

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-10-0025
PETITION TO AMEND RULE 6,)
ARIZONA RULES OF PROTECTIVE,)
ORDER PROCEDURE) **FILED 06/30/2010**
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_____)

**ORDER
AMENDING RULE 6, ARIZONA RULES OF PROTECTIVE ORDER PROCEDURE, ON AN
EMERGENCY BASIS**

A petition having been filed proposing to amend Rule 6, Arizona Rules of Protective Order Procedure, on an emergency basis, upon consideration,

IT IS ORDERED that Rule 6, Arizona Rules of Protective Order Procedure, be amended on an emergency basis, in accordance with the attachment hereto, effective July 29, 2010.

IT IS FURTHER ORDERED that this matter shall be opened for comment in accordance with Rule 28(G)(2), Rules of the Supreme Court, until May 20, 2011.

DATED this _____ day of June, 2010.

REBECCA WHITE BERCH
Chief Justice

TO:
Rule 28 Distribution
David K Byers
Kay Radwanski
mwa

ATTACHMENT¹

Rule 6. Rules of Procedure for Issuing Protective Orders

A. – B. [No change in text]

C. Order of Protection. The judicial officer shall conduct a separate hearing with each plaintiff who requests an Order of Protection.

1. - 4. [No change in text]

5. *Issuance of Order of Protection.* An Order of Protection shall be issued *ex parte* if the judicial officer finds reasonable cause to do so as set forth in paragraph 3 above. At the initial *ex parte* hearing, the plaintiff or appropriate third party shall be provided with a copy of the Order of Protection, which may include any of the following provisions:

a. – e. [No change in text]

f. *Animals.* The judicial officer may also grant the plaintiff the exclusive care, custody, or control of any animal that is owned, possessed, leased, kept, or held by the plaintiff, the defendant, or a minor child residing in the residence or household of the plaintiff or the defendant, and order the defendant to stay away from the animal and forbid the defendant from taking, transferring, encumbering, concealing, committing an act of cruelty or neglect in violation of Section 13-2910, or otherwise disposing of the animal.

6. - 7. [No change in text]

D. – F. [No change in text]

¹ Changes or additions in rule text are indicated by underscoring and deletions from text are indicated by ~~strikeouts~~.