

## ARFLP Rule 74 "Parenting Coordinators" (proposed rule changes)

On June 24, 2015 a television news crew from ABC15 was unlawfully denied access to a Public Meeting of R-15-0006. Since none of the cure provisions available per ARS 38-431.05 were ever processed a lawsuit CV2015-014152 was filed in Maricopa County Superior Court as prescribed by ARS 38-431.07 seeking that the work performed by the Public Body R-15-0006 be declared "Null and Void" per ARS 38-431.05. Proposed changes include but are not limited to the following.

**1)** It is very important for the court to note that a key provision of the Public Meeting law that Petitioner asserts is in violation, may render not only the work of R-15-0006 Null and Void but potentially all other Rules Committees noticed to the public by azcourts.gov. ARS 38-431.02(A) "Conspicuously post" "on their website" information about Public Meetings. Both the websites psychboard.az.gov and azcc.gov home pages have an obvious button for the public to access all the information about Public Meetings. Azcourts.gov has no such functionality and therefore Petitioner asserts that azcourts.gov is in violation of ARS 38-431.02 for all public meetings noticed on azcourts.gov, if you could find them.

This is an obvious opportunity for the court to get a potentially major problem quickly resolved and off the list of problems. Both the Board of Psych Examiners and the Corporation Commission are right across the street from the Supreme Court. There are likely people readily at hand who could quickly assist bringing azcourts.gov into compliance with ARS 38-431.02. It would seem senseless to delay this corrective measure and jeopardize the workings of the entire court system or to have an argument and jury verdict come from CV2015-014152 months from now. The public and the courts would be well served by making this problem disappear "immediately". All other issues would involve only Rule 74 for which the Chief Justice would not be directly involved in, or responsible for. The problem could easily be fixed before the final draft of the lawsuit is created so there would be no need even put it in there.

**2)** Immunity? The applicable case law "Lavit v Superior Court" listed in the note number 3 of ARS 25-406 says "unprotected" which is contrary to the unstated but currently understood and enforced "judicial immunity" (CV2015-000287). Petitioner proposes lifting the language directly from the case law and putting it in Rule 74.

**3)** Insurance? One of the goals of the committee was to help control the costs of PC services to litigants. A marvelous idea of the committee was to identify behavioral health providers covered by insurance and allow them serve in the PC function as a primary option available to litigants. A word search (insurance) of the new Rule 74 indicates that this idea seems to have been forgotten.

There are other issues that Petitioner seeks to address which will be forthcoming in the more complete version of CV2015-014152. This is a public document and Petitioner is willing to post the revised document on this forum if it pleases the court.

Vulnerable families in crisis and their children must be protected.

/s/ Martin Lynch  
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