



*Jeff Fine*  
*Clerk of the Superior Court*  
*[www.clerkofcourt.maricopa.gov](http://www.clerkofcourt.maricopa.gov)*

# *Media Academy: Public Records & Requests*

*April 8, 2021*

# *Purpose & Goals*

Clerk of the Superior Court  
Community Outreach Initiative



**Tiarra Earls Haas**  
Communications & Outreach  
Workgroup Co-Chair



**Brad Ottley**  
Communications & Outreach  
Workgroup Co-Chair

## **GOALS**

- To educate the public about the services provided by the Clerk's Office
- Establish long-term relationships with community stakeholders
- To ensure access to justice for all through outreach initiatives

# *Legal Disclaimer*

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*Clerk of the Superior Court in Maricopa County*

The information provided in this presentation does not, and is not intended to, constitute legal advice; instead, all information and content presented are for general informational purposes only. Attendees of this webinar should contact an attorney to obtain advice with respect to any particular legal matter.

# *Presenters*

## **Topics:**

Jessica Fotinos (Rule 123)  
Ken Shipley (Public Records, CSC)

## **Staff:**

Tiarra Earls Haas, Introduction  
Nikki Swiss, Moderator  
Stephanie Motzer, FAQs  
Lori Fiscus, Technology



**Jessica Fotinos**  
**General Counsel & PIO**



**Ken Shipley**  
**Court Operations Supervisor**



*Ken Shipley*  
*Court Operations Supervisor*

# *How to Obtain Public Records*

# *Records Division*

What Do We Do?



[This Photo](#)

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- The Public Records section reproduces court documents from case files, either from electronic or microfilm cases. Court cases from 1990 and before may be exclusively on microfilm.
- There are no costs to view court files; however, if copies of documents are needed, the cost is \$.50 per page and \$30 for each certified copy.
- Copies can be obtained from any of the following COC locations:
  - Customer Service Center; Southeast Regional Center; Northeast Regional Center; Northwest Regional Center
- We also provide copies of marriage licenses

# *Ways to Access Records*

1 – In Person

2 – Send a request via email

3 – Send a request via regular mail

1

Visit the Customer Service Center and utilize a Public Access terminal or complete a request for specific copies of documents.

2

Send a request via email to [COCMediaRequests@Maricopa.gov](mailto:COCMediaRequests@Maricopa.gov)

3

Send a request via mail to 201 W Jefferson Ave., Phoenix, AZ 85003

# *How to Access Records*



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- Copies can be obtained from any of the following COC locations:
  - Customer Service Center
  - Southeast Regional Center
  - Northeast Regional Center
  - Northwest Regional Center
- Most Court case files can be viewed at one of the 17 Public Access Terminals at the Customer Service Center (CSC), located at 601 W. Jackson Street.
- Other COC Public Access Terminals are closed to the public with current social distancing protocols.
- Court cases prior to 1990 may be viewed exclusively on microfilm at the CSC.
- Our exclusive e-mail address for media requests is [COCMediaRequests@Maricopa.gov](mailto:COCMediaRequests@Maricopa.gov).
- Court dockets can be viewed online by visiting the Superior Court website at <http://www.superiorcourt.maricopa.gov/Docket/index.asp>. There is a link to the docket at the Clerk's website as well



# *How to Access Records*



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- Copies are \$.50 per page. Cash or credit cards are acceptable forms of payment; checks are not accepted.
  - We cannot produce copies and then provide a voucher for payment
  - The cost for copies provided electronically are also \$.50 per page.
- Once the transaction is completed, a copy of the receipt will be included with the copies/package
- Most requests will be processed the same day, if possible.
- In-person requests are usually handled on a first-come, first-served basis; emailed requests are usually processed within 30 minutes after acknowledging receipt.
- When requesting documents, a case number is extremely helpful.
  - FC and CR cases may be accessed with party name/and/or DOB
  - CV cases we will need the exact party name
- Minute Entries (MEs) for CR or CV can be viewed online at the COC website. FC/FN and PB MEs are not available via the website.

- CR- Criminal  
- FC/FN- Family Court

- CV- Civil  
- PB- Probate



*Jessica Fotinos*  
*General Counsel*

# *Legal Rules & Procedures*

*Arizona Rules of the  
Supreme Court Rule 123  
Access to the Judicial  
Records of the State of  
Arizona*

Rule 123 governs access to court records, not the Arizona Public Records statutes or the Freedom of Information Act.

## Rule 123 recognizes:

- Public's significant interest in access to information regarding courts
- Presumptions that court records be open and available to the public for inspection or to obtain copies during regular office hours

# *Rule 123*

Rule 123 does have limitations/  
exceptions to access to court records:

## Rule 123 recognizes

- Records that are “closed” by law, may include statutes, state and local rules of procedure, administrative orders, court orders, etc.
- Disclosure not required in view of possible countervailing interests of confidentiality, privacy or the best interests of the state

*Review of  
Public Access  
to Court  
Records by  
Case Type:*

- Civil
- Criminal
- Family
- Juvenile
- Probate
- Mental Health
- Protective Orders
- Search Warrants

# *Civil Case Records*



- Docket available online
- Minute Entries available online
- Most documents are publicly accessible unless Court has ordered them sealed or they are subject to a protective order
- Rule 5.4 of Ariz. R. Civ. P.

# *Criminal Case Records*

## **Criminal Courts**



- Docket available online
- Minute Entries available online (with exceptions)
  - Offenses Under A.R.S. Title 13, Chapters 14, 32, 35 or 35.1
  - Cases in which victim was juvenile at time of the offense

# *Criminal Case Records*

## **Criminal Courts**



- Documents not publicly accessible under Rule 123
  - Criminal history records, diagnostic evaluations, medical, psychiatric and psychological reports, pretrial and probation services work product
  - Presentence report not available until filed into record after sentencing
  - Pre-sentence background information
  - Notices to Licensing Board
  - Court Information Sheet
  - Sealed documents



# *Criminal Case Records*

- Documents not publicly accessible under statute
  - A.R.S. § 13-2813: Pre-service indictments, information or direct complaints
- Documents not publicly accessible under Criminal Rules
  - Rule 12.7: Grand Jury Transcripts
- Documents not publicly accessible under Administrative Order
  - AO 2015-034: Behavioral contracts under Juvenile Transfer Offender Program

# *Family Case Records*



- Docket available online
- Minute Entries not available online, but publicly accessible
- Documents not publicly accessible under Rule 123
  - Sealed documents

# *Family Case Records*

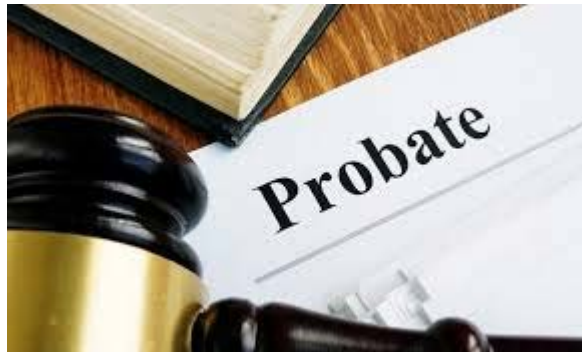
- Documents not publicly accessible Under Family Rules 13 and 43.1 and Administrative Orders (AOs 2008-019, 2008-021, 2010-014)
  - Income withholding orders
  - Orders to stop income withholding orders
  - Affidavits of financial information
  - Medical, psychiatric and psychological reports
  - Sensitive data sheets
  - Documents deemed confidential by Court

# *Juvenile Case Records*



- Docket and Minute Entries not available online
- Documents publicly accessible under Rule 123
  - Delinquency
  - Emancipation
  - Guardianship under Title 14
- Documents not publicly accessible under Rule 123
  - Court Ordered Removals
  - Dependency
  - Guardianship under Title 8
  - Severance
  - Adoption and Adoption Certification
  - Medical, treatment program and counseling records

# *Probate Case Records*



- Docket available online
- Minute Entries not available online, but publicly accessible
- Documents not publicly accessible under Probate Rule 8 and Administrative Orders (AOs 2009-036 and 2012-172)
  - Probate Information Form
  - Medical reports and records
  - Budgets
  - Inventories and Appraisals
  - Accountings and Credit Reports
  - Other documents deemed confidential
- Sealed documents

# *Mental Health*

- Docket and Minute Entries are not available online
- Case documents not publicly accessible under A.R.S. § 36-509 and AO 2015-136
- Under AO 2015-136, the Clerk shall disclose only the following information:
  - Fact that a mental health cases exists or does not exist for an individual
  - Case number
  - Name of assigned judicial officer
  - Names of attorneys of record, if any

# *Protective Orders*

Orders of Protection, Injunctions  
Against Harassment, Injunctions  
Against Workplace Harassment

- Under Rule 123 and Rule 7 of Protective Order Procedures
  - No information or documents available to public until proof of service of the order has been filed with the Court
  - Cannot confirm or deny existence of protective order until completion of service
- Dockets available online once order is served and affidavit of service filed
- Minute Entries
  - Orders of Protection – Family – not available online, but publicly accessible

# *Search Warrants*



- A.R.S. Title 13, Chapter 38, Articles 8 and 34
- Publicly-accessible once return is received, and court orders warrant to be opened
- Many search warrants are ordered to remain sealed
- Clerk can only confirm existence of sealed warrant if SW number is provided
- Generally, you need SW number to locate open search warrant



# *Employee Records*



- Under Rule 123, records are “closed” and not publicly accessible, except for following information:
  - Name of employee
  - Date of employment and effective dates of employment
  - Job titles and descriptions
  - Salary information
  - Name of current or last known supervisor
  - Name, location and phone number of office to which employee is assigned
  - Misconduct and disciplinary records – Must demonstrate “good cause” and follow process under Rule 123(f)(5)

# *Rule 123*

Remote, electronic access

- Rule 123(g) governs remote electronic access to case records
  - Permissive access by courts; subject to Arizona Code of Judicial Administration
  - Restrictive as to clerks
- Administrative Office of Courts eAccess
  - Subscription based
  - <https://www.azcourts.gov/eaccess/>

# *Additional Information*

- Online dockets and Minute Entries :  
<https://www.superiorcourt.maricopa.gov/docket/index.asp>
- Clerk's Office Webpage:  
<https://www.clerkofcourt.maricopa.gov/records>
- Media Inquiries:  
<https://www.clerkofcourt.maricopa.gov/records/press/media-inquiries>
- Public Information Officer Contact:  
[Jessica.Fotinos@Maricopa.Gov](mailto:Jessica.Fotinos@Maricopa.Gov)



*Questions?*

Q & A



*Questions?*

- Please provide feedback or suggestions on how we can serve our customers better at: [help.us.serve@cosc.maricopa.gov](mailto:help.us.serve@cosc.maricopa.gov)
- Follow our social media channels:

