

Anderson, Kip

From: James Schoppmann <SchopJ@mohave.gov>
Sent: Thursday, December 14, 2023 6:55 AM
To: 'courtadmin@mohavecourts.com'
Cc: Christina Ashelford; Lisa Samstag
Subject: Public Comment to Mohave County Superior Court Local Rules (Proposed AD-1)

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Regarding proposed Rule AD-1 Court Appearances, please clarify that a victim of a crime may identify themselves with only a first name or initials when appearing remotely. Suggested change in red. I apologize I did not recognize this when on various committees. One of our advocates spotted the issue immediately.

B. Remote Appearances. Court participants that attend court hearings remotely must make reasonable efforts to ensure they have a reliable internet or telephone connection. Court participants appearing remotely must be readily identifiable by video or, if video is not utilized, by name as opposed to a telephone number, email address, or nickname. A victim of a crime is not required to display their full name when appearing remotely and, if desired, may choose to only display their first name or their initials. Court participants that attend court hearings remotely by video must ensure that their backdrops or graphics are appropriate and indicative of respect for the court.

Thanks,

James M. Schoppmann
Chief Deputy County Attorney
Mohave County Attorney's Office
315 N. Fourth Street
Kingman, AZ 86401
(928)753-0719

Anderson, Kip

From: Victoria Katz <victoria.katz@aderant.com>
Sent: Wednesday, January 10, 2024 1:14 PM
To: courtadmin@mohavecourts.com
Subject: Comment on Proposed Amendments to Mohave County Superior Court Local Rule CV-2.A.1

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Caution! This message was sent from outside your organization.

Good afternoon,

We are writing to bring the Court's attention to an ambiguity in the proposed amendment to Mohave County Superior Court Local Rule CV-2.A.1, currently out for comment until January 19, 2024.

As proposed, CV-2.A. says:

- A. In the discretion of the court a civil action may be dismissed, upon the following grounds and conditions:
1. The parties have failed to file a timely Joint Report and Proposed Scheduling Order in accordance with Rule 16(c), Arizona Rules of Civil Procedure, and have failed to cure their noncompliance within sixty days, or within the time specified in an order requiring compliance, whichever is earlier." [Emphasis added.]
 2. For other appropriate reasons.

As written, it is unclear what the triggering event is for the highlighted 60-day period. Is it 60 days from the date the Joint Report and Proposed Scheduling Order was due to be filed under ARCP Rule 16(c)? Is it 60 days from the date a case is placed on the dismissal calendar?

We respectfully request that the Court cure this ambiguity by further amending CV-2.A.1 to specifically state the triggering event. For example, CV-2.A.1 might say, "The parties have failed to file a timely Joint Report and Proposed Scheduling Order in accordance with Rule 16(c), Arizona Rules of Civil Procedure, and have failed to cure their noncompliance within sixty days *after that Rule 16(c) filing deadline*, or within the time specified in an order requiring compliance, whichever is earlier."

Thank you for your time and consideration.

Sincerely,

Victoria Katz
Senior Rules Attorney

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Anderson, Kip

From: Max Torres <TorreM@mohave.gov>
Sent: Thursday, December 14, 2023 9:18 AM
To: courtadmin@mohavecourts.com
Cc: James Schoppmann
Subject: Local Rule Comment

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Dear Court Admin,

This email is in response to a request for input which was shared with our office. I read the entire document and only have one area of concern. Overall, the changes make allot of sense.

My area of concern is limited to Rule AD -1.

Recently I was advised the time to wear a suit jacket had come. Perhaps give us a solid date for when we put on/take off jackets?

Part of that new rule has a real penalty of contempt or removal. It concerns me that it is potentially punitive to indigent victims and/or witnesses. How exactly are we supposed to advise them? Further why are we extending the requirement on lawyers to advise them, under penalty. The violation, as stated, is not limited to the attire but arguably includes the advisement.

I absolutely agree with decorum. One of my worst days was on the bench was when a lawyer showed up in sweat pants and top in a crowded courtroom. That's not a conversation the judge should have to have.

Thank you for your hard work on these rule changes.

Respectfully,

Max Torres
Deputy County Attorney
928-753-0719 (ext 4054)