

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:

AUTHORIZING RELEASE OF)	Administrative Order
INFORMATION MAINTAINED)	No. 2025 - <u>103</u>
IN THE ARIZONA PROBATION)	
TRACKING SYSTEM TO)	
NPC RESEARCH)	
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The Administrative Office of the Courts (AOC) maintains the statewide adult probation case management system and repository for records kept during the time an offender is on probation. All Arizona probation departments use and provide data and information to the probation tracking system. These records are the work product of probation officers and are closed from public inspection. Rule 123(d)(2)(A), Rules of the Supreme Court.

Rule 123 “govern[s] public access to the records of all courts and administrative offices of the judicial department of the State of Arizona.” Rule 123(a). This rule also contains specific authorization for employees of government agencies and private organizations serving a public purpose to be granted “such access to court records as required to serve that purpose according to this rule or as provided by any supplemental supreme court policies or court order.” Rule 123(c)(6). The Arizona Code of Judicial Administration (ACJA) provides that custodians of court or probation records may provide case records or data to federal, state, tribal and local government agencies and private organizations, the objective of which is to serve a public purpose, such as criminal justice, child welfare, licensing, mental health treatment, or research for scholarly or governmental purposes. ACJA § 1-606: Providing Case Record Access to Public Agencies or to Serve a Public Purpose.

The AOC entered into an agreement with NPC Research to undertake an evaluation of each of Arizona’s 10 active adult drug courts to determine whether each court’s stated goals, objectives, policies, and procedures are being met and to identify where improvements should be implemented as described in Request for Proposal 24-03. The AOC will provide data to NPC Research to facilitate the evaluation. The probation tracing system is the primary source of the data provided; hence, the data is nonpublic information that the AOC does not disseminate without a court order and confidentiality assurances as it is considered “confidential” and “closed.”

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution and Rule 123, Rules of the Supreme Court,

IT IS ORDERED that the AOC may provide NPC Research data from the probation tracking system as identified in Exhibit A for purposes of conducting the evaluation of adult drug courts in performance of the terms of its agreement with the AOC.

IT IS FURTHER ORDERED that the confidential information provided by this order must be maintained by NPC Research as confidential in compliance with all applicable confidentiality requirements of its agreement with the AOC and Supreme Court Rule 123.

Dated this 29th day of May, 2025.

ANN A. SCOTT TIMMER
Chief Justice

EXHIBIT A

Data Provided from AOC.

The AOC will provide NPC Research with data, for a subset of probation clients assigned to select Adult Probation Officers:

Staff-Level Data:

- Name
- Date of birth
- Gender
- Highest educational degree
- County Employer
- County Adult Probation Department hire date
- Number of months assigned to supervise the client

Client-Level Data:

- Name
- Date of birth
- Gender
- Case number
- Index offense
- Offense type/class
- Sentencing date
- County of sentencing
- Risk Level
- Probation tail indicator
- Probation supervision start date
- Probation supervision term length
- County of supervision
- Type of supervision (probation SPS/IPS/UNS)
- Recordings of supervision conversations between the assigned Adult Probation Officer and client serving a term of probation.

Contextual Data:

- Date of contact for the recorded conversation
- Location of the recorded conversation (client's residence, probation office, other)