

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
ARIZONA CODE OF JUDICIAL)	
ADMINISTRATION § 3-403:)	Administrative Order
PROTECTING PERSONAL)	<u>No. 2006 - 48</u>
INFORMATION IN PUBLIC RECORDS)	(Replacing Administrative
)	Order Nos. 95-50 and 96-48)
)	
_____)	

The above captioned provision having come before the Arizona Judicial Council on June 19, 2006, and having been approved and recommended for adoption,

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the above captioned provision, attached hereto, is adopted as a section of the Arizona Code of Judicial Administration replacing Administrative Order Nos. 95-50 and 96-48.

Dated this 28th day of June, 2006.

RUTH V. MCGREGOR
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 3: Superior Court
Chapter 4: Administration
Section 3-403: Protecting Personal Information in Public Records

- A. Purpose.** A. R. S. §§ 11-483, -484, 16-153 and 28-454 authorize specified categories of public officials and others to seek an order from the presiding judge in their county of residence that protects from public inspection their home addresses and phone numbers appearing in specified public records. The procedures established in this section are intended to ensure uniform processing of applicants' affidavits consistent with the intent of this legislation.
- B. Eligibility.** Any qualified applicant may request public access to their residential address and telephone number be restricted in public records of the County Recorder, Treasurer and Assessor pursuant to A.R.S. §§ 11-483, -484 and 16-153 and from records maintained by the Motor Vehicle Division of the Department of Transportation pursuant to A.R.S. § 28-484, by filing an affidavit with the presiding judge of the county in which they reside.
- C. Form of Affidavit.** The Administrative Office of the Courts shall develop and distribute to the courts appropriate forms for applicants to use in seeking this relief. Affidavit forms shall be available at no cost from the clerks of superior court, justices of the peace, municipal courts, county recorders, election offices, and the supreme court's website.
- D. Filing the Petition.** Upon receipt of an affidavit or affidavits, the presiding judge of the superior court shall file with the clerk a petition on behalf of all requesting affiants. Each affidavit presented shall be attached to the petition. In the absence of an affidavit that contains a request for immediate action and that is supported by facts justifying an earlier consideration, the presiding judge may accumulate affidavits and file a petition at the end of each quarter.
- E. Processing the Court's Order.** The presiding judge shall review the petition and each attached affidavit to determine whether the action requested shall be granted. The presiding judge by written order shall grant the petition if the judge concludes that this action will reduce a danger to the life or safety of the affiant or another person. The affidavits for which the petition is granted shall be forwarded under a single order to the clerk of the superior court for filing under seal. The presiding judge shall ensure that notice is provided to the affiant or the affiant's commanding officer once the order has been signed.
- F. Clerk's responsibilities.** Upon receipt of the signed order, the clerk shall immediately deliver the approved affidavits with a copy of the order signed by the presiding judge as follows:
1. If the order is directed at the county recorder pursuant to A.R.S. §§ 11-483 or 16-153, the clerk shall deliver the order and a copy of the affidavit to the county recorder.

2. If the order is directed at the county assessor or county treasurer pursuant to A.R.S. § 11-484, the clerk shall deliver the order and a copy of the affidavit to the county assessor or county treasurer.
3. If the order is directed at the Department of Transportation pursuant to A.R.S. § 28-454, the clerk shall deliver the order to the Arizona Department of Transportation, Motor Vehicle Division.

The clerk shall seal the order and affidavits maintained in the clerk's office.

G. Review of Denial. Any affiant whose request is denied may seek reconsideration by requesting a hearing before the presiding judge.