



The Weecks Quarterly©
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SOME NEW ARIZONA LEGISLATION

The 54th Legislature, Second Regular Session has produced ninety “chaptered” laws taking effect on August 25th (unless another date is specified within a given new law). The reader may wish to purview the new laws at www.azleg.gov In the meantime, here is a sampling that may be of interest:

- **Parental Rights Posting by the Arizona Department of Education.** CHAPTER 64 (Senate Bill 1061) creates an obligation for the AZ Dpt of Ed to post a “statutory handbook of parental rights.” The law will be known as A.R.S. §15-249.16, “*Statutory handbook of parental rights; posting.*” School districts and charter schools shall be required to “*prominently post on a publicly accessible portion of its website a link to the statutory handbook of parental rights established pursuant to*” the new law.
- **Assisted Living Caregiving Certification.** A.R.S. §36-446.15 discusses certification under AHCCCS standards for in-home caregivers and related matters. The new law contained in CHAPTER 73 (Senate Bill 1210) creates a mandatory 62 hours of supervised on-the-job training for caregivers at assisted living facilities wherein the caregiver is not certified already under §36-446.15, in addition to requiring passing a mandatory board examination with a minimum score of 75%. The new statute defines supervised to mean “*on-site, in-view observation and guidance*” by the supervisor over the caregiver in training and specifies who is qualified to be a supervisor of a caregiving certification trainee.
- **Arizona’s Conditional Passage to Prevent Pre-Existing Exclusions in Individual Health Plans.** Merely speculating, perhaps it is in anticipation that the so-called “Obamacare” [March 2010 Patient Protection and Affordable Care Act] may one day be discontinued. Chapter 80 (Senate Bill 1397) will be conditionally enacted if by June 30th, 2023 “*a court of competent jurisdiction rules that the patient protection and affordable care act (P.L. 111-148) is unconstitutional and the judgment of that court becomes final and definitive.*” The content would be that insurance companies offering individual health plans in Arizona would then be precluded from excluding coverage based upon pre-existing conditions. The chaptered law will become known as A.R.S. §20-123. “*Guaranteed availability; preexisting condition exclusions prohibited; open enrollment periods; rules; definitions.*”
- **Domestic Violence Updates.** Please read my article in the July 2020 *Maricopa Lawyer* (available electronically once posted at <https://maricopabar.org/index.cfm?pg=MLArchives>). In addition, the legislature has passed Chapter 81 (SENATE BILL 1441) amending A.R.S. §§13-3602 and 13-3624. The new law will require plaintiffs to notify the issuing court of an order or protection within five days if s/he moves from a residence to which s/he was granted exclusive use. The issuing court may then take appropriate action, such as holding an additional hearing that may result in modifying the order because of the change of circumstance.



LATE CASE FAIR LIMITS ORDERS & CERTIFIED ARBITRATOR PROGRAM DURING THE PANDEMIC

One common goal among the legal community is to move cases forward during the pandemic. In the current circumstance there have been many orders and limitations regarding physical access to court facilities. Resultingly, the courts have adopted rules regarding masks and social distancing, of course, but also have implemented virtual court protocols, temporarily suspending certain in-person matters. This past Monday July 13th, the Arizona Supreme Court issued Administrative Order 2020-072 establishing the Late Case Fair Limits Proceeding Program for the next year (until July 15th, 2021) for civil cases that are not assigned to compulsory arbitration. Under the new Admin Order a judge in a case will appoint a Late Case Fair Limits Officer, who then holds a proceeding to explore options of whether the parties and/or counsel agree that the case “(1) should be tried; (2) might appropriately or efficiently be resolved in any manner other than trial under the civil rules; or (3) could be resolved through settlement.”

Likewise, the Arizona Supreme Court issued an Admin Order to establish a Certified Arbitrator Program for the same time period (Admin Order 2020-071).

ATTORNEYS RESPOND – THE HOTLINE – UPDATED STATS

The Law Office of Debbie Weecks continues to volunteer three days weekly as a hotline operator. Here are the updated stats provided to us for the time period of May 20th through July 10th:

768 calls to the Hotline, and there were 124 of us as operators taking those calls. The top legal issues are Housing (31%), Employment & Unemployment (18%), and Other Legal Questions (18%). There were 258 Referrals to free consultations with an attorney, and 48 small business owners were helped.

**Statewide Legal Hotline: 866-611-6022, weekdays 9:00 am -3:00 pm.
For Covid-19 related legal issues. Language Interpretation Available.**

A LIVE BROADCAST ~~HOLD THE DATE ~~ FRIDAY JULY 31st

Just a reminder that on July 31st, I will again be joining with some professional friends for discussion on Health Futures. (Prior episodes are available at <http://weeckslaw.com/in-the-news/>)

The Law Office of Debbie Weecks Remains Fully Operational.

La Oficina de la Abogada Debbie Weecks continúa sus operaciones.

Offering traditional and limited (discrete task) representation.

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