

# THE

# BRIEF

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An electronic update for the legal community providing a brief look at news in the Clerk of the Superior Court's Office



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## Participating eFile Division

The Clerk's Office periodically receives electronic filings from attorneys when the case in which they are filing is not in a participating eFiling division. Unlike civil cases where the judicial officer mandates participation, criminal and family court cases are permissive in participating divisions. If unsure whether the division hearing the criminal or family court case accepts eFilings, it is advantageous to contact the judicial division to verify participation. This verification improves the processing of documents and reduces the chances of having a document rejected at deadline. There are currently three judicial divisions accepting eFilings in family court. Divisions in adult case types in civil, criminal and family court are expected to expand.

## Family Court Filing Requirement

Effective April 28, 2008, new family court case filings must include a confidential sensitive data form, as required by Superior Court Administrative Order 2008-21. The Administrative Order details the pilot requirement, including the Sensitive Data Sheet form that must accompany new family court filings. The Order and form are available online at <http://www.superiorcourt.maricopa.gov/SuperiorCourt/AdministrativeOrders/docs/ao2008-021.pdf> and the required form is now available in Self-Service Center packets and on the Clerk's website.

The Administrative Order explains the pilot program this way: "Family Court cases require capturing particularly sensitive information about parties in order to process support for families, and the courts have an inherent interest in protecting sensitive data from the public record . . . To improve the accuracy of information provided by litigants and counsel, improve support collections, protect sensitive data and to promote the electronic order of assignment process in Maricopa County, the court will require parties in family court cases to file a sensitive data form at the petition and response stages of family court cases."

## Historically Significant Cases

As a reminder, the Superior Court has a process to recognize certain cases as historically significant. Once designated as historically significant, the records of a case will be permanently maintained by the Arizona State Library, Archives and Records (ASLAPR), rather than destroyed under the terms in the Records Retention Schedule.

Requests to designate a case as historically significant can be motioned by anyone. A case could be historically significant because of a legal issue involved, a well-known party, an issue with far-reaching social or cultural implications, or another issue that makes the case high-profile, controversial, or newsworthy.

A Motion for Designation under the case's original case number sets forth the factual basis for the recommendation and the Motion must be filed with a state court presiding judge. A proposed motion form is available on the Supreme Court's website at [www.supreme.state.az.us/selfserv/Historically\\_Significant/MotionDesignHistSignif.pdf](http://www.supreme.state.az.us/selfserv/Historically_Significant/MotionDesignHistSignif.pdf)