

with matters of the court, safety of listed victims and their relations when setting release conditions, respect for victim rights, sufficiency of identification, decorum of court proceedings, gravity of court orders, timeliness in adjudication of matters.

- **Change of Plea/Sentencing**-adaption due to (may include but not limited to) the interest of justice, interest of judicial economy, increased assurance of defendants understanding of proceeding, clarity in sentencing and probation requirements, insufficiency of technology for some persons with matters of the court, decorum of court proceedings, safety of victims and their relations when ordering no contact and do not return, gravity of court orders, timeliness in adjudication of matters, performance of fingerprinting. In-Person presumptive does not apply to Telephonic Pleas and Pleas by Mail pursuant to Rule 17.1, Arizona Rules of Criminal Procedure.
- **Settlement Conference**-adaption due to (may include but not limited to) the interest of justice, interest of judicial economy, clarity in proposals, increased assurance in defendants understanding of the matters before them, preference of some persons with matters of the court, decorum of court proceedings, insufficiency of technology for some persons with matters of the court, timeliness in adjudication of matters with the court.

IT IS FURTHER ORDERED that hearings in the **Dewey-Humboldt Magistrate Court** must be held in the presumptive manner, but a judge assigned to a case may 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. The court must provide notice to the parties when such an alternative is utilized.

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 FINALLY 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 the party, good cause appearing, and consistent with the requirements of applicable rules.

Dated this 28th day of September, 2022.



Hon. Douglas Suits
Presiding Judge, Dewey-Humboldt Magistrate Court

Appendix 1

Recommended Remote and In-Person Hearings in the Post-Pandemic World by Case Type and Hearing Types

Case Type	Hearing Type	Remote	In-Person
<i>Limited Jurisdiction Proceedings Involving Criminal Misdemeanor Charges, under the Rules of Court Procedure for Civil Traffic, Boating, Marijuana and Parking and Standing Violations (CTBMPSV) and Juvenile Hearing Officer Proceedings</i>			
<i>Criminal Misdemeanor</i>			
	Appearance/Arrestment/Initial (OUT OF CUSTODY)		X
	Pre-trial Motion – Non-witness	X	
	Pre-trial/Motion – Witness		X
	Change of Plea/Sentencing		X
	Pre-trial Conference	X	
	Order to Show Cause		X
	Case Management Conference/Trial Preparedness Conference	X	
	Settlement Conference		X
	Jury Trial		X
	Bench Trial		X
	Probation Violation Arrestment	X	
	Probation Violation Hearing		X
	Probation Violation Disposition		X
	Other – Non-witness	X	
	Other – Witness		X
	Bond Forfeiture	X	
<i>CTBMPSV</i>			
	Arrestment	X	
	Trial/Contested Hearing		X
	Photo Enforcement Hearing	X	
	Other (including ID Hearings, Local Ordinance, Parking)	X	
<i>Juvenile Hearing Officer Proceedings</i>		X	