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IN THE ARIZONA SUPREME COURT

In the Matter of:)	Supreme Court No. R-12-0017
)	
PETITION TO AMEND RULE 123 OF)	Comment to Proposed Rule
ARIZONA RULES OF THE SUPREME)	Change Regarding Posting Probate
COURT)	Case Documents Online
_____)	

David K. Byers, Administrative Director of the Administrative Office of the Courts, respectfully submits this comment to the petition to amend Rule 123, Rules of the Supreme Court of Arizona, which requests all members of the public be provided remote electronic access to all probate case records, including minute entries. The issue of remote electronic access to case records is one of significance for the entire Arizona judicial branch. The issue raised by this particular petition impacts the Probate Division of the Superior Court of Arizona throughout the state. Similarly, the Family Law Division of the Superior Court of Arizona is presently addressing the question of whether members of the public should be provided remote electronic access to family law minute entries.

In light of the broad impact the decisions regarding remote electronic access to these case records will have, petitioner suggests that the Chief Justice of the Arizona Supreme Court establish a committee to review and make recommendations on these matters. Specifically, petitioner suggests that such a committee might consider whether

the Superior Court of Arizona can make any probate case documents accessible online to members of the public by remote electronic access and whether, in light of the recommendation made, any revisions are necessary to Rule 123, Rules of the Supreme Court of Arizona or any other court rule.

For the foregoing reasons, the undersigned respectfully requests this Court continue this rule petition until the proposed committee can be formed and is able to make the recommendations suggested above.

Dated this 15th day of May, 2012.

David K. Byers, Administrative Director
Administrative Office of the Courts