

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

In the Matter of:	)	
	)	Court Order
CONDUCTING JAIL COURT	)	No. 2021-02
PROCEEDINGS DURING	)	
SCOTTSDALE DETENTION	)	
CLOSURE	)	
_____	)	

Scottsdale Police have announced that it will be closing its downtown detention facility for a period of two weeks due to construction. The dates that Scottsdale detention will be closed is from Monday, September 27, 2021, through Sunday, October 10, 2021, and resume on Monday October 11, 2021.

WHEREAS Scottsdale City Court will be conducting the Constitutional mandated hearings for in-custodies.

WHEREAS Scottsdale City Court will partner with Maricopa County Sheriff's Office (M.C.S.O.) and Court Call to conduct a pilot project for M.C.S.O. in-custodies remote hearings.

WHEREAS Scottsdale Police will partner with Tempe Police to house overnight arrests and non-M.C.S.O. detainees at Tempe's detention facility.

WHEREAS Scottsdale City Court has an established Memorandum of Understanding for disaster recovery resources between Scottsdale and Tempe Municipal Court. (See Attachment A)

WHEREAS City of Tempe Commissioner Lori Patrick also serves as a Scottsdale Judge Pro Tem on weekend jail court.

IT IS ORDERED during the period of time that Scottsdale detention is inoperable, Scottsdale City Court will:

1. Authorize City of Tempe Commissioner Lori Patrick to hear Scottsdale in-custody cases during the weekdays, with an in-custody calendar starting at 2:00 p.m.
2. Scottsdale City Court Judge Pro Tem Lori Patrick to hear Scottsdale in-custody cases during the weekend, with an in-custody calendar starting at 8:00 a.m.

3. Scottsdale Police – Detention to promptly bring the in-custodies that are housed at the Tempe detention facility to an assigned courtroom for Scottsdale cases at Tempe Municipal Court.
4. Collaborate with Tempe Municipal Court to utilize a courtroom allowing Commissioner Lori Patrick to hear Scottsdale cases on the weekdays and Scottsdale City Court Judge Pro Tem to hear Scottsdale cases on the weekends.

IT IS FURTHER ORDERED that Scottsdale City Court will be providing the equipment and any technology necessary to conducting the hearings at Tempe Municipal Court.

Dated this 13th day of September, 2021

/s/
JOSEPH OLCAVAGE
Presiding Judge

Attachment A:

City of Tempe
P. O. Box 5002
140 East Fifth Street, Suite 201
Tempe, AZ 85280
480-350-2894
www.tempe.gov



Municipal Court
Office of Presiding Judge

To: Hon. Joseph Olcavage
Presiding Judge, Scottsdale City Court

From: Hon. Kevin Kane
Presiding Judge, Tempe Municipal Court

Date: February 13, 2017

Re: Memorandum of Understanding for disaster recovery resources between the Scottsdale and Tempe Municipal Courts

In the event of a disaster that results in the extended closure of either the Tempe Municipal Court or the Scottsdale City Court buildings, the close proximity of these respective facilities make for reasonable alternative sites to conduct business on a temporary basis.

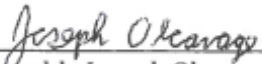
Among the criteria and priorities for consideration when determining the use of alternative site sharing, are the following:

- The identification of the need to conduct 'time critical' proceedings, or conduct proceedings which, if not held, would cause inordinate disruption of service delivery by the court;
- An evaluation of the urgency of need for a site use;
- A consideration of the length of time needed for the alternative site; and,
- An evaluation of the ability of the alternative site/court to provide other temporary support mechanisms and recovery resources.

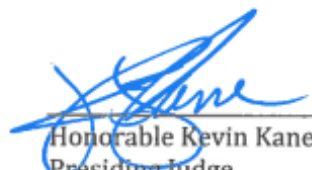
To that end, the parties will endeavor to have the following resources available to conduct business in the event a disaster was to occur:

- One courtroom or hearing room
- A staff work area to accommodate staff
- Counter windows to conduct business
- The availability of employee parking
- Two designated phone lines
- Available space for signage directing court customers to the correct location
- Technology support, to the degree possible, or coordination activities, for linkage to case management system(s) or program

This Memorandum is intended to express the commitment of the parties to work cooperatively with each other. The parties recognize that circumstances may prevent either court from providing some or all of the above listed resources. The spirit of this agreement is to make every effort to provide mutual support in the disaster recovery process. Under no circumstances, however, shall this Memorandum be construed to impose any duty or obligation of any type, kind, nature or description upon any person or entity, and nothing herein shall be construed in any way to create any rights, substantive, procedural or otherwise, or confer any private right of action upon any individual or entity against any signatory organization or any officer, agent, trustee, director, servant or employee of such entity.



Honorable Joseph Olcavage
Presiding Judge
Scottsdale Municipal Court



Honorable Kevin Kane
Presiding Judge
Tempe Municipal Court

c: Scottsdale Municipal Court Administrator
Tempe Municipal Court Administrator