

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
AUTHORIZING RELEASE OF) Administrative Order
INFORMATION MAINTAINED IN THE) No. 2025 - 136
ARIZONA PROBATION TRACKING)
SYSTEM TO THE UNIVERSITY OF)
NEBRASKA AT OMAHA)
_____)

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 The Board of Directors, University of Nebraska d/b/a the University of Nebraska at Omaha (“Data Recipient”) to research the assessment needs for adding a violence screening component for treatment courts, possibly revalidate the assessment for all probationers, and evaluate the methods of lowering recidivism. The Data Recipient may also provide comparative information and research on other recent community supervision reforms done within probation in Arizona or nationally to reduce recidivism rates. The AOC will provide data to facilitate the evaluation. The probation tracking 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 Data Recipient data from the probation tracking system as identified in Exhibit A for purposes of conducting the research 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 Data Recipient as confidential in compliance with all applicable confidentiality requirements of its agreement with the AOC and Supreme Court Rule 123.

Dated this 25th day of June, 2025.

ANN A. SCOTT TIMMER
Chief Justice

EXHIBIT

A

Data Provided from AOC.

AOC will provide University of Nebraska with data, for a subset of probation clients assigned to select Adult Probation Officers:

Client-Level Data:

- County of Origin
- Primary County
- Name
- Client RSN
- SID Number
- FBI Number
- Date of birth
- License Type
- License Number
- Race
- Ethnicity
- Gender
- Marital status
- Last Grade Completed
- Case number
- Index offense
- Offense type/class
- Sentencing date
- Risk Level
- Assessment dates/type/scores
- Program Type: Treatment/Counseling, DTEF, Community Restitution, Voc/Ed Training Drug/DUI Court
- Program Result
- Program Start Date
- Program Release Date
- Probation supervision start date
- Probation supervision term length
- Type of supervision (probation SPS/IPS/UNS)
- Termination type
- Any revocation dates/type/outcomes
- Violence History, if available