

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 2: Operations
Section 1-202: Public Meetings
[Added text is shown underlined, deleted text by ~~strikethrough~~]

A. [No change]

B. Definitions. In this section, the following definitions apply:

“Public council” means any council, commission, board, or committee established by this code, court rule, or administrative order that includes any public members or members who are judges or employees of different courts or established by a statute that provides for the supreme court to appoint members and adopt rules.

“Meeting” means gathering of a quorum ~~the majority~~ of the members of a public council, whether in person or electronically, for the purpose of discussing or conducting public council business other than an adjudicatory hearing conducted by a public council.

“Legal advice” means communication to the public council by an attorney employed by or representing any Arizona court regarding facts and information that have legal ramifications, the legality of various legal options, a recommended course of action, and response to any questions about the communication.

“Quorum” means the majority of the public council then-appointed and eligible to vote.

C. Procedures.

1. Meeting Notice.

- a. Posting. Public council staff shall post meeting notices in the state courts building in a public area and on the Arizona Supreme Court internet site maintained by the AOC Administrative Office of the Courts at least 48 hours prior to a meeting. Public council staff shall send additional notice of a meeting held in a county other than Maricopa to the clerk of the court of that county for posting at each location of the superior court in that county at least 48 hours in advance of the meeting. Notice of an emergency meeting shall be provided in these locations as soon as possible after the meeting location, time, and agenda are established.
- b. Content. A notice shall identify the public council and the date, time, and location of the meeting, specifying the name of the building, street address, and room number where the meeting is located. The notice shall identify a person or an office to contact to obtain a copy of the meeting agenda. The notice shall include the following statement: "Persons with a disability may request a reasonable accommodation, such as auxiliary aids or materials in alternative formats, by contacting (name of contact person) at (address, telephone, text telephone number). A person requesting an accommodation should make the request as early as possible to allow time to arrange the accommodation. (See sample notice, Appendix 1.)"

2. Meeting Agenda.

- a. and b. [No change]

- c. Adherence. All public councils shall adhere to the published meeting agenda unless by majority vote the public council determines:
 - (1) Deviation from the agenda is necessary to address a matter that the public council and staff could not have reasonably anticipated;~~; and~~
 - (2) Delaying the matter until the next meeting would be detrimental to the work of the public council and the interests of the public;~~; and~~
 - (3) Addressing the matter without public notice would not significantly impair public awareness of the matter.
- 3. Public Comment. All agendas shall include a "Call to the Public" provision prior to meeting adjournment. The chair of the public council shall announce the opportunity for public comment regardless of whether a member of the public is in attendance or has expressed any desire to comment. The chair may impose reasonable time, place and manner limitations upon meeting participants, including setting time limits, banning repetition, and prohibiting profanity and disruptive behavior.
- 4. [No change]
- 5. Executive Sessions. Upon a call by the chair or a majority vote of the members constituting a quorum, a public council may hold an executive session but only for the purposes stated below. The chair shall announce the general subject of the executive session and the specific provision of this rule authorizing the executive session without breaching confidentiality. Attendance shall be limited to members of the public council and additional persons whose presence is reasonably necessary for the public council to perform its executive session responsibilities. An executive session may be held for any of the following purposes:
 - a. Discussion or consideration of hiring, assignment, appointment, job performance, promotion, demotion, dismissal, salary, discipline, resignation, ethical misconduct, or alleged criminal conduct of a public officer, appointee, or employee of the Arizona judiciary;
 - b. Discussion or consideration of records or matters made confidential or privileged by statute, court rule, or this code;
 - c. Discussion or consultation with an attorney employed by or representing any judicial entity regarding legal advice, potential litigation, or pending litigation;
 - d. Discussion or consultation with officers, appointees, or employees of the judiciary regarding negotiations for the purchase or lease of real property or for contracting for goods or services;
 - e. through g. [No change]
- 6. Action. Approval of a majority of those voting shall constitute an action of the public council.

D. Meeting Minutes.

- 1. Content. Public council staff shall keep meeting minutes, in writing or on tape, that include:
 - a. The meeting date, time, and place;

b. through e. [No change]

2. and 3. [No change]

E. Noncompliance.

1. Remedial Measures. All public council chairs and staff persons shall comply with the provisions of this policy as one of the duties of their positions. If noncompliance is discovered, the chair of the public council, chief justice, or administrative director shall take reasonable measures consistent with this code to bring the public council into compliance. Such measures may include reconsideration of a matter at a subsequent meeting.

2. [No change]

* * *

APPENDIX 1

[No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 1: Judicial Branch Administration

Chapter 1: Leadership

Section 1-104: Judicial Council

(new text shown as underlined; deleted text with ~~strikethrough~~)

A. through E. [No change]

F. Meetings. The council shall meet no less than twice a year, with additional meetings called at the discretion of the chief justice. ~~Two-thirds of the council membership shall constitute a quorum.~~ The council must not conduct business unless a quorum of members is present as defined in ACJA § 1-202.

G. and H. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 1: Leadership
Section 1-105: Committee on Superior Court
(new text shown as underlined; deleted text with ~~strikethrough~~)

A. through E. [No change]

F. Meetings. The COSC shall meet no less than twice a year. Additional meetings may be called at the discretion of the chair. All meetings shall be noticed and open to the public.

1. Quorum. ~~A simple majority (50% +1) of the current COSC membership shall constitute a quorum.~~ The COSC must not conduct business unless a quorum of members is present as defined in ACJA § 1-202.

2. and 3. [No change]

G. and H. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 1: Leadership
Section 1-106: Committee on Limited Jurisdiction Courts
(new text shown as underlined; deleted text with strikethrough)

A. through E. [No change]

F. Meetings. The LJC shall meet no less than twice a year. The chair may call additional meetings. All meetings shall be noticed and open to the public.

1. Quorum. ~~A simple majority (50% + 1) of the current LJC membership shall constitute a quorum.~~ The LJC must not conduct business unless a quorum of members is present as defined in ACJA § 1-202.

2. [No change]

G. and H. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 1: Judicial Branch Administration

Chapter 1: Leadership

Section 1-107: Commission on Diversity, Equality, and Justice in the Judiciary

(new text shown as underlined; deleted text with strikethrough)

A. through E. [No change]

F. Meetings. The commission will meet no less than twice a year. Additional meetings may be called at the discretion of the commission chair. All meetings will comply with the judicial department's public meeting policy, ACJA § 1-202, and the following requirements:

1. Quorum. ~~A simple majority (50% +1) of the current commission membership shall constitute a quorum.~~ The commission must not conduct business unless a quorum of members is present as defined in ACJA § 1-202.

2. [No change]

G. through I. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 1: Leadership
Section 1-108: Committee on Judicial Education and Training
(new text shown as underlined; deleted text with ~~strikethrough~~)

A. through G. [No change]

H. Quorum and Actions. COJET must not conduct business unless a quorum of members is present as defined in ACJA § 1-202. COJET shall adopt rules for conducting its business. ~~These rules shall prescribe the quorum and majority needed to constitute COJET actions.~~

I. and J. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 1: Judicial Branch Administration

Chapter 1: Leadership

Section 1-109: Commission on Technology

(new text shown as underlined; deleted text with ~~strikethrough~~)

A. through F. [No change]

G. Quorum and Actions. COT must not conduct business unless a quorum of members is present as defined in ACJA § 1-202. COT shall adopt rules for conducting COT business. ~~These rules shall prescribe the quorum and majority needed to constitute COT actions.~~

H. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 1: Leadership
Section 1-110: Committee on the Impact of Domestic Violence and the Courts
(new text shown as underlined; deleted text with ~~strikethrough~~)

A. through E. [No change]

F. Meetings. CIDVC shall meet no less than twice a year. The chairperson may call additional meetings. All meetings shall be noticed and open to the public.

1. Quorum. ~~A simple majority (50% + 1) of the current CIDVC membership shall constitute a quorum.~~ CIDVC must not conduct business unless a quorum of members is present as defined in ACJA § 1-202.

2. [No change]

G. through I. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 1: Leadership
Section 1-111: Commission on Victims in the Courts
(new text shown as underlined; deleted text with ~~strikethrough~~)

A. through E. [No change]

F. Quorum and Actions. The commission must not conduct business unless a quorum of members is present as defined in ACJA § 1-202. The commission shall adopt procedural rules for conducting commission business. The rules shall prescribe ~~quorum requirements~~, proxy use and the majority needed to authorize commission meeting actions.

G. and H. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 1: Judicial Branch Administration

Chapter 1: Leadership

Section 1-112: Committee on Family Court

(new text shown as underlined; deleted text with strikethrough)

A. through E. [No change]

F. Meetings. The COFC shall meet no less than twice a year. Additional meetings may be called at the discretion of the chair. All COFC meetings shall be noticed and conducted in compliance with the judicial department's open meeting policy, as prescribed in ACJA § 1-202.

1. Quorum. ~~A simple majority (50% + 1) of the current COFC membership shall constitute a quorum.~~ The COFC must not conduct business unless a quorum of members is present as defined in ACJA § 1-202.

2. and 3. [No change]

G. and H. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 1: Leadership
Section 1-113: Arizona Commission on Access to Justice
(new text shown as underlined; deleted text with strikethrough)

A. through E. [No change]

F. Meetings. The ACAJ must meet no less than three times each calendar year. Additional meetings may be held on the call of the chair or by majority vote of ACAJ members. All meetings of the ACAJ must be noticed and open to the public.

1. Quorum. ~~A simple majority (50% + 1) of the current ACAJ membership constitutes a quorum.~~ The ACAJ must not conduct business unless a quorum of members is present as defined in ACJA § 1-202.

2. [No change]

G. through I. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 5: Court Operations

Chapter 1: Funding

Section 5-104: Alternative Dispute Resolution

(new text shown as underlined; deleted text with ~~strikethrough~~)

A. through D. [No change]

E. Committee on Alternative Dispute Resolution. The Committee on Alternative Dispute Resolution (Committee) is established to assist the supreme court in the development and implementation of policies designed to improve the quality of justice, access to the courts and efficiency in court operations by promoting alternatives to traditional litigation. The Committee shall identify the needs of limited jurisdiction and superior courts in the use of alternative dispute resolution methods. The Committee shall also analyze and plan for future developments and recommend uniform administrative policies and procedures to promote effective alternatives to litigation.

1. through 5. [No change]

6. The Committee must not conduct business unless a quorum of members is present as defined in ACJA § 1-202. The Committee shall adopt rules for conducting Committee business. These rules shall prescribe ~~the majority needed to constitute Committee meetings, a quorum and~~ proxy policies.

7. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 6: Probation

Chapter 1: General Administration

Section 6-114: Committee on Probation

(new text shown as underlined; deleted text with ~~strikethrough~~)

A. through G. [No change]

H. Quorum and Actions. COP must not conduct business unless a quorum of members is present as defined in ACJA § 1-202. COP shall adopt rules for conducting COP business. These rules shall prescribe ~~the quorum and~~ the majority needed to constitute COP actions.

I. [No change]

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 6: Probation
Chapter 3: Juvenile Services
Section 6-303: Committee On Juvenile Courts
(new text shown as underlined; deleted text with ~~strikethrough~~)

A. through F. [No change]

G. Quorum and Actions.

1. COJC must not conduct business unless a quorum of members is present as defined in ACJA § 1-202.
- ~~1-2.~~ COJC shall adopt rules for conducting COJC business.
- ~~2-3.~~ These rules shall prescribe the ~~quorum and~~ majority needed to constitute COJC actions.