

INSTRUCTIONS

Affidavit in Support of Application to Restrict Public Access to Personal Information (For use by persons protected by an order of protection/injunction against harassment)

USE THIS FORM IF:

- You are a person protected by an order of protection or injunction against harassment, and are eligible to apply for the relief afforded by either A.R.S. §§ 11-483, 11-484, 16-153, and/or 28-454, and
- You can show facts sufficient to establish that either your life or safety or the life or safety of your family or other person living at your primary residence is in danger of physical harm and that granting the public access restrictions specified in these statutes will reduce this danger.

TO COMPLETE THIS FORM, YOU WILL NEED:

- A. A copy of your order of protection or injunction against harassment; and
- B. To restrict public access to your identifying information and documents in property-related records maintained by the County Recorder, Assessor or Treasurer:
- The full legal description and book, map, and parcel number of your home.
 - The document locator number and date of recordation of each document on file with these agencies that you want to protect, and
- C. To restrict public access to your identifying information and documents in voter registration records:
- The full legal name and date of birth of everyone with whom you reside whose voting records you wish to have protected. In some circumstances, you also may need to attach new voter registration forms (see information under item 11 below).
- D. To restrict public access to your identifying information and documents in Motor Vehicle Division (MVD) records:
- The date of birth and driver's license number or state identification number for yourself and anyone with whom you reside whose MVD records you wish to have protected, this may include business entities that use your home address to conduct their affairs.

HOW TO COMPLETE THE AFFIDAVIT FORM:

TYPE OR PRINT NEATLY USING **BLACK INK**. THIS IS AN OFFICIAL MANDATORY FORM, DO NOT ALTER THE FORMAT, PAGINATION, OR LINE NUMBERING, OR SUBMIT THIS FORM AS A DOUBLE-SIDED DOCUMENT. You may add extra pages if needed to provide complete information under any item.

All applicants must provide the information required in items 1 - 4, item 5 (if applicable), 6 and 7.

- A. Complete items 8 and 9 if you want to restrict public access to your property-related records maintained by the County Recorder, County Assessor, and County Treasurer.

- B. Complete item 10 if you want to restrict public access to your voting records; you may also need to include new voter registration forms (see instructions below).
- C. Complete items 11 and 12 if you want to restrict public access to your MVD records.

Match each numbered item in the instructions with the same numbered item on the affidavit.

1. Fill in your full legal name.
2. Check the box for each type of record you are seeking to protect.
3. Attach a copy of your order of protection or injunction against harassment.
4. Explain why you believe your life or safety or that of someone who lives with you is in danger of physical harm.
5. If you want the court to act immediately on your affidavit, explain why immediate protection is needed. Applicable statutes provide that in the absence of a request for immediate action supported by facts justifying an earlier consideration, the presiding judge may rule on your request at the end of each quarter.
6. Explain why the danger you described in item 4 will be reduced by restricting public access to your identifying information and documents in the public records you identified in item 2.
7. Fill in your home address. This must be the address of your primary residence, not a secondary property you own or use only occasionally.
8. If you want to protect property-related records maintained by the County Recorder, Assessor, and/or Treasurer, provide the parcel number, book, map, and full legal description of your primary residence.
9. If you want to protect property-related records maintained by the County Recorder, Assessor, and/or Treasurer, provide the document locator number and recording date of each instrument to be redacted. The document locator number is also known as the recording number.

PLEASE NOTE: Do not include records that identify only your spouse or some other owner of the property where you reside. You are responsible for ensuring that all your records are listed. The County cannot withhold any documents that you have not identified in your affidavit.

10. You have the option of requesting that your household members' identifying information and documents be protected from public access in voting records. To do this, fill in the full name and birth date of each person to be protected on the lines provided. Check the box next to each name if you want to add these individuals to the Permanent Early Voting List (PEVL). You may be required to attach a completed voter registration form for yourself and these individuals (see below for more information):

PLEASE NOTE: There are two circumstances in which new voter registration forms need to be attached to this affidavit:

- A. **If addresses are changing from what is currently on the voter registration form.** The elections office needs to be able to contact voters by mail; therefore, if there is an address change you need to

attach to your affidavit a new voter registration form for each person in the household whose information will be protected. The new registration forms must include a home address (which will be redacted). You have the option to provide an alternate “mailing” address on the voter registration form such as an office address or P.O. Box. If no alternate address is listed, your election materials will be mailed to the residence address on file. *Do not use your employer’s mailing address for any members of your household, if your employer has not agreed to accept mail on their behalf. If a mailing from the elections office is returned by the Post Office for incorrect address, the household members’ names will be moved to an “inactive” voter list, and they may no longer receive election materials by mail, including mail-in ballots.*

B. If you want to add yourself or your household members to the Permanent Early Voter List (PEVL). If your request for protection is granted you should always vote by mail in the future to maintain that protection. Should you go to the polls to vote, you will have to vote a provisional ballot, and a publicly-accessible record of voter information will be created which the registrar will not be able to protect. The PEVL is a way for voters to automatically receive an early ballot by mail for all elections in which the county voter registration rolls are used to prepare the voter list. A new voter registration form is necessary to be added to the PEVL. *Participation in the PEVL is merely a convenience for voters and is **not a requirement** for receiving record protection.*

11. If you want to protect your MVD records, provide your name, birth date, and driver’s license number or state identification number. PLEASE NOTE: your MVD record cannot be withheld without your driver’s license or state identification number.

12. You have the option of requesting that your household members’ addresses and phone numbers be protected from public access in MVD records, including legal entities such as a corporation, partnership, or trust that uses your home address and be the registered owner of a motor vehicle. Type or print the full name, birth date and driver’s license or state identification number of each person whose records you want to protect. For legal entities, provide the entity’s name and the customer number issued by MVD to that entity. If any household members you list are employed as peace officers, they should complete their own affidavits to ensure that MVD will restrict public access to their photograph pursuant to A.R.S. § 28-454(I).

WHEN YOU HAVE COMPLETED THE AFFIDAVIT:

Date and sign the affidavit in the presence of a notary public. File your affidavit and all necessary attachments with the presiding superior court judge of the county in which you reside.

PLEASE BE ADVISED this process is designed to protect your identifying information and documents in a limited class of public records **ONLY**. If your application is granted, your identifying information and documents may still be publicly-accessible in other public records and commercially-available databases.

The length of time your information can be protected will vary depending on the agency involved. You are urged to read all applicable statutes and contact each of the participating agencies directly to determine the consequences and on-going responsibilities associated with restricting public access to your information.