



# MARICOPA COUNTY SUPERIOR COURT: FAMILY DEPARTMENT

## Modified Family Department Operations during COVID-19 Pandemic

The Family Department of the Court continues to put forth best efforts to meet the needs of the community we serve while also being mindful of issues and recommendations relating to the COVID-19 concerns.

Effective April 1, 2020, the following summarizes the present policies and procedures of the Family Department:

- 1 **Governor Ducey issued an Executive Order on March 30, 2020. Its terms invoke a “stay-at-home” protocol.**
- 2 **Certain court operations remain essential**, even under the Executive Order. The Family Department is modifying its protocols and procedures consistent with the Executive Order
- 3 **The family department** shall continue to be addressing “essential services.” “Essential services” include:
  - a. Applications for orders of protections
  - b. Contested hearings on orders of protection
  - c. Motions for temporary emergency orders
  - d. Hearings on temporary emergency motions
- 4 **All in-person family court proceedings** for essential services shall be conducted only at the East (101 West Jefferson) and Central (201 West Jefferson) Court Buildings located at the downtown Phoenix court facilities. The LLRC located near the lobby of the East Court Building shall be the point of contact for litigants, attorneys and witnesses engaged in proceedings that are being conducted in-person. There will be a “check in” process at the LLRC facility in the East Court Building.
- 5 **No in-person services or proceedings** will be conducted or available at the Northeast, Northwest or Southeast Regional Court facilities. They shall be closed to the public. Judicial officers who are located at any of those facilities may, in their discretion, conduct telephonic proceeding
- 6 **The Family Department** has offered many services, including Early Resolution Conferences, Mediation, Child Interviews, and Parenting Conferences. All such services are suspended and shall remain suspended until further notice from the Court.



## 7 Title IV-D Support Cases

- a. **Support hearings** brought under Title IV-D are suspended for so long as the Governor's Executive Order remains in effect.

## 8 Specialty Courts

- a. **Single-issue petitions** (presently covered under Administrative Order 2007-022, Specialty Court proceedings) are suspended until further notice from the Court.

- 9 **Court-ordered drug or alcohol testing** continues to be performed through Averhealth. For any case in which there has been an order for breath alcohol testing, the party so ordered shall submit to an ETG test through urine samples. No breath testing is being performed at this time.

- 10 **Each individual judicial division** continues to conduct some telephonic proceedings to the extent it is feasible. Information regarding any specific case should be sought from the assigned division.

- 11 **Given the change in overall services**, judicial officers are now under a rotating schedule. This is designed to ensure that on each day, there is a sufficient level of judicial presence to meet the emergency or time-sensitive needs of the community we serve. Please contact the judicial division to which your case is assigned to determine that division's schedule.

- 12 **In pre-decree cases that involve children**, parents are required to complete the Parent Information Program pursuant to ARS Section 25-351. At this time, no in-person classes are being conducted. Parents required to complete the program may do so online or through a virtual live program and a list of providers is available [here](#).

The Arizona Rules of Family Law Procedure require that if a party is seeking any form of temporary order from the court, emergency or not, that party must have also filed an underlying Petition For Enforcement or Petition For Modification. On April 3, 2020, Justice Brutinel of the Arizona Supreme Court issued Administrative Order 2020-59, which allows for a parent to seek temporary relief, including issues involving child support or parenting time issues, without requiring the filing of an underlying petition, if the basis for the relief is related to COVID-19 issues. [AO 2020-59](#) also provides an alternative to the notary requirement under Rule 14 of the Arizona Rules of Family Law Procedure when a party is accepting service of process.



The family department has received a number of inquiries as to how the Governor's Executive Order impacts existing parenting time schedules. As a general policy, the family department has concluded that allowing children to maintain regular access to each parent is in their best interests and the transporting of children for the start and end of each block of parenting time is part of the essential business that is authorized under the Governor's Executive Order. While the facts of any given case shall dictate the result, it is the general view of the family department that existing parenting plan schedules remain in effect and enforceable.

General guidelines for parenting plans were developed in Pima County. The Family Department of the Maricopa County Superior Court has adopted those guidelines, with minor revisions. The most current version of the guidelines is posted on the Court's [COVID-19 update page](#).

- \* **This remains a fluid situation. Services and procedures, may change, as circumstances dictate. The Family Department will make every effort to post any such changes to the Modified Department Operations section of the [Maricopa Superior Court's COVID-19 information site](#).**
- \* **For more information about a specific service or any other family court case matters, please call Family Court Administration at 602-506-1561.**

**[Click here to access available court forms online](#)**