

2020 OCT -6 AM 11:35

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF PINAL

BY AL
DEPUTY

IN THE MATTER OF THE APPOINTMENT OF)
INDIGENT DEFENSE TO REPRESENT)
DEFENDANTS SUMMONED TO EARLY)
DISPOSITION COURT)

No. 2020 - 00054

WHEREAS, Rule 6.5(b) of the Arizona Rules of Criminal Procedure requires the court to appoint the public defender to represent persons entitled to appointed counsel whenever an indigent defense agency is authorized by law to undertake the representation and is able to do so; and

WHEREAS, Early Disposition Court (EDC) was created to streamline initial felony case processing; and

WHEREAS, the State provides indigent defense counsel with notice of complaint and summons for a defendant to appear in the EDC and provides indigent defense counsel with available disclosures and a plea offer at the time the summons issues;

WHEREAS, the summons issued instructs defendants to contact indigent defense counsel prior to their scheduled EDC appearance date;

IT IS THEREFORE ORDERED that counsel shall be provisionally appointed pursuant to this Administrative Order through the Public Defender's Office to represent defendants prior to the defendants' initial appearance, under the following circumstances:

- 1) The State filed a complaint and issued a summons requiring the defendant to appear for an arraignment hearing in the EDC, and
- 2) The defendant is unrepresented; and,
- 3) The defendant completes a financial affidavit provided by the court and submits the questionnaire to the court or answers financial questions of the court at the initial EDC arraignment hearing; and,
- 4) The court makes a timely, formal determination of the defendant's indigence at the earliest opportunity and relieves appointed counsel from representation of defendants who are financially able to retain private counsel.

Al

Administrative Order
Indigent Defense Appointment

Dated this 18th day of October, 2020.



Honorable Stephen F. McCarville
Presiding Judge

Original: Filed with the Clerk
Copies To: Superior Court Judges
Public Defender, Kate Milewski
County Attorney, Kent Volkmer
Office of Indigent Defense Services, Cathryn Whalen
Court Appointed Attorneys and Service Providers
Court Administrator, Todd D. Zweig