

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-16-0007
RULE 8.4, RULES OF CRIMINAL)
PROCEDURE)
)
)
) **FILED: 09/02/2016**
_____)

**ORDER
AMENDING RULE 8.4, RULES OF CRIMINAL PROCEDURE**

A petition having been filed proposing to amend Rule 8.4, Rules of Criminal Procedure, and comments having been received, upon consideration,

IT IS ORDERED that Rule 8.4, Rules of Criminal Procedure, be amended in accordance with the attachment hereto, effective January 1, 2017.

DATED this 2nd day of September, 2016.

_____/s/_____
SCOTT BALES
Chief Justice

Arizona Supreme Court No. R-16-0007

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To:

Rule 28 Distribution

Hon Sam J Myers

Elizabeth B Ortiz

Mikel Steinfeld

Mark C Faull

ATTACHMENT*

RULES OF CRIMINAL PROCEDURE

Rule 8.4. Excluded Periods

The following periods ~~shall be~~ are excluded from the computation of the time limits set forth in Rules 8.2 and 8.3:

- a. Delays occasioned by or on behalf of the defendant, including, but not limited to, delays caused by an examination and hearing to determine competency or intellectual disability, the defendant's absence or incompetence, or his or her inability to be arrested or taken into custody in Arizona. If a finding by the court that the defendant is competent or has been restored to competency or is no longer absent occurs within 30 days of the time limits set forth in Rules 8.2 and 8.3, an additional period of 30 days is excluded from the computation of the time limits.

(b) through (g) [No change]

*Additions are shown by underlining; deletions by ~~strikeouts~~.