

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

IN THE MATTER OF REQUIRING)	
AN ADDRESS NOTIFICATION PROVISION)	
IN ALL REGISTRAR'S STATEMENTS AND)	ADMINISTRATIVE ORDER
COURT ORDERS THAT APPOINT)	NO. 2011-108
FIDUCIARIES IN CASES BROUGHT UNDER)	
TITLE 14, ARIZONA REVISED STATUTES)	
_____)	

On January 1, 2009, the Local Rules of Practice for the Superior Court in Maricopa County, Rules 5.1 through 5.19 pertaining to Probate and Mental Health cases, were abrogated following the implementation of the Arizona Rules of Probate Procedure by the Arizona Supreme Court. [See Arizona Supreme Court Rule R-07-0012, adopted on September 16, 2008, and Maricopa County Superior Court Administrative Order 2008-160, *In the Matter of Rescinding Rule 5, Local Rules of Practice for Maricopa County Pertaining to Probate and Mental Health Cases.*]

Former Maricopa County Local Rule 5.10 required that all fiduciaries appointed pursuant to Title 14, Arizona Revised Statutes, must notify the Court of any change of address involving the fiduciary, the incapacitated person or the protected person. In addition, Local Rule 5.10(b) mandated that “[a]ll Registrar’s Statements and Court Orders appointing fiduciaries shall contain a provision requiring [such] notice.”

The Rules of Probate Procedure, Rule 10(C)(1)(c) provides that a fiduciary shall “file an updated probate information form that contains the information required by Rule 6 of these rules within ten days after any changes in such information, except that if the ward's physical address changes, the ward's guardian shall file the updated probate information form within three days of learning of the change in address.” The purpose of Rule 10(C)(1)(c) is to mandate that fiduciaries promptly notify the Court whenever the address of the fiduciary, incapacitated person or protected person has changed.

In order to emphasize and reinforce the duty of an appointed fiduciary to comply with the provisions of Rule 10(C)(1)(c), the Court requires that every Registrar’s Statement and Court Order appointing a fiduciary shall contain a statement substantially similar to the following:

The fiduciary [Guardian, Conservator or Personal Representative] shall give written notice to the Court of any change in the fiduciary’s address [within ten days] and/or any change in the physical address of the incapacitated person or protected person [within three days] pursuant to the requirements of Rule 10(C), Arizona Rules of Probate Procedure.

Based on the forgoing, and good cause appearing,

IT IS ORDERED that every Registrar's Statement and Court Order appointing a fiduciary shall contain a statement substantially similar to the following:

The fiduciary [Guardian, Conservator or Personal Representative] shall give written notice to the Court of any change in the fiduciary's address [within ten days] and/or any change in the physical address of the incapacitated person or protected person [within three days] pursuant to the requirements of Rule 10(C), Arizona Rules of Probate Procedure.

IT IS FURTHER ORDERED that the Probate Registrar and Probate Clerk shall comply with the provisions of this Administrative Order and are authorized to reject any form of Registrar's Statement or Order of Appointment that does not comply with this Administrative Order. Alternatively, the Probate Registrar and Probate Clerk may insert into any Registrar's Statement or Order of Appointment the required language set forth above by using a stamp or label for this purpose.

IT IS FURTHER ORDERED that this Administrative Order expires automatically without further Order on a date ten (10) years from the date of issuance in accordance with Arizona Administrative Code, Section 3-402(C), unless sooner modified, amended or replaced.

DATED this 8th day of August, 2011.

Honorable Rosa Mroz
Presiding Judge for Probate and Mental Health

Original: Filed with Clerk of the Court

Copies: Hon. Norman Davis, Presiding Judge
Marcus Reinkensmeyer, Judicial Branch Administrator
Michael K. Jeanes, Clerk of the Court
Elizabeth Evans, Probate Court Administrator