

**COMMITTEE ON THE IMPACT OF DOMESTIC VIOLENCE AND THE COURTS
MINUTES**

February 8, 2011

10:00 a.m. – 2:00 p.m.

State Courts Building, Room 119 A/B
1501 W. Washington St., Phoenix, AZ 85007

MEMBERS PRESENT

Honorable Carol Scott Berry
Allison Bones
Cathy Clarich
Joi Davenport
Joan Fox, DDS
V. Michele Gamez, Esq.
Professor Zelda Harris
Bridget Humphrey, Esq.
Honorable Carey Hyatt
Honorable Joseph P. Knoblock
Patricia Madsen, Esq.
Dana Martinez
Honorable Wendy Million
Jerald L. Monahan (proxy Barbara
Duft)
Honorable Cathleen Brown Nichols
(telephonic)
Marla Randall (telephonic)
Honorable Emmet Ronan
Renaë Tenney
Det. Eugene Tokosh
Tracey Wilkinson

MEMBERS ABSENT

Dr. Kathy S. Deasy
Gloria Full
Leah Meyers
Heidi Muelhaupt
Captain David Rhodes
Andrea K. Sierra

STAFF

Kay Radwanski
Lorraine Nevarez

GUESTS

Raquel Balcazar, Lay Legal Advocate
Leslee Garner, AOC
Honorable Dennis Lusk, Apache Junction
Kristin Moye Pruszynski, AOC
Jeff Schrade, AOC
Nicole Siqueiros, Esq.
Rene Siqueiros, Esq.

I. CALL TO ORDER

A. Welcome and Opening Remarks

Honorable Emmet Ronan, chair, called the September 14, 2010, meeting of the Committee on the Impact of Domestic Violence and the Courts (CIDVC) to order at 10:07 a.m.

Judge Ronan welcomed and introduced the reappointed members Patricia Madsen, Community Legal Services; Renaë Tenney, Maricopa Association of Government; Leah Meyers, Governor's Office for Children, Youth and Families, and the newly appointed members Honorable Carey Hyatt, Superior Court in Maricopa County; Dana Martinez, A New Leaf; Captain David Rhodes, Yavapai County Sheriff's Office; Detective Eugene Tokosh, Avondale Police Department; and Cathy Clarich, Glendale Municipal Court. All members introduced themselves.

B. Approval of Minutes from September 14, 2010

Minutes of the September 14, 2010, CIDVC meeting were presented for approval.

MOTION: Motion was made and seconded to approve the September 14, 2010, meeting minutes. Motion passed unanimously.

II. Domestic Violence and Immigrants

Nicole Siqueiros and Rene Siqueiros, attorneys at law, and Raquel Balcazar, lay legal advocate, presented on the unique hurdles immigrant domestic violence victims face when attempting to access the legal and social system. Specifically, some challenges faced by immigrant DV victims include:

- Language barriers
- Cultural and religious issues (pressure from their own community to remain in the marriage)
- Perceptions of law enforcement and the legal system
- Fear of deportation

They noted some tips on ways to assist immigrant domestic violence victims, including:

- Identify translators and interpreters who have appropriate training.
- Provide education regarding the legal system.
- Identify support community organizations that provide advocacy services.
- Provide education regarding VAWA and other immigration benefits.
- Ensure the victim receives effective services that incorporate cultural needs.

Ms. Siqueiros noted the following obstacles that hinder assistance to immigrant DV victims:

- A limiting definition of domestic violence
- Locating translators and interpreters for the specific victim's language
- The requirements of specific identification documentation specifically, regarding notaries and filing petitions.

The presenters identified a specific case in which a victim was unable to access the courts because she had no identification. Judge Ronan noted that this issue can be reviewed by a committee workgroup.

III. Proposed Amendment to ARPOP Rule 6 -- Arizona State Bar Family Law Practice and Procedure Committee

Patricia Madsen, Community Legal Services, reported about the State Bar Family Law Practice and Procedure Committee's draft petition to amend ARPOP Rule 6, regarding Injunctions Against Harassment and firearms. The focus of the petition is to address whether a judicial officer can prohibit possession of firearms on Injunctions Against Harassment in the same way as allowed by the Order of Protection statute. The amendment would supplement ARPOP Rule 6(E)(4)(e)(2), relating to Injunctions Against Harassment, by adding the same "credible threat" language as in Rule 6(C)(5)(d)(1) regarding Orders of Protection.

IV. Subpoena Costs and Orders of Protection

Betsy Jo Fairbrother, victim services specialist, Chandler Police Department, discussed a concern

about a fee charged by some courts to issue subpoenas. Many police departments require their officers to be subpoenaed in order to testify in any case (family, criminal, juvenile, probate). Ms. Fairbrother said that municipal courts do not charge for subpoenas and the justice courts routinely waive the charge for these subpoenas. A subpoena issued by the Maricopa County Superior Court; however, is roughly \$30. Ms. Fairbrother inquired of options to modify this court policy allowing subpoenas for OOP hearings to be waived. She said the fee creates a barrier for some DV victims who cannot afford to pay this fee.

Judge Hyatt said she meets regularly with the office of the Clerk of Court at Superior Court in Maricopa County and will discuss this issue.

V. Changes to COJET Code Sections

Jeffrey Schrade, director of the AOC's Education Services Division, presented proposed changes to two sections of the Arizona Code of Judicial Administration regarding COJET. Specifically, ACJA § 103(H)(4)(b) discusses training regarding domestic violence. Part of the proposed code amendment would strike the word "regular" from a provision on protective order training. The code currently requires judges and court staff who work with protective orders to "attend training on such orders and injunctions on a regular basis." The code was amended in 2008 to preserve a training policy that had been established in 1998. Mr. Schrade said the word had been stricken because it is imprecise. Judge Wendy Million made a motion that the code be amended to require judges to attend DV training "on an annual basis." Such training could be accomplished by a variety of methods, such as in-person or computer-based training. Mr. Schrade said he will take CIDVC's concerns to the COJET Committee on March 3. The code changes will be presented to AJC on March 24.

MOTION: CIDVC to recommend the language in ACJA § 103(H)(4)(b) be modified to include "to attend training on such Orders of Protection and Injunctions Against Harassment on an annual basis." Motion passed unanimously.

The second proposed amendment is to ACJA § 1-108. Mr. Schrade explained that a significant change was made to include membership of one professor from the Phoenix School of Law to the Judicial College of Arizona (JCA) membership. Other changes included technical corrections.

MOTION: CIDVC to approve ACJA § 1-108 as submitted. Motion passed unanimously.

VI. Distances on Protection Orders

Judge Dennis Lusk requested discussion on the challenges of having distances on Orders of Protection. Inclusion of physical distances makes it difficult to ensure compliance of these orders. He said distances are difficult to measure and easy to technically violate.

Comments:

- Some police officers direct plaintiffs to request modification of protective orders to include a distance. Another view, however, is that if an order states that the defendant have "no contact" with the plaintiff, it means no contact. It was noted that officers are not authorized to give legal advice.

- Detective Eugene Tokosh said law enforcement officers see that courts are inconsistent, as some orders have distances and others do not.
- Judge Million said that sometimes a distance is necessary, such as when a defendant deliberately parks close to a plaintiff in a public place. Distances also may be effective in keeping a stalker away from a victim.

VII. Workgroup Organization

Ms. Radwanski noted the various workgroups that committee members can join. The workgroups meet during the CIDVC meeting lunch break. A workgroup member does not have to be an appointed CIDVC member. The workgroups are:

- ARPOP
- Best Practices
- Education
- Forms and Practices
- CPOR Policy

VIII. Legislative Update

Amy Love, AOC's legislative liaison, provided an update of legislative proposals of interest to CIDVC that have been introduced in the Arizona legislature. She provided the following status report:

HB 2302: protected address; secretary of state (Rep. Mesnard)
<http://www.azleg.gov/legtext/50leg/1r/bills/hb2302p.pdf>

The safe at home program will be established; residential addresses shall be kept confidential and not accessible by the general public for those who have been subject to domestic violence, sexual offenses, stalking, or harassment. Participants will receive a substitute address for their lawful address of record and the secretary of state will establish a method for forwarding mail to the participant. This program will end July 1, 2021.

The program will be funded by an assessment of domestic violence and sex crime cases.

There will be a strike everything amendment, this bill is a placeholder.

Titles affected: 41

H2302: DOMESTIC VIOLENCE VICTIMS; PROTECTED ADDRESS 1/20 referred to House gov.

HB 2588: name change records; stalking victims (Rep. Proud)

A victim of stalking or an individual who is under an order of protection or an injunction against harassment and who applies for a name change may request a court to seal the change of name judgment if it is granted.

Title affected: 12

NAME CHANGE RECORDS; STALKING VICTIMS 2/7 referred to house mil-pub.

HB2658: domestic violence review teams (Rep. Proud)

<http://www.azleg.gov/legtext/50leg/1r/bills/hb2658p.pdf>

Expands the charge of the domestic violence review teams established by local governments to include incidents of near fatal domestic violence, defined as an assault committed by a party to the

domestic violence. Expands the list of recipients who are required to be provided copies of the reports to include the Peace Officer Standards and Training Board and the state domestic violence coalition.

Titles affected: 41

SB1080: custodial interference; classification (Sen. Gray)

<http://www.azleg.gov/legtext/50leg/1r/bills/sb1080s.pdf>

The law defining the crime of custodial interference is clarified to state that the class 1 (lowest) misdemeanor classification applies only if the child (or incompetent adult) is returned by the parent or defendant, or the agent or either, before an arrest warrant is issued and no later than 48 hours after the child was taken.

Titles affected: 13

CUSTODIAL INTERERERENCE; CLASSIFICATION 1/27 passed Senate 28-0; ready for House.

SB1083: domestic relations, child custody (Sen. Gray)

<http://www.azleg.gov/legtext/50leg/1r/bills/sb1083p.pdf>

A noncustodial parent is entitled to reasonable parenting time and to documents and other information about the child unless the court finds that parenting time would seriously endanger the child or that having information would seriously endanger the child or custodial parent. Requires each parent to keep the other informed of current address and contact information unless the court determines the information should be protected due to safety issues. A parent may file an ex-parte request to protect the physical address or some or all of the contact information.

Repeals § 25-408: Rights of noncustodial parent; parenting time; relocation of child; and replaces it with a new section.

Outlines the requirements for notification between parents for change in physical address, as well as requirements for objecting to the move, including time limits.

A parent must provide written notice to the other parent within four days after the parent knows of any actual or impending change to physical address. A parent intending to move must provide sixty days notice prior to relocating the child. If an objection is filed the parent may not move without a request a court order issued after a hearing. The nonmoving parent has twenty days after notice in which to request a hearing to prevent the move if it will substantially or adversely impact a current court ordered parenting plan or written agreement on parenting time. A parent who wants to move can also ask for a hearing. The court shall consider the child's best interest in determining whether to allow the parent to move in. Burden of proof is on the moving parent. Outlines considerations the court will make in determining the best interests of the child, relating to change in address.

If the moving parent has primary physical custody and has exclusive right to make educational decisions and the move will allow reasonable and meaningful access not significantly less that provided for in the parenting order there is a presumption in favor of the move. Contains a provision for a temporary relocation for health, safety, employment or involuntary change of address.

A hearing on the petition to relocate is not required to comply with § 25-511 or Rule 91(d).

In § 25-803(C), Persons who may originate proceedings, makes a change in reference from § 25-408 to § 25-403.

Titles affected: 25

S1083 DOMESTIC RELATIONS; CHILD CUSTODY 1/11 referred to Senate pub-hu ser.

SB1283: child custody; military families (Sen. Sinema)

<http://www.azleg.gov/legtext/50leg/1r/bills/sb1283p.pdf>

Removes the requirement that a custodial parent who is a member of the US armed forces file a military family care plan prior to any deployment. Requires the court to enter a temporary order modifying parental rights during a period of military deployment or mobilization on motion of either parent if the deployment or mobilization will have material effect on the military parent's ability to exercise parental rights and responsibilities or parent-child contact. Requires the court to allow a parent to present testimony and evidence by electronic means on motion of a deploying parent if reasonable advance notice is given and good cause is shown. The court is required to hear motions for modification due to deployment as expeditiously as possible.

Permits a military parent to request the court to delegate parenting time to a family member or other individual with whom the child has a close and substantial relationship if the court finds that doing so is in the child's best interest. Prohibits the court from delegating parenting time to person who would otherwise be subject to limitations. Directs the parents to utilize the dispute resolution process outlined in their parenting plan unless excused by the court for good cause. Clarifies that a court order delegating parenting time does not establish a separate right to parenting time for a person other than the parent.

Temporary modification orders must include a specific transition schedule to facilitate a return to the pre-deployment order within ten days after the deployment ends, taking into consideration the child's best interests.

Prohibits the court from entering a final order to modify parental rights and parent-child contact in an existing order until 90 days after the end of temporary military duty, deployment, activation or mobilization orders. Applies to the parent with whom the child resides a majority of the time and an exemption is made if both parents agree to a modification.

Prohibits the court from considering absence cause by deployment or mobilization or the potential for future deployment or mobilization as the sole factor supporting a real, substantial and unanticipated change in circumstances. Summary amended 2-8-11

Titles affected 25

CHILD CUSODY; MILITARY FAMILIES 2/8 Senate vet-mil amended; report awaited.

SB1336: community property exclusion; military retainers (Sen. Antenori)

<http://www.azleg.gov/legtext/50leg/1r/bills/sb1336p.pdr>

Military retainer pay awarded at any time to a spouse who is a veteran is the separate property of that spouse.

Titles affected: 25

COMMUNITY PROPERTY EXCLUSION; MILITARY RETAINERS 1/31 referred to Senate vet-mil.

SB1396: domestic relations; support; community restitution (Sen. Allen)

<http://www.azleg.gov/legtext/50leg/1r/bills/sb1396p.pdf>

Requires the court to provide written notice to all parties in a custody proceeding of the right to have a written court analysis and conclusions of fact and law regarding child custody, community property/debt, and child support. If requested, the written analysis must include a detailed list of facts, case law, and statutes supporting the decision.

Allows an obligor to petition the court to stay all remedies for their failure to provide support if

that parent has lost employment and demonstrates to the court that the parent has made, and is making, reasonable and good faith efforts to furnish support. That parent must demonstrate they are actively seeking verifiable and bona fide employment by producing documents to the court of having submitted at least three employment applications each week, or other substantive evidence. During an obligor's period of unemployment the obligor must provide the other parent and the court a weekly report of the obligor's job-searching activities. The non-paying parent may request a hearing for non-compliance to this section. Reiterates that unemployment benefits are subject to the child support guidelines.

In lieu of incarceration or a fine, the court may order the obligor found in violation to serve 40 hours per month of community restitution at a nonprofit organization approved by the court until they comply with the support obligation or they gain employment. The obligor must submit proof of compliance by providing the court a monthly affidavit on the nonprofit's letterhead indicating the dates and times they served. Community restitution does not eliminate or reduce the obligor's support obligations. If the obligor fails to comply, the court may revoke the obligor's participation in community restitution and sentence them to serve a term of incarceration.

Title affected: 25

DOMESTIC RELATIONS; SUPPORT; COMMUNITY RESTITUTION 1/31 referred to Senate pub-hu ser.

SB 1425: Assessment; family offenses; domestic violence (Sen. Nelson)

<http://www.azleg.gov/legtext/50leg/1r/bills/sb1425p.pdr>

A person convicted of a violation of harassment, aggravated harassment and stalking or an offense of specified family offenses shall pay an additional assessment of \$50,j which will be deposited by the state treasurer in the victim compensation and assistance fund to be used to fund domestic violence shelters.

Titles affected: 12, 41

S1425: ASSESSMENT; FAMILY OFFENSES; DOMESTIC VIOLENCE 2/1 referred to Senate jud- approve.

IX. Progress Report: Recovery Act STOP Grant Project

Leslee Garner, AOC, provided an update of the AOC's Recovery Act STOP Grant projects. She noted the following projects:

- A one-hour computer based training module titled Domestic Violence 101 has been developed and is available for judges. The CBT, which judicial officers are required to view before attending New Judge Orientation, is designed to help them gain a better understanding of domestic violence. The CBT has already been viewed by more than 200 judicial officers.
- The DV Benchbook has been updated and released.
- The AOC is in the process of developing interpreter language cards to assist in locating an interpreter for specific languages.
- The AOC is in the process of translating scripts and other Order of Protection information into different languages.

Ms. Garner noted the upcoming DV Summit on March 3, 2011, at the Tempe Buttes. The cost is \$30.

X. Update on MAG Protocol Evaluation Project

Renae Tenney, Maricopa Association of Governments (MAG), provided an update regarding the organization's Protocol Evaluation Project. The purpose of the project is to assess protocols used to arrest and prosecute domestic violence offenders. This project is supported by the Governor's Office and the STOP Violence Against Women Grant funding. This project is aimed to increase DV safety and hold more abusers accountable. A full day summit was held on December 1, 2010, to discuss ways to improve the process. The next meeting will be February 28 at the MAG office to discuss the input and information that has been received.

XI. Workgroup Reports

A. *ARPOP* (Judge Elizabeth Finn, chair) – This workgroup met to discuss adding language to the Plaintiff's Guide Sheet, Defendant's Guide Sheet and Order of Protection forms to clarify that a defendant must meet the statutory requirements for issuance of a protective order. Language on the forms has been misinterpreted by some defendants, leading them to believe that they are entitled to a protective order simply by requesting one. The issue will be referred to the Forms Workgroup for further review.

The workgroup also discussed whether it is appropriate for a judge to conduct an *ex parte* protective order hearing at the counter. The workgroup members favored judges being able to conduct an *ex parte* hearing in a less formal setting. Orders of Protection are sometimes granted by video conference, and making the process more restrictive by requiring heightened formality would hinder victims.

B. *CPOR Policy* – Did not meet.

C. *Best Practices* (Hon. Wendy Million) – Judge Million reported that the section on Frequently Asked Questions for Judges has been completed. The workgroup is in the process of determining an avenue to disseminate the information to the judges. She also suggested that since this workgroup has completed its task of preparing a best practices report, it could be combined with the Education Workgroup.

D. *Education* (Allie Bones, chair): Ms. Bones reported that the workgroup has been working with Ms. Garner regarding the March DV Summit. The workgroup also discussed ways to encourage people to attend the summit and other DV-related training sessions. Ms. Bones said there is a need for new speakers and new topics. She suggested coordinating with AZPOST and APAAC and said issues specific to rural and metropolitan areas also need to be addressed.

E. *Forms and Practices* (Hon. Elizabeth Finn, chair): Ms. Radwanski advised the committee that changes on automated protective order forms would require technical changes in case management systems. Some of the case management systems in use in the courts are supported by the AOC's IT Department, while a number of others are supported by technical teams employed directly by those courts.

Ms. Radwanski noted that part of Justice O'Connell's domestic violence initiative was to establish a taskforce on service of protection orders. There have been challenges for plaintiffs

having orders served. Ms. Radwanski has been asked to lead a workgroup to discuss what changes, if any, should be made to protection order forms to facilitate service.

Ms. Bones noted the Coalition Against Domestic Violence, Phoenix School of Law, and ASU Sandra Day O'Connor College of Law are working together to establish a court watch program. They are in the early stages of development and currently are establishing an advisory board.

XII. Call to the Public

There was no public comment.

XIII. Adjournment

The meeting was adjourned at 2:09 p.m.

Next Meeting:

Tuesday, May 10, 2011

10:00 a.m. – 2:00 p.m.

State Courts Building, Conference Room 119 A/B

**COMMITTEE ON THE IMPACT OF
DOMESTIC VIOLENCE AND THE COURTS**

Meeting Minutes

May 10, 2011

Arizona State Courts Building

Conference Room 119 A/B

1501 W. Washington Street, Phoenix, AZ 85007

MEMBERS PRESENT:

Honorable Emmet Ronan, Chair

Honorable Carol Scott Berry

Ms. Cathy Clarich

Ms. Joi Davenport

Dr. Kathy S. Deasy- *telephonic*

Dr. Joan Fox

Ms. Gloria E. Full

V. Michele Gamez, Esq.

Professor Zelda Harris – *telephonic*

Bridget Humphrey, Esq.- *telephonic*

Honorable Carey S. Hyatt

Honorable Joseph P. Knoblock

Patricia Madsen, Esq.

Ms. Dana Martinez

Ms. Leah Meyers, M.S.W.

Chief Jerald L. Monahan

Honorable Cathleen Brown Nichols -
telephonic

Ms. Marla Randall

Captain David Rhodes

Ms. Andrea K. Sierra

Ms. Lindsay Simmons – *proxy for Ms.
Allison Bones*

Ms. Renae Tenney

Detective Eugene J. Tokosh

Ms. Tracey J. Wilkinson

MEMBERS ABSENT:

Honorable Wendy Million

Ms. Heidi Muelhaupt

PRESENTERS / GUESTS:

Mr. William McCarroll, AzDHS

Ms. Stephanie Mayer, AzCADV

Honorable Elizabeth Finn, Glendale City Court

Mr. Jerry Landau, AOC

Ms. Marla Pressler, Glendale Police Department

Ms. Amy Love, AOC

STAFF:

Ms. Kay Radwanski, AOC

Ms. Tama Reily, AOC

I. REGULAR BUSINESS

A. Welcome and Opening Remarks

With a quorum present, the May 10, 2011, meeting of the Committee on the Impact of Domestic Violence and the Courts (CIDVC) was called to order by Judge Emmet J. Ronan, chair, at 10:05 a.m.

Judge Ronan introduced a new member, Captain David Rhodes from the Yavapai County Sheriff's Department. In addition, Ms. Radwanski, committee staff, introduced new support staff member Tama Reily, who is taking the place of Lorraine Nevarez. Ms. Nevarez has moved to another AOC Division.

B. Approval of Minutes

The minutes from the February 8, 2011, CIDVC meeting were presented for approval.

MOTION: To approve the February 8, 2011, meeting minutes as presented. Motion seconded. Approved unanimously.
CIDVC-11-015

II. BUSINESS ITEMS/POTENTIAL ACTION ITEMS

A. State Regulation of Batterer Treatment Programs

Mr. William McCarroll, Arizona Department of Health Services (ADHS), discussed the Arizona Administrative Code requirements for licensure of batterer treatment programs. He related various factors involved in offender treatment, such as the offense levels that influence the number of sessions and whether defendants can participate in a group counseling setting. He said there are sometimes conflicts between what the courts think offenders should be required to do and what ADHS' Office of Behavioral Health Licensing finds appropriate. For example, there are regulatory requirements for attendance at programs for domestic violence misdemeanants. A judicial officer should not order fewer classes than required by regulation. If this occurs, the program provider will not be able to provide a certificate of completion for the offender.

Mr. McCarroll also discussed some of the criteria DHS reviews in the field, including quality-of-treatment issues. A sample group of files are reviewed for compliance with minimum code requirements. He noted that non-licensed persons, called "technicians," are permitted to deliver treatment under the supervision of a licensed provider. A technician must have an associate degree and 40 hours of domestic violence training. Use of technicians fills a need in Arizona's rural areas. He explained that as the regulating body, DHS's jurisdiction is to see that minimum standards are met; however, the court can request more detailed reports on individual offenders. He suggested that CIDVC look at this matter and ask the courts to require more in this regard.

During discussion, members voiced concern with the limitations of ADHS to act in the face of possibly under-qualified treatment providers. Several members suggested this is a systemic issue. Members agreed a workgroup is needed to examine the issues and identify the root problems and explore ways in which they can be corrected, including sharing this information with judicial officers who order offenders into these programs. Judge Ronan asked members to consider volunteering for this workgroup.

B. Protective Order Coordinator Project

Judge Elizabeth Finn, presiding judge of the Glendale City Court, and Marla Pressler, Glendale Police Department protective order service coordinator, spoke regarding

Glendale's Protective Order Coordinator Project. Judge Finn gave a brief history on the grant-funded project, explaining its goals and the functions of the coordinator. The intent is to coordinate targeted service of protective orders, saving time for officers being dispatched to serve orders and keeping victims safe by not placing them close to the location of the defendant. She noted the program has been extremely successful. Currently, six West Valley cities participate in the program, and Judge Finn informed members that the goal is to increase the number of jurisdictions, particularly in the East Valley. The grant has been extended through June 30, 2012.

C. Legislative Update

Ms. Amy Love, AOC legislative liaison, and Mr. Jerry Landau, AOC government affairs director, reported on domestic violence-related bills from the recent legislative session. The main bill of note was HB 2302, which amends A.R.S. § 16-153 to include name change cases where a person is protected under an order of protection. Ms. Radwanski asked about the portion of the bill impacting A.R.S. § 12-601, which says that a name change petition and judgment can be sealed at the request of the plaintiff, but she wondered how this works in situations where a parent is required to give notice to the other parent prior to the name change hearing. Mr. Landau said the bill was intended to be forward looking, with the petition and judgment being sealed during the hearing or at the end of the process.

HB 2416: Abortion

Changes the definition of "abortion" by replacing the phrase "a surgical instrument or a machine" with "any means." Requires the court to appoint a guardian ad litem and permits a pregnant minor to participate in court proceedings regarding her ability to make an informed decision about an abortion.

HB 2438: Sexual conduct; minor

Sexual conduct with a minor who is at least 15 years old is a Class 2 felony if the offender is the minor's parent, stepparent, adoptive parent, legal guardian, foster parent, teacher, clergyman, or priest. Expands the definition of "teacher" to include anyone who provides instruction to pupils, whether directly or not.

SB 1080: Custodial interference; classification

A parent who takes or withholds a child from the other parent before the entry of a court order is not guilty of custodial interference if he or she has filed an emergency petition regarding custodial rights, has received a hearing date, and has a reasonable belief that the child could be in immediate danger if left with the other parent.

SB 1103: Unclaimed property; exempt child support

Exempts child support payments from the definition of "property" under the Revised Arizona Unclaimed Property Act.

SB 1244: Parents' rights; law enforcement investigation

Authorizes law enforcement officers to make video or audio recordings of a minor without parental consent if the recording is made during or as part of a law enforcement investigation.

SB 1424: Assessment for family offenses; stalking

In addition to any other penalty or fine, a person convicted of a violation of §§ 13-2921, 13-2921.01, 13-2923, all related to harassment and stalking, or an offense listed in title 13, chapter 36, will pay an additional \$50 assessment, which goes to the domestic violence shelter fund.

D. Protective Order Language: Multiple Units

Judge Finn addressed the committee regarding suggestions from the Glendale City prosecutor and the Glendale Police Department legal advisor that language on protective orders is not specific enough about protected locations. They fear that defendants do not sufficiently understand the orders as currently written and would like to add the language “any location at...” for those situations where the plaintiff resides in an apartment complex or a mobile home park. Judge Finn stated she has spoken with numerous judges, none of whom approve of changing the form’s language. She requested the input of CIDVC on whether this language would provide improved clarity for law enforcement agents or defendants. It was pointed out that there can be ambiguity for law enforcement officers in rural areas or in some situations where extended families live on the same mobile home property or units within a housing development that share the same address. However, the majority of members agreed that the suggested language change would not be helpful.

E. Conflicting Limited Jurisdiction Probation and Family Court Orders

Judge Carey Hyatt presented an issue for discussion concerning scenarios where a family court judge makes a parenting time order for a parent who has been placed on probation because of a domestic violence offense. There is currently nothing in place to ensure the superior court’s parenting time order does not conflict with the terms of the probation order. This type of scenario has prompted Judge Bruce Cohen to suggest the addition of language to the current probation forms so the limited jurisdiction courts can specify their orders or defer to the custody-related proceeding in the superior court. Judge Hyatt noted she will be raising this issue at an upcoming committee meeting of the municipal and justice courts but hoped to receive some feedback from this committee’s perspective. Judge Finn stated that she would have no problem adding to the language “*unless permitted by the superior court*” in order to minimize potentially conflicting orders.

F. Update – MAG DV Protocol Evaluation Project

Ms. Renae Tenney, human services planner, Maricopa Association of Governments, updated the committee on the DV Protocol Evaluation Project. With support from the Governor’s Office and Stop Violence Against Women grant funding, MAG has been given an extension for this project through the end of 2011. Ms. Tenney stated that project members have identified 106 different protocols being used across Arizona jurisdictions. They have narrowed down 28 of the protocols that are seen as promising practices, and 15 are seen as having a high rate of implementation. They are exploring

how they can learn from this information. They are also getting information from law enforcement as far as what helps and what hinders implementation of the different protocols. Additionally, they have begun affinity meetings with groups from various disciplines represented, which is helpful in sharing information. They continue with community outreach efforts to get more groups involved in the project.

At this point, Ms. Radwanski announced that sign-up sheets for current workgroups and the new workgroup discussed earlier would be passed around during the lunch break for members interested in participating.

G. Child Custody Statute Revisions

Ms. Radwanski gave a report on the child custody statute revisions. She provided a brief history on the project, which began in 2010, and has been led by the Ad Hoc Custody, Workgroup, a workgroup created by the Domestic Relations Committee (DRC). The AHCW has now forwarded its product to the DRC's Substantive Law/Court Procedures Workgroup for additional revision as needed. The revisions have consisted of some reorganization, some complete revisions, and significant changes in terminology. The term "custody" has been replaced by the term "parental decision making." There is also a new section for special circumstances that addresses such issues as domestic violence, now termed "intimate partner violence," and substance abuse. Ms. Radwanski explained there has been some controversy with stakeholder groups over the inclusion of intimate partner violence as well as the concept of "coercive control" and its inclusion in the statute. Ms. Patricia Madsen further discussed the special circumstances section, explaining that the court is required to look into whether special circumstances exist and, if so, the statute directs the court to place priority on those factors. Parental decision making determinations are affected on the basis of whether special circumstances exist.

Ms. Radwanski informed the committee that the next Substantive Law/Court Procedures meeting is scheduled for Friday, May 13, 2011, and invited any interested CIDVC members to attend. She added that the draft is expected to be presented to the DRC at its June 3, 2011, meeting, and assuming a sponsor is found, a bill is expected to be introduced in the legislature in January 2012.

H. Court Watch Program

Ms. Lindsay Simmons, Arizona Coalition Against Domestic Violence, presented on the Court Watch Program, a previously active program that has begun anew. She mentioned the other groups AzCADV collaborated with in this venture, including the Diane Halle Center for Family Justice at Arizona State University, the Avon Program for Women and Justice at the O'Connor House, and the Phoenix School of Law-Family Law Student Association. She discussed their goals, which include providing learning opportunities for law students, identifying systemic concerns in the courts, and gathering empirical data on domestic violence cases. Students plan to observe court hearings and complete a checklist during their observations. Members were provided with the proposed Arizona Court Watch Monitoring Form, and Ms. Simmons requested that members review it and provide feedback by emailing her at Lindsay@azcadv.org. Presiding judges of the superior courts have been advised about the program. Judge Finn recommended that

presiding judges of the limited jurisdiction courts also be informed. Ms. Simmons noted that the program will be piloted in Maricopa County this summer after volunteers have been trained.

I. Workgroup Reports

- A. *Best Practices* – Ms. Radwanski, committee staff, reiterated that at the last CIDVC meeting, Mr. Jeff Schrade, AOC Education Services Division director, presented code changes on education requirements. At that meeting, CIDVC had recommended the language in the code be changed to say that judges and court staff who work with Orders of Protection and Injunctions Against Harassment have annual training on these types of orders. She informed members that the COJET Committee did not adopt the recommendation but did restore the original language that read “regular” training is required. Also, Ms. Radwanski informed members that there is a collaborative effort between the Juvenile Dependency Division and the Education Services Division to bring a training called “Connect the Dots” to Phoenix in September. More information on this training can be provided to interested members.

Members signed up for this workgroup:

Ms. Allie Bones (Chair)

Ms. Leah Meyers

V. Michele Gamez, Esq.

Ms. Joi Davenport

Ms. Dana Martinez

- B. *Forms & Processes* – Judge Finn reported the workgroup is currently working on a defendant information form in conjunction with the O'Connor House Service of Protections Order Task Force. They plan to ask Chief Monahan to identify a subcommittee of statewide law enforcement representatives to discuss what data they would like to have on the form. Additionally, they are looking at possible changes to the Plaintiff's Guide Sheet, which would consist of adding check boxes where a plaintiff can indicate his or her preference regarding service.

Members signed up for this workgroup:

Hon. Elizabeth Finn (Chair)

Det. Eugene Tokosh

Ms. Tracey Wilkinson

Patricia Madsen, Esq.

Hon. Joseph Knoblock

Dr. Joan Fox

Capt. David Rhodes

Chief Jerald Monahan

- C. *ARPOP* – Nothing to report.

Members signed up for this workgroup:

Hon. Elizabeth Finn (Chair)

- D. Batterer Treatment Program – Ms. Gloria Full has volunteered to chair this workgroup. Work will begin in mid-June.

Members signed up for this workgroup:

Ms. Gloria Full (Chair)

Hon. Joseph Knoblock

Ms. Leah Meyers

Hon. Elizabeth Finn

Patricia Madsen, Esq.

Ms. Allie Bones

Hon. Carol Scott Berry

III. OTHER BUSINESS

A. Next Meeting Date

Tuesday, September 13, 2011

10:00 a.m. to 2:00 p.m.

Arizona State Courts Building

Conference Room 119 A/B

B. Good of the Order/Call to the Public

No public comments offered.

Meeting was adjourned at 2:00 p.m.

**COMMITTEE ON THE IMPACT OF
DOMESTIC VIOLENCE AND THE COURTS**

Meeting Minutes

September 13, 2011

Arizona State Courts Building

Conference Room 119 A/B

1501 W. Washington Street, Phoenix, AZ 85007

MEMBERS PRESENT:

Honorable Emmet Ronan, Chair

Honorable Keith D. Barth

Ms. Allison Bones

Honorable Cathleen Brown Nichols - *telephonic*

Ms. Cathy Clarich

Ms. Joi Davenport

Ms. Pegg Darrow

Ms. Gloria E. Full

Honorable Carey S. Hyatt

Honorable Joseph P. Knoblock

Ms. Patricia Madsen, Esq.

Ms. Dana Martinez

Honorable Wendy Million

Ms. Barbara Duff - *proxy for
Chief Jerald L. Monahan*

Ms. Marla Randall - *telephonic*

Ms. Kristine Reich

Honorable Carol Scott Berry

Ms. Andrea K. Sierra

Detective Eugene J. Tokosh

MEMBERS ABSENT:

Dr. Kathy S. Deasy

Honorable Lynn Fazz

Ms. V. Michele Gamez

Professor Zelda Harris

Ms. Leah Meyers, M.S.W.

Ms. Heidi Muelhaupt

Captain David Rhodes

Ms. Renae Tenney

Ms. Tracey J. Wilkinson

PRESENTERS / GUESTS:

Mr. Gregory Neville

Mr. Dan Levy

Dr. Kathleen Ferraro

Mr. Stephen Grams

Mr. Douglas Wilkey

Ms. Carol Mitchell

Ms. Melinda Hardman

STAFF:

Ms. Kay Radwanski

Ms. Tama Reily

I. REGULAR BUSINESS

A. Welcome and Opening Remarks

With a quorum present, the September 13, 2011, meeting of the Committee on the Impact of Domestic Violence and the Courts (CIDVC), was called to order by Judge Emmet J. Ronan, chair, at 10:11 a.m.

Introductions were made around the table.

New members in attendance were welcomed and introduced themselves:

- Ms. Peggy Derrow, with Alternatives Counseling Services, Inc., in Cochise County
- Ms. Kristine Reich, private family law attorney with Donison Law Firm
- Judge Keith Barth – Justice of the Peace in Santa Cruz County

The following re-appointees were welcomed back:

- Judge Joseph Knoblock, Benson Justice Court, Cochise County
- Judge Cathleen Brown Nichols, Flagstaff Justice Court, Coconino County
- Professor Zelda Harris, University of Arizona, Pima County

Departing members, Ms. Bridget Humphrey and Dr. Joan Fox, were thanked for their dedication and service to the committee.

B. Approval of Minutes

The minutes from the May 10, 2011, CIDVC meeting were presented for approval.

MOTION: To approve the May 10, 2011, meeting minutes as presented. Motion seconded. Approved unanimously.
CIDVC-11-016

II. BUSINESS ITEMS/POTENTIAL ACTION ITEMS

A. Domestic Violence Fatality Report Template Workgroup – Governor’s Commission to Prevent Violence Against Women

Mr. Dan Levey, Director of Victim Services at the Attorney General’s Office, reported on a new template available for domestic violence fatality review annual reports in Arizona. Mr. Levey provided some background on how the report template came about and updated the committee on the fatality review teams around the state. The purpose of the template is 1) to provide a tool for new teams who have not completed a report, and 2) to have a standard reporting format that may eventually turn into a comprehensive statewide report of Arizona domestic violence fatalities. He noted that Chief Jerald Monahan, CIDVC member and chair of the Governor’s Commission to Prevent Violence Against Women, will be sending the templates out to the chairs of the fatality review teams.

Mr. Levey introduced Dr. Kathleen Ferraro, chair and professor of Sociology and Social Work at Northern Arizona University (NAU), and her co-presenter, Mr. Greg Neville, NAU graduate student of Applied Criminology with a focus on domestic violence and fatality review, member of the Coconino County Fatality Review Team. Dr. Ferraro spoke about the growth of fatality review teams around the state and the need to provide guidance on the completion of the annual fatality review reports. The template helps the teams formulate their annual reports. It is not a mandate for teams to follow; however, it is a suggested report format. Dr. Ferraro reviewed the suggested processes for submitting the template reports and the content requirements of the various report sections. She stressed the importance of confidentiality in the reports because they are open to the public. Examples of reports and other useful information can be found at the [National](#)

[Domestic Violence Fatality Review Initiative website](#). Finally, Mr. Neville reviewed items that can be added as appendices, essentially to bring everything together. Dr. Ferraro invited members with questions to contact her via email at Kathleen.Ferraro@nau.edu.

B. The Judiciary and DV Offender Treatment: A Coordinated Approach

Ms. Gloria Full, member, introduced Mr. Stephen Grams and Mr. Douglas Wilkey, with SAGE Counseling. The purpose of their presentation related to a discussion at the May CIDVC meeting surrounding the requirements for licensure of batterer treatment programs and focused on the domestic violence offender and substance abuse treatment programs. Mr. Grams provided some background on SAGE and reviewed the older and contemporary paradigm approaches. He emphasized the importance of courts and counseling agencies working together to achieve success in these situations. He also discussed some specific steps used in treatment programs to counter behavioral patterns encountered in this group of individuals. However, he pointed out that individuals with histories of criminal behaviors or antisocial types are rarely successful in these programs.

During discussion, Mr. Grams agreed that it is effective to monitor an offender with monthly or other periodic appearances to assess how treatment is progressing. He noted that SAGE provides reports to the courts; however, treatment centers are not required to do this. He does not recommend accelerated treatment in any cases.

C. Translated Protective Order Documents

Ms. Carol Mitchell, AOC Court Services Division, reported on the newly released translated protective orders that are available in Arabic, Chinese, Spanish, and Vietnamese. This project was part of a larger effort to improve access to the courts for non-English speakers. Ms. Mitchell briefly explained the methodology used in determining the most appropriate languages to include in the development of the forms. The intent of the translated documents is to aid in victims' understanding of the protective order form and its requirements. However, the form must still be completed in English. The forms are available to the public at [Translated Protective Order Forms](#) on the Arizona Judicial Branch website.

D. Barriers to Court Access in Obtaining Protective Orders

Judge Carey Hyatt, member, Superior Court in Maricopa County, presented an issue for discussion concerning the barriers in access to justice in the realm of justice courts, where victims with children have been instructed to go to the superior court to obtain protective orders. Specifically, she spoke about a case in which the petitioner had no family court case, pending or otherwise. The petitioner was directed to go to the superior court simply because she had a child in common with the alleged abuser. Judge Hyatt said she hoped the committee could play a role in resolving this issue.

There was lengthy discussion on this matter because of the numerous facets of the problem. Judge Wendy Million stated it is clearly a judicial education issue and there should be a push for mandatory DV training. Ms. Allison Bones, Arizona Coalition Against Domestic Violence, suggested that the Court Watch Program could help identify

trends and gauge the scope of the problem. Ms. Radwanski mentioned a new software program, Camtasia, that could be used to develop a training module on the issue, which judges could then use in a „distance learning“ setting. It was suggested that the Best Practices Workgroup work with Kay on this project. Judge Kathleen Nichols suggested speaking with Mr. Jeff Schrade, or Mr. Paul Julien, AOC Education Services, about developing training as part of the annual Justice of the Peace conference. Judge Keith Barth recommended adding something like a flow chart to the benchbooks. Judge Million added that the benchbooks are currently being updated so something of this nature could possibly be added.

E. State Bar Proposal to Amend ARPOP Rule 10

Ms. Patricia Madsen, member, Community Legal Services, raised an issue regarding the Arizona State Bar’s Family Law Practice and Procedure Committee’s proposal to amend ARPOP Rule 10. The proposal would add the statement “THIS IS NOT A COURT ORDER” to petitions for protective orders. The intent is to eliminate confusion between the actual protective order and the petition. Ms. Madsen is seeking feedback from the committee to report back to the state bar.

Ms. Radwanski pointed out that there is a process in place to change the protective order forms, which would be through the Arizona Code of Judicial Administration, rather than a rule change. This would allow CIDVC’s Forms & Processes Workgroup to closely review the potential change and propose appropriate recommendations. Upon discussion, members agreed on this course of action. Ms. Radwanski stated she will contact Judge Finn to set up a workgroup meeting.

F. Amendments to IAH and IAWH Definitions

Ms. Radwanski presented on SB1363, which passed during the regular legislative session and added language to the definition of harassment as it applies to Injunctions Against Harassment and Injunctions Against Workplace Harassment. The new definitions include the activities of unlawful picketing, trespassory assembly, unlawful mass assembly, concerted interference with lawful exercise of business activity, and engaging in a secondary boycott, and defamation. There is currently a federal suit to stop the bill from being enforced. Arguments are to be heard on September 15, 2011.

G. SCR 123 and Access to Unserved Protective Order Cases

Ms. Radwanski discussed whether unserved protection orders are public record under SCR 123, which governs public access to court records. Ms. Melinda Hardman, AOC Court Services Division, subject matter expert on public access to court records, was present during discussion as she will be filing a rule petition related to Rule 123 technical items in January 2012. Rule 123 does not address this issue specifically, and Ms. Radwanski asked members for feedback as to whether the rule should be clarified. Lengthy discussion ensued. Members agreed it is of concern if unserved orders are public record because the unserved order may be held up to one year, giving the defendant the opportunity to become aware of its existence and retaliate. The issue is complicated by several factors including court processes and the availability of both paper and electronic records. The committee consensus was that the matter goes beyond

Rule 123 and warrants additional discussion. Therefore, it was decided to initiate an ad hoc workgroup, *Public Access to Court Records Workgroup*, to further examine the issue. Volunteers for the workgroup were Cathy Clarich, Allie Bones, Dana Martinez, Judge Barth, and Judge Ronan.

H. Workgroup Reports

- *Best Practices* – Judge Million reported the group will be working with Ms. Radwanski on the judicial training modules regarding the protective orders issue. Also, they will possibly begin a project to educate judges on lethality and Judge Million has enlisted the assistance of Professor Messing from ASU, who is willing to train judges on this issue.
- *Batterer Treatment Program* – (Judge Hyatt, reporting for Gloria Full) The workgroup will enlist the assistance of Ms. Radwanski to set up another meeting regarding offender treatments prior to the November CIDVC meeting. They would like to engage the help of SAGE Counseling on best practices and develop some protocol for judges to use on the bench in terms of identifying legitimate certificates of treatment completion.
- *Forms & Processes* – Ms. Cathy Clarich reported for Judge Finn, who recently had a conference call with Chief Monahan regarding the defendant service forms. She continues to work on getting additional information from law enforcement to assist in completion of the forms. Her plan is to have the forms finalized by the next CIDVC meeting.

Judge Million proposed the creation of another workgroup to have a long-term discussion about whether the domestic violence law can be strengthened by narrowing it. Ms. Bones added that any potential legislative proposals would be far in the future – possibly the 2013 session. Judge Million volunteered to chair the workgroup, which would be titled the *13-3601 Review Workgroup*. Others volunteering to participate on the workgroup were Eugene Tokosh, Allie Bones, Joi Davenport, Dana Martinez, Cathy Clarich, Andrea Sierra, Pegg Darrow, and Patricia Madsen.

III. OTHER BUSINESS

A. Announcements

Ms. Radwanski discussed an email she received that revealed a problem with people getting conflicting information when going to the courthouse. The concerns this individual shared in the email were that one can be seen as a victim in the family violence prevention center, but once in the family court, that same victim can be seen as the uncooperative parent and possibly lose custody of the children because of actions taken to protect them.

Ms. Radwanski also commented on an opinion, U.S. v. Sanchez, from the 9th Circuit Court of Appeals. In Sanchez, a Brady conviction was overturned because of the language on the court order being viewed as insufficiently explicit. Ms. Radwanski noted that she will be working with the AOC's Adult Probation Division to strengthen the language on sentencing and probation forms. Changes to the civil forms can be accomplished through an administrative directive.

B. Next Meeting Date

Tuesday, November 8, 2011
10:00am to 2:00pm
Arizona State Courts Building
Conference Room 119 A/B

C. Call to the Public

No public comments offered.

Meeting was adjourned at 2:15pm.

**COMMITTEE ON THE IMPACT OF
DOMESTIC VIOLENCE AND THE COURTS**
Telephonic Meeting Minutes
November 8, 2011
Arizona State Courts Building
Conference Room 119 A/B
1501 W. Washington Street, Phoenix, AZ 85007

MEMBERS PRESENT TELEPHONICALLY:

Honorable Emmet Ronan, Chair	Honorable Carey Hyatt
Honorable Keith D. Barth	Ms. Dana Martinez
Ms. Joi Davenport	Honorable Wendy Million
Honorable Lynn Fazz	Ms. Lu Ann Garbini - <i>proxy for Ms. Marla Randall</i>
Ms. Gloria Full	Ms. Kristine Reich
Ms. V. Michele Gamez	Captain David Rhodes
Professor Zelda Harris	

MEMBERS PRESENT:

Ms. Elizabeth Ditlevson - <i>proxy for Ms. Allison Bones</i>	Ms. Leah Meyers, M.S.W.
Ms. Pegg Derrow	Chief Jerald L. Monahan
	Ms. Renae Tenney

MEMBERS ABSENT:

Honorable Carol Scott Berry	Honorable Cathleen Brown Nichols
Ms. Cathy Clarich	Ms. Andrea K. Sierra
Dr. Kathy S. Deasy	Detective Eugene J. Tokosh
Honorable Joseph P. Knoblock	Ms. Tracey J. Wilkinson
Patricia Madsen, Esq.	

GUESTS / PRESENTERS:

Jamie A. Balson, Esq.	Ms. Melinda Hardman
Ms. Theresa Barrett	Ms. Amy Love

STAFF:

Ms. Kay Radwanski	Ms. Tama Reily
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I. REGULAR BUSINESS

A. Welcome and Opening Remarks

With a quorum present, the November 8, 2011, meeting of the Committee on the Impact of Domestic Violence and the Courts (CIDVC) was called to order by Judge Emmet J. Ronan, chair, at 10:05 a.m.

B. Approval of Minutes

The minutes from the September 13, 2011, meeting of the CIDVC were presented for approval.

MOTION: To approve the September 13, 2011, meeting minutes as presented. Motion seconded. Approved 17-0-1 CIDVC-11-017

II. BUSINESS ITEMS/POTENTIAL ACTION ITEMS

A. Public Access to Court Records Workgroup Report

Judge Ronan, chair, and Kay Radwanski, AOC committee staff, reported on the workgroup's recommendation for an ARPOP rule change. Consensus among workgroup members was that the Arizona Rules of Protective Order Procedure (ARPOP) be amended, rather than Rule 123, Rules of the Supreme Court. The rationale was that a person looking for information about protective order records would be more likely to look in ARPOP than in the Rules of the Supreme Court. The amended ARPOP rule would require that case files containing unserved protection orders remain closed until proof of service has been filed. Ms. Radwanski noted that the rule change recommendation was presented to the Committee on Superior Court and discussed informally at the October meeting of the Committee on Limited Jurisdiction Courts. It was supported by both groups.

MOTION: Judge Million moved that CIDVC file a rule petition on civil orders of protection files with language to be determined at a later date. Motion seconded by Judge Hyatt. Approved unanimously. CIDVC-11-018

B. State Bar Proposals to Amend ARPOP Rules

Two ARPOP proposals from the Arizona State Bar were explained by Ms. Radwanski.

- Petition to amend ARPOP Rule 1(M)
Would require that when a court receives proof that a protective order has been served on a defendant, the court notify the plaintiff by mail.
- Petition to amend ARPOP Rule 6 (E)(4)(E)(2)
Would add the same "credible threat" language that is currently applied to Orders of Protection to Injunctions Against Harassment. That is that a judge may prohibit the defendant from possessing, purchasing, or receiving firearms for the duration of the order if the judge finds that the defendant poses a credible threat to the physical safety of the plaintiff or another person protected by the order.

Lengthy discussion ensued regarding the first proposal. Members had concerns as to whether the proposal fulfills its intended purpose, which is to further ensure the plaintiff's safety. Wisdom dictates that this would entail timeliness, but the proposed process does not appear to hasten notification.

MOTION: Judge Million moved to request additional information prior to CIDVC making a formal recommendation. Motion seconded by Chief Monahan. Approved unanimously. CIDVC-11-019

Upon review of the second proposal, Dana Martinez pointed out that there are domestic violence situations in which ex-partners enlist third parties to harass and intimidate their victims. Following discussion, members agreed that victims of harassment should receive the same protection as domestic violence victims.

MOTION: Judge Million moved to support the amendment to ARPOP Rule 6(E)(4)(E)(2). Motion seconded by Ms. Martinez. Approved unanimously. CIDVC-11-020

III. OTHER BUSINESS

A. Call to the Public

No comments offered.

B. Next Meeting

February 14, 2012

10:00 a.m. to 2:00 p.m.

Arizona State Courts Building

Conference Room 119 A/B

Meeting was adjourned at 11:05 a.m.