

Maricopa Lawyer  
Clerk's Corner  
*February 2009 (March Issue)*

By Michael K. Jeanes, Clerk of the Superior Court

### **New Court Requirements**

Attorneys and other Superior Court customers will have new requirements to follow beginning this summer. The Arizona Supreme Court issued Administrative Order 2009-01 in response to the state's significant budget problems and to proactively manage the state's courts. One change is a new requirement to provide an individual or firm email address to the State Bar of Arizona that the filing attorney must include on all filings and pleadings on and after July 1, 2009.

The designated email address will be used to send attorneys court documents. The attorney or firm must provide the email address to the State Bar of Arizona not later than July 1, 2009 and must be kept current with that organization thereafter. If an attorney's email address changes, the State Bar must be notified, in addition to the Clerk and other agencies that must be notified under court rule.

To be effective, an email in-box must have enough memory available to receive emails from the courts. This will require organization and maintenance to ensure the designated email in-box is available. It is important to ensure the designated email address accepts emails from the Clerk and courts and that the messages are not inadvertently blocked by the email service provider's spam filters. For the purpose of receiving electronic minute entries from the Clerk of the Superior Court, the Clerk's Office requires that attorneys who are associated with a law firm all receive their minute entries at one firm-designated email address, rather than sending the documents directly to individual attorney email addresses. Firms or sole-practitioner attorneys who have already designated an email address to receive their minute entries electronically will continue to receive their court documents from the Clerk's Office at the designated email address on file with the Clerk.

In addition to the mandatory email address requirement, Administrative Order 2009-01 authorizes charging attorneys for the recovery of costs related to preparing and mailing paper minute entries. The Administrative Order permits the Presiding Judge and the Clerk of the Superior Court in each county to ask their Board of Supervisors to implement a "pay for paper" system. Where the Clerk's Office has the technology to distribute minute entries electronically, attorneys who wish to receive paper copies of minute entries may do so only upon paying a fee established by the Board of Supervisors. A specific fee has not been determined, but a proposal to the Board of Supervisors is anticipated before July 1, 2009. In Maricopa County, attorneys or firms can receive their minute entries electronically now by completing a form, including providing a designated email address to the Clerk's Office. More information and the form for electronic delivery of minute entries in the Superior Court in Maricopa County are available online at <http://clerkofcourt.maricopa.gov/faxondemand/111.pdf>.

Pursuant to the Administrative Order, the Clerk of the Superior Court began collecting a filing fee for each fee deferral application filed with the court effective February 1, 2009. A judge may waive the deferral fee if the judge enters a specific finding of permanent inability to pay as defined in statute. View these requirements and more in Supreme Court Administrative Order 2009-01, located on the Supreme Court's website at <http://www.supreme.state.az.us/orders/admorder/Orders09/2009-01.pdf> .