

COMMITTEE ON THE IMPACT OF DOMESTIC VIOLENCE AND THE COURTS

Date Action Required: February 9, 2010	Type of Action Required: <input checked="" type="checkbox"/> Formal Action/Request <input type="checkbox"/> Information Only <input type="checkbox"/> Other	Subject: SUPPORT CHANGING ARPOP RULE 4(B)(5)(B)
--	--	--

FROM: Elizabeth R. Finn, Presiding Judge, Glendale City Court

PRESENTER(S): Elizabeth R. Finn, Presiding Judge, Glendale City Court

DISCUSSION: This is a request for CIDVC to support changing ARPOP Rule 4(B)(5)(b). The rule change would require limited jurisdiction courts to transfer protective orders when the protected party is the subject of a custody, parenting time, or visitation order. Many times, a new significant person or spouse is the party in a protective order where custody, parenting time, or visitation rights of another party can be affected. Although limited jurisdiction courts should retain the ability to issue the protective order, it is in the interests of all the parties to have any contested hearing heard in the superior court. By mandating the transfer to superior court, one court will be deciding all factors in relation to the custody or visitation of the protective parties.

RECOMMENDED MOTION: Support amending ARPOP Rule 4(B)(5)(b) as indicated in Petition.