

IN THE SUPREME COURT OF THE STATE OF ARIZONA
ADMINISTRATIVE OFFICE OF THE COURTS

In the Matter of:)	
)	
PILOT PROJECT IN THE PEORIA)	Administrative Directive
MUNICIPAL COURT - PROTECTIVE)	No. 2016 - <u>05</u>
ORDER GENERAL PETITION)	
)	
)	

The Arizona Code of Judicial Administration (ACJA) § 5-207 authorizes the Administrative Director of the Administrative Office of the Courts (AOC) to approve or modify protective order forms in response to changes in state or federal laws or procedures and make other necessary administrative amendments or corrections. All Arizona courts are required to use only the protective order forms that have been approved by the Administrative Director.

A plaintiff who is requesting an Order of Protection, an Injunction Against Harassment, or an Injunction Against Workplace Harassment must file a general petition. The Peoria Municipal Court has requested permission to pilot an alternate version of the general petition. The purpose of the pilot project would be to determine whether proposed revisions make the general petition easier for self-represented parties to a protective order to read and understand. The alternate form is designed for use in both limited jurisdiction and superior courts.

The alternate version has been presented to the Committee on the Impact of Domestic Violence and the Courts (CIDVC) and the Committee on Limited Jurisdiction Courts (LJC). Each committee has supported Peoria’s request to pilot the alternate form, asking for consideration of their respective concerns, including modifications proposed by CIDVC’s Forms Workgroup. Therefore,

IT IS DIRECTED that the Peoria Municipal Court may proceed with a pilot of its alternate version of the “Petition for Protective Order” upon the signing of this administrative directive. The court is required to track and evaluate the form along the criteria of its being:

- (a) understandable to petitioners;
- (b) easier to use and a possible improvement over the existing petition; and
- (c) applicable for use as a statewide form.

IT IS FURTHER DIRECTED that the Peoria Municipal Court monitor the use of its petition form as to metrics regarding:

- (a) the amount of time typically required for its completion;
- (b) any comments from petitioners as to the ease of use of the form;

- (c) the number of petitions completed on the pilot form; and
- (d) a method of comparison with the current form petition, and

IT IS FURTHER DIRECTED that a representative of the Peoria Municipal Court provide a final report on the outcome of the pilot project to CIDVC and LJC no later than May 31, 2017. After receiving the report, CIDVC may decide whether to proceed with a request to modify the current approved general petition, based on the piloted form or a version that CIDVC recommends, and after soliciting comments from other advisory committees and stakeholders.

Dated this 3rd day of October, 2016.

David K. Byers
Administrative Director

Appendix A

 <p>PEORIA MUNICIPAL COURT AZ007071J Court 0750</p> <p>8401 W. Monroe Peoria AZ 85345 623 773 7400 (Tel) 623 773 7407 (Fax)</p>	<p>Case No. _____</p> <p>PETITION FOR PROTECTIVE ORDER</p>
	<p>THIS IS NOT A COURT ORDER NOTICE TO DEFENDANT AND LAW ENFORCEMENT: This petition contains Plaintiff's allegations and requests. The order or injunction issued by the court, not what is written in this petition, sets forth the actual terms and legal conditions.</p>
<p>Plaintiff Name: _____</p> <p>Birth Date: _____</p> <p><input type="checkbox"/> Check here if Workplace Injunction</p> <p>Employer Name: _____</p> <p>(Plaintiff signs as "Agent")</p>	<p>Defendant Name (first, middle initial, last): _____</p> <p>Defendant Mailing Address: _____</p> <p>_____ Zip _____</p> <p>Defendant Daytime Phone: _____</p>

DIRECTIONS: Please PRINT all information. Read the Plaintiff's Guide Sheet before starting this form. The defendant will receive a copy of this petition when the order is served.

1. Party Relationship (Please check the one that most applies):

- | | |
|--|--|
| <input type="checkbox"/> Married (past or present) | <input type="checkbox"/> Living together (past or present) |
| <input type="checkbox"/> One of us pregnant by other | <input type="checkbox"/> Parent of a child in common |
| <input type="checkbox"/> Romantic or sexual (past or present) | <input type="checkbox"/> Dating (not romantic or sexual) |
| <input type="checkbox"/> Related as parent, sister, brother, in-law, grandparent, grandchild | |
| <input type="checkbox"/> Other: _____ | |

2. If checked, Plaintiff and Defendant have a pending maternity, paternity, annulment, legal separation, dissolution, custody, parenting, or child support case, between, in _____ County Superior Court, Case No. _____

3. Have you: been charged arrested for domestic violence requested a protective order? Yes No Not sure
Has Defendant: been charged arrested for domestic violence requested a protective order? Yes No Not sure
For any "Yes" or "Not Sure", explain: _____

4. Tell the judge what happened and why you need this order. PRINT both the approximate date(s) and a brief description of what happened. Please do not write on back or in the margin. Attach additional papers if necessary. A copy of this petition is given to Defendant when the order is served.

Approx. Date	Description

5. The following persons should also be on this order. They should be protected because Defendant is a danger to them:

_____ Birth Date _____

_____ Birth Date _____

6. Defendant should be ordered to stay away from these locations at all times, even when Plaintiff or any protected persons are not actually present there:

Home: _____

Workplace: _____

School / Other: _____

7. If checked, order Defendant to take domestic violence counseling or other classes. (This can be ordered by the court only after a hearing of which Defendant had notice and an opportunity to participate.)

8. If checked, because of risk of increased harm, Defendant should not be allowed to possess firearms or ammunition while this order is in effect.

9. Other Requests: _____

Under penalty of perjury, I swear or affirm that the above statements are true and correct to the best of my knowledge, information, or belief. I ask for a protective order granting relief as allowed by law.

Plaintiff: _____

Attest: _____
Judicial Clerk/Notary