

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MARICOPA**

IN THE MATTER OF ADMINISTRATIVE)
OFFICE OF THE COURTS AND)
FEDERAL BUREAU OF INVESTIGATION) ADMINISTRATIVE ORDER
ACCESS TO INFORMATION) No. 2024-004
CONTAINED IN MENTAL HEALTH)
CASES)

WHEREAS, Supreme Court Rule 123(d) limits the mental health case information that can be disclosed by the Clerk of Superior Court to the general public; and

WHEREAS, A.R.S. § 13-609 and A.R.S. § 36-540 require the Superior Court to transmit mental health case information to the Supreme Court when there is a finding of incompetency, a finding of competency subsequent to a finding of incompetency, a finding of guilty except insane, or an order for court ordered treatment; and

WHEREAS, A.R.S. § 13-609 and A.R.S. § 36-540 require the Supreme Court to transmit the above mentioned mental health case information to the Department of Public Safety for further transmittal to the National Instant Criminal Background Check System ("NICS"); and

WHEREAS, the Federal Bureau of Investigation ("FBI") administers the NICS system; and

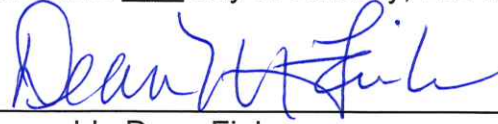
WHEREAS, the FBI is conducting an audit of Arizona's compliance with the NICS program at the Administrative Office of the Courts ("AOC") commencing on January 9, 2024; and as part of the audit wishes to validate the NICS Index entries associated with Maricopa County Superior Court against actual mental health court orders; and

WHEREAS, to comply with the audit request, the AOC has requested the Clerk of the Superior Court of Maricopa County to provide access to certain mental health records beginning on January 9, 2024;

IT IS THEREFORE ORDERED granting access to mental health court orders to the AOC and FBI auditors for the limited purpose of conducting the audit of Arizona's compliance with the NICS program.

IT IS FURTHER ORDERED that access to the mental health records by the AOC and FBI auditors will end upon the completion of the audit, and there will be no further dissemination of any mental health records beyond the use in the audit itself.

Dated this 4th day of January, 2024.



Honorable Dean Fink
Probate and Mental Health Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. Joseph C. Welty, Presiding Judge
Hon. Jeff Fine, Clerk of the Superior Court
Raymond Billotte, Judicial Branch Administrator
Shawn Friend, Deputy Court Administrator
Brian Bledsoe, Probate and Mental Health Department Administrator