

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
EMANCIPATION OF MINORS CASE) Administrative Order
ASSIGNMENT AND TRACKING) No. 2005-47
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_____)

On April 18, 2005, Janet Napolitano, Governor of the State of Arizona, signed HB 2428, which amended Title 12, Arizona Revised Statutes, by adding A.R.S. § 12-2451 et seq. which provides a process for the emancipation of minors. The effective date for this legislation is August 12, 2005.

The legislation sets forth an emancipation petition process with requirements, factors, notice, mediation, and investigation of allegations of child abuse or neglect that come to light in the petition. Through the process, a minor who is at least sixteen years of age may file a petition for an emancipation order with the clerk of the court in the county where the minor resides.

The clerk of court is required to charge and collect a forty-six dollar filing fee as set by A.R.S. § 12-284(J) and any other applicable fees. The clerk of the court is required to transmit monies from the emancipation petition filing fees to the county treasurer on a monthly basis. Each county treasurer is directed to establish an emancipation administrative costs fund consisting of the fees collected. [See A.R.S. § 12-2456(A)]. Pursuant to A.R.S. § 12-2456(B), the presiding judge of the juvenile court is required to use fund monies for administrative costs. A.R.S. § 12-2456(E) requires the Administrative Office of the Courts (AOC) to collect information relating to emancipation including the number of petitions filed and granted by age and county of residence. This information is to be included in the annual report of the judicial department. [See A.R.S. § 12-2456(F)].

In order to meet reporting and other requirements of the statute, it is necessary to implement the statute uniformly statewide. Assignment of emancipation cases to the juvenile division of the superior court in each county is needed to provide this uniformity and to facilitate the statutorily required data collection using the Juvenile On-Line Tracking System (JOLTS).

Now therefore, pursuant to Article VI, Section 3 of the Arizona Constitution,

IT IS ORDERED that emancipation cases brought pursuant to A.R.S. § 12-2451 et seq. shall be assigned to the juvenile division of the superior court in each county and shall be entered in JOLTS as directed by the AOC.

Dated this 13th day of July, 2005.

RUTH V. McGREGOR
Chief Justice