

Impact of the Arizona Rules of Family Law Procedure		
Court Administration		
New Rule	Areas impacted	Preparations for changes
<u>7: Protected addresses</u>	<i>Information Technology:</i> Database systems will need to reflect in formation that address is protected.	Notification to programmers that some identifier is needed.
	<i>Judicial Officers and Staff:</i> New Rule makes requesting protection more of an opportunity for parties.	Develop procedures for handling increased volume.
	<i>Staff:</i> Both judicial and non-judicial staff will be faced with providing information to parties in compliance with new Rule – will require more vigilance.	Provide training for staff when giving out information in these cases.
<u>9: Limited-scope representation</u>	<i>Staff:</i> Need to be more aware of whether party is represented and by whom and for what purpose or degree when sending out notices.	Clerks, Judicial Assistants and department staff will need to be more aware of representation.
<u>43(D)(5): Public access to records after service or 45 days</u>	<i>Judicial Staff and Department Staff:</i> Might restrict access to documents up to 45 days.	Training of staff to look for restrictions. IT programming necessary to restrict access if ordered and within first 45 days.
<u>43(G): Sensitive Data Form</u>	<i>Self Service Center:</i> Rule requires that a separate form be completed by filing party if certain sensitive information is requested by the Court.	Need to identify all packets that have court request for listed data, and include form in packet.
<u>50: Complex Case Disclosure</u>	<i>Judges and Division Staff:</i> Will be required to track complex cases and the 40 days from notice.	Establish tracking system.
<u>67: Mediation, Arbitration, Settlement Conferences and other Dispute Resolution</u>	<i>B 3. Private Mediators:</i> Requires that every party shall be notified in writing or orally in open court prior to mediation of the ability to request waiver of mediation or request other procedures.	If not already established, court needs roster of mediators and qualification process.
	Requires determination of safeguards for protection of parties.	Need to set safeguards and procedures.

<u>68: Conciliation</u>	<i>Conciliation:</i> Petition for conciliation now required to be filed with Clerk of Court-previously with Conciliation. Conciliation staff will need to be made aware of filing for scheduling.	Local Rule may dictate that Maricopa less impacted by change but other counties may need to re-establish procedures.
	<i>SSC Packets:</i> Packets have instructions that paperwork goes directly to Conciliation.	Need to change SSC packets.
<u>4. Outcome</u>	<i>Conciliation Staff:</i> New rule does not include language that allows Conciliation staff to find joint conference inappropriate.	May require new procedures to deal with high conflict.
	<i>Conciliation Staff:</i> New rule allows for formal written agreement.	Need to discuss role of conciliation when parties reach agreement and are drafting written agreement. Does conciliator sign agreement?
<u>68B.</u>	<i>Conciliation and Clerk of Court:</i> Either or both parties may file with Clerk of Court.	Some counties will need to alter process now established between Clerk and Conciliation.
	<i>Self Service Center and On-line instructions.</i>	Need to charge packets and instructions to comply with Rule.
<u>68 B. 2.: Domestic Violence</u>	<i>Conciliation Services:</i> New rule requires policies and procedures to protect victims.	Most conciliation departments have procedures but may wish to place all procedures and safeguards into department written policy statement.
	<i>Conciliation Services:</i> Parties are not required to appear for mediation pending determination of victim protections.	Conciliation Services will need to define the procedures that are in place for safeguarding parties.
<u>68B. Agreements</u>	<i>6.a. Conciliation Services:</i> Agreements shall be signed by the parties and approved by attorneys. Submission to court no later than 30 days from date of signing.	May suggest the increase in attorney presence at mediation. Attorneys have not typically been allowed in mediation.

	<p>6.b. <i>Conciliation Services</i>: Alternative to (a), this paragraph will allow for objection to be filed with the Court, rather than Conciliation Services. Also, no clear reason is required for objection.</p>	<p>Previously, objections sent directly to Conciliation. This will require improved coordination within court. New procedure may dictate that agreement is not typewritten.</p>
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