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BY MP
DEPUTY

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

**IN THE MATTER OF SEALING ARREST,
CONVICTION AND SENTENCING RECORDS)
ESTABLISHED BY SENATE BILL 1294 AND)
CHAPTERED IN A.R.S. § 13-911)**

ADMINISTRATIVE ORDER

No. 2023-00 018

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; and

WHEREAS, Senate Bill 1294 enacted Section §13-911 and allows a person to file a petition to seal all case records related to a criminal offense if the person was:

1. Convicted of a criminal offense and has completed all of the terms and conditions of the sentence that was imposed by the court, including the payment of all monetary obligations and restitution to all victims.
2. Charged with a criminal offense and the charge was subsequently dismissed or resulted in a not guilty verdict at a trial.
3. Arrested for a criminal offense and no charges were filed.

WHEREAS, A.R.S. §13-911 states that a court may not grant or deny a petition to seal a person's case records until thirty calendar days after the court receives the petition unless the court receives notice that both the prosecutor and all victims who have made a request for postconviction notice do not object to the petition.;

WHEREAS, it is necessary to establish a standardized court procedure to follow when petitions are received.;

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

1. When a petition is filed, in addition to forwarding the petition to the appropriate Division, the Clerk of the Court shall notify the Department of Public Safety

and request a Criminal History report. A copy of the petition shall be forwarded to the County Attorney's Office and the Adult Probation Department.

2. Upon receipt of the Criminal History Report from the Department of Public Safety, the Clerk's Office shall file the report under seal, and forward a copy of the report to the Adult Probation Department.
3. Once the Court has issued an Initial Notice/Ruling on the pending Petition to Seal, the Court's Judicial Assistant will provide a copy of the Notice to the Adult Probation Department.
4. Adult Probation shall review the criminal history report, prepare a summary and complete a report (on a form approved by the Presiding Criminal Judge) so the Court can determine if the petition to seal arrest, conviction and sentencing records is statutorily authorized. This report shall be forwarded to the appropriate Division.

IT IS FURTHER ORDERED that if a petition to seal arrest, conviction and sentencing records is granted, the court shall issue and order sealing all records relating to the petitioner's arrest, conviction and sentence and directing the Clerk of the Court to notify the Department of Public Safety and the County Attorney's Office of the sealing order.

DATED this 2nd day of March, 2023


Honorable Jason R. Holmberg
Criminal Presiding Judge


Honorable Joseph R. Georgini,
Presiding Judge

Filed: Clerk of the Court

Copies to:
All Superior Court Judges
Rebecca Padilla, Clerk of Court
Saul Schoon, Chief Adult Probation Officer
Kent Volkmer, County Attorney
David Rodriguez, County Attorney's Office
Kate Milewski, Public Defender
Cathryn Whalen, Public Defense Services

