and Memoranda

(A) Attachments in General. Unless any applicable procedural rules require otherwise, Any copy of a pleading, exhibit or minute entry that has been filed previously in a case must not be attached to the original of a subsequent pleading, motion or memorandum of points and authorities.

(B) Incorporation by Reference. If a party desires to call the Court's attention to anything contained in a previous pleading, motion, or minute entry, the party ~~shall~~ must do so by incorporation by reference, citing with particularity where the judicial officer may find the reference.

(C) Authorities Cited in Memoranda. Unless otherwise provided by rule 111(c), Rules of the Supreme Court, Copies of authorities cited in memoranda must not be attached to the original, although links to citations may be provided in the body of e-filed memoranda.

(D) Attachments to Judicial Officer. Parties may attach copies of pleadings, motions, exhibits, minute entries, or texts of authorities to a copy of a motion or memorandum of points and authorities,

~~delivered to the judicial officer of the division to which the case has been assigned. Any such attachments or authorities provided to the judge must also be provided to all other parties.~~

(E) Sanctions. ~~For a violation of this rule, the~~ The Court may order the removal of any document that violates any provision of this rule, and may assess the offending document and assess the offending party or counsel such costs and fees incurred by the Clerk of Court for filing, preservation, and storage of any filing that violates any provision of this rule against the

~~offending party or counsel. as may be necessary to cover the Clerk of the Court's costs of filing, and any costs of preservation and storage.~~

(F) Dividers. No pleading, document, or other submission may contain ~~will utilize~~ blue pages as dividers for attachments

Rule 1.16. Confidential and Sealed Documents

(A) Confidential documents are maintained by the Clerk of the Court in the case file in a confidential envelope and are also maintained on the Court's ~~Agave~~ filing system as confidential. Unless otherwise ordered by the Court, ~~Only the parties and counsel to in the~~ case are authorized to view these documents. Individuals must present proper identification to the Clerk or must have an Order from a judicial officer authorizing review of such documents before the documents will be released.

(B) Unless otherwise ordered by the Court, sealed documents are not maintained in the court file or on the Court's ~~Agave~~ filing system but rather are maintained in the Clerk of the Court's Exhibit Unit subject to retrieval and viewing only by order of the Court.

(C) The Court may treat a motion to seal documents as a motion to file confidential documents.

Rule 1.17. Discovery Motions

Unless the Court orders otherwise for good cause shown, ~~The~~ Court will not consider or schedule any discovery or disclosure motion for hearing unless the movant ~~attaches thereto~~ files a separate "good faith consultation certificate" certifying and demonstrating the movant has tried in good faith to resolve the issue by conferring with--or attempting to confer with--the party or person against whom the motion is directed. The consultation required by this rule must be in person or by telephone, and not merely by letter or email, unless the Court orders otherwise for good cause shown.

Rule 1.18. Attorney of Record

No attorney may appear in any action or file anything in any action without first appearing as counsel of record in the manner prescribed by any applicable procedural rules.

~~Counsel of record shall be responsible for matters in which they appear as set forth in Rule 5.3(a), Arizona Rules of Civil Procedure, Rule 9(d) (e), Arizona Rules of Family Law Procedure, Rules 11 and 39, Juvenile Court Procedures and Rule 6.3, Arizona Rules of Criminal Procedure, as applicable.~~ Withdrawals and substitutions of counsel may only be made in strict adherence to the requirements and procedures set forth in ~~the~~ any applicable procedural rules.

Rule 1.19. Suspension of Rules

Upon application by a party or on the judicial officer's own motion, any judicial officer of this court may suspend any of these Local Rules for good cause.