93 SEP 22 AM 9:25
SUPERIOR COURT CLERK

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MOHAVE

IN THE MATTER OF SELECTION OF SPECIAL JUDICIAL OFFICERS IN THE MOHAVE COUNTY COURT SYSTEM	)	ADMINISTRATIVE ORDER 93-17

Pursuant to Arizona Supreme Court Administrative Order 93-30 which provides that the presiding judge of the superior court in each county shall exercise administrative supervision over all the courts in their county and Arizona Supreme Court Administrative Order 93-17 which requires the establishment and implementation of written selection procedures for special judicial officers,

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

Dated this 16th day of Sept, 1993, at the Mohave County Superior Court in Kingman, Arizona.

GARY R. POPE, PRESIDING JUDGE
MOHAVE COUNTY SUPERIOR COURT

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 Mohave County judiciary in an effort to: (1) comply with Arizona Supreme Court Administrative Order Number 93-17 and other related statutes, (2) maintain integrity of the Mohave County Court System, (3) ensure 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 Courts including judge pro tempores, court commissioners, small claims and family law hearing officers, and juvenile court referees.

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 with the exception of those by the Governor or through referenda 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 they occur. The presiding superior court judge or designee shall prepare position announcements in this regard and post such notices for minimum of fourteen (14) calendar days. Public announcements shall be posted in prominent places (i.e. bulletin boards, message boards, etc.) in all Mohave County court facilities; at least three (3) Mohave County local newspapers including those in Bullhead City, Kingman, and Lake Havasu City; the Mohave County Bar journal and other local law-related publications; and other city and/or county departments or agencies as the presiding superior court judge deems 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 but not be limited to the following: the official position title; terms of compensation; a description of position duties and responsibilities; minimum qualifications and any special qualifications for the position; the location(s) of such appointment; the specified time period for the appointment, if any; application procedures; the final date for receipt of applications; and an equal opportunity statement. The presiding judge 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 superior court judge. Application forms shall be obtained from the Mohave County Court Administrator. Application packets shall include a position announcement, a copy of these guidelines, an application form, an authorization to conduct a criminal background check form, the Arizona Code of Judicial Conduct, and any other information as deemed necessary by the presiding superior court judge. The application and authorization to conduct a criminal background check forms shall be signed and dated by the applicant pursuant to approved application requirements.

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. Applicants may submit such documents, resumes, and other supplemental information with their application form to assist in verifying and accurately evaluating the applicant's education, qualifications, and experience. Applicants shall furnish all required information at their own expense.

Issuance or acceptance of any application 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 superior court judge. Upon the position closing date, the Court Administrator or designee shall forward applications received including any supplemental paperwork submitted to the Chair of 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 of the Mohave County Superior Court shall by administrative order appoint an advisory committee of five 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 two (2) public members. The committee shall meet as needed or as otherwise directed by the presiding superior court judge to consider new applications, evaluate possible appointees, and review and evaluate screening criteria. Appointment to the committee to fill a vacancy caused by other than expiration of term shall be for the unexpired portion of the existing term.

Appointment and Role of Committee Chairperson

The Presiding Judge of the Mohave County Superior Court shall appoint one member of the committee to serve as committee chair. The committee chair shall oversee and coordinate committee activities including scheduling meetings, reviewing applications, interviewing applicants, and preparing committee recommendations. The chair shall serve as liaison between the presiding superior court judge and the committee regarding committee activities.

Terms of Committee Members

The Presiding Judge of the Mohave County Superior Court shall appoint committee members for terms not to exceed three years. The presiding judge may re-appoint members to the committee for an additional three year term. Committee members shall have staggered terms to ensure some 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

Content and Nature of Examinations

Examinations conducted during the screening process shall be job-related and designed to determine whether potential applicants are suited for the posted position. In addition to examinations, the committee may develop other techniques or mechanisms to evaluate potential applicants. All examinations,

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. Selection of an applicant as a potential candidate or admittance to the examination process shall not constitute assurance of a passing rating during any aspect of the examination process.

Conduct of Examinations

Examinations shall be conducted in such locations in Mohave County as approved by the presiding superior court judge. Any member(s) of the committee who are related to a candidate being interviewed or who has any related conflict of interest with a candidate, shall be recused from the proceedings and not participate in the examination and/or evaluation process. Committee members shall make the committee chair aware of any such conflicts which may impact their ability to be fair and impartial.

Security of Records and Communications

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

Upon completion of the examination process, the committee chair shall forward all original applications and other records to the Presiding Judge of the Mohave County Superior Court or designee 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 superior court judge. The committee chair shall ensure that all copies of applications and records including committee notes are destroyed immediately upon submission of original documents to the presiding superior court judge.

COMMITTEE RECOMMENDATIONS

Most Qualified Applicants

Upon completion of the examination process and a majority vote of the committee, the committee chair shall forward to the presiding superior court judge the names of the most qualified

applicants for special judicial officer positions which are available. The committee chair shall submit no more than three (3) names along with supporting documentation for each position available. The committee chair shall also provide the presiding judge with criteria used during the examination process and a listing which ranks each applicant interviewed in order of preference to assist in this appointment.

The committee chair shall promptly inform the public of the names of the nominees submitted to the presiding judge. The authority to appoint special judicial officers shall rest exclusively with the Presiding Judge of the Mohave County Superior Court.

Disqualification of Applicants

The committee may refuse to examine applicants, or after examination, may disqualify such applicants from being recommended to the presiding superior court judge if it is determined that applicants: (1) do not meet the minimum qualifications established for the position, (2) have made a false statement(s) of material fact in the application or 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 not complied with or cannot comply with the Arizona Code of Judicial Conduct, and/or (8) do not meet other requirements as specified by the Presiding Judge of the Mohave County Superior Court, the committee, or provisions in this plan.

APPOINTMENT PROCEDURES

Final Examinations and Reference Checks

Upon receipt of names of the most qualified applicants and supporting documentation, the Presiding Judge of the Mohave County Superior Court shall review the applications and initiate final interviews for special judicial officer appointments. The presiding superior court judge may confer with the committee chair as needed regarding any applicant, the screening process, and/or the committee's recommendations in this regard. The presiding superior court judge shall conduct final interviews with one or more of the three recommended applicants and a final selection shall be made for the special judicial officer position. The presiding judge may check references and investigate a candidate's education, experience, and/or other information in the application or supplemental information to determine the suitability of any applicant recommended by the screening committee.

Non-Appointments

If the presiding superior court judge chooses not to appoint one of the committee's recommended candidates and indicates such to the screening committee chair within twenty-one (21) days from the date the recommendations are submitted, the position shall be re-advertised in accordance with the plan.

Final Appointment

The presiding superior court 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 superior court judge or designee shall prepare an administrative order making such an appointment. Upon signing the order, the presiding superior court judge or designee shall, if necessary, forward a copy of the order to the Mohave County Board of Supervisors pursuant to statutory requirements.

Upon order of the Presiding Judge of the Mohave County Superior Court and the approval of the Mohave County Board of Supervisors if necessary, 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 Arizona Supreme Court, Mohave County judges, the Mohave County Committee on Special Judicial Officer Appointments, and other persons deemed appropriate by the Presiding Judge of the Mohave County Superior Court.

Probationary Periods

All special judicial officer appointments, except emergency appointments, shall be subject to the satisfactory completion of a probationary period. The probationary period shall be considered in integral part of the appointment process and shall be used to review and evaluate all appointees.

POST-APPOINTMENT PROCEDURES

Orientation and Training Requirements

Persons selected as special judicial officers shall attend the Arizona Supreme Court judicial orientation and training program prior to assuming work on the Mohave County bench. The presiding superior 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 (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 (unless they are acting as pro tempore superior court judges), small claims hearing officers (unless they are acting as pro tempore justices of the peace), or administrative hearing officers.

Upon request of the presiding superior court 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. The committee shall 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 superior court 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 superior court judge regarding the removal, replacement or discipline 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

If the Presiding Judge of the Mohave County Superior Court determines that a judicial branch emergency exists or the ends of justice require that the plan or any provision thereof with the exception of appointment deadlines be waived, these procedures may be waived upon initiative of the judge. The presiding superior court judge shall ensure however that all special judicial appointments are made based upon merit and statutory requirements.

APPLICATION FORM COVER SHEET FOR MOHAVE COUNTY SPECIAL JUDICIAL OFFICER APPOINTMENTS

The names of the recommended candidates for special judicial officer positions shall be delivered to the Presiding Judge of the Mohave County Superior Court by the chair of the Mohave County Committee on Special Judicial Officer Appointments. The public shall thereafter promptly be informed of the names of the nominees by the committee chair.

* * * * *

PLEASE TRANSMIT THE COMPLETED AND SIGNED APPLICATION IN AN ENVELOPE MARKED "SPECIAL JUDICIAL OFFICER SCREENING COMMITTEE" BY THE CLOSING DATE TO:

Richard J. Lewis
Court Administrator
Mohave County Superior Court
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 Superior Court or designee and maintained as required by law or as otherwise directed by the presiding superior court judge.

SUPERIOR COURT OF THE STATE OF ARIZONA
MOHAVE COUNTY

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. 93-16 regarding special judicial officer appointments. The completed application form should be returned to the following:

Richard J. Lewis
Court Administrator
Mohave County Superior Court
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. Have any of your previous marriages been terminated by judicial proceedings? _____ If so, please list the name(s), addresses, and telephone numbers of any former spouses. Please attach copies of final judgements or decrees.

_____

_____

_____

_____

_____

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

_____

_____

_____

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

_____

_____

_____

_____

_____

_____

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

_____

_____

_____

11. List any extracurricular activities in which you participated at these schools.

_____

_____

_____

12. Are you a member of the Arizona State Bar Association? _____ If so, 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 so, please list all other Bar Memberships and dates admitted.

_____

_____

_____

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

_____

_____

_____

_____

_____

_____

14. Are you actively engaged in the practice of law at the current time? _____ If so, list your professional partners, associates, and employer or firm name, address, and telephone number.

_____

_____

_____

_____

_____

_____

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

(A) Have you served as clerk to a judge? _____
If so, list the court(s), the name of the judge(s), 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 with which you have been connected and the nature of your connection with each.

_____

_____

_____

_____

_____

_____

_____

_____

_____

(C) Describe your major typical clients and mention areas of specialization, if any, in which you practiced.

_____

_____

_____

_____

_____

_____

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

_____

_____

_____

_____

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

16. Concerning the legal practice you described above, would you define your experience in appearing in court as a lawyer as often, occasional, or limited? _____ If the frequency of your appearances in court varied depending upon positions held, please describe your court experience by position and provide dates.

A. What percentage of these court appearances was in:

(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 litigation was:

(i) civil _____

(ii) criminal _____

(iii) family and domestic relations _____

(iv) juvenile _____

(v) probate _____

(vi) traffic _____

(vi) other _____

C. State the number of cases in courts of record you tried to verdict or judgement (rather than settled) indicating the percentage of cases in which you were sole counsel, chief counsel, or associate counsel.

_____

_____

_____

D. Please indicate the percentage of your experience as:

Plaintiff's counsel _____

Defendant's counsel _____

E. What percentage of the cases you tried to verdict or judgement were:

(i) jury _____

(ii) non-jury _____

F. Describe not more than five of the more significant litigated matters which you handled and provide the case numbers if available. Please give a summary of the nature of each case and a brief statement of what you believe to be the particular significance of the case. Please identify the party or parties whom you represented, describe the nature of your participation in the litigation and the final disposition of the case. Please also indicate for each case: 1) the dates of the trial period(s); 2) the names of the court and judge

before whom the case was tried; and 3) the names and addresses of counsel for the other parties.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

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

_____

_____

_____

_____

_____

_____

_____

_____

17. Describe your experience as an arbitrator, if any.

_____

_____

_____

_____

_____

_____

18. If applicable, please state the judicial office you currently hold and any judicial office(s) you have previously held. Provide dates and details including the court(s) involved; whether elected, appointed, or contract; periods of service; and a description of the jurisdiction of each court.

_____

_____

_____

_____

_____

_____

19. If you are or have been a judge, please describe not more than five of the more significant opinions you have written if any and attach copies of them to this form if available. Provide case numbers if the opinions were reported as well as citations to any higher court review of such opinions.

_____

_____

_____

_____

_____

_____

20. Have you ever been engaged in any occupation, business or profession other than the practice of law or holding judicial office? _____ If so, please give a detailed description including the dates, positions held, your supervisor, and responsibilities and duties. Please also attach your resume.

_____

_____

_____

_____

_____

_____

_____

_____

_____

21. Are you now an officer, director, major stockbroker, or otherwise engaged in the management of any business enterprise? _____

A. If so, give details, including the name of the enterprise, the nature of the business, the title and description of your position, a description of your duties, and the term of service.

_____

_____

_____

_____

_____

_____

B. If so, is it your intention to resign from such position(s) and withdraw from any participation in the management of any such enterprise if you are recommended and appointed to this position? _____ If not, please give reasons.

_____

_____

_____

_____

_____

_____

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

_____

_____

_____

_____

_____

_____

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

_____

_____

_____

_____

_____

_____

24. Have you attended any continuing legal education courses? _____ If so, please list the courses taken including the sponsoring organization(s), dates, and nature of courses.

_____

_____

_____

_____

_____

_____

25. Have you taught any law courses or lectured at Bar Association conferences, law school forums, or continuing legal education seminars? _____ If so, please list the sponsoring organization(s), dates, and nature of courses.

_____

_____

_____

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

_____

_____

_____

_____

_____

_____

27. List any elected or appointed offices held and/or campaigned for, the nature of the office, the locations, and dates:

_____

_____

_____

_____

_____

_____

28. Have you been registered to vote in each of the past 10 years? _____ If so, have you voted in each election? _____

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

_____

_____

_____

_____

_____

_____

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

_____

_____

_____

_____

_____

_____

31. List your avocational interests and hobbies.

_____

_____

_____

_____

_____

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

_____

_____

_____

_____

_____

_____

33. Give the name of your personal physician(s) and the date of your last physical examination, psychiatric treatment, and/or other treatment.

_____

_____

_____

_____

_____

_____

34. Have you ever been involved in military service? _____ If so, list and describe your position(s), military duties, dates, branch of service, rank, serial number, present status, and date and type of discharge if any.

_____

_____

_____

_____

_____

_____

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

_____

_____

_____

_____

_____

_____

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

_____

_____

_____

_____

_____

_____

37. To your knowledge, has any formal charge of professional misconduct ever been filed against you? _____ If so, what, where and when were you charged with such misconduct and describe how this situation was resolved.

_____

_____

_____

_____

_____

_____

38. Have you ever been charged with a crime other than a minor traffic offense or city ordinance? _____ If so, what, where and when were you charged with such violation and describe how this situation was resolved.

_____

_____

_____

_____

_____

_____

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

_____

_____

_____

40. Please list the names, addresses, and telephone numbers of three persons who are neither lawyers nor judges with whom you have had contact other than professionally and would recommend you qualified to serve as a judge.

_____

_____

_____

41. Please list the names, addresses, and telephone numbers of four professional adversaries whom you have dealt with in the last five years.

_____

_____

_____

_____

42. Please include any further information relative to your candidacy, qualifications, skills, and/or abilities that you wish to forward to the Mohave County Screening Committee to assist them in their applicant evaluation process.

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

The undersigned hereby authorizes the Arizona State Bar Association and any other Bar Associations, references, employers, business and professional associates, doctors, and all governmental agencies to release to the Mohave County Committee on Special Judicial Officer Appointments all information requested by said Committee in connection with the processing of my request for consideration as a special judicial officer. Submission of this application expresses my willingness to accept an appointment to the Mohave County Court System if tendered by the Presiding Judge of the Mohave County Superior Court.

_____ _____

Signature Date

AUTHORIZATION FOR CRIMINAL BACKGROUND CHECK

I hereby authorize the Mohave County Committee on Special Judicial Officer Appointments to conduct a criminal background investigation on me as a voluntary 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 _____, 1993.

_____

Signature of Applicant