

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-08-0040
PETITION TO AMEND RULE 41(I),)
ARIZONA RULES OF PROCEDURE FOR)
THE JUVENILE COURT)
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_____)

ORDER

A petition having been filed proposing to amend Rule 41(I), Rules of Procedure for the Juvenile Court, and comments having been received, upon consideration,

IT IS ORDERED that the petition to amend Rule 41(H), Rules of Procedure for the Juvenile Court, is approved as modified, in accordance with the attachment hereto, effective January 1, 2010.

DATED this _____ day of September, 2009.

REBECCA WHITE BERCH
Chief Justice

TO:
Rule 28 Distribution

pth

ATTACHMENT*

H. Notice in cases with regard to children in foster care

(A) If the Arizona Department of Economic Security (the Department) is a party ~~the petitioner~~, it shall notify the foster parents, pre-adoptive parents, or relative caregivers of a child in foster care under the responsibility of the State of the date, time, and location of all proceedings to be held with respect to the child. Foster parents, pre-adoptive parents, or relative caregivers of a child in foster care under the responsibility of the State shall have a continuing duty to provide the Department with a current and correct mailing address, including addresses indentified as protected by court order.

~~(B) If the petitioning party is not the Department, the court shall ensure that foster parents, pre-adoptive parents, or relative caregivers are notified of all proceedings to be held with respect to the child.~~

~~(C)~~(B) The foster parents, pre-adoptive parents, or relative caregivers shall be afforded the right to be heard in any proceeding to be held with respect to ~~the~~ a child in foster care. This right shall not be construed to require that any foster parents, pre-adoptive parents, or relative caregivers be made a party to such proceeding solely on the basis of such notice and a right to be heard.

~~(D)~~(C) Nothing in this rule shall be construed to limit the periodic review hearing notice requirements of A.R.S. § 8-847(B).

*Changes or additions in text are indicated by underlining and deletions from text are indicated by ~~strikeouts~~.

