

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
RELEASE OF DATA CONCERNING) Administrative Order
EMPLOYEES AND COURT) No. 2016 - 60
CASES FOR THE PURPOSE OF)
RESEARCH)
_____)

Earlier this year, this Court established the Task Force on Fair Justice for All: Court-Ordered Fines, Penalties, Fees, and Pretrial Release Policies. Among the objectives of this Task Force is to recommend policies and procedures for setting, collecting, and reducing or waiving court-imposed monetary obligations; and developing suggested best practices for allowing citizens unable to pay the full amount of a sanction at the time of sentencing options for reasonable time payment plans or by the performance of community service. Full and accurate information concerning the defendant's ability to pay is a key factor in a court's decision regarding appropriate sanctions and whether and how much time to allow defendants to pay their court-ordered debt. The Task Force is currently investigating how best to provide a trial court with this type of information in a timely manner.

In support of the Task Force, the Administrative Office of the Courts (AOC) has entered into a data sharing agreement to evaluate use of a financial screening tool in meeting the courts' need for financial information about individual defendants. No public disclosure of personally identifiable information will result. This tool may also provide statistical support for policy recommendations that would further the Court's goal of effective enforcement of payment obligations by those having the ability to pay their court-ordered monetary obligations.

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

IT IS ORDERED that the AOC is authorized to provide the data identified in its data sharing agreement with eBureau.

IT IS FURTHER ORDERED that eBureau shall secure the AOC data from public access and not copy the data or use the data for research not authorized by the agreement; and will maintain all confidential information provided under the agreement in strict compliance with all applicable confidentiality requirements, including Supreme Court Rule 123.

IT IS FURTHER ORDERED that eBureau shall return the data provided by AOC to the Court for destruction within thirty days of completion of the agreement.

Dated this 15th day of July, 2016.

SCOTT BALES
Chief Justice