

Hon. Emmet J. Ronan
Superior Court in Maricopa County
Southeast Court
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Chair, Committee on the Impact of Domestic Violence and the Courts

**IN THE SUPREME COURT
STATE OF ARIZONA**

In the Matter of:)	
)	Supreme Court No. R-13-0029
Petition to Repeal)	
the Arizona Rules)	Comment to Petition to Repeal
of Protective Order Procedure)	the Arizona Rules of Protective Order Procedure
_____)	

BACKGROUND

The Domestic Violence Rules Committee (DVRC) was established in 2005 by Administrative Order 2005-85 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 developed a stand-alone set of procedural rules titled the Arizona Rules of Protective Order Procedure (ARPOP), which were adopted by the Arizona Supreme Court and made effective on January 1, 2008. The DVRC, having fulfilled its purpose, was disbanded by AO 2008-08 in 2008.

The Committee on the Impact of Domestic Violence and the Courts (CIDVC), realizing that no formal committee remained to address modifications to the ARPOP, established the ARPOP Workgroup in 2009.

The workgroup met to discuss the petition referenced herein and provided a draft response to CIDVC on May 14, 2013. CIDVC members, by a majority vote, have authorized the undersigned, the Honorable Emmet J. Ronan, CIDVC chair, to file this response to Petition No. R-13-0029 on the committee's behalf.

DISCUSSION

Petitioner has asked the Court repeal the Arizona Rules of Protective Order Procedure (ARPOP) in their entirety.

The Constitution of the State of Arizona, at Art, 6, § 5(4), gives power to the supreme court "to make rules relative to all procedural matters in any court." The Arizona Rules of Protective Order Procedure provide procedural rules for issuance of protective orders pursuant to Arizona Revised Statutes §§ 13-3602 (Orders of Protection), 13-3624(C) (Emergency Orders of Protection), 12-1809 (Injunctions Against Harassment), and 12-1810, Injunctions Against Workplace Harassment.

The Court has acted within its authority in creating the Rules of Protective Order Procedure to guide Arizona courts on procedural matters regarding protective orders. The ARPOP are valid procedural rules and should remain in effect as written.

CONCLUSION

For the reasons stated above, CIDVC respectfully requests the Court to reject Petition R-13-0029.

Respectfully submitted this 17th day of May, 2013.

Hon. Emmet J. Ronan
Judge of the Superior Court
Superior Court in Maricopa County

cc: Michael Palmer, Petitioner

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