



# MARICOPA COUNTY SUPERIOR COURT: MENTAL HEALTH

## Modified Mental Health Department Operations during COVID-19 Pandemic

On May 20, 2020, Arizona Chief Justice Robert Brutinel issued [Administrative Order No. 2020-79](#) ("Supreme Court AO 2020-79"). On May 22, 2020, Presiding Judge Joseph C. Welty issued [Administrative Order No. 2020-078](#) ("Maricopa County AO 2020-078") for the Superior Court of Arizona for Maricopa County (the "Maricopa County Superior Court"). Consistent with the foregoing, the Probate & Mental Health Department of the Superior Court of Arizona for Maricopa County (the "Department") is taking the following actions with respect to all hearings held pursuant to Chapter 5, Title 36, Arizona Revised Statutes:

- 1 All court-ordered evaluation and court-ordered treatment hearings**, including all court-ordered treatment renewal hearings, will continue to be conducted electronically unless otherwise ordered by the court in a particular case.
- 2 The patient, as well as all lawyers and witnesses**, must appear and testify electronically. At this point, GoToMeeting will continue to be utilized for electronic appearances, but that technology is subject to change. Probate Court Administration or the assigned Judicial Officer's division will continue to provide instructions as to how to participate electronically.
- 3 No motions for electronic appearance or testimony are required.**
- 4 If an electronic appearance is not feasible or the patient wishes to appear in person**, the court may continue the hearing as the current public health emergency constitutes "good cause" for avoiding in-person hearings at the present time. Initial court-ordered treatment and court-ordered evaluation hearings will be continued for the shortest time possible that will allow for the patient to appear in person. Renewal hearings may be continued for approximately 30 days.
- 5 If a party believes in-person testimony of a witness is necessary**, that party should make a motion to allow the in-person testimony. Such motion shall be addressed to the Judicial Officer assigned to the case and may be made either in writing or in open court. If the motion is made at the time originally set for the hearing and the motion is granted, the hearing may be continued until such time as in-person appearances do not create a health hazard. Any such continuance will be for as short a time as feasible.
- 6 The Court is in the process of working with Valleywise** to make videoconferencing available to counsel, the parties, and witnesses. When such technology becomes available, the Court will notify the stakeholders and provide them with instructions for using videoconferencing.
- 7 Pursuant to Maricopa County AO 2020-078**, no person shall appear in person at a hearing except as authorized by the Judicial Officer assigned to the case.



**8** **Requests for continuances and extensions of deadlines**, as well as requests for special accommodations for persons who are at a high risk of illness from COVID19 will be liberally granted.

**9** **As of July 6, 2020:**

- ▶ Commissioner Donnadieu will conduct the Valleywise Maryvale proceedings from the Valleywise Maryvale facility.
- ▶ Commissioner Bell will conduct the Valleywise Mesa proceedings at the Valleywise Mesa facility.
- ▶ Commissioner Rummage has retired. Commissioner Sarah Selzer will be taking over the Valleywise Psychiatric Annex/Arizona State Hospital calendar (including all COT renewal hearings) on July 20, 2020. Until then, Judge Dean Fink and Commissioner Aryeh Schwartz will be covering that calendar. The calendar continues to operate from Old Courthouse courtroom/chambers 005/007 with lawyers, parties, and witnesses appearing electronically.

**10** **Effective July 6, 2020**, detention orders and similar paperwork relating to patients at Valleywise Mesa will be processed by Commissioner Bell at that facility; detention orders and similar paperwork relating to patients at Valleywise Maryvale will be processed by Commissioner Donnadieu at that facility; and detention orders, and similar paperwork relating to patients at Valleywise Annex (as well as all paperwork relating to all COT renewals) will continue to be processed Downtown.

**We thank the stakeholders for their continued patience and cooperation as we face the unprecedented challenges resulting from the COVID-19 public health emergency.**