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Attorney for Victim

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

STATE OF ARIZONA,)	NO. X
Plaintiff,)	
)	MOTION TO REMOVE
)	VICTIM'S NAME
V.)	
)	(ASSIGNED TO THE
)	HONORABLE
X)	X)
,)	
Defendant)	
)	
_____)	

_____, the Crime Victim, by and through undersigned counsel, hereby moves to remove the victim's name from the Minute Entries on the Court's website dated 5/14/2002 and 5/20/2002. This motion is made to protect the identity and privacy of the minor victim of sexual assault and sexual exploitation.

Courts often refuse to use the name of a minor victim in order to protect their privacy interests. *See State v. Tschilar*, 200 Ariz. 427, 430 n. 4, 27 P.3d 331, 334 (2001); *see also State v. Gilfillan*, 196 Ariz. 396 n. 1, 998 P.2d 1069 (2000). Under the Arizona Constitution, "a victim

of a crime has a right . . . to be free from intimidation, harassment, or abuse, throughout the criminal justice process.” Az. Const. art. 2 § 2.1(A)(1).

In order for the Court to guarantee that the victim is free from harassment and intimidation, it must remove the victim’s name from the minute entries on the Court’s website. The entire world has access to this website without restrictions placed on sexual predators. The victim fears that another sexual predator may view the website in order to gather information about vulnerable victims. The victim’s name on the website therefore directly causes the victim to feel intimidated and harassed by the criminal justice system.

The privacy interests of the victim are essentially important when the court is dealing with minor victims of sexual abuse. Sexual predators actively seek out adolescent victims. The victim is fearful that she will be targeted as a victim of a sexual crime if other predators are made aware of this status. The victim respectfully requests this Court to adopt the practice used in *Tschilar* and *Gilfillan*, and protect the privacy of the minor victim by removing her name from public court records.

Respectfully submitted this _____ day of _____, 2002.

By _____
X
Attorney for Crime Victim
Victim’s Legal Assistance Project

Copies of the foregoing faxed
this 2nd day of October,
2002 to:

The Honorable X
Judge of the Superior Court
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