



Statewide Protective Order Project--2020

MARC L. PEOPLES

CRIMINAL JUSTICE SYSTEMS IMPROVEMENT ADMINISTRATOR, ACJC

KAY RADWANSKI

SENIOR COURT POLICY ANALYST/DV SPECIALIST, ARIZONA SUPREME COURT

HB2249

2018 session

Effective 1/1/2020

Affects OP, IAH,
IAWH, EOP





Service

Court will transmit (via AOC) petition and OP to law enforcement or constable for service.



Central repository— Court Protective Order Repository (CPOR)

THE ARIZONA SUPREME
COURT/AOC WILL REGISTER
SERVED ORDERS WITH NCIC.



AZ Statewide Protective Order Project 2020

Partnership with ACJC

- ▶ ACJC drafted legislation in collaboration with stakeholders.
- ▶ Established goals of automating the protective order system, increasing number of served OPs, enlarging number of OPs reported to NCIC
- ▶ Obtained grant funds to support AOC-ITD technology project

Marc L. Peoples

Criminal Justice Systems Improvement Administrator

Arizona Criminal Justice Commission

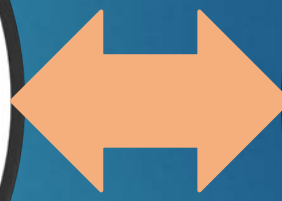
1110 W Washington, Suite 230, Phoenix, AZ 85007

Office: (602) 364-1152 | Fax: (602) 364-1175

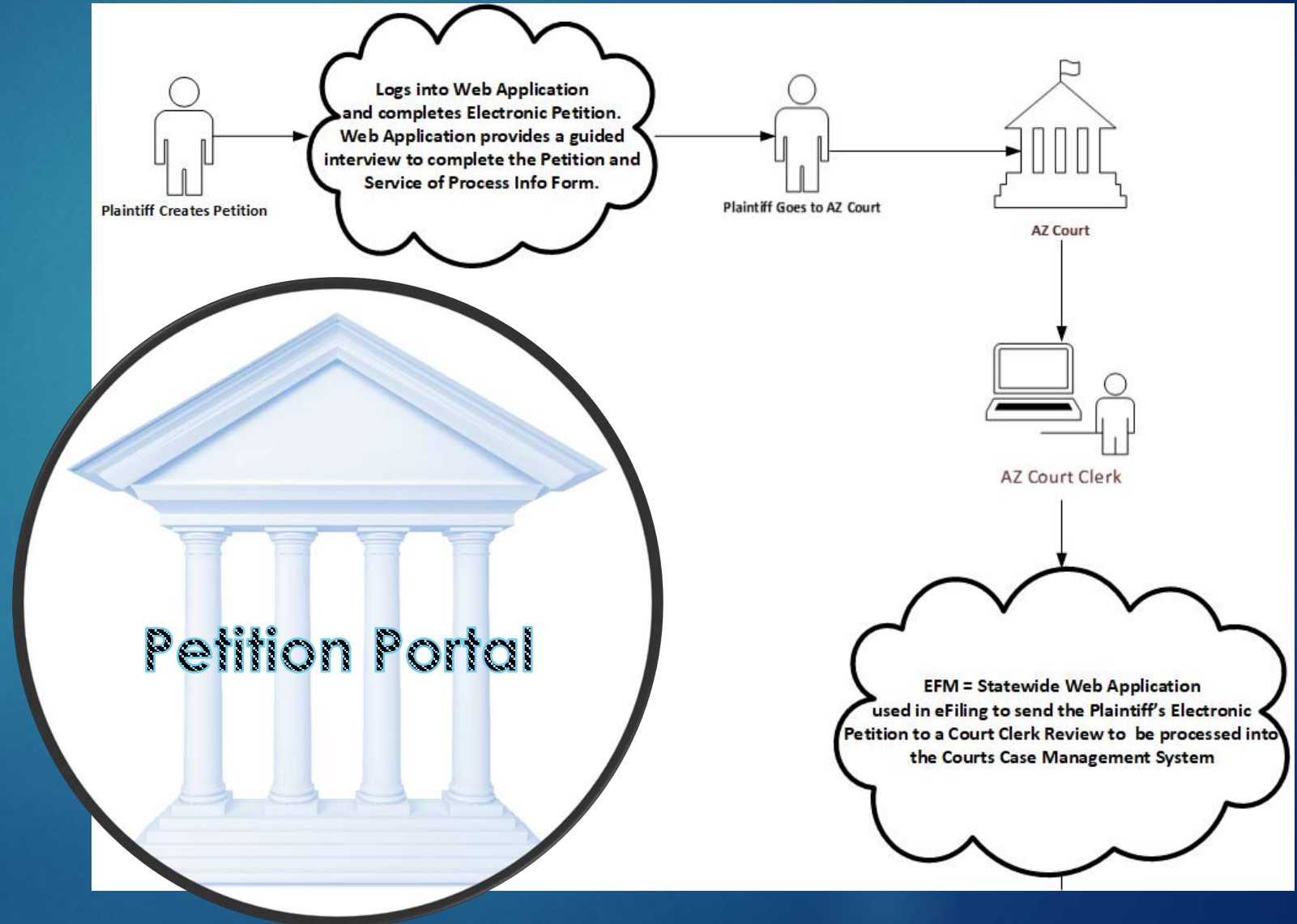
mpeoples@azcjc.gov

www.azcjc.gov





- ▶ Guided interview
- ▶ Document completion—Plaintiff Info Sheet, petition, Service of Process form
- ▶ To file, Plaintiff goes to court of choice (unless family court case pending).
- ▶ Court downloads forms from web portal; then portal is locked.
- ▶ Plaintiff can file on paper, but petition portal preferred



Features

- ▶ Can create more than one petition—but only one petition/defendant
- ▶ Generates a petition number for filing.
- ▶ Floating safety button
- ▶ Computer safety information
- ▶ Information on how to obtain a new email address
- ▶ Contact information for ACESDV/NCADV and legal services
- ▶ Hover help
- ▶ Accessible on multiple devices (laptop, PC, Apple, Android, etc.)



How can advocates help?

- ▶ Explain the change in the service process for OPs.
- ▶ Assist with preparation of a SAFETY PLAN.
- ▶ Talk about whether an Order of Protection should be part of the safety plan.
- ▶ Conduct a lethality assessment.

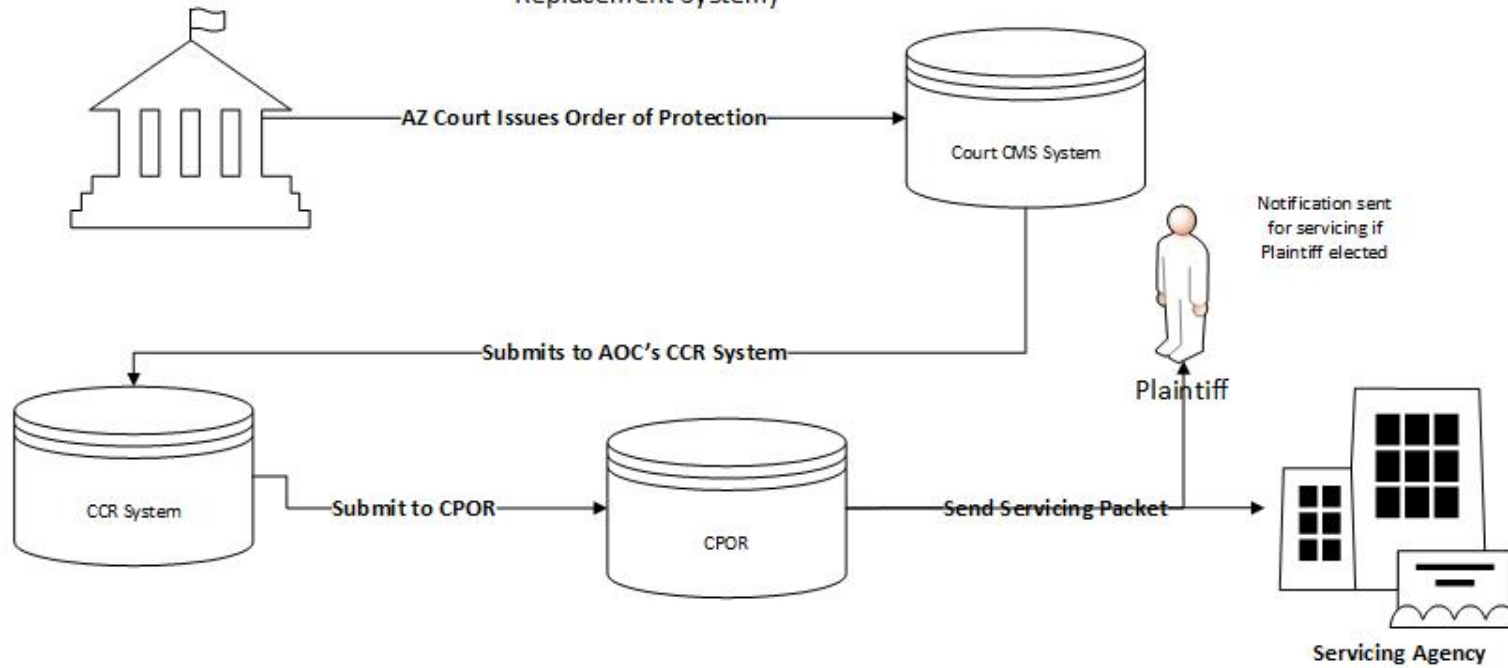


If your client wants to apply for an Order of Protection --

- ▶ Assist client with the guided interview in the AZPoint petition portal.
- ▶ Help the client obtain a new email address if necessary.
- ▶ Discuss—
 - ▶ Computer safety
 - ▶ Whether email or text notifications are safe for the client
 - ▶ Risk of saving a password on a device or computer
- ▶ Talk about the allegations with the client—provide information, not advice.
- ▶ Explain the court process.
- ▶ If you have resources, support the client at court.
- ▶ Get the word out!



Submits to CCR (Central Case Repository - Legacy DW Replacement System)



After court hearing



Rule 31, Arizona Rules of Protective Order Procedure

- ▶ Effective 1/1/2020
- ▶ Court to transmit OP to law enforcement for service on same day issued...
- ▶ Unless judge makes findings—on the record—of extenuating circumstances.
- ▶ Then court must transmit for service no later than 72 hours from date of issuance.



INJUNCTION
AGAINST
HARASSMENT
(IAH)
OR
WORKPLACE
HARASSMENT
(IAWH)

Plaintiff must arrange for service;
pay fee (unless dating
relationship or sexual violence).

Server must file proof of service
with the court within 72 hours via
Service Portal.

AZ Supreme Court is central
repository; will register served IAH
with NCIC.



SERVING AGENCY PROCESS

Emergency Orders of Protection



- Emergency Orders are Not Processed Through AZPOINT System
- Orders will expire after 72 hours
- Agencies will be responsible for entry into ACIC/NCIC
- Issuing Judge will document the Emergency OP/IAH they issue
- Agency must file certificate of service with the court

Thank you!

MARC L. PEOPLES
CRIMINAL JUSTICE SYSTEMS IMPROVEMENT
ADMINISTRATOR
ARIZONA CRIMINAL JUSTICE COMMISSION
602-364-1152
MPEOPLES@AZCJC.GOV

KAY RADWANSKI
SENIOR COURT POLICY ANALYST/DV
SPECIALIST
ARIZONA SUPREME COURT
602-452-3360
KRADWANSKI@COURTS.AZ.GOV

