

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

IN THE MATTER OF PROCESSING
MOTIONS FILED TO SEAL OR UNSEAL
FORM IV RELEASE QUESTIONNAIRES

ADMINISTRATIVE ORDER
No. 2025-074

A Form 4 Release Questionnaire (commonly referred to as a "Form IV") is issued pursuant to Rule 4 of the Rules of Criminal Procedure, using the format and requirements outlined in Rule 41. Typically, law enforcement submits this document to the Criminal Department's Initial Appearance ("IA") Court prior to the filing of formal charges (i.e., during pre-file (PF) status) to assist commissioners in determining whether probable cause exists to take a defendant into custody and in setting appropriate release conditions. A Form IV is normally a public record, whether PF or not. A Form IV may also be presented as a Page 2 Warrant and may include additional pages (addenda) when a narrative or response exceeds the designated space on the form.

Generally, when a prosecutor files official or formal charges—either through a Direct Complaint or an Indictment—the prosecutor re-submits a Form IV with the Clerk of the Superior Court ("Clerk of Court"). During the pre-file (PF) stage, the Superior Court serves as the custodian of all Form IVs; however, once formal charges are filed by the prosecutor, the matter is no longer in PF status and is assigned a criminal case number by the Clerk of Court. At that point, the IA Court officially submits its Form IV to the Clerk of Court for filing into the criminal case, and custody of the Form IV transfers to the Clerk of Court. As a result of this process, criminal case dockets often contain two Form IVs: one submitted by the IA Court and another submitted by the prosecutor with the Direct Complaint or Indictment. These may be identical copies of the same Form IV, or they may be two different Form IVs.

The Criminal Department acknowledges that parties such as prosecutors, defendants, defense counsel, or victims may request the sealing of a Form IV for good cause. Additionally, the parties involved in the case—or other interested third parties—may also request that a previously sealed Form IV be unsealed. The manner in which the Criminal Department processes these requests depends on the timing of when the request is made.

When a party moves to seal the PF Form IV during an initial appearance hearing and the request is granted, IA Court staff promptly initiate the sealing process. Their actions also ensure that the document is not transmitted to the Clerk of Court, thereby preventing the sealed PF Form IV from ever becoming part of the official case file.

In consideration of the foregoing procedures, and to ensure that orders to seal or unseal Form IVs are carried out consistently and accurately;


IT IS ORDERED that when requests to seal a PF Form IV and its addenda are made after the initial appearance hearing but before charges are formally filed—and the request is granted—the IA Court will seal the PF Form IV and all addenda to the PF Form IV.

IT IS FURTHER ORDERED that when requests to unseal a PF Form IV and its addenda are made after the initial appearance hearing, but before formal charges are filed—and the request is granted—the IA Court shall unseal the Form IV and make it publicly accessible.

IT IS FURTHER ORDERED that when requests to seal or unseal a Form IV and its addenda are made after charges have been formally filed, the moving party must (1) file a motion in the criminal case identifying the file date(s) and specific docket-identifying number(s) of the document(s) the moving party is requesting be sealed or unsealed and (2) submit a draft order that reflects those docket numbers. In instances where the PF Form IV was originally sealed by the IA Court and a criminal case has since been established and assigned to a non-IA Court judicial officer, and the judicial officer orders the PF Form IV and all attachments unsealed, the IA Court shall transmit the PF Form IV and all attachments to the Clerk of Court for docketing into the Criminal case.

IT IS FURTHER ORDERED that this Order shall replace Administrative Order 2025-036.

Dated this 12 day of May, 2025.



Hon. Jennifer E. Green
Criminal Presiding Judge

Original: Clerk of the Superior Court

Copies: Hon. Joseph Welty, Presiding Judge
All Criminal Department Judges and Commissioners
Raymond L. Billotte, Judicial Branch Administrator
Bob James, Deputy Court Administrator
Nicole Garcia, Criminal Department Administrator
Valerie Coleman, Office of the Clerk of the Superior Court
Michael Nimtz, Office of the Clerk of the Superior Court