



Use of Victim Names in Court Records and Online

The Arizona Supreme Court has approved changes to the criminal, juvenile, and supreme court rules, effective on September 1, 2013. These rules include important protections for victims that change the way documents are prepared, filed and maintained.

Information Online

A new rule requirement states that no documents shall be accessible on-line to the general public in any case in which a victim was a juvenile at the time of the offense. This restriction is based on the status of the victim as a juvenile, regardless of the underlying court or case type. Additionally, no documents shall be accessible on-line to the general public in criminal cases in which the defendant is charged with any offense listed in A.R.S. Title 13, chapters 14, 32, 35 or 35.1.

Prosecutors and Clerks

When filing a case, prosecutors must notify court clerks that the case falls within the above parameters. Clerks will need to carefully enter victim and other information in their case management systems to ensure accurate coding in order to prevent case records from appearing online. Prosecutors and the courts in which they file are encouraged to work together to ensure accurate and consistent notification and coding.

Defense, Juvenile and Appellate Court Practitioners

Although the rules allow a victim's name to appear in superior court records, it is standard practice to use a substitute identifier for juveniles rather than their true name. All victims' true names must be replaced with a substitute identifier in appellate briefs and in the appellate courts' opinions, memorandum decisions and orders.

Victim identifier

The rules define a victim identifier as a victim's initials, a pseudonym or other substitute for the victim's true full name. Remembering that the intent of the rule is to protect victims, practitioners are urged to consider all aspects of a case when selecting a victim identifier. For example, in smaller communities, using a victim's initials would identify the victim as if their full name had been used. A rule implementation workgroup of the Commission on Victims in the Courts recommended chronological numbering of victims' identifiers in court documents. For example: Victim 1, Victim 2, etc.

The approved rule petition (R-12-0004) with the final version of the rules is available online at: <http://www.azcourts.gov/Portals/20/2012Rules/120512/R120004.pdf>.

For questions or further assistance on this rule change, please contact Carol Mitchell, Court Specialist with the Administrative Office of the Courts at 602.452.3965 or via email: cmitchell@courts.az.gov.