

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
AUTHORIZING A LEGAL DOCUMENT) Administrative Order
PREPARER PILOT PROGRAM FOR) No. 2020 - 25
DOMESTIC VIOLENCE CASES AND)
RELATED MATTERS)

In October 2019, the Arizona Judicial Council (AJC) approved a recommendation of the Task Force on the Delivery of Legal Services for a pilot program proposed by the Arizona Bar Foundation that would increase access to free assistance in completing civil legal forms for domestic violence victims. Known as the Domestic Violence Legal Document Preparer Pilot Program (DVLDP), the proposal would allow authorized employees of domestic violence shelters and service providers in Arizona to assist their shelters' clients in completing court forms to be filed in Order of Protection cases and related civil proceedings, including Family Law, Creditor/Debtor Law, and Landlord/Tenant Law, as well as applications for public benefits.

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

IT IS ORDERED that:

1. The Domestic Violence Legal Document Preparer Pilot Program is hereby established.
2. Individuals meeting the qualifications for DVLDP certification shall be certified by the Administrative Office of the Courts (AOC) as legal document preparers with a certification as restricted by this Order and are otherwise subject to the provisions of ACJA §§ 7-201, 7-208 and this Order.
3. Candidates for provisional certification as DVLDP's must be nominated by the program director, and must possess the following minimum qualifications:
 - a. A citizen or legal resident of the United States;
 - b. At least eighteen years of age;
 - c. Of good moral character;
 - d. A high school diploma or a general equivalency diploma (GED) evidencing the passing of the general education development test;
 - e. Employment by a domestic violence shelter or service provider in Arizona participating in the pilot program;

- f. Successful completion of a course of study presented by the Arizona Coalition to End Sexual & Domestic Violence in Arizona law related to domestic violence and related Family Law, Creditor/Debtor Law, Landlord/Tenant Law, and Public Benefits.
 - g. A passing grade on a DVLDP Pilot Program substantive law examination administered by the Certification and Licensing Division of the Administrative Office of the Courts (AOC).
4. An individual who has been disbarred by the highest court in any state or who has been denied admission to the practice of law in Arizona or has been denied certification or had their certification revoked or suspended by the Board of Legal Document Preparers is not eligible to participate in this pilot program.
 5. Candidates shall furnish fingerprints to the AOC for a criminal background investigation pursuant to A.R.S. § 12-323 and ACJA § 7-201(E).
 6. Individuals who meet the above-stated requirements will be granted a provisional DVLDP certification by the AOC. Individuals who have a high school diploma or GED shall work under the supervision of an Arizona Legal Aid agency licensed attorney participating in the pilot program for 12 months. Those who have a four-year college degree shall work under the supervision of an Arizona Legal Aid agency licensed attorney participating in the pilot program for six months.
 7. After completing the supervised work requirement and passing the court forms examination administered by AOC, provisional DVLDP certificate holders shall be eligible to apply for full DVLDP certification. The application shall be accompanied by a nominating letter from the applicant's supervising attorney indicating that the applicant has demonstrated proficiency in the areas of law permitted under this program and is capable of working independently.
 8. The AOC shall develop and administer the examinations required for certification under this program and shall issue the certification to applicants who meet the foregoing requirements.
 9. Recipients of DVLDP's services shall not be charged any fees for those services.
 10. DVLDP certification is restricted and such certified individual is only authorized to provide assistance and legal information, but not legal advice, to clients of the participating domestic violence shelter or service provider by which they are employed in the following areas of law:
 - a. Preparing, completing, or assisting clients with completion of court forms and other court or administrative agency documents for filing with any court or administrative agency related to Order of Protection cases and related Family Law, Landlord/Tenant Law, Creditor/Debtor Law, or Public Benefits matters;

- b. Assisting in service of process;
 - c. Assisting in the preparation of evidence for hearings and mediations in the case types noted above;
 - d. Assisting clients during court and administrative hearings; and
 - e. Responding to requests for information from the presiding judicial officer or administrative hearing officer during a hearing.
11. A DVLDP certification expires upon the occurrence of any of the following:
- a. Termination of the pilot program;
 - b. Leaving employment with a participating domestic violence shelter or service provider; or
 - c. On June 30th of odd-numbered years. A certification expiring on June 30th of an odd-numbered year may be renewed as prescribed in ACJA § 7-208.
12. Until further order of the Court, during the duration of the DVLDP Pilot Program, an applicant for DVLDP certification or renewal shall not pay a certification or renewal application fee.
13. Hours worked in preparing legal documents and related services in this pilot program may be applied toward the law-related work experience requirement in ACJA § 7-208(E)(3)(b)(6).

IT IS FURTHER ORDERED that the Administrative Director of the AOC is authorized to establish forms, and additional policies and procedures, including evaluation forms and procedures, required to implement this program.

IT IS FURTHER ORDERED that the Chief Executive Officer, Arizona Bar Foundation, is hereby appointed DVLDP Pilot Program Director.

IT IS FURTHER ORDERED that the DVLDP Pilot Program Director shall provide quarterly reports to the AOC and an annual report to the Judicial Council, on or before February 15th of each year.

Dated this 29th day of January, 2020.

ROBERT BRUTINEL
Chief Justice