

# 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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## New Rules

**O**n January 1, 2006, Arizona will implement comprehensive rules of procedure designed specifically for the needs of family court cases. In Maricopa County, we are working to define what areas are impacted by the new rules, and how we will prepare for the January 1st implementation date.

One new Arizona Rule of Family Law Procedure is Rule 43(G), which defines steps to protect sensitive data. Before filing, sensitive data must be omitted or otherwise redacted from any filing, unless specifically requested by the court. Sensitive data requested by the Court must be on a sensitive data form, which the Clerk will maintain as a confidential record. In further pleadings, any reference to sensitive data will be made by item number, and not the actual data, to keep sensitive data out of the public record. This rule does not apply to orders, decrees, or UIFSA petitions. Orders of Assignment shall contain sensitive data, but are closed to the general public. In Maricopa County, the Clerk's Office maintains electronic images of documents, and this new rule will allow the paper version of the sensitive data form to be destroyed.

This new rule, 43(G), is a significant change because attorneys and unrepresented parties must closely monitor their documents prior to filing to ensure sensitive data is not inadvertently entered into the public record. It should be noted that the Clerk's Office does not have the resources to inspect every page of every filing to ensure compliance. The Clerk's Office does not intend to reject documents based on this rule, as the rule allows parties to request that a document containing sensitive data be sealed or removed from the file. A sensitive data form will be included with all Self-Service Center packets distributed by the Trial Courts.

## New Civil Coversheet

**T**he Clerk's Office recently updated the coversheet for all new civil filings. Cover sheets are only used for new filings, and assist the Clerk's Office with docketing the case correctly based on the information the filing party provides. In this newest version, our Office removed information to make the form clearer and added a docket code used internally by the Office to ensure accurate processing. The new code, 177, is used when filing an interpleader for an automobile-only case. The updated form is located online at <http://www.clerkofcourt.maricopa.gov/faxondemand/204.pdf>

## E-filing Update

**E**-filing continues through the Clerk's Office. Pilots are operating in DUI and criminal courts, and in general civil casetypes. Through these pilot programs the Clerk's Office has processed nearly 800 e-filings for judicial review since April 2005. The complex civil litigation e-filing pilot, which began in December 2003, uses a third-party vendor, and has processed over 3,000 e-filings.

### **One-hour e-filing demonstrations available**

The Clerk's Office conducts monthly one-hour e-filing demonstrations for general civil cases. Approximately 60 participants attended the training between October and November. Upcoming demonstrations are scheduled for Dec. 21 and Jan. 18, from 10-11 a.m. and 2-3 p.m. in the Clerk's training room. The training room is located on the 2<sup>nd</sup> floor of the Central Court Building, 201 W. Jefferson St. in Phoenix. More information and training dates are available at <http://eventures.clerkofcourt.maricopa.gov/GenCVE-File.pdf>