

**COMMISSION ON TECHNOLOGY**  
**Agenda Information/Action Item**  
**Meeting Date: November 6, 2009**

<i>Agenda Item:</i>	<i>Type of Action Requested:</i>
<b><u>PROPOSED ACJA CODE SECTIONS RELATED TO RULE 123 REVISIONS</u></b>	<input checked="" type="checkbox"/> Formal Action/Request <input type="checkbox"/> Information Only <input type="checkbox"/> Other

<b>FROM:</b>
<i>Ms. Melinda Hardman, AOC Court Services Division</i>
<b>SUMMARY:</b>
<p>Ms. Melinda Hardman has staffed the Rule 123 Advisory Committee from its inception. The committee feels that appropriate guidance needs to be provided to enact the changes being proposed in the latest revision to Rule 123, especially in the areas of remote access to case records, establishing fees for access, dealing with bulk records, and using a provider for creating specialized reports. Drafts of three proposed code sections were made available for members' review (ACJA §1-604, §1-605, and §1-606). Melinda is requesting that COT approve the content of the sections.</p>
<b>STAFF RECOMMENDATION:</b>
<p>"Providing Case Record Access to Public Agencies and Public Purpose Organizations," ACJA § 1-606, is entirely new to COT. Members previously recommended approval of §§ 1-604 and 1-605, but minor modifications have been made since that time, warranting another review. Staff has no opinion regarding the specific content of the proposed code sections. The Arizona Judicial Council requires proposed code sections to be reviewed and commented upon by all subcommittees prior to adoption.</p>
<b>ACTION OPTIONS:</b>
<ol style="list-style-type: none"> <li>1. Approve the content of the proposed code sections, as recommended by the Rule 123 Advisory Committee.</li> <li>2. Approve the concept of the proposed code sections, but with changes in content, as documented.</li> <li>3. Disapprove the proposed code sections, providing further direction concerning specific requirements related to enacting the Rule 123 changes.</li> <li>4. Table the discussion concerning implementation of the Rule 123 changes until a later time.</li> </ol>