



Coconino County Bar Association
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March 16, 2020

Judge Dan Slayton
Presiding Judge, Coconino County Superior Court
200 N. San Francisco St.
Flagstaff, AZ 86001

Dear Presiding Judge Slayton,

On behalf of the Board of the Coconino County Bar Association ("CCBA") and several past presidents of the CCBA, we write this letter to you regarding the COVID-19 public health emergency. The CCBA's primary mission has always been to safeguard and advocate for its members, but also the public we serve at large. We face a unique challenge that is unexpected, but nonetheless, requires urgent action. We wish to offer you our full support during this trying time.

All participants in our legal system are at an elevated risk for exposure to COVID-19. Lazaro Gamio, *The Workers who Face the Greatest Coronavirus Risk*, N.Y. TIMES, Mar. 15, 2020, available at <https://www.nytimes.com/interactive/2020/03/15/business/economy/coronavirus-worker-risk.html>.

In addition to our schools, arts venues, theaters, and sporting events, our courts and jails are a prime vector for infectious disease transmission. Emily Bazelon, *Our Courts and Jails Are Putting Lives at Risk*, N.Y. TIMES, Mar. 13, 2020, available at <https://www.nytimes.com/2020/03/13/opinion/coronavirus-courts-jails.html>. While those other public places have already taken precautionary actions, our courts—along with all other county departments—remain largely open for business as usual. *COVID – 19 Fact Sheet*, COCONINO COUNTY HEALTH AND HUMAN SERVICES, Mar. 13, 2020, available at <https://www.coconino.az.gov/DocumentCenter/View/33015/COVID-Daily-Update-March-13-2020>.

The Arizona Supreme Court has recommended the following:

"Courts are encouraged to conduct various case events telephonically when feasible. Each court's capacity for telephonic appearances varies. As a result, attorneys and self-represented litigants should contact the judge's office assigned to their case to verify the ability to hold a telephonic hearing. Attorneys are encouraged to participate in telephonic

hearings when possible. Individual judges will determine which hearings require in-person appearance and which can proceed by telephone."

Arizona Courts Statement on COVID-19, ADMINISTRATIVE OFFICE OF THE COURTS, ARIZONA SUPREME COURT, Mar. 13, 2020, available at <https://www.azcourts.gov/Portals/201/Press%20Releases/2020Releases/20200313COVID19final.pdf?ver=2020-03-13-172212-583>.

We are requesting that the Coconino County Superior Court follow the Arizona Supreme Court's guidance effective immediately: all routine hearings, whenever possible, should be conducted via telephone. We further recommend that the Coconino County Detention Facility enact procedures for inmates to appear for routine hearings telephonically. Our jail population, along with our law enforcement professionals, are at an elevated risk for COVID-19 transmission.

Although no cases have yet been identified in Coconino County, it seems likely that it is only a matter of days before we receive confirmation of active community spread in our area. This is already happening throughout Arizona as more pending testing kits come back positive. As we have seen unfold in Italy, Spain, and France, once we have confirmed COVID-19 cases in our community, it may be too late to prevent a disastrous spike in cases that overwhelms our health care system. Individual COVID-19 cases may be inconsequential to the vast majority of healthy adults and children, but our senior citizens and individuals with underlying health conditions are at an elevated risk for more grave suffering. Due to the slow rate of testing, it is likely COVID-19 has already spread through our community, and our recommended actions may already be long overdue.

The current Coconino County Bar Association Board, along with undersigned former CCBA Presidents, are ready to aid the Coconino County Superior Court in its efforts to mitigate this public health emergency.

Sincerely,



CCBA President Edward J. Walneck, *and*

CCBA Board Members Heidi Wolford, Jason Bliss, Paul Rubin, and Julie Woodward, *and*

Former CCBA Presidents Fritz Aspey, Erin Evans, Brian Furuya, Bruce Griffen, Aaron Hall, Brent Harris, Lindsay Mellen, Bill Ring, Eric Ruchensky, and Brian Webb.

Copies of the foregoing delivered this 16th day of March, 2020, to:
Presiding Judge Dan Slayton
Coconino County Superior Court, Div. 2
200 N. San Francisco St.
Flagstaff, AZ 86001

Judge Ted Reed
Coconino County Superior Court, Div. 1
200 N. San Francisco St.
Flagstaff, AZ 86001

Judge Mark Moran
Coconino County Superior Court, Div. 3
200 N. San Francisco St.
Flagstaff, AZ 86001

Judge Elaine Fridlund-Horne
Coconino County Superior Court, Div. 4
200 N. San Francisco St.
Flagstaff, AZ 86001

Judge Cathleen Brown Nichols
Coconino County Superior Court, Div. 5
200 N. San Francisco St.
Flagstaff, AZ 86001

Judge Fanny Steinlage
Coconino County Superior Court, Div. 6
200 N. San Francisco St.
Flagstaff, AZ 86001

Judge Angela Kircher
Pro Tempore, Juvenile Div.
Coconino County Superior Court
1001 E. Sawmill Rd.
Flagstaff, AZ 86001

Valerie Wyant
Clerk of the Superior Court
Coconino County Superior Court
200 N. San Francisco St.
Flagstaff, AZ 86001

Sharon Yates
Court Administrator
Coconino County Superior Court
200 N. San Francisco St.
Flagstaff, AZ 86001

By: Edward Walneck_____