

Hon. Emmet J. Ronan
Superior Court in Maricopa County
Southeast Court
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Chair, Committee on the Impact of Domestic Violence and the Courts

**IN THE SUPREME COURT
STATE OF ARIZONA**

In the Matter of:)	
)	Supreme Court No. R-13-0023
Petition to Amend Rule 123)	
of the Rules of the Supreme Court)	Comment to Petition to Amend Rule 123
)	of the Rules of the Supreme Court
_____)	

BACKGROUND

The Domestic Violence Rules Committee (DVRC) was established in 2005 by Administrative Order 2005-85 to “research other statewide domestic violence rules, study the issues relevant to domestic violence procedural matters in Arizona, and consider alternatives to Rule 96, Domestic Violence Benchbooks in the *Arizona Rules of Family Law Procedure* which may include statewide domestic violence rules.” The committee developed a stand-alone set of procedural rules titled the Arizona Rules of Protective Order Procedure (ARPOP), which were adopted by the Arizona Supreme Court and made effective on January 1, 2008. The DVRC, having fulfilled its purpose, was disbanded by AO 2008-08 in 2008.

The Committee on the Impact of Domestic Violence and the Courts (CIDVC), realizing that no formal committee remained to address modifications to the ARPOP, established the ARPOP Workgroup in 2009.

The workgroup met to discuss the petition referenced herein and provided a draft response to CIDVC on May 14, 2013. CIDVC members, by a majority vote, have authorized the undersigned, the Honorable Emmet J. Ronan, CIDVC chair, to file this response to Petition No. R-13-0023 on the committee's behalf.

DISCUSSION

The petitioner requests modification of Rule 123, Rules of the Supreme Court, to require judicial committees to post minutes to their web pages within five working days following a meeting.

As a standing committee of the Arizona Judicial Council, CIDVC must comply with the Arizona Code of Judicial Administration § 1-202: Public Meetings. ACJA § 1-202(D) addresses meeting minutes. The Code requires that minutes be available for public inspection within 20 working days after a meeting.

CIDVC staff ensure that draft minutes are available within 20 working days for public inspection following a public meeting. There is no requirement to post the minutes to the Internet. However, draft minutes are posted with materials for upcoming meetings on the CIDVC web page as a courtesy to the public and to committee members. Once the committee has approved the minutes and they become official, the approved version is posted to the minutes archive on the CIDVC web page.

The Code provides a structure by which all standing committees of the Arizona Judicial Council prepare draft minutes following a public meeting and make them available for public inspection. A change to Rule 123, Rules of the Supreme Court, is neither appropriate nor necessary.

CONCLUSION

For the reasons stated above, CIDVC respectfully requests the Court to reject the request to require draft minutes to be posted on the Internet within five working days of a meeting.

Respectfully submitted this 17th day of May, 2013.

Hon. Emmet J. Ronan
Judge of the Superior Court
Superior Court in Maricopa County

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