

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA *BE*

IN AND FOR THE COUNTY OF MOHAVE: FEB 22 11 01 33

IN THE MATTER OF:

SUPERIOR COURT CLERK

SELECTION OF SPECIAL JUDICIAL
OFFICERS IN THE MOHAVE COUNTY
COURT SYSTEM)
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ADMINISTRATIVE ORDER
2001-03
(Replaces A.O. 98-33)

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

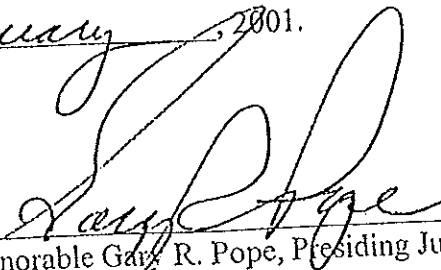
WHEREAS Arizona Supreme Court Administrative Order 2000-80 requires judges responsible for appointing or recommending appointment of special judicial officers to establish written selection procedures for special judicial officers consistent with said code

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

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

IT IS FURTHER ORDERED that this order be effective as of January 1, 2001, nunc pro tunc.

DATED this 22 day of February, 2001.



Honorable Gary R. Pope, Presiding Judge
Mohave County Court System

Original filed with the Clerk of the Superior Court in Mohave County.

**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 approved by the presiding judge in an effort to: (1) comply with Section 305, Chapter 3, Part 1 of the Arizona Code of Judicial Administration 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-tempore, court commissioner, 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 under this plan shall be made through use of an open and competitive recruitment process.

Public Announcements

The recruitment process for special judicial officers shall be initiated through widespread publication of new positions and position vacancies as needed. The Presiding Judge or designee shall prepare position announcements in this regard and post such notices for a minimum of ten (10) calendar days. Public announcements may be posted in prominent places (i.e. bulletin boards, message boards, court information network in Mohave County; Mohave County local newspapers including those in Bullhead City, Kingman and Lake Havasu City; 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 should be adequately circulated to ensure a broad distribution to all interested persons, including minority and women attorneys, and other qualified persons within Mohave County.

Contents of Announcements

Position announcements shall include at a minimum the following information: 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; the salary and benefits; the specified time period of the appointment, if any; application procedures; the closing date of the job announcement; an equal opportunity statement, and the name of the hiring authority. 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 Superior Court Personnel Office and include a position announcement, a copy of Mohave County Administrative Order 2001-03, an Application Form, an Authorization to Conduct a Background Check Form, the Arizona Code of Judicial Conduct, any other information specified by the Presiding Judge. The application and authorization to conduct a background check forms shall be signed and dated by the applicant pursuant to this Plan.

Filing Applications

Applications shall be filed in the Superior Court Personnel 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 a 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 Superior 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 Superior 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 seven (7) persons to screen applicants for special judicial officer appointments. The committee shall be composed of a Mohave County Superior Court Judge, a Mohave County Limited Jurisdiction Judge,

a member of the Mohave County Bar, and four (4) at large 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 Chairperson

The Presiding Judge shall appoint one member of the committee to serve as committee chairperson. The committee chairperson shall oversee and coordinate committee activities including scheduling meetings, reviewing and evaluating applications, scoring applications, interviewing applicants, and preparing committee recommendations. The chairperson shall serve as liaison between the Presiding Judge and the committee on 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.

EXAMINATION 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 shall 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 Examination 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 screening, examination, interview, or recommendation process. Committee members shall make the chairperson 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 removed from the committee.

Security of Records and Communications

The Superior Court Administrator and/or designee and committee chairperson 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 job posting. Upon receipt from the Superior Court Administrator or designee, the chairperson 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 chairperson shall collect and forward all original and/or copies of applications and other records to the Superior Court Personnel Manager 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 Superior Court Personnel Manager shall ensure that all copies of applications and other records including committee notes are destroyed immediately upon submission of original documents to the Presiding Judge.

COMMITTEE RECOMMENDATIONS

Establishment and Maintenance of Registers

Upon completion of the examination or interview process and a majority vote of the committee, the chairperson shall forward to the Superior Court Personnel Manager the names of the qualified applicants to be placed on the hiring register for special judicial officer positions.

Special judicial officer hiring registers will remain active for a period of twelve (12) months, unless such time is extended by the Presiding Judge. The hiring register will be used to fill special judicial officer vacancies occurring during the life of the register. If less than three (3) names are available on the hiring register, the chairperson may cause formal recruitment and examination pursuant to this Plan to occur. In such case, the names of the newly qualified candidates will be merged with those names already existing on the register.

When the need to fill a special judicial officer vacancy exists, the chairperson shall submit the names of the qualified candidate's from the hiring register along with any supporting documentation to the Presiding Judge. The chairperson shall also provide the Presiding Judge with

criteria used during the examination process if any.

The Superior 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; (8) have attempted to make personal contact with any member of the Mohave County Committee on Special Judicial Officer Appointments or Presiding Judge; or (9) do not meet other requirements as specified by the Presiding Judge, the committee, or 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 names and applications of those persons recommended by the committee. The Presiding Judge may confer with the chairperson if necessary regarding any applicant, the screening process, and/or the committee's recommendations in this regard. The Presiding Judge may conduct final interviews; check references; investigate a candidate's education, experience, and/or other information in the application or supplemental information; and/or conduct a background check to determine the suitability of any applicant recommended by the committee. The Presiding Judge may also seek public comment on recommended candidates for special judicial officer positions.

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 may 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, confirmation of the Mohave County Board of Supervisors, the Superior 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 the Arizona Supreme Court Council of Judicial Education and Training (COJET) requirements.

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 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 on 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, Mohave County policy, or as set by the Presiding Judge.

EVALUATION

Special judicial officers shall be periodically reviewed prior to their reappointment. The periodic review may include information obtained from both professional and public participants in the legal process. Any complaints received concerning a special judicial officer shall be considered prior to reappointment.

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 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 completely and honestly to the best of their ability to be considered for appointment.

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

Superior Court Personnel Office
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 Superior Court Personnel Office and maintained as required by law or as otherwise directed by the Presiding Judge.

EQUAL EMPLOYMENT OPPORTUNITY EMPLOYER

The Mohave County Court System prohibits discrimination in employment due to race, color, religion, sex, age, national origin, or disability. 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 Superior Court Personnel 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. This application will be held in strictest confidence according to Arizona law and the Mohave County Superior Court Administrative Order 2001-03. The original application materials (including employment application, cover letter of interest and resume) and seven (7) copies should be returned to:

Mohave County Superior Court Personnel Office
P.O. Box 7000
Kingman, Arizona 86402-7000

A. Personal Information

Name: _____
 First Middle Last

Mailing Address: _____

Residence Telephone: (____) _____

Office Address: _____

Office Telephone: (____) _____

Are you an Arizona resident? Yes No

If yes, indicate how long you have lived in Arizona: _____

Is your Arizona residence your primary residence? Yes No

Do you possess a valid Arizona driver's license? Yes No

If yes, please list your driver's license number and the expiration date of your license: _____

List the addresses of all your places of residence and dates during the last ten (10) years.

B. Education Background

List the names and locations of schools attended (i.e. college, advanced degrees and/or law, etc.) dates attended, and degrees, if any.

List major and minor fields of study and extracurricular activities.

List scholarships, awards, honors, citations, and other factors (e.g., employment) you consider relevant to your performance during college and/or law school.

C. Professional Background and Experience

Are you a member of the Arizona State Bar Association? Yes No
If yes, indicate when you were admitted to practice law in Arizona: _____

Are you a member of a Bar Association in another State? Yes No
If yes, please list all other Bar memberships and dates admitted to practice law.

Have you ever been involved in any disciplinary action, suspended from practice, or denied admission to or disbarred from the practice of law in any state? Yes No
If yes, explain: _____

Are you actively engaged in the practice of law at the current time? Yes No
If yes, list the names of your current law partners and associates. _____

Please describe chronologically your employment experience and any legal experience including employer or firm name, address, telephone numbers, position titles, duties and responsibilities, supervisor name and dates worked.

Have you served as a judicial law clerk or staff attorney to a court? Yes No
If yes, list the name and address of the court, the name of the judge, the dates you served, and your experience. _____

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

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. _____

Do you intend to resign from your current position if you are appointed to this position?
 Yes No If no, please give reasons: _____

Have you ever been sued by a client or been a party to a lawsuit? Yes No

If yes, please explain: _____

D. Training and Extracurricular Activities

Have you had any legal or non-legal books or articles published? Yes No

If yes, please list each including the titles, citations and dates published: _____

Have you attended the Arizona Supreme Court and/or Bar Association continuing legal education courses? Yes No

If yes, please list the courses taken including the sponsoring organizations, dates, and nature of courses. _____

Have you served as faculty for any law courses or lectured at Supreme Court and/or bar association conferences, law school forums, and/or continuing legal education programs?
 Yes No If yes, please list the courses taken including the sponsoring organizations, dates, and nature of courses: _____

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

Are you a registered voter in Arizona? Yes No

If yes, how long have you been registered to vote? _____

Have you voted in all general elections held during those years? Yes No

If not, explain: _____

Have you served on any committees of the Supreme Court and/or bar association? Yes No
If yes, please list the name of the committee and the dates served: _____

List memberships and activities in professional organizations including offices and/or positions held and dates: _____

List memberships and activities in civic organizations, including offices and/or positions held and dates: _____

Describe any personal interests you would like to bring to the Committee's attention: _____

Are you able to perform the essential duties of a judge in the court(s) for which you are applying with or without reasonable accommodation? Yes No

E. Conduct and Ethics

Has a tax lien or other collection procedure ever been instituted against you by federal, state or local authorities? Yes No

If yes, please explain. _____

Have you filed your federal and state income tax returns for all years you were legally required to file them? Yes No

If not, please explain. _____

Have you paid all federal, state and local taxes when due? Yes No

If not, please explain. _____

To your knowledge, has any formal charge of professional misconduct ever been filed against you? Yes No

If yes, indicate who charged you, what you were charged with, and how this situation was resolved: _____

Have you ever unlawfully used controlled substances, narcotics or dangerous drugs as defined by federal and state laws? Yes No

If yes, please explain _____

Have you ever been reprimanded, demoted, disciplined, placed on probation, suspended, cautioned or terminated by an employer as a result of your alleged consumption of alcohol, prescription drugs or illegal use of drugs? Yes No

If yes, explain the circumstances under which such action was taken, the name(s) of any persons who took such action, and the background and resolution of such action: _____

Have you ever refused to submit to a test to determine whether you had consumed and/or were under the influence of alcohol or drugs? Yes No

If yes, indicate the date you were requested to submit to such a test, type of test requested, the name of the entity requesting that you submit to the test, the outcome of your refusal and the reason why you refused to submit to such a test: _____

Have you ever been charged with or been convicted of a felony, misdemeanor, or violation of the Uniform Code of Military Justice? Yes No

If yes, indicate who charged you, what you were charged with, and how this situation was resolved: _____

Has any court ever imposed sanctions against you for violation of any rule or procedure or for any other professional impropriety? Yes No If yes, please explain: _____

Have you ever violated a court order including but not limited to an order for payment of child or spousal support? Yes No
If yes, please explain: _____

Have you ever been discharged or requested to resign in lieu of termination for any position?
 Yes No If yes, please explain: _____

Have any of your current or former co-workers, subordinates, supervisors, customers or clients ever filed a complaint or accusation of misconduct against you with any regulatory or investigatory agency, or with your employer? Yes No
If yes, state the date(s) of such accusations, the specific accusation(s) made, and the background and resolution of such action(s).

Have you performed military service? Yes No
If yes, please indicate the date and type of discharge: _____

F. References

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

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

G. Additional Information

Please include any further information relative to your candidacy, qualifications, skills, and/or abilities that you wish to forward to the Mohave County Committee on Special Judicial Officer Appointments to assist them in evaluating your application. Please attach a cover letter explaining why you are seeking this position and a resume to this application form.

If you are appointed by the Presiding Judge to serve as a special judicial officer, are you aware of any reason why you would be unable or unwilling to serve a full term? Yes No
If yes, please explain. _____

If you are appointed by the Presiding Judge to serve as special judicial officer, would you accept assignments outside your area of residence? Yes No If no, please explain.

The undersigned hereby authorizes any bar association, reference, employer, educational institution, credit reporting agency, business and, professional associate, or governmental agency to release to the Mohave County Committee on Special Judicial Officer Appointments and Presiding Judge or designee any information requested in connection with the processing of my request for consideration as a special judicial officer. I understand that the fact I have applied is not confidential and the information provided may be verified. All statements in this application are true and correct to the best of my knowledge. Submission of this application expresses my willingness to accept appointment to the judicial position applied for in this application if made by the Presiding Judge of the Mohave County Court System.

Applicant Signature

Date

AUTHORIZATION FOR BACKGROUND CHECK

The Mohave County Court System may check credit, criminal, educational, employment and disciplinary records of applicants. I hereby authorize the Presiding Judge or designee to conduct credit, criminal background, educational, employment and disciplinary records investigations as part of the application process for judicial appointment.

Name: _____

Address: _____

Fax Number: _____

Date of Birth: _____

Place of Birth: _____

Social Security Number: _____

State Bar Number: _____

Signed this _____ day of _____, 20____.

Signature of Applicant

State of Arizona)
)ss.
County of Mohave)

Subscribed to before me this _____ day of _____, 20____.

Notary Public