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BEVERLY FRAME
CLERK OF SUPERIOR COURT
YUMA, ARIZONA 85364

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF YUMA

In the Matter of:	)	
	)	**Administrative Order**
CALENDAR ASSIGNMENTS &	)	
ASSIGNMENT AND NUMBERING	)	**NO. 2000-15**
OF CASES OF SUPERIOR COURT,	)	
YUMA COUNTY, ARIZONA	)	
	)	
	)	

This Administrative Order shall supersede and take the place of Administrative Orders, No. 98-1 as amended, dated January 29, 1998, and No. 99-3, dated February 26, 1999, and No. 99-22, dated July 20, 1999, and No. 99-26, as amended, dated September 29, 1999.

The Superior Court in Yuma County wants to maintain the effective caseflow management system it has undertaken and its goal of accomplishing the disposition of 90% of the felony cases within 100 days of filing, and 99% within 180 days.

Case disposition statistics and best practices indicate that in order for the courts to maintain effective disposition of felony cases and to effect timely disposition of all other cases, the assignment of criminal, civil, domestic relations, reciprocal, juvenile, probate, mental health,

adoption, and other proceedings among the different Divisions of the Yuma County Superior Court be should be changed consistent with this Administrative Order.

IT IS THEREFORE ORDERED that effective November 7, 2000, and until further order of the Presiding Judge, the following assignments of Superior Court Judges are made for the Judges of the Yuma County Superior Court:

(1) Tom C. Cole is assigned to Division One;

(2) John N. Nelson is assigned to Division Two;

(3) Thomas A. Thode is assigned to Division Three;

(4) Philip L. Hall is assigned to Division Four; and

(5) Kirby Kongable is assigned to Division Five

IT IS ORDERED that effective with cases filed beginning November 7, 2000, and until further order of the Presiding Judge (notwithstanding any previous assignment having been made in Justice Court) all criminal cases shall be assigned as follows:

(1) All Superior Court numbered cases, the last two digits of which number when divided by four (4) result in a remainder of one (1), to Division One;

(2) All Superior Court numbered cases, the last two digits of which number when divided by four (4) result in a remainder of two (2), to Division Two;

(3) All Superior Court numbered cases, the last two digits of which number when divided by four (4) result in a remainder of three (3), to Division Three; and

(4) All Superior Court numbered cases, the last two digits of which number

when divided by four (4) result in a remainder of four (4), to Division Four.

IT IS FURTHER ORDERED that all criminal cases in which a defendant was originally sentenced by Judge Tom C. Cole, or Judge John N. Nelson, shall be reassigned to Judge Tom C. Cole, Division One, or Judge John N. Nelson, Division Two, if, and when, such defendant come before the court on any post-conviction proceeding filed on November 7, 2000 or after, which would include, but not be limited to, petitions for violation of probation, petitions for restoration of civil rights, petitions to modify conditions of probation, and petitions for post-conviction relief.

IT IS FURTHER ORDERED that all criminal cases in which a defendant was originally sentenced by a judge who has subsequently retired or left the Yuma County Superior Court bench, shall be reassigned to Divisions according to the numbering system devised and made a part of this Administrative Order for criminal cases, if, and when, they come before the court on any post-conviction proceeding filed November 7, 2000, or after, which would include, but not be limited to, petitions for violation of probation, petitions for restoration of civil rights, petitions to modify conditions of probation, and petitions for post-conviction relief.

IT IS ORDERED that effective with cases filed beginning November 7, 2000, and until further order of the Presiding Judge, all civil cases shall be assigned as follows:

(1) All Superior Court numbered cases, the last two digits of which number when divided by four (4) result in a remainder of one (1), to Division One;

(2) All Superior Court numbered cases, the last two digits of which number when divided by four (4) result in a remainder of two(2), to Division Two;

(3) All Superior Court numbered cases, the last two digits of which number when divided by four (4) result in a remainder of three (3), to Division Three; and

(4) All Superior Court numbered cases, the last two digits of which number when divided by four (4) result in a remainder of four (4), to Division Four.

IT IS ORDERED that effective with cases filed beginning November 7, 2000, and until further order of the Presiding Judge:

(1) All mental health cases shall be assigned to Division Three;

(2) Notwithstanding the assignment of such cases to Division Three, Judge John N. Nelson, Division Two, shall conduct all hearings through December 31, 2000; and

(3) That any mental health cases filed prior to November 7, 2000, that come before the court for hearing after December 31, 2000, shall be automatically reassigned to Division Three.

IT IS ORDERED that effective with cases filed beginning November 7, 2000, and until further order of the Presiding Judge, all adoption cases shall be assigned to Division Three. All adoption hearings presently set before Judge Kirby Kongable, Division Five, shall be heard by Judge Kirby Kongable. Any hearing set from the date of this Administrative Order forward shall be set in Division Three and those cases which were filed prior to November 7, 2000, shall be automatically assigned to Division Three.

IT IS ORDERED that effective with cases filed beginning November 7, 2000, and

until further order of the Presiding Judge:

(1) All probate cases shall be assigned to Division Three;

(2) Notwithstanding the assignment of such cases to Division Three, Judge John N. Nelson, Division Two, shall conduct all probate hearings through December 31, 2000; and

(3) Any probate cases filed prior to November 7, 2000, that come before the court for hearing after December 31, 2000, shall be automatically reassigned to Division Three.

IT IS ORDERED that, until further order of the Presiding Judge, all cases in the Juvenile Division of the Yuma Superior Court shall continue to be assigned to Division Five.

IT IS ORDERED that, until further order of the Presiding Judge, all cases of the Adult Drug Court shall continue to be assigned to Division One.

IT IS ORDERED that, until further order of the Presiding Judge, all domestic relations cases shall continue to be assigned to the Honorable John Paul Plante, Judge Pro Tem/Commissioner, except as follows:

(1) Effective with cases filed beginning November 7, 2000, and until further order of the Presiding Judge, all Title IV(D) child support actions initiated by the Arizona Attorney General's Office shall be assigned to Commissioner Denise D. Gaumont;

(2) Until further order of the Presiding Judge, any Title IV(D) child support actions initiated by the Arizona Attorney General's Office filed prior to November 7, 2000, that come before the court for hearing on November

16, 2000, and after, shall be assigned to Commissioner Denise D. Gaumont;

(3) Until further order of the Presiding Judge, any Title IV(D) cases assigned under (1) and (2) above, that come before the court for hearing on some issue other than child support, shall be heard by the Honorable John Paul Plante for those contested issues. These hearings would include, but not be limited to, visitation issues, a custody issues, or change of custody issues.

IT IS ORDERED beginning November 1, 2000, and until further order of the Presiding Judge, Commissioner Denise D. Gaumont shall hear cases for the Juvenile Division of the Superior Court on Mondays, Tuesdays, and Wednesday mornings (one-half day); further, that she shall hear cases for the Superior Court on Wednesday afternoons (one-half day), Thursdays and Fridays.

IT IS ORDERED beginning November 15, 2000, and until further order of the Presiding Judge, all domestic relations default actions shall be heard by Commissioner Denise D. Gaumont on Wednesday afternoons at 2:00 p.m. at the Yuma County Courthouse.

IT IS ORDERED beginning November 16, 2000, and until further order of the Presiding Judge, all Title IV(D) child support actions initiated by the Arizona Attorney General's Office shall be heard by Commissioner Denise D. Gaumont on Thursdays at the Yuma County Board of Supervisors Conference Room.

IT IS ORDERED beginning November 17, 2000, and until further order of the Presiding Judge, all Arraignments shall be heard by Commissioner Denise D. Gaumont on

Fridays at 8:30 a.m. in Division One Courtroom.

IT IS ORDERED beginning November 17, 2000, and until further order of the Presiding Judge, Motions to Review Conditions of Release may be heard by Commissioner Denise D. Gaumont on Fridays at 9:30 a.m. in Division One Courtroom.

IT IS ORDERED beginning November 7, 2000, and until further order of the Presiding Judge, the criminal calendars shall be held as follows:

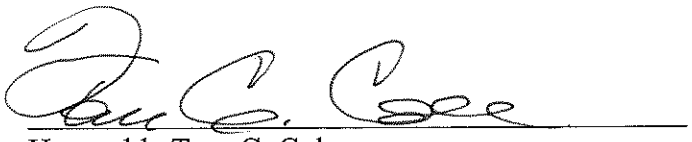
(1) Divisions One and Three on Tuesday and Thursday mornings at 8:30 a.m; and

(2) Divisions Two and Four on Wednesday and Friday mornings at 8:30 a.m.

IT IS ORDERED, notwithstanding the above paragraph, Divisions Three and Four will continue to have regular Monday criminal calendars through Monday, December 18, 2000. Further, Divisions Three and Four may continue to have daily criminal calendars through December 11, 2000, in order to expeditiously process criminal cases previously assigned to those divisions.

IT IS ORDERED that, until further order of the Presiding Judge, Law and Motion Day shall continue to be the first working day of each week, with probates, civil motions, adoptions, defaults, and orders to show cause being heard.

DATED this 26th day of October, 2000.



Honorable Tom C. Cole
Presiding Judge

Copies to:

Clerk of the Superior Court
Court Administrator
Hon. Philip L. Hall
Hon. Thomas A. Thode
Hon. John N. Nelson
Hon. Kirby Kongable
Commissioner John Paul Plante
Commissioner Denise D. Gaumont