

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

LC2014-000179-001 DT

05/22/2014

COMMISSIONER MYRA HARRIS

CLERK OF THE COURT
J. Eaton
Deputy

VELDA ROSE ESTATES HOME OWNERS
ASSOCIATION

CHARLES E MAXWELL

v.

EDITH POGGI (001)

EDITH POGGI
4132 N 3RD AVE #2
PHOENIX AZ 85013

MESA JUSTICE CT-EAST
REMAND DESK-LCA-CCC

MINUTE ENTRY

Lower Court Case No. CC2012-132551 .

Defendant-Appellant Edith Poggi (Defendant) filed a “Defendant’/Appellants Notice of Filing the Pleading That They Filed In The Justice Court And The Justice Court’s 5/14/14 Minute Entry (Both Attached)” [sic.] on May 21, 2014. The attached motion was a “Defendants’ Motion To Accelerate Review Of This Motion / Defendants’ Motion To Stay Further Orders/ Judgments From This Court / Notice To This Court Re Court’s Staff Treatment” [sic]. The Motion requested the trial court stay issuing any further Orders/Judgments based on this Court’s minute entry rulings dated May 1, 2014 and May 2, 2014. The motion to the trial court also notified the trial court she believed she was treated rudely by court staff on an ongoing basis. In her motion, Defendant mentioned she has a medical disability and needed assistance from an aide to communicate with the trial court’s staff. Defendant complained the trial court disregarded her medical disability and refused to communicate with her aide. The trial court returned her motion to her and noted this return in its May 14, 2014, minute entry. The Motion was returned because the trial court no longer has jurisdiction over this case since Defendant filed an appeal with the Superior Court.

Both the trial court and the Superior Court provide accommodations for persons with disabilities. However, the person must request accommodation. At the Superior Court, there is a form that can be completed online or printed in PDF format. If a person needs help in completing the form, the person should contact the ADA Coordinator for assistance. The ADA Coordinator can be reached:

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Hugh Gallagher, ADA Coordinator for Maricopa County Superior Court
125 W. Washington 3rd Floor
Phoenix, Arizona 85003
602-372-3070
Fax 602-506-3134

If alternative means of submitting an accommodation request are needed, such as by personal interview or a tape recording, these means will be made available to qualified individuals upon request.

Persons with disabilities must request accommodation. Absent a request, the court staff would not be aware of any need for accommodation. Normally, court staff cannot release information to anyone other than a party to a case or a licensed attorney appearing in a representative capacity. Friends and family cannot appear on behalf of a party unless the person appearing is licensed to practice law in Arizona. As our Supreme Court stated:

Courts may inquire as to whether a person who appears before it in a representative capacity is admitted to the practice of law. Inquiry discloses that neither Mr. nor Mrs. Haberkorn is admitted to the practice of law in Arizona. In *Bloch* we considered the effect of Bernard Bloch's representation of himself and his attempted representation of Nathan Bloch and Ruth Bloch. We held that he could not represent either Nathan Bloch or Ruth Bloch and where he attempted to represent them as plaintiffs in the trial court, neither Nathan Bloch nor Ruth Bloch were before the trial court or before this Court. The same legal principles preclude a husband, not a member of the Bar, from representing his wife in a court of law. This is true whether her interest be separate or community.

Haberkorn v. Sears, Roebuck & Co., 5 Ariz. App. 397, 399, 427 P.2d 378, 380 (1967). This Court hopes Defendant has not been rudely treated.

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NOTICE: LC cases are not under the e-file system. As a result, when a party files a document, the system does not generate a courtesy copy for the Judge. Therefore, you will have to deliver to the Judge a conformed courtesy copy of any filings.