

FILED

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MOHAVE

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CLERK  
SUPERIOR COURT CLERK

IN THE MATTER OF: )  
 )  
ADOPTION OF A JUDICIAL )  
EMPLOYEE MERIT SYSTEM )  
AND ASSOCIATED MERIT )  
SYSTEM RULES )  
\_\_\_\_\_ )

ADMINISTRATIVE ORDER  
98-23

**WHEREAS,** The United States and Arizona Constitutions wisely segregate federal and state governments into three separate and independent branches (Legislative, Executive and Judicial) so as to allow each to conduct its affairs in matters of service to the electorate without undue interference from the other; and

**WHEREAS,** Maintenance of a Merit System for judicial employees where such system operates at the discretion of a County Board of Supervisors creates unnecessary and potentially disruptive opportunities for intrusion by the Legislative and/or Executive branches into personnel matters of the Judiciary; and

**WHEREAS,** The Arizona Supreme Court, recognizing the potential for such intrusion has promulgated Administrative Order 96-32 stating that "Presiding Judges may develop and implement Judicial Personnel systems for the courts in their counties". [AO 96-32(III)(C)]; and

**WHEREAS,** Adoption of a Judicial Employee Merit System and associated Rules for the Superior Court in Mohave County will serve to reduce or eliminate many such opportunities;

**WHEREAS,** At present the Mohave County Merit System, administered by the Board of Supervisors, applies to all classified personnel who work within the judicial and executive branch of county government.

**WHEREAS,** This arrangement places the executive branch in the position of controlling judicial employees and therefore indirectly, the judiciary.

**WHEREAS,** The citizens of this county are entitled to justice free of even the appearance of outside influence.

**WHEREAS,** The Court takes notice that the judicial branch of government cannot be truly separate and equal, unless it is able to control the activities of its personnel.

ADMINISTRATIVE ORDER

98-23

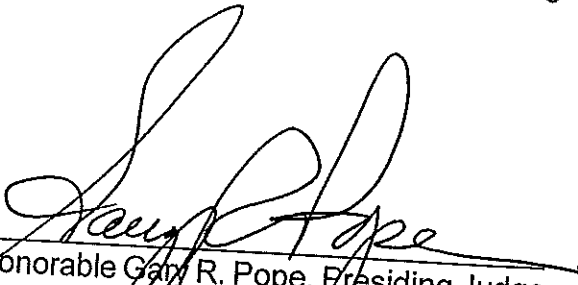
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**IT IS ORDERED**, establishing a Judicial Employee Merit System and adopting the Judicial Employee Merit System Rules (attached as Exhibit A) effective 12:00:01 a.m., May 4, 1998 nunc pro tunc. The Rules should include all Superior Court divisions, the Court Administrator's Office, Adult and Juvenile Probation (including Juvenile Detention), Clerk of the Superior Court's Office, Conciliation Court, and such other divisions to which coverage may be extended by the Presiding Judge.

**IT IS FURTHER ORDERED**, that such rules shall exclude for their coverage such elective and appointive positions as may now or in the future be identified by the Presiding Judge.

**DATED** this 29th day of June, 1998.

  
Honorable Gary R. Pope, Presiding Judge  
Mohave County Superior Court

Original filed with the Clerk of the Superior Court in Mohave County