

2022 SEP 22 AM 8:07

WS

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

IN THE MATTER OF IMPLEMENTING )  
LIFETIME INJUNCTIONS ESTABLISHED )  
BY SENATE BILL 1653 AND CHAPTERED ) ADMINISTRATIVE ORDER  
IN NEW SECTION 13-719 )  
\_\_\_\_\_ ) No. 2022 – 000 91

**WHEREAS**, the Presiding Judge of the Superior Court of Arizona in and for Pinal County is the chief judicial officer of the county and has administrative authority over all courts in Pinal County, pursuant to Article VI of the Arizona Constitution and Arizona Supreme Court Administrative Order No. 2017-79;

**WHEREAS**, Senate Bill 1653 enacted Section 13-719 and directs a sentencing judge to order a lifetime injunction against a defendant to prohibit victim contact, but only when convicted of certain enumerated offenses and if requested (1) by a victim or prosecutor at the time of sentencing or (2) by a victim who files a petition for a qualifying sentence imposed prior to the effective date of this law, September 24, 2022;

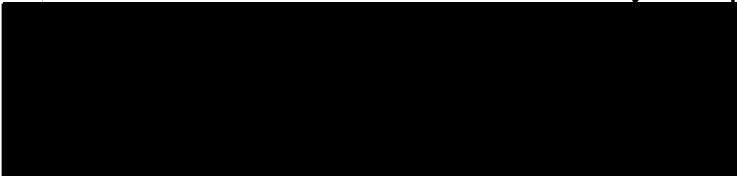
**NOW, THEREFORE, IT IS ORDERED** that court staff and prosecuting agencies shall implement this law, effective immediately, as follows:

1. Pinal County Adult Probation shall evaluate and report to the sentencing judge (as a standard component of any future presentence, disposition or short-form report, as well as any unofficial recommendation) whether a lifetime injunction is statutorily authorized for any conviction, pursuant to section 13-719, and whether a victim or prosecutor has indicated an intent to request a lifetime injunction at the time of sentencing.<sup>1</sup>
2. During sentencing (which includes any disposition hearing) where a lifetime injunction is granted, Pinal County Adult Probation shall prepare a proposed form of order for the judge's signature, using a standard multipart form that is approved by the Criminal Presiding Judge and Clerk of the Court, which will be served on the defendant in open court, as directed by the sentencing judge, and memorialized in the minutes or judgment prepared by the Clerk of the Court.

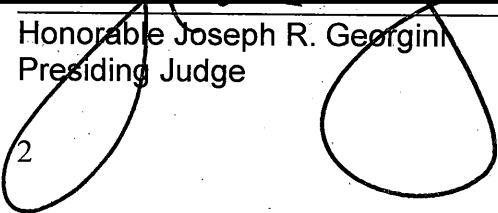
<sup>1</sup> Reporting shall be included in the "Recommendations" section of any of the above-referenced reports, similar to the information provided on the subject of restitution, identifying whether or not the offenses qualify for the issuance of a lifetime injunction, as well as any information gleaned during the presentence investigation concerning whether a victim or prosecutor has indicated an intention to request a lifetime injunction at the time of sentencing.

3. If a prosecutor requests a lifetime injunction at the time of sentencing, the prosecutor shall provide to the courtroom clerk at sentencing a victim information sheet concerning any victim for which a lifetime injunction is requested, using a standard form that is approved by the Clerk of the Court. If the prosecutor is unable to provide the required victim information sheet at sentencing, the prosecuting agency is responsible for any required notice to the victim (since that office is more likely to have access to victim contact information), until a victim information sheet is filed with the Clerk of the Court.
4. If a victim or authorized victim representative requests a lifetime injunction at the time of sentencing, the victim or authorized victim representative shall provide to the courtroom clerk a completed victim information sheet at sentencing; and if a victim information sheet is not provided at sentencing, the victim is deemed by the court to waive any right to notice from the court, until the required victim information sheet is filed. The courtroom clerk shall have blank victim information sheets as a standard form that is available during sentencing.
5. If a victim or authorized victim representative requests a lifetime injunction against a defendant who was sentenced before September 24, 2022, a completed petition and victim information sheet must be filed at the same time with the Clerk of the Court, and the forms must be substantially similar to the standard forms adopted by the supreme court. The Clerk of the Court shall file that petition in the original criminal case and shall physically or electronically provide the petition to the sentencing judge, if still assigned to the Criminal Bench, or to a newly assigned judge, using the common assignment matrix to make the reassignment. The assigned judge shall issue the lifetime injunction as soon as practicable, if the Petitioner is statutorily eligible for the requested injunction.
6. The Clerk of the Court shall file under seal any victim information sheet and, if a petition includes any confidential victim information, the Clerk of the Court shall also file the petition under seal and shall redact a copy of the petition to receive in the court file for public inspection.

**Dated, Signed, and Filed this 21st day of September 2022**



Honorable Joseph R. Georgini  
Presiding Judge



Original: Clerk of the Superior Court

Copies: Judges, Pinal County

Kent Volkmer, Pinal County Attorney

Rebecca Padilla, Clerk of the Court

Leo Lew, County Manager

Catherine Whelan, Indigent Defense Services

Kate Milewski, Public Defender

Todd Zweig, Court Administration

Rod McKone, Adult Probation Department

David Rodriguez, Chief Criminal Deputy County Attorney

Victims' Assistance Program

Odette Apodaca, Chief Deputy