

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF PROCESSING	)	ADMINISTRATIVE ORDER
PROBATE CONFIDENTIAL DOCUMENTS	)	NO. 2012-172
BY THE CLERK OF THE COURT TO	)	
ENSURE THE CONFIDENTIALITY OF	)	
SENSITIVE INFORMATION AND TO	)	
FACILITATE ACCESS BY AUTHORIZED	)	
COURT STAFF	)	
_____	)	

Rule 7, Arizona Rules of Probate Procedure governs confidential documents and information submitted in cases under Title 14, Arizona Revised Statutes, and provides that such confidential documents “shall not be maintained as part of the public record of a probate case.” Rule 7(C), Arizona Rules of Probate Procedure. The Clerk of the Court is responsible to insure “the security of electronically filed or transmitted confidential documents and information and the maintenance of confidential documents and information.” Rule 7(B), Arizona Rules of Probate Procedure.

The Clerk of the Court is authorized to disclose confidential documents and information to “judicial officers, court administrative staff, and other court personnel whose official duties necessitate access to confidential information for processing and managing probate cases.” Rule 7(G)(4), Arizona Rules of Probate Procedure.

Pursuant to Rule 7(C)(2), a “party who files a confidential paper document under this rule shall place the original document in an envelope that bears the case name and number, the name of the document being filed, the name of the party filing the document, and the phrase “Confidential Document.” Under current practices, the Clerk of the Court creates a digital image of the outside of the envelope containing the confidential document, but does not image the document itself. This process impedes the ability of Probate Court Administrative staff, including court accountants, investigators and probate examiners, to easily access and review confidential documents in the performance of their official duties related to case monitoring and maintenance. To remedy this, the Clerk of the Court has the capability to digitally image every confidential document that is presently contained in such an envelope, and is able to maintain such digital images as confidential records in the same manner that the probate information form is processed pursuant to Rule 7(C)(1), Arizona Rules of Probate Procedure. Based on the foregoing, and good cause appearing,

**IT IS ORDERED** authorizing and directing Clerk of the Court to process all confidential documents filed pursuant to Rule 7, Arizona Rules of Probate Procedure consistent with the manner that the probate information form is processed and

maintained. Accordingly, any confidential document that is filed by a party in an envelope that is designated as a "Confidential Document," shall be removed from such envelope, digitally imaged, and processed in the same manner as Probate Information forms are maintained. The digital image of any confidential document shall be processed and maintained in the court's electronic record in a manner consistent with the processing of confidential documents in other case types, in accordance with the provisions of Rule 7(C)(1), Arizona Rules of Probate Procedure.

**IT IS FURTHER ORDERED** accountings placed into envelopes between January 1, 2009 and December 31, 2010, shall be unsealed and processed in an electronic manner consistent with sensitive data forms required in other case types on request of the court. Once scanned, these forms shall be available electronically to judicial officers and other court staff as authorized pursuant to Rule 7(G), Arizona Rules of Probate Procedure.

**IT IS FURTHER ORDERED** accountings, inventories and appraisements, and inventories filed in Probate cases *prior* to the January 1, 2009 effective date of the Arizona Rules of Probate Procedure and docketed with docket code ACT, IAA, and INV shall be deemed confidential and maintained and accessible in the same manner as prescribed by this Administrative Order.

**IT IS FURTHER ORDERED** that all court investigator reports filed on or after January 1, 2011, shall be treated and processed as a confidential document and shall be given a docket code of CIR.

**IT IS FURTHER ORDERED** that any medical report or physician's report that is filed in a confidential document envelope on or after January 1, 2011, shall be treated and processed as a confidential document and shall be given a docket code of MDR.

**IT IS FURTHER ORDERED** that any credit report that is filed in a confidential document envelope on or after February 1, 2012, shall be treated and processed as a confidential document and shall be given a docket code of CDC.

**IT IS FURTHER ORDERED** that any budget that is filed in a confidential document envelope on or after February 1, 2012, shall be treated and processed as a confidential document and shall be given a docket code of BRC.

**IT IS FURTHER ORDERED** that the generic confidential document docket code CON shall not be used after February 1, 2012.

**IT IS FURTHER ORDERED** that the digital images of any confidential document shall be accessible to those persons designated and authorized pursuant to Rule 7(G), Arizona Rules of Probate Procedure.

**IT IS FURTHER ORDERED** terminating Administrative Order No. 2010-145.

Dated this 5th day of December, 2012.

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Honorable Rosa Mroz  
Presiding Probate and Mental Health Judge

Original: Clerk of the Superior Court

Copies: Hon. Norman J. Davis, Presiding Judge  
Probate Judges and Commissioners  
Hon. Michael K. Jeanes, Clerk of the Court  
Raymond Billotte, Judicial Branch Administrator  
Richard Woods, Deputy Court Administrator  
Elizabeth Evans, Probate Court Administrator