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BY:

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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

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IN AND FOR THE COUNTY OF MOHAVE

SUPERIOR COURT CLERK

IN THE MATTER OF:

SELECTION OF SPECIAL JUDICIAL
OFFICERS IN THE MOHAVE COUNTY
COURT SYSTEM

ADMINISTRATIVE ORDER
95-29

WHEREAS Arizona Supreme Court Administrative Order 93-30 Revised provides that the presiding judge of the superior court in each county shall exercise administrative supervision over all the courts in their county; and

WHEREAS Arizona Supreme Court Administrative Order 93-17 requires judges responsible for appointing or recommending appointment of special judicial officers to establish written selection procedures for special judicial officers consistent with said order,

IT IS ORDERED that the attached Mohave County Court System Plan for the Recruitment, Selection and Appointment of Special Judicial Officers is adopted.

IT IS FURTHER ORDERED that this administrative order shall replace any orders previously issued in this regard.

DATED this 27th day of July, 1995, at the Mohave County Courthouse in Kingman, Arizona.

[Handwritten signature of Gary R. Pope]

GARY R. POPE, PRESIDING JUDGE
MOHAVE COUNTY COURT SYSTEM

**THE MOHAVE COUNTY COURT SYSTEM PLAN
FOR THE RECRUITMENT, SELECTION AND APPOINTMENT
OF SPECIAL JUDICIAL OFFICERS**

PURPOSE

The following plan for the recruitment, selection and appointment of special judicial officers has been prepared and approved by the presiding judge in an effort to: (1) comply with Arizona Supreme Court Administrative Order Number 93-17 and other related statutes, (2) ensure integrity of the Mohave County Court System, (3) utilize an open and fair process for the appointment of persons to the Mohave County bench, and (4) encourage persons with diverse backgrounds and experience to seek Mohave County special judicial officer positions.

This plan is intended to establish formal standards which govern the recruitment, selection, and appointment of all special judicial officers in the Mohave County Court System including judge pro tempores; court commissioners; and small claims, family law, and juvenile court hearing officers.

RECRUITMENT

Filling of Judicial Vacancies

This plan shall govern the filling of all judicial vacancies which are not otherwise specified in the Arizona Constitution, Arizona Revised Statutes, and/or the Arizona Rules of Court. All judicial appointments except for those by the Governor shall be made through use of an open and competitive recruitment process.

Public Announcements

The recruitment process for special judicial officers shall be facilitated through widespread publication of new positions and position vacancies as needed. The presiding superior court judge or designee shall prepare position announcements in this regard and post such notices for a minimum of fourteen (14) calendar days. Public announcements shall be posted in prominent places (i.e. bulletin boards, message boards, etc.) in all court facilities in Mohave County; at least three (3) Mohave County local newspapers including those in Bullhead City, Kingman, and Lake Havasu City; the Mohave County Bar newsletter and other local law-related publications; and other city and/or county departments or agencies as appropriate. Public announcements relating to the appointment of special judicial officers shall be adequately circulated to ensure a broad distribution to all interested persons.

Contents of Announcements

Position announcements shall include at a minimum the following information: the official position title; a description of position duties, responsibilities and nature of work; terms and locations of the appointment; minimum and special qualifications, if any, for the position; the salary

and benefits; the specified time period of the appointment, if any; application procedures; the closing date of the job announcement; and an equal opportunity statement. The presiding judge or designee may include any additional information in the announcement as deemed appropriate.

QUALIFICATIONS

Application Forms

All applications for special judicial officer positions shall be on forms prepared and approved by the presiding judge. Application packets shall be obtained from the Mohave County Court Administrator and include a position announcement, a copy of Mohave County Administrative Order 95-29, an Application Form, an Authorization to Conduct a Criminal Background Check Form, the Arizona Code of Judicial Conduct, and any other information specified by the presiding judge. The application and authorization to conduct a criminal background check forms shall be signed and dated by the applicant pursuant to this Plan.

Filing Applications

Applications shall be filed in the Mohave County Court Administrator's Office by the position closing date or as otherwise designated in the position announcement. Applications by mail must be postmarked by midnight on the closing date to be considered. Applicants may submit documents, resumes, and other supplemental information with their application form to assist in verifying and accurately evaluating the applicant's qualifications for this position. Applicants shall provide all information and/or material at their own expense.

The issuance to or acceptance of any application form shall not be construed as incurring an obligation to the applicant by Mohave County or any municipality in Mohave County or constitute the assurance of an applicant in meeting minimum qualifications for a position or being granted an interview in this regard.

Receipt of Applications

The Mohave County Court Administrator or designee shall be responsible for receiving and opening applications, ensuring that applications are received in compliance with established application procedures, and recording the receipt of each application in a receipt log which includes the name of the applicant, the date the application was received, and any additional information as directed by the presiding judge. Upon the position closing date, the Court Administrator or designee shall forward applications received including any supplemental paperwork submitted by applicant to the Mohave County Committee on Special Judicial Officer Appointments for review and evaluation.

Appointment and Composition of the Committee on Special Judicial Officer Appointments

The presiding judge shall by administrative order appoint an advisory committee of

five (5) persons to screen applicants for special judicial officer appointments. The committee shall be composed of a Mohave County Superior Court Judge, the Mohave County Presiding Limited Jurisdiction Judge, a member of the Mohave County Bar, and two (2) public members. The committee shall meet as needed or as otherwise directed by the presiding judge to review and evaluate screening criteria, consider new applications, evaluate possible appointees, and make recommendations for special judicial officer appointments. The appointment of a replacement member of the committee to fill a vacancy caused by circumstances other than the expiration of term shall be for the unexpired portion of the vacant member's existing term.

Appointment and Role of Committee Chairman

The presiding judge shall appoint one member of the committee to serve as committee chairman. The committee chairman shall oversee and coordinate committee activities including scheduling meetings, reviewing applications, interviewing applicants, and preparing committee recommendations. The chairman shall serve as liaison between the presiding judge and the committee regarding committee activities.

Terms of Committee Members

The presiding judge shall appoint committee members for terms not to exceed three (3) years but may re-appoint members to the committee for an additional three (3) year term. Committee members shall have staggered terms to ensure stability on the committee and encourage the appointment of new members. The presiding judge may remove, replace or otherwise discipline a committee member at any time during their term of service as needed.

EXAMINATIONS AND INTERVIEWS

Content and Nature of Examinations and Interviews

Examinations and interviews conducted by the committee during the screening process shall be job-related and are intended to determine whether potential applicants are suited for the posted position. In addition to examinations and interviews, the committee may develop other techniques or mechanisms to evaluate potential applicants. All examinations, interviews, evaluations, ratings, and other screening mechanisms shall be instituted fairly and impartially to ensure integrity of the appointment process.

Evaluation Criteria

The committee shall establish criteria for screening and ranking applicants for special judicial officer positions to ensure a fair process. Applicants may be examined to determine if they possess the minimum qualifications and skills needed to perform the duties and responsibilities of the posted position. The selection of an applicant as a potential candidate or admittance to the examination or interview shall not constitute assurance of a passing rating during any aspect of the examination process.

Conduct of Examinations and Interviews

The committee may conduct examinations and interviews in any location in Mohave County as approved by the presiding judge. Any committee member who is related to a candidate being interviewed or has any related conflict of interest with a candidate, shall be recused from the proceedings and not participate in the examination, interview, or recommendation process. Committee members shall make the chairman aware of any conflicts which may impact their ability to be fair and impartial. Committee members who do not comply with this section may be subject to removal from the committee.

Security of Records and Communications

The chairman shall establish policies and procedures and take such precautions as necessary to safeguard the security and confidentiality of all examinations, interviews, communications, information, and records related to a job posting. Upon receipt from the Mohave County Court Administrator, the chairman shall be responsible for maintaining all records pertaining to applications and the examination or interview process during the committee's screening process.

Upon completion of the examination process, the chairman shall forward all original and/or copies of applications and other records to the Mohave County Court Administrator who shall maintain the official personnel records of all special judicial officer applicants and appointees. These records shall be maintained pursuant to existing Arizona law and as otherwise directed by the presiding judge. The Court Administrator shall ensure that all copies of applications and records including committee notes are destroyed immediately upon submission of original documents to the presiding judge.

COMMITTEE RECOMMENDATIONS

Most Qualified Applicants

Upon completion of the examination or interview process and a majority vote of the committee, the chairman shall forward to the presiding judge the names of the most qualified applicants for special judicial officer positions which are available. The chairman shall submit no more than three (3) names along with any supporting documentation to the presiding judge for each position available. The chairman shall also provide the presiding judge with criteria used during the examination process if any and a listing which ranks each application in order of preference to assist in this appointment.

The Court Administrator shall promptly inform the public of the names of the nominees submitted by the committee to the presiding judge. The authority to appoint special judicial officers shall rest exclusively with the presiding judge.

Disqualification of Applicants

The committee may refuse to examine or interview applicants, or after examination or interview, may disqualify such applicants from being considered for the position if it is determined that applicants: (1) do not meet the minimum qualifications established for the position, (2) have made any false statement of fact on the application form or in any supporting documentation, (3) have used or attempted to use political pressure, threats, or bribery to secure appointment to a position, (4) have not complied with all application policies and procedures, (5) are under indictment for or have been convicted of a crime which would affect an applicant's suitability for employment, (6) have a record of unsatisfactory performance during previous employment, (7) have previously exhibited behavior which does not comply with the Arizona Code of Judicial Conduct, or (8) do not meet other requirements as specified by the presiding judge, the committee, or provisions in this plan.

APPOINTMENT PROCEDURES

Final Interviews and Reference Checks

Upon receipt of names of the most qualified applicants and supporting documentation, the presiding judge shall review the applications of those persons recommended by the committee. The presiding judge may confer with the chairman if necessary regarding any applicant, the screening process, and/or the committee's recommendations in this regard. The presiding judge may conduct final interviews with any of the recommended applicants. The presiding judge may check references; investigate a candidate's education, experience, and/or other information in the application or supplemental information; and/or conduct a criminal background check to determine the suitability of any applicant recommended by the committee.

Non-Appointments

The presiding judge retains the right to reject any or all recommendations of the committee. If all recommended candidates are rejected, the position shall be re-advertised in accordance with the plan.

Final Appointment

The presiding judge shall appoint persons to special judicial officer positions based upon demonstrated ability and required levels of education, knowledge, skills, training and experience. Upon selection of a person for any special judicial officer position, the presiding judge or designee shall prepare an administrative order making such an appointment. Upon signing the order, the presiding judge or designee shall, if necessary, forward a copy of the order to the Mohave County Board of Supervisors for confirmation pursuant to statutory requirements.

Upon order of the presiding judge and if necessary, approval of the Mohave County Board of Supervisors, the Mohave County Court Administrator shall file the original order with the Clerk of the Superior Court and copies of the order shall be forwarded to the Mohave County

judges, the Mohave County Committee on Special Judicial Officer Appointments, and other persons deemed appropriate by the presiding judge.

POST-APPOINTMENT PROCEDURES

Orientation and Training Requirements

Persons selected as special judicial officers shall attend the Arizona Supreme Court judicial orientation and training program within one (1) year of assuming work on the Mohave County bench. The presiding judge and/or presiding limited jurisdiction court judge may require special judicial officers to repeat such programs and/or participate in other programs as necessary to ensure and maintain a high level of service on the Mohave County bench. All special judicial officers shall comply with Arizona Supreme Court Council of Judicial Education and Training (COJET) requirements pursuant to Administrative Order 93-19.

Grievances Against Special Judicial Officers

The Arizona Commission on Judicial Conduct has exclusive jurisdiction to investigate and act on complaints or grievances against pro tempore judges (i.e. temporary or judges with short-term appointments) and retired judges sitting at the request of the presiding judge. The Commission, however, does not have jurisdiction over court commissioners except if they are acting as pro tempore superior court judges, small claims hearing officers except if acting as pro tempore justices of the peace, or administrative hearing officers.

Upon request of the presiding judge, the Mohave County Committee on Special Judicial Officer Appointments shall review and evaluate grievances against court commissioners, small claims hearing officers, and/or administrative hearing officers appointed to the Mohave County bench pursuant to this plan who do not come under the auspices of the Commission on Judicial Conduct. The committee may meet as needed to review issues or concerns raised by judges, litigants, court personnel, and/or other members of the public regarding the performance of a court commissioner, small claims hearing officer or administrative hearing officer.

The presiding judge or designee shall maintain a file which documents issues and/or concerns regarding grievances made against court commissioners, small claims hearing officers, or administrative hearing officers. The committee shall review and evaluate all relevant documentation and make recommendations to the presiding judge regarding the discipline, replacement or removal of persons in these positions.

COMPENSATION

Special judicial officers shall be compensated based upon requirements in the Arizona Revised Statutes or pursuant to Mohave County contractual agreements.

WAIVER OF THE PLAN

The presiding judge may waive any provision of this plan if it is determined that a judicial branch emergency exists or the ends of justice require such waiver. The presiding judge shall ensure however that all special judicial appointments are made based upon merit and statutory requirements if waiver of any provision in this plan is necessary.

**APPLICATION FORM COVER SHEET FOR MOHAVE COUNTY
SPECIAL JUDICIAL OFFICER APPOINTMENTS**

This application form is intended to assess a person's qualifications for a special judicial officer position and must be completed by the applicant for any such position in the Mohave County Court System. Applicants shall answer all questions on this application form to the best of their ability to be considered in this regard.

* * * * *

**PLEASE FORWARD THE COMPLETED AND SIGNED APPLICATION
FORM IN AN ENVELOPE MARKED "SPECIAL JUDICIAL OFFICER
SCREENING COMMITTEE" TO:**

**Richard J. Lewis
Court Administrator
Mohave County Court System
P. O. Box 7000
Kingman, Arizona 86402-7000**

* * * * *

NOTICE

This original application and other supplemental information which you submit for a special judicial officer position will be retained in the office of the Presiding Judge of the Mohave County Court System or designee and maintained as required by law or as otherwise directed by the presiding judge.

EQUAL OPPORTUNITY EMPLOYER

The Mohave County Court System prohibits discrimination in employment due to race, color, religion, sex, age, national origin or physical impairment. As an equal employment opportunity and affirmative action employer, the Mohave County Court System recognizes the responsibility to extend equal employment to all persons.

MOHAVE COUNTY COURT SYSTEM

**APPLICATION FORM FOR SPECIAL JUDICIAL OFFICER POSITION
APPOINTMENTS**

This application form must be completed and filed with the Mohave County Court Administrator by the position closing date or as otherwise designated in the position announcement. Applications by mail must be postmarked by midnight on the closing date. This application will be held in strictest confidence according to the Arizona Rules of Procedure and the Mohave County Superior Court Administrative Order No. 95-29. The completed application form should be returned to the following:

**Richard J. Lewis
Court Administrator
Mohave County Court System
P. O. Box 7000
Kingman, Arizona 86402-7000**

1. Name: _____

First Middle Last
2. Social Security Number: _____
3. Residence address: _____

4. Residence telephone: () _____
5. Office address: _____

6. Office telephone: () _____
7. Are you an Arizona resident _____ If yes, indicate when and how long you have been an Arizona resident _____ If yes, is your Arizona residence your primary residence? _____.
8. Do you possess an Arizona drivers license? _____ If yes, please identify your drivers license number and the expiration date of your license _____

9. Have any of your previous marriages been terminated by judicial proceedings? _____ If so, please list the names, addresses, and telephone numbers of any former spouses. Please attach copies of final judgements or decrees in this regard.

10. Are your spouse and/or children engaged in any business? _____ If so, list their names and the name, address, and telephone number of the business in which they are engaged.

11. List the addresses of all your places of residence and approximate dates during the last ten years.

12. List the schools attended (i.e. preparatory, college, graduate, and/or law, etc.) dates, major and minor field of study, and any degrees granted.

13. List any extracurricular activities you participated in at these schools.

14. Are you a member of the Arizona State Bar Association? _____ If yes, indicate when you were admitted to practice law in Arizona _____ List your Arizona State Bar Number _____ Are you a member of a Bar Association in another State? _____ If yes, please list all other Bar memberships and dates admitted to practice law.

15. Have you ever been involved in any disciplinary action, suspended from practice, or denied admission to or disbarred from the practice of law any state? _____ If yes, explain.

16. Are you actively engaged in the practice of law at the current time? _____ If yes, list the names of your professional partners, associates, and/or employer including address and telephone number.

17. Please describe chronologically your law practice experience, if any, and other legal experience after graduation from law school including employer or firm name, address, telephone numbers, position titles, duties and responsibilities, and dates worked.

(A) Have you served as law clerk to a judge? _____ If yes, list the name and address of the court, the name of the judge, and the dates you served in this capacity.

(B) Please list the dates, names, addresses, and telephone numbers of law firms, professional partners, associates, companies, and/or governmental agencies that you have been connected with and the nature of your relationship.

(C) Describe the areas of specialization, if any, in which you practiced law.

(D) Have you ever served in a fiduciary capacity? _____ If yes, please provide details.

(E) Please add any other relevant information regarding your legal experience.

18. Concerning the legal practice you described above in questions #16 and #17, would you define your courtroom experience as often, occasional, or none? _____ If the frequency of your courtroom appearances varied depending upon positions held, please describe your courtroom experience by position and provide dates.

A. What percentage of your courtroom appearances were in the following categories:

- (I) federal appellate court _____
- (ii) federal district court _____
- (iii) state appellate court _____
- (iv) state general jurisdiction court _____
- (v) state limited jurisdiction court _____
- (vi) other court jurisdictions _____
- (vii) administrative boards or commissions _____

B. What percentage of your law practice was in the following categories:

(I) civil _____

(ii) criminal _____

(iii) family and/or domestic relations _____

(iv) juvenile _____

(v) probate _____

(vi) traffic _____

(vi) other _____

C. Identify the number of cases in courts of record you tried to verdict or judgement as opposed to those settled indicating the percentage of cases in which you were sole counsel, chief counsel, or associate counsel.

D. Please indicate the approximate percentage of your law practice as:

Plaintiff's counsel _____

Defendant's counsel _____

E. Please indicate the approximate percentage of cases you tried to verdict or judgement in the following categories:

(I) jury _____

(ii) non-jury _____

F. Describe not more than three (3) of the more significant cases you handled as a lawyer. Please provide a summary of the nature of each case and a brief statement specifying what you believe were the key issues of the case. Please identify the party or parties who you represented, the nature of your participation in the

litigation, the dates of the trial, the names of the court and judge before whom the case was tried, the names and addresses of counsel for the other parties, and the final disposition of the case.

G. Have you ever been involved in a "high profile" or "notorious" case or a case of special significance? _____ If yes, please describe.

19. Describe your experience as a mediator or arbitrator, if any.

20. If applicable, please identify the judicial office you currently hold, any judicial offices you have previously held, the name and jurisdiction of the courts involved, whether you were elected or appointed, and the dates of service.

21. If you have served as a judge, please describe not more than five of the more significant opinions you have written if any and attach copies to this form if available. Provide case numbers and citations if the opinions were reported to any court of review.

22. Have you ever been engaged in any occupation, business or profession other than the practice of law or holding judicial office? _____ If yes, please give a detailed description including the dates; positions held; the name of the organization; the name, address and telephone number of the person you reported to; and nature of your duties and responsibilities. Please list these positions chronologically with your most recent position listed first.

23. Do you intend to resign from your current position and withdraw from participation in the management of any such business enterprise if you are appointed to this position? _____ If no, please give reasons.

24. Have you ever been sued by a client or been a party to a lawsuit? _____ If yes, please explain.

25. Have you had any legal or court-related books or articles published? _____ If yes, please list each including the titles, citations and dates published.

26. Have you attended any Arizona Bar Association continuing legal education courses? _____ If yes, please list the courses taken including the co-sponsoring organizations, dates, and nature of courses.

27. Have you served as faculty for any law courses or lectured at bar association conferences, law school forums, and/or continuing legal education programs? _____ If yes, please list the sponsoring organizations, dates, and nature of courses.

28. List any honors, prizes, awards, and/or other forms of recognition which you have received during your professional career.

29. List any elected offices or pursued, the nature of the office, the locations, and dates:

30. Are you a registered voter in Arizona? _____ If yes, for how long have you been registered to vote? _____

31. List memberships and activities in professional organizations, including offices and/or positions held.

32. List memberships and activities in civic organizations, including offices and/or positions held.

33. List any avocational interests and/or hobbies.

34. Summarize your medical history including any physical limitations which may adversely impact on your ability to perform the duties of a judge.

35. Provide the names of your personal physicians and the date of your last physical, psychiatric examination, and/or other treatment rendered for each.

36. Have you ever been involved in military service? _____ If yes, list your positions, military duties, dates of service, branch of service, rank, serial number, current status, and date and type of discharge if any.

37. Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? _____ If yes, please explain.

38. Have you filed your income taxes in each of the last 5 years? _____ If no, please explain.

39. To your knowledge, has any formal charge of professional misconduct ever been filed against you? _____ If yes, indicate who charged you, what you were charged with, and how this situation was ultimately resolved.

40. Have you ever been charged with a crime other than a minor traffic offense or city ordinance? _____ If yes, indicate who charged you, what you were charged with, and how this situation was ultimately resolved.

41. Please list the names, addresses, and telephone numbers of any lawyers or judges that are familiar with your professional activities and would recommend you qualified to serve as a judge.

42. Please list the names, addresses, and telephone numbers of three (3) persons who are not lawyers or judges that would recommend you qualified to serve as a judge.

43. Please list the names, addresses, and telephone numbers of three (3) professional adversaries whom you have dealt with in the last five years.

AUTHORIZATION FOR CRIMINAL BACKGROUND CHECK

I hereby voluntarily authorize the Mohave County Committee on Special Judicial Officer Appointments to conduct a criminal background investigation on me as part of the application process for this special judicial officer appointment.

Name: _____

Address: _____

Date of Birth: _____

Place of Birth: _____

Social Security Number: _____

Signed this _____ day of _____, 19____.

Signature of Applicant

State of Arizona)
) ss.
County of Mohave)

Subscribed to before me this _____ day of _____, 19____.

Notary Public