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8 **IN THE SUPREME COURT**
9 **STATE OF ARIZONA**

10 In the Matter of:

Supreme Court No. R-22-0006

11 **PETITION TO AMEND RULE 14**
12 **OF ARIZONA RULES OF FAMILY**
13 **LAW PROCEDURE**

COMMENT

14 Pursuant to Rule 28(e) of the Arizona Rules of Supreme Court, the State Bar
15 of Arizona (the “State Bar”) hereby submits the following as its comment to the
16 above-captioned Petition.
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18 While the Petition does a very positive thing by eliminating an onerous
19 notarization requirement, the State Bar’s Family Law Practice and Procedure
20 Committee have identified the problem created by the proposed change of treating
21 the verification as a confidential record. Anecdotally, these verifications are often
22 filed as an attachment to the document containing the signature, both to avoid an
23 additional e-filing fee and to avoid ambiguity as to which document relates to the
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1 verification. If the attached verification were marked as a confidential record, it
2 would seem to follow that the entire document would be so marked, making it very
3 difficult for litigants to access that same case-critical document.
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5 To resolve this issue, the State Bar suggests modifying the proposed Petition
6 slightly, as follows:

7 The applicant ~~may~~ **must** redact a protected address from **their** driver's license
8 or other government-issued identification ~~and~~ **documentation** and **must redact**
9 **any** other sensitive data as defined by Rule 43.1(f)(1). The clerk may maintain the
10 photocopy of the license or other government-issued identification ~~and~~
11 **documentation** as a confidential record and limit its availability as provided in Rule
12 43.1(f)(2)(B)(ii) **unless the alternative verification is attached to the document**
13 **containing the verified signature, in which case the clerk must not maintain the**
14 **document as a confidential record and must not limit its availability. A party**
15 **filing a document with alternative verification attached is responsible for**
16 **redacting all sensitive data prior to filing, consistent with Rule 43.1(f)(2)(A).**
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21 CONCLUSION

22 The State Bar of Arizona respectfully requests that if the Court is inclined to
23 adopt the Petition to Amend Rule 14 of Arizona Rules of Family Law Procedure,
24 that the language be revised to include the language proposed above, or similar
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1 language, to avoid the possibility of case-critical documents being maintained as
2 confidential records when appropriate alternative verification is attached.
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5 RESPECTFULLY SUBMITTED this 29th day of April, 2022.

6
7 */s/ Lisa M. Panahi*

8 Lisa M. Panahi
9 General Counsel
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11 Electronic copy filed with the
12 Clerk of the Supreme Court of Arizona
13 this 29th day of April, 2022.

14 by: P Seguin
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