

IN THE CITY COURT OF SCOTTSDALE
IN THE COUNTY OF MARICOPA, IN AND FOR THE STATE OF ARIZONA

In the Matter of:

APPOINTMENT OF COUNSEL FOR)	
INDIGENT DEFENDANTS IN CRIMINAL)	
MATTERS)	
_____)	Court Order
		No. 2026-02

Pursuant to Rule 6.1 and Rule 6.4 of the Arizona Rules of Criminal Procedure; A.R.S. §§ 9-499.09 and 11-584; and other applicable laws, this Court Order establishes uniform procedures for the appointment of counsel to indigent defendants in criminal matters filed in the Scottsdale City Court.

Defendants facing a potential loss of liberty in criminal proceedings have a right to counsel and, if indigent, a right to the appointment of an attorney. [Rule 6.1(b)(1)(A), Ariz. R. Crim. P.]

WHEREAS This Order applies to all Scottsdale City Court criminal matters (including misdemeanors and criminal traffic cases that may result in a punishment involving a loss of liberty, or while incarcerated because of a bond imposed at the initial appearance.) [Rule 6.1(b)(1)]

IT IS ORDERED that the court will appoint counsel if a defendant seeks appointments of a public defender, the defendant is indigent, and the proceeding may result in a loss of liberty, or the defendant remains incarcerated pretrial due to bond imposed at the initial appearance. [Rule 6.1(b)(1)]

IT IS FURTHER ORDERED that to establish eligibility for appointed counsel, defendants must complete, under oath, the Supreme Court–approved financial resources form. Judicial officers may question defendants under oath about their financial resources after advising them of penalties for perjury under A.R.S. §§ 13-2701 et seq. [Rule 6.4(a)]

IT IS FURTHER ORDERED If a defendant is appointed a public defender while incarcerated because of a bond imposed at the initial appearance, and pursuant to which that appointment will terminate upon the defendant's release from incarceration unless continued appointment is required by law or ordered by the court. [Rule 6.1(b)(1)(B)]

IT IS FURTHER ORDERED that in cases in which a Judge appoints counsel to indigent defendants and finds the defendant can pay a portion of the cost without substantial hardship, they may assess a fee of up to \$275 (which includes a \$25 administrative fee) to defray the cost of appointed counsel. Failure to pay is not contempt and is not a basis for counsel's withdrawal; amounts may be enforced as civil judgments. [A.R.S. § 9-499.09(A)-(B)] [Rule 6.4(c)]

Dated this 29th day of April 2026.

Marianne T. Bayardi

Presiding Judge, City of Scottsdale, Maricopa County