THE JUDICIAL COURT OF THE TOHONO O'ODHAM NATION

In Re: Telephonic Appearances for Defenders of Children when appointed as Guardians Ad Litem

AMENDED

ADMINISTRATIVE ORDER

No.: 2026-09

The Tohono O'odham Constitution, Article VIII, Sections 1, 2, and 10(d) vest authority in the Judicial Branch to hear cases and establish court procedures. In the exercise of its express and inherent authority, the Court allows practitioners to solicit Administrative Orders.

The Defenders of Children seek permission to appear telephonically by default in every case where the Court appoints them to serve as a Guardian Ad Litem (GAL) unless the Court expressly orders an in-person appearance. While it is customary for the O'odham to meet face-to-face to reach an understanding and come up with solutions, and while our Rules of Court provide a process for telephonic appearances to be scheduled after a sitting judge issues a written order setting a telephonic hearing that is based on individualized circumstances of a case and party, the Court recognizes that the Defenders of Children provide a nuanced service meant to help the Court.

In addition:

1. The Petition is limited in scope to cases where the Defenders of Children are appointed by this Court to provide specific Guardian ad Litem (GAL) services for minor children ~~alleged to be victims of a crime~~.
2. The Defenders of Children is a Phoenix-based 501(c)(3) nonprofit organization and an Arizona Supreme Court Rule 38(d) approved legal services organization that provides free, expert, comprehensive, trauma-informed, healing-focused, dignity-affirming, and

culturally appropriate legal advice, representation, and advocacy to vulnerable children and their protective parents and guardians.

3. Defenders of Children service all Arizona counties, some Arizona Tribal Nations, and the Tohono O'odham Nation.
4. Defenders of Children has limited resources.
5. Requiring in-person appearances at all stages of each proceeding can stress the limited resources of the Defenders of Children.
6. While Defenders of Children can file motions for telephonic appearances, facilitating such appearances any time they are appointed to serve as GALs by this Court will eliminate the need for such a filing, and this will reduce the processing of such motions.
7. The GAL services provided will assist the Court in protecting the best interests of minor children who are ~~alleged victims and~~ otherwise unable to have an independent attorney protect and promote that child's best interests.
8. The Court's legal authority to ensure compliance with Title 3, chapter 2, section 2804, and Title 7, chapter 4, sections 4101 through 4102, and sections 4104 through 4106 of the Tohono O'odham Nation's Code cannot be meaningfully exercised absent the Court facilitating the appointment GALs through practical applications.
9. Some hearings may last less than 10 minutes. Making telephonic appearances the default for Defenders of Children facilitates the effective and efficient administration of justice.
10. Defenders of Children provides legal services throughout Arizona, and requiring in-person attendances at all stages of proceedings will impact caseloads and can place an undue burden on the Defenders' ability to appear and serve as GALs in this Court, and throughout Arizona and other Tribal courts.

Therefore, the request for an Amended Administrative Order is granted. Effective immediately, anytime a Tohono O'odham Judge (appointed or pro tempore) issues an order

appointing the Defenders of Children to serve as a Guardian Ad Litem (GAL) for a minor child, ~~alleged to be a victim of a crime,~~ the appointing judge and Court Clerk II will note in the Order that the next scheduled Hearing is telephonic, and a copy of this Amended Administrative Order will be attached and automatically incorporated by reference. Appearances by the GAL will be telephonic by default in every case unless the Court expressly orders in-person appearances.

This Amended Administrative Order is limited to the Defenders of Children that are approved as Legal Practitioners and appointed to serve as GALs as specified above.

IMPLEMENTATION

I. This Order takes effect on the date of signature.

II. The Court Administrator and Clerk of Court must develop procedures and forms, and create training as necessary to implement this Order uniformly.

Dated and entered October 30, 2026.

Chief Judge Rene Alcoverde, Jr.