

The first recommended addition would clarify Rule 43(G)(1) that the Clerk of the Court could not release an address protected by court order without a subsequent court order authorizing its release. The second would clarify that Petitions for Conciliation submitted to conciliation court in accordance with Rule 68(A) are not “filed” with the Clerk within the meaning of the Rules.

The Committee agrees that the change to Rule 43(G)(1) would provide needed guidance to the Clerk of Court with respect to how protected addresses are released, and provide a consistent statewide approach to this issue. The suggested change to Rule 68(A) would also provide helpful clarification to the Clerk of Court and the public that Petitions for Conciliation properly submitted directed to Conciliation Court for processing are “submitted” but not “filed”.

CONCLUSION

The Committee agrees with both of these recommended changes and requests that the Supreme Court include the wording as recommended in the Comment in Rules 43(G)(1) and 68(A) upon approval of the Petition to Amend *Arizona Rules of Family Law Procedure* filed October 27, 2006.

Respectfully submitted this _____ day of June, 2007.

Norman Davis
Presiding Family Court Judge
Maricopa County Superior Court

Original and 6 copies filed with
The Clerk of the Arizona
Supreme Court.

Copy mailed or hand-delivered this _____ day of
_____, 2007, to:

Chief Justice Ruth V. McGregor
Vice Chief Justice Rebecca White Berch

Justice Michael D. Ryan
Justice Andrew D. Hurwitz
Justice W. Scott Bales
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