

**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 approved by the presiding judge in an effort to: (1) comply with Chapter 3, Section 1-305 of the Arizona Code of Judicial Administration and other related statutes, (2) ensure integrity of the Mohave County Court System, (3) utilize 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 Court System including judge pro-tempore, court commissioner, limited jurisdiction justices of the peace pro-tempore, and juvenile court hearing officers.

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 under this plan shall be made through use of an open and competitive recruitment process.

Public Announcements

The recruitment process for special judicial officers shall be initiated through publication of new positions and position vacancies as needed. The Presiding Judge or designee shall prepare position announcements in this regard and post such notices for a minimum of ten (10) calendar days. Public announcements may be posted in prominent places including newspapers and internet sites. 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 information regarding the qualifications for the position, an equal opportunity statement and the hiring authority. The Presiding Judge or designee may include any additional information in the announcement as deemed appropriate.

Application Forms

All applications for special judicial officer positions shall be on forms prepared and approved by the Presiding Judge. Application packets shall be obtained from the Superior Court Human Resource Office and shall include a position announcement, a copy of Mohave County Superior Court Administrative Order 2011-24, an Application Form, an Authorization to Conduct a

Background Check Form, the Arizona Code of Judicial Conduct, any other information specified by the Presiding Judge. The application and authorization to conduct a fingerprint and background check shall be signed and dated by the applicant pursuant to this Plan.

Filing Applications

Applications shall be filed in the Superior Court Human Resource 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 to be considered. Applicants may submit documents, resumes, and other supplemental information with their application form to assist in verifying and accurately evaluating the applicant's qualifications for a position. Applicants shall provide all information and/or material at their own expense.

The issuance to or acceptance of any application form shall not be construed as incurring an obligation to the applicant by the Court, Mohave County or any municipality in Mohave County or constitute the assurance of an applicant of meeting minimum qualifications for a position or being granted an interview in this regard.

Receipt of Applications

The Superior Court Human Resource Office or designee shall be responsible for receiving and opening applications, ensuring that applications are received in compliance with established application procedures and retained in accordance with established records retention policies. Upon the position closing date, the Superior Court Human Resource Office or designee shall forward applications received including any supplemental paperwork submitted by applicant to the Committee on Special Judicial Officer Appointments for review and evaluation.

Appointment and Composition of the Committee on Special Judicial Officer Appointments

The Presiding Judge shall by administrative order appoint an advisory committee of five (5) 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) at large members. The committee shall meet as needed or as otherwise directed by the Presiding Judge to review and evaluate screening criteria, consider new applications, evaluate possible appointees, and make recommendations for special judicial officer appointments. The appointment of a replacement member of the committee to fill a vacancy caused by circumstances other than the expiration of term shall be for the unexpired portion of the vacant member's existing term.

Appointment and Role of Committee Chairperson

The Presiding Judge shall appoint one member of the committee to serve as committee chairperson. The committee chairperson shall oversee and coordinate committee activities including scheduling meetings, reviewing and evaluating applications, scoring applications, interviewing applicants, and preparing committee recommendations. The chairperson shall serve as liaison between the Presiding Judge and the committee on committee activities.

Terms of Committee Members

The Presiding Judge shall appoint committee members for four (4) year terms and/or until a successor is appointed and seated. Committee members may be reappointed for an additional four (4) years at the discretion of the Presiding Judge. In an effort to provide continuity and orderly operation, the original committee members shall have the following staggered terms: Superior Court Judge shall serve a four (4) year term, Limited Jurisdiction Court Judge shall serve a three (3) year term, Arizona Bar member shall serve a 2 year term; one public member shall serve a three (3) year term, and the other public member shall serve a one (1) year term. The Presiding Judge may remove and replace a committee member at any time during their term of service. Additionally, in the event that the Presiding Judge deems it necessary, he/she may appoint to the committee a substitute member to serve for a particular panel.

EXAMINATION AND INTERVIEWS

Content and Nature of Examinations and Interviews

Examinations and interviews conducted by the committee during the screening process shall be intended to determine whether potential applicants are suited for the posted position. In addition to examinations and interviews, the committee may develop other techniques or mechanisms to evaluate potential applicants. All examinations, interviews, 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. The selection of an applicant as a potential candidate or admittance to the examination or interview shall not constitute assurance of a passing rating during any aspect of the examination process.

Conduct of Examination and Interviews

The committee may conduct examinations and interviews in any location in Mohave County as approved by the Presiding Judge. Any committee member who is related to a candidate being interviewed or has any conflict of interest with a candidate, shall be recused from the proceedings and not participate in the screening, examination, interview, or recommendation process. Committee members shall make the chairperson aware of any conflicts which may impact their ability to be fair and impartial.

Security of Records and Communications

Upon completion of the examination process, the chairperson shall collect and forward all original and/or copies of applications and other records to the Superior Court Human Resource Manager who shall maintain the official personnel records of all special judicial officer applicants

and appointees of the Superior Court. These records shall be maintained pursuant to existing Arizona law and as otherwise directed by the Presiding Judge. The official personnel records of special judicial officer appointees in the Justice Courts shall be maintained by the Mohave County Human Resource Office. The Superior Court Human Resource Manager shall ensure that all copies of applications are destroyed immediately upon submission of original documents to the Presiding Judge.

COMMITTEE RECOMMENDATIONS

Establishment and Maintenance of Registers

Upon completion of the examination or interview process and a majority vote of the committee, the chairperson shall forward to the Superior Court Human Resource Manager the names of the qualified applicants to be placed on the hiring register for special judicial officer positions.

Special judicial officer hiring registers will remain active for a period of twelve (12) months, unless such time is extended by the Presiding Judge. The hiring register will be used to fill special judicial officer vacancies occurring during the life of the register. If less than three (3) names are available on the hiring register, the chairperson may cause formal recruitment and examination pursuant to this Plan to occur. In such case, the names of the newly qualified candidates will be merged with those names already existing on the register.

The Superior Court Administrator shall promptly inform the public of the names of the nominees submitted by the committee to the Presiding Judge. The authority to appoint special judicial officers shall rest exclusively with the Presiding Judge.

Disqualification of Applicants

The committee may refuse to examine or interview applicants, or after examination or interview, may disqualify such applicants from being considered for the position if it is determined that applicants: (1) do not meet the minimum qualifications established for the position; (2) have made any false statement of fact on the application form or in 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 exhibited behavior which does not comply with the Arizona Code of Judicial Conduct; (8) have attempted to make personal contact with any member of the Mohave County Committee on Special Judicial Officer Appointments or Presiding Judge with regard to a pending appointment process; or (9) do not meet other requirements as specified by the Presiding Judge, the committee, or this plan.

APPOINTMENT PROCEDURES

Final Interviews and Reference Checks

Upon receipt of names of the most qualified applicants, the Presiding Judge shall review the names and applications of those persons recommended by the committee. The Presiding Judge may

confer with the chairperson if necessary regarding any applicant, the screening process, and/or the committee's recommendations in this regard. The Presiding Judge may conduct final interviews; direct that a reference check and criminal background check be completed; 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 committee. The Presiding Judge may also seek public comment on recommended candidates for special judicial officer positions.

Non-Appointments

The Presiding Judge retains the right to reject any or all recommendations of the committee. If all recommended candidates are rejected, the position may be re-advertised in accordance with the plan.

Final Appointment

The Presiding 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 Judge or designee shall prepare an administrative order making such an appointment. Upon signing the order, the Presiding Judge or designee shall, if necessary, forward a copy of the order to the Mohave County Board of Supervisors for confirmation pursuant to statutory requirements.

Upon order of the Presiding Judge and if necessary, confirmation of the Mohave County Board of Supervisors, the Superior Court Administrator shall file the original order with the Clerk of the Superior Court and copies of the order shall be forwarded to the judges, the Committee on Special Judicial Officer Appointments, and other persons deemed appropriate by the Presiding Judge.

POST-APPOINTMENT PROCEDURES

Orientation and Training Requirements

Persons selected as special judicial officers shall attend the Arizona Supreme Court judicial orientation and training program within one (1) year of assuming work on the Mohave County bench. The Presiding Judge and/or Presiding Limited Jurisdiction 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 the Arizona Supreme Court Committee on Judicial Education and Training (COJET) requirements.

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 (i.e. temporary or judges with short-term appointments) and retired judges sitting at the request of the Presiding Judge. The Commission does not have jurisdiction over court commissioners except if they are acting as Pro Tempore Superior Court Judges, or small claims hearing officers except if acting as Pro Tempore Justices of the Peace.

Upon request of the Presiding Judge, the Committee on Special Judicial Officer Appointments shall review and evaluate grievances against court commissioners and/or small claims hearing officers appointed to the Mohave County bench pursuant to this plan who do not come under the auspices of the Commission on Judicial Conduct. The committee may meet as needed to review issues or concerns raised by judges, litigants, court personnel, and/or other members of the public on the performance of a court commissioner or small claims hearing officer.

The Presiding Judge or designee shall maintain a file which documents issues and/or concerns regarding grievances made against court commissioners, judge pro tempores, small claims hearing officers, or administrative hearing officers. The committee shall review and evaluate all relevant documentation and make recommendations to the Presiding Judge regarding the discipline, replacement or removal of persons in these positions.

COMPENSATION

Special judicial officers shall be compensated based upon requirements in the Arizona Revised Statutes, Mohave County policy, or as set by the Presiding Judge.

EVALUATION

Special judicial officers shall be periodically reviewed prior to their reappointment. The periodic review may include information obtained from both professional and public participants in the legal process. Any complaints received concerning a special judicial officer shall be considered prior to reappointment.

WAIVER OF THE PLAN

The Presiding Judge may waive any provision of this plan if it is determined that a judicial branch emergency exists or the ends of justice require such waiver. The Presiding Judge shall ensure that all special judicial appointments are made based upon merit and statutory requirements if waiver of any provision in this plan is necessary.

NON APPLICABILITY

This plan does not apply to the appointment of a retired judge called to serve on a temporary basis or for a specific assignment as a special master or judge pro-tempore; or to a retired Superior Court judge who may be called to service by the Presiding Judge. In addition, this plan does not apply to the appointment of a retired limited jurisdiction court judge who is appointed by the Presiding Judge to serve as a limited jurisdiction court judge pro-tempore for the remaining duration of their elected or appointed term. After the expiration of his/her term, a retired limited jurisdiction court judge shall be required to apply for open pro-tempore appointments in accordance with this plan.