

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF COCONINO

In the Matter of:)
)
ACCESS TO CLOSED CONFIDENTIAL) ADMINISTRATIVE ORDER
RECORDS AND HEARINGS OF THE) No. 2021-20
JUVENILE DEPARTMENT)
_____)

Article 6.1 of the Arizona Constitution created the Commission on Judicial Conduct as an independent state agency whose purpose is to investigate complaints of alleged unethical conduct by judicial officers and to prosecute, when appropriate, formal charges of judicial misconduct. When a complaint is received, the Commission's preliminary process is to dismiss the complaint upon initial screening or refer to disciplinary counsel for a preliminary investigation. Often complaints are resolved and dismissed at the preliminary investigation stage after a review of the recordings of in court proceeding and other court records that relate to the complaint.

Records of all juvenile adoption, dependency, severance and other related proceedings are closed to the public as provided by law unless opened by court order (Supreme Court Rule 123(d)(1)(B). Rules of Juvenile Court 47(a)). The digital recordings of juvenile proceedings constitute court records subject to confidentiality rules. When the Commission on Judicial Conduct receives a complaint against a judicial officer arising from an adoption, dependency or severance case, the Rules cited above prevent the Commission from reviewing recordings of court proceedings and other records that might otherwise result in prompt resolution of the complaint without need for further investigation.

Supreme Court Rule 123(c)(6) provides that employees of state agencies serving a public purpose may be granted such access to court records as required to serve that purpose as provided by court order. The Commission on Judicial Conduct is an agency serving a public purpose.

IT IS THEREFORE ORDERED that the Juvenile Department may provide to the Commission on Judicial Conduct such access to records in juvenile cases, including digital recordings of juvenile court proceedings, as needed by the Commission to investigate complaints of judicial misconduct.

IT IS FURTHER ORDERED that the records and information shall remain confidential for all purposes and to all other persons as required by law, or as otherwise ordered by a court of competent jurisdiction.

DATED this 1 day of October, 2021.



HON. DAN R. SLAYTON
Presiding Judge