

Night Court Commissioner FAQs

1. What is a Night Court Commissioner?

Night Court Commissioners are part-time Judicial Officers appointed to provide overnight judicial coverage in the Initial Appearance (IA) Criminal Department. They preside over IA matters and are also appointed as Judges Pro Tempore (JPT) to ensure they have the necessary legal authority.

2. What are the work hours and schedule?

Night Court Commissioners work part-time, covering overnight shifts from 6:30 PM to 6:30 AM, including weekends and holidays. Four Night Court Commissioners are assigned to handle the overnight shifts.

The standard rotation is:

- Seven days on, seven days off
- 6-hour shifts each day, with a 30-minute unpaid break
- Two shift blocks (evening and overnight) are staggered to ensure overlap with daytime and nighttime coverage

Week 1		Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
6:30pm-1:00am	Comm. 1	x	x	x	x	x	x	x
	Comm. 2							
12:00am-6:30am	Comm. 3	x	x	x	x	x	x	x
	Comm. 4							

Week 2		Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Comm. 1							
12:00am-6:30am	Comm. 2	x	x	x	x	x	x	x
	Comm. 3							
6:30pm-1:00am	Comm. 4	x	x	x	x	x	x	x

3. Are Night Court Commissioners required to work on holidays?

Yes, the Initial Appearance Court is a 24/7 operation and does not close for observed holidays. Night Court Commissioners are scheduled to cover overnight shifts, including weekends and holidays, as part of their regular assignment. This ensures continuous judicial coverage throughout the year.

Night Court Commissioners receive 4 hours of holiday pay for each observed holiday. This benefit is available in one of two ways:

- **As additional pay** — if you work on the holiday and do not take 4 hours of leave in observance of it, the 4 hours are paid on top of your hours worked.
- **As leave** — if you prefer to take time off instead, you may take 4 hours of leave on a different day within the same pay period, subject to approval by IA Court Administration to ensure coverage.

Night Court Commissioner FAQs

4. What is the compensation?

- Hourly rate: \$86.54
- Approximate Annualized gross pay: \$94,501 (based on 42 hours worked per pay period)

5. What benefits are included?

Night Court Commissioners are eligible for prorated benefits based on part-time status:

- Vacation: ~95.68 hours/calendar year (prorated depending on start date)
- Sick leave: 1.61–2.39 hours/pay period accrued depending on service date
- Holiday pay: 4 hours for each of 10 observed holidays
- Floating personal day: 4 hours/calendar year
- Eligible for medical, dental, and other benefits
- Retirement: Participation in State-sponsored retirement system
 - ASRS (not eligible for EORP or EODCRS)

6. Are Night Court Commissioners part of the standard commissioner rotation to other departments such as Family, Juvenile, Civil, etc.?

No. These positions are not part of the standard commissioner rotation and are dedicated exclusively to nighttime IA Court assignments.

To be considered for the full-time Superior Court Commissioner role, candidates must apply when that recruitment is active – typically once per calendar year.

7. Are Night Court Commissioners allowed to practice law or maintain employment outside the practice of law?

Yes. Night Court Commissioners are not prohibited from working outside the court, though the practice of law will come with limitations.

Practice of law: Night Court Commissioners may not represent clients before the Maricopa County Superior Court or any Maricopa County Justice Court or municipal court within Maricopa County. However, Night Court Commissioners may perform transactional legal work and are permitted to practice law in federal court, tribal court, or any court outside of Maricopa County or the state of Arizona. See Part C of the Arizona Code of Judicial Conduct.

Serving as a Judge Pro Tempore: This position will minimize - and in many cases eliminate - your ability to serve as a paid daytime Judge Pro Tem in the Superior Court. Night Court Commissioners may not serve as paid Judges Pro Tem in Maricopa County Justice Courts. Volunteer Pro Tem service may still be available depending on the circumstances.

Night Court Commissioner FAQs

If you currently serve as a paid Pro Tem or rely on Pro Tem work as a source of income, you should carefully consider this limitation before applying.

Other outside employment: Employment outside the practice of law is more broadly permitted but will be evaluated on a case-by-case basis to avoid conflicts of interest or the appearance of a conflict of interest.

8. What are the minimum qualifications?

Because they serve as Judges Pro Tem, candidates must meet the following requirements:

- At least 30 years of age
- Of good moral character
- Licensed to practice law in Arizona for 5+ years
- Arizona resident for 5+ years
- Maricopa County resident at the time of appointment.

9. What training is required?

Per the Arizona Code of Judicial Administration (ACJA) Section 1-302(l)(6)(a)(2), Night Court Commissioners (as part-time Judges Pro Tem serving on a regular schedule) must:

- Complete specialized training approved by COJET within the first 12 months
- Complete any additional training required by the Presiding Judge

The required training will be provided by the Superior Court. Criminal Department leadership will coordinate specialized training.

10. What is the recruitment and selection process?

- Candidates apply through the Commissioner Recruitment Portal
- HR reviews applications for minimum qualifications
- A Selection Committee interviews candidates and forwards recommendations
- Final appointment decisions are made by the Presiding Judge

11. What factors are important for success in this role?

Ideal candidates:

- Manage high-volume criminal calendars effectively
- Are comfortable with fixed, overnight schedules
- Can work independently while collaborating with IA Court leadership
- Demonstrate sound judicial temperament and decision-making under time-sensitive circumstances

Night Court Commissioner FAQs

12. Why is the court moving to a new model for IA Court?

Court Leadership recognizes the critical role of IA Court. Matters in IA Court require judicial officers to balance public safety and due process considerations, time sensitive decision-making, and efficient calendar management. The new model aims to stabilize staffing, allow for specialization, and preserve consistency for the 24-hour operations.

13. How many positions will be filled?

Four part-time Night Court Commissioner positions are being filled.

14. Is the role affected by retirement system limitations?

This depends on the individual circumstances. Typically, if a candidate retired within the last 12 months from an AZ State-sponsored retirement system, the candidate may not be eligible for this role, without impact to their pension.

Candidates who have been retired for more than 12 months should seek additional information from their retirement system and contact Judicial Branch Human Resources at (602)506-0075 for more information.

15. Are Night Court Commissioners subject to Judicial Performance Review?

Yes. Pursuant to A.R.S. § 12-119.04, Night Court Commissioners are subject to the same process used to evaluate Maricopa County Superior Court Commissioner performance.

16. Are Night Court Commissioners subject to annual financial disclosure?

No.

17. Are Night Court Commissioners covered by Social Security?

Judicial officers, including Night Court Commissioners, do not have Social Security tax withheld from their paychecks because these roles are covered under a state retirement system that is considered a replacement for the federal Social Security system. New hires receive Form SSA-1945, which explains how this may affect future Social Security benefits.

18. Are current Maricopa County Superior Court Judges Pro Tem (paid or unpaid) eligible for this role?

Yes, but they must apply to be considered for the Night Court Commissioner roles.

19. How do interested candidates apply?

Candidates can access the online application portal at this link:

<http://www.superiorcourt.maricopa.gov/commissionerrecruitment>

This application is only accessible on our website during our open recruitment period.

Night Court Commissioner FAQs

20. The application indicates that Commissioners may be assigned to hear matters in all Court departments and that the position may be assigned to locations other than the Intake, Transfer, and Release facility. Does that apply to the Night Court Commissioner?

No. This information is not applicable to the Night Court Commissioner positions. Applicants must answer these in order for their application to be considered, but the specific way it is answered will not impact their eligibility for consideration.

21. Where can applicants find more information?

Please visit [Superiorcourt.maricopa.gov/nightcommissioner](https://superiorcourt.maricopa.gov/nightcommissioner) for more information.