

SUPREME COURT OF ARIZONA

In the Matter of ) Arizona Supreme Court  
 ) No. R-14-0003  
RULE 5(c)(2) and 6(e), )  
RULES OF CIVIL PROCEDURE )  
 )  
 ) **FILED 09/02/2014**  
 )  
 )  
\_\_\_\_\_ )

**ORDER**  
**AMENDING RULES 5(c)(2) AND 6(e) OF**  
**THE ARIZONA RULES OF CIVIL PROCEDURE**

A petition having been filed proposing to amend Rules 5(c)(2) and 6(e) of the Arizona Rules of Civil Procedure, and a comment having been received, upon consideration,

IT IS ORDERED that Rules 5(c)(2) and 6(e) of the Arizona Rules of Civil Procedure be amended in accordance with the attachment hereto, effective January 1, 2015.

DATED this 2<sup>nd</sup> day of September, 2014.

\_\_\_\_\_  
SCOTT BALES  
Chief Justice

Arizona Supreme Court No. R-14-0003  
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TO:  
Rule 28 Distribution  
David K Byers  
John A Furlong

**ATTACHMENT<sup>1</sup>**

**ARIZONA RULES OF CIVIL PROCEDURE**

**Rule 5. Service and filing of pleadings and other papers**

\* \* \*

**Rule 5(c). Service after appearance; service after judgment; how made.**

(1) *Serving an Attorney.* If a party is represented by an attorney, service under this rule must be made on the attorney unless the court orders service on the party.

(2) *Service in General.* A paper is served under this rule by:

(A) handing it to the person;

(B) leaving it:

(i) at the person's office with a clerk or other person in charge or, if no one is in charge, in a conspicuous place in the office; or

(ii) if the person has no office or the office is closed, at the person's dwelling or usual place of abode with someone of suitable age and discretion who resides there;

(C) Mailing it via U.S. mail to the person's last known address--in which event service is complete upon mailing; ~~or~~

(D) Delivering the paper by any other means, including electronic means other than that described in subsection (E), if the recipient consents in writing to that method of service or if the court orders service in that manner—in which event service is complete upon transmission; or

(E) Transmitting the paper through an electronic filing service provider approved by the Administrative Office of the Courts, if the recipient is an attorney of record in the action—in which event service is complete upon transmission.

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<sup>1</sup> Changes or additions in rule text are indicated by underscoring and deletions from text are indicated by ~~strikeouts~~.

**Rule 6. Time**

\* \* \*

**Rule 6(e). Additional time after service under Rule 5(c)(2)(C), ~~or (D)~~, or (E)**

Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon the party and the notice or paper is served by a method authorized by Rule 5(c)(2)(C), ~~or (D)~~, or (E), five calendar days are added after the prescribed period would otherwise expire under Rule 6(a). This rule has no application to the distribution of notice of entry of judgment required by Rule 58(e).