

COCHISE COUNTY LIMITED JURISDICTION COURTS RECORDS SEARCH POLICY & PROCEDURE

INTRODUCTION

Court records must be open and accessible to the public, with limited exceptions, in accordance with the Rules of the Supreme Court. In order to uniformly comply with requests for information contained in court records, the Cochise County Limited Jurisdiction Courts Records Search Policy & Procedure has been established. The court may assess certain fees if research¹ must be conducted to provide access to certain court records. Persons requesting information may be referred to the Public Access website at <https://apps.supremecourt.az.gov/publicaccess/>

Members of the media researching a case for the purpose of reporting specific information to the public, shall not be subject to research fees.

POLICY

Requests for public records must be made in person or in writing. Telephone requests will not be accepted. Each file must be reviewed and the following confidential information must be redacted prior to inspection or copying of the file:

- Social Security Number
- Credit Card Information
- Financial Account Numbers
- Credit Reports
- Judicial Work Product (Notes)
- Victim Information (including victim information in probable cause statements and affidavits)
- Criminal History Records
- Information Sealed by Superior Court Order
- Medical or Psychological Records

RECORDS SEARCH REQUESTS

Requests for court records must be submitted on the “Request for Court Records” form. Requests shall be completed within 7 to 10 working days. There will be no charge assessed for requests made in person that include case essential information (name and case number); however, requests for court records for commercial² purposes shall be assessed a fee of \$28 per record. A direct party of an open or current case will not be charged a research or clerk fee.

All requests that require a name search in order to obtain case information will be subject to a research fee of \$28.00 (A.R.S. 22-281 & 22-404) and may include up to three names per request or three cases per name. Requests made in person or in writing for more than three names or cases shall be assessed a one-time additional \$28 Clerk Fee³. Requests for records that are not in the active files⁴ will be charged an additional \$28.00 Clerk Fee. Fees for records search requests shall not be waived and shall be paid prior to the commencement of the search.

¹ Research – assistance on behalf of the public in determining the specific case to be located

² Commercial Purposes – the use of a public record for the purpose of sale or resale or solicitation or any other purpose that may result in monetary gain

³ Clerk Fee - performing any act for which a fee is not specifically prescribed (22-281)

⁴ Active Files - open and closed cases that are readily accessible from the court’s on-site file room

Any request that requires programming to compile and format the information shall be assessed a fee of \$56 per hour for required programming, a \$28 research fee and a \$28 clerk fee. Once the programming is complete, future requests for the same report will have a standard \$56 research and clerk fee applied. Any changes requested in an existing report may require additional programming fees.

Additional fees will apply for:

Purge letters	\$28.00
Certification	\$28.00
Payment History Report	\$28.00
Audio Recordings	\$28.00
Duplication of a Record (DUI Packet/Court Abstract)	\$28.00
Copies	\$.50 per page

Fee Exemption:

A. No research or clerk fee shall be charged to any of the following (A.R.S. 12-304):

1. The state, a county, city or town or political subdivision of a county
2. A commission, board or department of the state, a county, a city, a town or a political subdivision of a county
3. An official of the state, county, city, town or political subdivision of a county, who is a party to an action in his official capacity

B. No research or clerk fee shall be charged to any federal (including military) agency

C. No research or clerk fee shall be charged to court appointed attorneys

All records searches are subject to the availability of the record in accordance with the Supreme Court Records Retention and Disposition Schedule (Rule 29D, Rules of Supreme Court.)

High Volume Requests Fees Applied:

- Requests that require programming to compile and format the information shall be assessed a Fee of \$56 per hour of required programming, a \$28 Research Fee and a \$28 Clerk Fee.
- Once the programming is complete, future requests for the same report will have a standard \$28 Research and Clerk Fee applied. Any changes requested in an existing report may require additional programming fees.

Note: Court data base is not capable of providing a list of cases with an outstanding judgment, because data entry may not be complete or satisfaction of judgment was not filed. Requestor must supply parameters to compile and format list of cases to be pulled. For example: date range, type of case(s), etc. There is a limit on the number of files a court will pull for inspection each day. The fee of \$28 per case will apply to each case pulled, regardless of whether the case meets your needs.

Receipting:

- a. Event codes:
 - 5937 - Clerk fee, \$28.00
 - 5961 - Record duplication/audio fee, \$28.00
 - 5964 - Research/ locate document fee, \$28.00
 - 5965 - Payment History report fee, \$28.00
 - 5942 - Copies, \$0.50/page
- b. Use Quick Receipt if a case number is available
- c. Use Miscellaneous Receipt only if no record is located within the court
 - i. If a miscellaneous receipt was issued and the search is not attached to a record, the receipt/ record search needs to be kept for 3 years

