

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
CLERK OF THE COURT) Administrative Order
) No. 2021 - 31
) Replacing Administrative
) Order No. 2001-53
)
_____)

The Court having given consideration to the matter of the authority of the Clerk of the Supreme Court,

IT IS ORDERED that Administrative Order No. 2001-53 is replaced as set forth below:

IT IS FURTHER ORDERED that the Clerk of the Supreme Court is hereby authorized to take the following actions:

1. Supervise the acceptance of documents for filing such as petitions for review, briefs, motions, responses, replies and other legal memoranda (“court filings”).
2. Supervise the docketing and care of court filings and other records as required by applicable rules.
3. Redact and seal court filings as required by applicable rules or court order.
4. Calendar deadlines pertaining to court filings and court proceedings.
5. Supervise the filing, distribution and publication of all decisions and orders of the court.
6. Consistent with the clerk’s other responsibilities, provide information to the public as authorized by Rule 2.6 of Canon 2 of the Code of Conduct for Judicial Employees, Section 1-303.
7. Advise persons who present letter requests that the jurisdiction of the court extends only to the consideration of matters properly presented from lower courts or as otherwise authorized by law and filed pursuant to applicable rules, and to decline to accept such letters for filing.
8. Supervise the distribution of public information through websites or as the clerk otherwise deems appropriate.

9. Accept court filings lacking an original signature or electronic signature as provided under applicable rules. In the clerk's discretion, the clerk may allow the filing party to subsequently submit a properly signed court filing effective as of the date of the original filing.
10. Accept court filings that do not otherwise comply with applicable court rules or are not provided for by such rules. Such filings are subject to being stricken by the court.
11. Require parties to serve copies of their pleadings on all parties who were entitled to service in the court of appeals.
12. Require court reporters to serve copies of their requests for extensions of time to file transcripts on all parties and/or their attorneys and the presiding judge of the superior court.
13. Keep statistics and make reports normally kept by the clerk of the supreme court and keep and prepare statistical and performance reports as directed by the chief justice or in consultation with the administrative director.

IT IS FURTHER ORDERED that the clerk of the supreme court is authorized to sign the following orders:

1. Orders granting or denying first and second extensions of time for court filings, including delayed petitions for review. If the clerk believes that the request should be denied or modified, the clerk may refer the matter to a duty justice.
2. Orders granting or denying first extensions of time for up to one month for court reporters upon request for the filing of reporter's transcripts, but all subsequent requests for extensions of time will be referred to the duty justice.
3. At the recommendation of a supreme court staff attorney, orders directing a party to file a response to a petition for review. In a juvenile parental rights case where the court of appeals rendered an opinion, the clerk will order a response to the petition for review.
4. Orders dismissing a case when a petitioner has been granted an extension of time to file a petition for review and does not do so timely. In the clerk's discretion, or if the court of appeals rendered an opinion, the clerk will refer the matter to a duty justice.
5. Orders granting stipulations or unopposed motions of petitioner to dismiss a petition for review in cases where the subject of the petition is a memorandum decision or order rendered by the court of appeals.
6. Orders granting or denying extended pagination on briefs and legal memoranda.

7. Orders granting the motion to file an amicus curiae brief or response in accordance with court rules. If such motion is filed in a scheduled case, the motion will be referred to the duty justice. If such motion is filed after the case has been granted or accepted, the motion will be referred to the chief justice.
8. Orders granting non-substantive uncontested procedural motions related to the processing of the case, but if the clerk believes that the motion should be denied, the clerk may refer the matter to the duty justice.
9. Orders releasing original trial court instruments and reporter's transcripts or copies to a judge or clerk of the superior court, a judge or clerk of a federal court and orders releasing court reporter's transcripts to a court reporter.
10. Orders granting or denying extensions of time for the return of court reporter's transcripts.
11. Orders to clerk of the superior court directing transmittal of exhibits, sealed documents, papers, books, photographs and documents in pending cases including, but not limited to, the trial court record in post-conviction relief cases.
12. Cost and filing fee assessment orders described in A.R.S. § 12-302 (E) 2.
13. Orders waiving, deferring or refusing to waive/defer filing fees.
14. Orders granting costs in civil cases, pursuant to Rule 21(b), Rules of Civil Appellate Procedure.
15. Orders granting attorneys' fees in civil cases pursuant to Rule 21(a), Rules of Civil Appellate Procedure, where the court has awarded attorneys' fees and the party to whom fees have been awarded has complied with the rule and the application is unopposed.
16. Orders setting special action hearing dates, oral argument dates and other special action processing dates; orders granting or denying motions continuing special action hearings and other scheduling dates.
17. Orders on behalf of the court accepting resignations in good standing from members of the State Bar of Arizona.
18. Certificates of good standing issued on behalf of the court pursuant to Rule 74 (b), Rules of the Supreme Court.

IT IS FURTHER ORDERED that any party or person dissatisfied with the decision of the clerk may petition the court for relief.

Dated this 25th day of February, 2021.

ROBERT BRUTINEL
Chief Justice