

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ESTABLISHMENT OF A DOMESTIC) Administrative Order
VIOLENCE RULES COMMITTEE) No. 2005- 85
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_____)

On August 6, 1996, by Administrative Order No. 96-37, the Supreme Court adopted Policies on Orders of Protection and Injunctions Against Harassment in Domestic Violence Cases and authorized inclusion of the Policies in the *Benchbook for Orders of Protection and Injunctions Against Harassment in Domestic Violence Cases (Domestic Violence Benchbook)*. The *Domestic Violence Benchbook* was developed by the Committee on the Impact of Domestic Violence and the Courts to promote consistency in the treatment of protective orders in domestic violence cases. These policies were revised by Administrative Order No. 98-66 due to subsequent changes in state statutes and court procedures.

To promote consistency in the treatment of protective orders in domestic violence cases, the Committee on the Rules of Procedure in Domestic Relations Cases included Rule 96, Domestic Violence Benchbooks, in the proposed *Arizona Rules of Family Law Procedure*. On September 22, 2005, the Supreme Court adopted the *Arizona Rules of Family Law Procedure* with the following modifications:

- Proposed Rule 96, Domestic Violence Benchbooks, was continued. The Committee on the Rules of Procedure in Domestic Relations Cases and the Committee on the Impact of Domestic Violence and the Courts (CIDVC) shall consider alternatives and, if deemed advisable, file a petition under Rule 28 proposing statewide domestic violence provisions.
- Pursuant to current administrative orders, judges in Arizona shall continue to consult the *Domestic Violence Benchbook* for guidance.

In accordance with ACJA § 1-104, the Chief Justice may establish advisory committees to the Arizona Judicial Council to assist the Council in carrying out its responsibilities.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the Domestic Violence Rules Committee is established to research other statewide domestic violence rules, study the issues relevant to domestic violence procedural matters in Arizona, and consider alternatives to Rule 96, Domestic Violence Benchbooks in the

Arizona Rules of Family Law Procedure which may include statewide domestic violence rules. The Committee shall provide a report to the Arizona Judicial Council in June 2006.

IT IS FURTHER ORDERED that the individuals listed on Appendix A are appointed as members of the Committee beginning upon entry of this Order and ending on December 31, 2006. The Chief Justice may appoint additional members as necessary.

IT IS FURTHER ORDERED that Committee meetings shall be scheduled at the discretion of the Committee Chair. Pursuant to Arizona Code of Judicial Administration § 1-202, all meetings shall comply with the public meeting policy of the Arizona Judicial Branch. The Administrative Office of the Courts shall provide staff for the Committee who may, as feasible, conduct or coordinate research as requested by the Committee.

Dated this 17th day of November, 2005.

RUTH V. MCGREGOR
Chief Justice

APPENDIX A

DOMESTIC VIOLENCE RULES COMMITTEE

Chair

Honorable William J. O'Neil
Presiding Judge
Superior Court in Pinal County

Members

Honorable Mark Armstrong
Presiding Judge
Arizona Tax Court

Honorable Kyle Bryson
Commissioner
Superior Court in Pima County

Evelyn Buckner, MSW
Stop VAWA Program Administrator
Governor's Office for Children, Youth & Families

Grace Colosimo
Associate Clerk
Superior Court in Maricopa County

Ellen Crowley
Deputy Chief Staff Attorney
Arizona Supreme Court

Larry D. Farnsworth
Captain
Maricopa County Sheriff's Office

Honorable Elizabeth R. Finn
Presiding Judge
Glendale Municipal Court

Bridget Humphrey, Esq.
Unit Chief Counsel, Child and Family Protection
Office of the Attorney General

Dale Wiebusch
Director of Systems Advocacy
Arizona Coalition Against Violence

Brian W. Yee, Ph.D
Psychologist
Phoenix, Arizona

Honorable Benjamin Zvenia
Tribal Court Judge Pro Tem
San Carlos Apache Tribe

Staff

Konnie Young Neal
Court Specialist
Administration Office of the Courts

Support Staff

Annette Mariani
Court Services Division
Arizona Supreme Court