

IN THE MESA MUNICIPAL COURT  
IN THE COUNTY OF MARICOPA, IN AND FOR THE STATE OF ARIZONA

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|                               |   |                      |
|-------------------------------|---|----------------------|
| In the Matter of:             | ) |                      |
|                               | ) |                      |
| PRESUMPTIVE STANDARDS FOR     | ) | Administrative Order |
| REMOTE AND IN-PERSON HEARINGS | ) | No. 2022 - 03        |
| <hr/>                         |   |                      |

In Supreme Court Administrative Order No. 2022-88, the Supreme Court adopted presumptive standards regarding remote and in-person hearings (“Presumptive Standards”). The Administrative Order provides that the Presiding Judge of a municipal court, after consultation and approval from the Presiding Judge of the Superior Court and the Chief Justice of the Arizona Supreme Court, may adapt the Presumptive Standards in accordance with local court resources, bandwidth, technology, and staffing or, for good cause, to meet unique needs in their respective cities. On September 13, 2022, after previous approval from Maricopa County Superior Court Presiding Judge Joseph Welty, the Chief Justice of the Arizona Supreme Court approved the modifications proposed by the Mesa Municipal Court.

Pursuant to the plan adopted by the Arizona Supreme Court, a “Remote Hearing” is defined as any court hearing where one or more participants uses a technology-based platform, such as Court Connect, Zoom, Teams, WebEx, Skype, GoToMeeting, conference call lines, telephone, or similar technology to participate in the court hearing.

**THEREFORE, IT IS ORDERED** adopting, as Attachment 1 to this Order, Presumptive Standards for Remote and In-Person Hearings for Mesa Municipal Court.

**IT IS FURTHER ORDERED** that a judicial officer assigned to a case is authorized to make a hearing-specific deviation from the presumptive manner in which a hearing must be held if holding the hearing in the presumptive manner is not practical or otherwise not in the interest of justice. If such a finding is made, the judicial officer is required to provide notice to the parties identifying the manner in which the hearing is to be held.

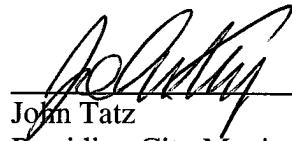
**IT IS FURTHER ORDERED** that for any hearing scheduled to be conducted remotely, the individual charged with an offense may elect to attend the hearing in person.

**IT IS FURTHER ORDERED** that, notwithstanding the presumptive manner for holding hearings and the adaptations to the presumptive manner outlined in this Order, any hearing type, with the exception of criminal trials, may be conducted remotely upon the request of a party, good cause appearing, and consistent with the requirements of applicable rules.

**IT IS FURTHER ORDERED** that nothing in this Administrative Order or the attached Presumptive Standards confers a procedural right on any party, and neither the Administrative Order nor the Presumptive Standards may form the basis of or be used in support of a challenge to the validity of a hearing or court order.

**IT IS FURTHER ORDERED** that this Order will take effect on October 1, 2022. All hearings scheduled following that date must be set in the manner proscribed. Hearings scheduled prior to that date may go forward as scheduled.

Dated this 26th day of September, 2022.

A handwritten signature in black ink, appearing to read "Joan Tatz", is written over a horizontal line.

Joan Tatz  
Presiding City Magistrate  
Mesa Municipal Court

**Attachment 1**  
**Presumptive Manner for Holding Hearings Set After October 1, 2022, in the Mesa**  
**Municipal Court**

| Case Type   | Hearing Type                                       | Remote                  | In-Person |   |
|---|--|-------------------------|-----------|---|
| Criminal<br>Misdemeanor                                 | Appearance/Arraignment/Initial                     |                         | X         |   |
|   | Pre-Trial Motion – Non-Witness                     | X                       |           |   |
|   | Pre-Trial Motion – Witness                         |                         | X         |   |
|   | Change of Plea/Sentencing                          |                         | X         |   |
|   | Telephonic Pleas and Pleas-By-Mail (per Rule 17.1) | X                       |           |   |
|   | Pre-Trial Conference                               |                         | X         |   |
|   | Order to Show Cause                                |                         | X         |   |
|   | Jury Trial Management Conference                   | X                       |           |   |
|   | Settlement Conference                              |                         | X         |   |
|   | Jury Trial   |                         | X         |   |
|   | Bench Trial  |                         | X         |   |
|   | Probation Violation Arraignment                    |                         | X         |   |
|   | Probation Violation Hearing – Non-Witness          | X                       |           |   |
|   | Probation Violation Hearing – Witness              |                         | X         |   |
|   | Other Non-Witness                                  | X                       |           |   |
|   | Other Witness                                      |                         | X         |   |
|   | Bond Forfeiture                                    | X                       |           |   |
|   | Therapeutic Court Proceedings                      |                         | X         |   |
|   | CTBMPSV  | Arraignment             | X         |   |
|   |  | Trial/Contested Hearing |           | X |
| Photo Enforcement Hearing                               |  | X                       |           |   |
| Other (Including ID Hearings, Local Ordinance, Parking) |  |                         | X         |   |
| Protective<br>Orders                                    | Ex Parte Hearing                                   | X                       |           |   |
|   | Contested Protective Order [Evidentiary] Hearing   |                         | X         |   |
|   | Other  | X                       |           |   |