

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
AMENDING ARIZONA CODE OF)	
JUDICIAL ADMINISTRATION § 1-305:)	Administrative Order
SELECTION OF SPECIAL JUDICIAL)	No. <u>2004 - 101</u>
OFFICERS)	(Affecting Administrative
)	Order No. 2002-66)
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Effective November 22, 2004, Proposition 103 amended Article VI, section 31 of the Constitution of Arizona to provide that justices of the peace pro tempore are not subject to the qualifications contained in Article VI, section 22, including the qualification that a judge must be a lawyer. This change removes the constitutional impediment to having non-lawyer judges pro tempore in justice court recognized in the Chief Justice's memorandum of June 21, 2002 and requires an amendment to ACJA § 1-305 providing for selection of special judicial officers.

Pursuant to the Arizona Code of Judicial Administration, § 1-201 (E), the Chief Justice may adopt emergency administrative code proposals and technical changes in existing code sections by administrative order without prior distribution for comment and action by the Arizona Judicial Council. An amendment to the above captioned section of the Arizona Code of Judicial Administration having been approved and recommended for adoption,

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that Arizona Code of Judicial Administration § 1-305 is amended as indicated on the attached document. All other provisions of § 1-305, as originally adopted, remain unchanged and in effect.

Dated this 15th day of December, 2004.

CHARLES E. JONES
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 1: Judicial Branch Administration
Chapter 3: Judicial Officers and Employees
Section 1-305: Selection of Special Judicial Officers

[Text in CAPS is new]

- C. Qualifications.** Persons applying for judicial office shall meet the minimum qualifications required by law and such special qualifications for the position as may be established by the chief justice, the chief judge, the presiding judge or the chief magistrate. Persons applying for judge pro tempore offices, EXCEPT JUSTICE OF THE PEACE PRO TEMPORE, shall be at least 30 years of age, of good moral character, and admitted to the practice of law in and a resident of the State of Arizona for five years next preceding their taking office as required by article 6, § 31 of the Arizona constitution.