

IN THE CITY COURT OF SCOTTSDALE
Maricopa County, State of Arizona

In the Matter of:	)	
	)	COURT ORDER
ESTABLISHING WAIVER OF	)	NO. 2015-09
SERVICE AND	)	(Replacing Court Order
ACKNOWLEDGEMENT OF	)	No. 12-01)
PHOTO ENFORCEMENT	)	
COMPLAINT	)	
_____	)	

The Arizona Supreme Court's Office of the Courts "Guidelines for Arizona Limited Jurisdiction Courts-Photo Enforcement", Section C, Correspondence has identified those potential actions taken by the defendant that constitute waiver of service and acknowledgement of the complaint to be as follows:

- Claiming not the driver
- Wish to attend DDS, or already signed up for DDS
- Requesting a hearing/trial
- Filing a motion of some type (usually concerns process server, sufficiency of complaint, etc.)
- Payment of the civil penalty

WHEREAS, these guidelines direct that each judge should determine which specific actions taken by the defendant constitute waiver of service and acknowledgment of the complaint.

IT IS ORDERED that any of the following specific actions taken by the defendant regarding a photo enforcement complaint constitute waiver of service and acknowledgment of the complaint:

- Submitting declaration of non-driver
- Requesting an extension to attend or registering for defensive driving school
- Requesting a hearing
- Paying the fine, in total or partial
- Submitting the waiver of service
- Filing a general notice of appearance by an attorney
- Filing a motion on a case unless there has been a special/limited notice of appearance filed by an attorney on a case

IT IS FURTHER ORDERED that the filing of a limited or special notice of appearance by an attorney and phone calls received by the court from the defendant do not constitute the waiver of service or the acknowledgment of the complaint.

IT IS FURTHER ORDERED that any action taken as noted above, that constitutes waiver of service and acknowledgement of the complaint subsequent to the filing of a limited notice of appearance requires the matter to be referred to a judge.

IT IS FURTHER ORDERED that this Order shall replace Court Order No. 12-01 issued on April 4, 2012.

Dated this 24th day of June, 2015

/S/
JOSEPH OLCAVAGE
Presiding Judge