

By Michael K. Jeanes, Clerk of the Superior Court

Access to Records Changing in Criminal and Juvenile Cases

Effective September 1, 2013, the Clerk's Office will no longer post some minute entries to the Clerk's minute entry website online (<http://www.courtminutes.maricopa.gov/>). The documents remain public records and can be viewed at the Clerk's public access terminals, but will not be viewable through the minute entry website.

Parties and their attorneys with an Electronic Court Record Online account may view documents over the internet in their own cases but cannot see other records.

Rule changes were adopted that prohibit the courts from placing records online in cases where there are victims of certain alleged crimes. In cases with adult victims, the restrictions are based on the crimes charged against the defendant. The restrictions also apply to any case involving a juvenile victim, regardless of the nature of the offense. The rule changes will limit the public's online access to minute entries in certain adult criminal cases. The Clerk's Office does not post minute entries online in juvenile court cases.

Examples of cases where minute entries will no longer post online but remain public records include: sexual offenses and exploitation, prostitution, and obscenity. For a list of Clerk's Office locations with public access terminals and other ways to get records, visit <http://clerkofcourt.maricopa.gov/copies.asp>.

The rule changes have restrictions that apply to the Court of Appeals and Supreme Court that do not apply to cases in Superior Court. For example, attorneys and the bench must use a pseudonym for the victims in documents filed with the court and in decisions published by the courts. The adopted rules can be viewed online at <http://www.azcourts.gov/Portals/20/2012Rules/120512/R120004.pdf>.

Juvenile ECR Continues

The third phase of the Juvenile Electronic Court Record (ECR) is scheduled for release on September 9, 2013. Phase III is the third of four phases and includes the dependency (JD) case type.

This Phase will include scanning of newly-filed documents in dependency cases. Paper files will no longer be created for new JD cases and existing cases will include both newly-filed electronic documents as of September 9, 2013 and all previously filed paper documents through September 8, 2013. Signed orders in all Juvenile case types will be

available only in the ECR. To ensure you are seeing the entire case record, it will be important to check the ECR at an access terminal in all cases.

Phase I was successfully implemented on October 1, 2012 for Title 14 Guardianship (JG) cases. Phase II was successfully implemented on June 3, 2013 for seven case types: Adoption Certification (AC), Adoption (JA), Emancipation (JE), Relinquishment (JI and JR), Orders of Protection/Injunctions Against Harassment (JP), and Severance (JS). Phase II also included the scanning and electronic distribution of orders in all 10 Juvenile Court case types. The Phase IV implementation will include the delinquency (JV) case type and is tentatively planned for November 2013.

There are no changes to the confidentiality of Juvenile court records. Information regarding Juvenile court records can be found at the Clerk's website at www.clerkofcourt.maricopa.gov.