

## **TITLE 6 - COURTS**

### **CHAPTER 3 - RULES OF COURT**

#### **ARTICLE 11 – SETTING HEARING DATES**

*History: Administrative Order No. 01-08, “IN RE: Establishing the Setting of Hearing Dates in Criminal and Traffic Cases,” was ordered on January 23, 2008 and governs the procedure for setting of hearing and trial dates in adult criminal and traffic cases.*

*Related History: Administrative Order 01-08 amends Sections II and III of Administrative Order 02-00, “IN RE: Order Establishing Rules of Practice and Procedure in Adult Criminal and Traffic Cases” and supersedes and rescinds any conflicting procedure.*

***NOTE: Pursuant to Article VIII, Section 10(d) of the Constitution of the Tohono O’odham Nation and Section 1106(A) of 6 T.O.C. Chapter 1, Courts and Procedures, the Judicial Court is vested with the power to promulgate rules regulating pleading, practice and procedure in all Judicial Court proceedings. The Judicial Court rules are therefore subject to enactment, amendment, or repeal at any time by administrative order issued by the chief judge. Practitioners are accordingly cautioned to contact the Judicial Court for copies of current court rules.***

In the Judicial Court of the Tohono O'odham Nation  
County of Pima, In the State of Arizona

IN RE: Establishing the Setting of Hearing ) ADMINISTRATIVE ORDER  
Dates in Criminal and Traffic Cases ) No.: 01-08  
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It is ordered that the following rules will govern the procedures to be followed in adult criminal and traffic cases in the Tohono O'odham Judiciary. This Order shall be effective immediately, and will remain in effect until further order of the Court. This Order hereby amends Administrative Order 02-00, Sections II and III and supersedes and rescinds any conflicting procedure.

I. Hearing Dates. At criminal and traffic arraignments, the following dates will be set as closely as possible to the time frames stated below:

A. Pre-Trial Conference. The pre-trial conference date will be set for 2 weeks after arraignment.

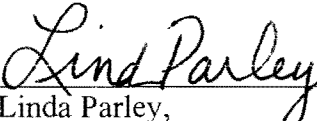
B. Pre-Trial Hearing. The pre-trial hearing date will be set for 2 weeks after the pre-trial conference.

II. Trial Date.

A. Defendants will indicate their preference for a bench or a jury trial at arraignment.

- B. The trial date shall be set at the Pre-Trial Hearing or at any subsequent hearing where it is determined that the matters will proceed to trial.
- C. The court shall inform a defendant who requests a trial by jury that the defendant shall be deemed to have waived his or her right to a jury trial if the defendant, without good cause, fails to appear at the time and date set for trial.

Dated and entered this 23<sup>rd</sup> day of January, 2008.

  
Linda Parley,  
Interim Chief Judge