

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
R-08-0032)
PETITION TO AMEND RULE 7,) Administrative Order
ARIZONA RULES OF PROBATE) No. 2009 - 07
PROCEDURE)
_____)

In September 2008, the Court adopted uniform procedural rules for probate cases (R-07-0012), effective January 1, 2009. The Arizona Association of Superior Court Clerks has filed the above-captioned petition seeking, among other things, to modify the procedure for handling confidential documents and asking that the Court consider the proposed amendments on an emergency basis.

The Court has concluded that the petition need not be considered on an emergency basis, and it has denied the Association's request for expedited adoption of the proposed amendments. Nevertheless, the Association has expressed legitimate concerns about the ability of court personnel to access confidential documents and information for purposes of processing and managing probate cases case under the rules as adopted.

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

IT IS ORDERED that during the pendency of the Association's rule petition and until the Court considers the petition in the ordinary course of the annual rules cycle, the reference in Rules 7(G)(4) and 7(H)(4) to "judicial officers" shall be construed to include court administrative staff and other authorized court personnel as necessary for processing and managing probate cases.

Dated this 16th day of January, 2009.

REBECCA WHITE BERCH
Vice Chief Justice