

# NEWS RELEASE

ARIZONA SUPREME COURT

ADMINISTRATIVE OFFICE OF THE COURTS

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September 7, 2016

## **Arizona Supreme Court Approves Rewriting of Rules of Civil Procedure**

PHOENIX – As part of its annual review of proposed changes to court rules, the Arizona Supreme Court has approved a comprehensive restyling of, and other amendments to, the Arizona Rules of Civil Procedure. These rules govern civil cases filed in the superior courts throughout Arizona.

The amendments reflect the most comprehensive revision of Arizona’s civil rules in nearly fifty years. They are based on recommendations made by the [Task Force on the Arizona Rules of Civil Procedure](#), which Chief Justice Scott Bales established at the end of 2014 with the charge of identifying possible changes that would help clarify and simplify the rules.

The 17-person committee, co-chaired by attorneys William G. Klain and David Rosenbaum, included lawyers, judges, and court personnel from throughout Arizona and different practice backgrounds. Working thousands of hours over two years, the Committee submitted its final recommendations to the Arizona Supreme Court this past summer.

Chief Justice Bales praised the Task Force’s work, noting, “Arizona’s court rules should be as clear and concise as possible for the benefit of litigants, lawyers, and judges. Rewriting the rules to achieve these goals is tremendously difficult, and the Task Force members did an extraordinary job that will improve justice across our state.”

The restyling chiefly aims at rewriting the rules to make them easier to use and understand. The amendments, however, also make some substantive changes, including:

- Generally requiring service of process within 90 days after the filing of a complaint to prompt the timely progress of cases (Rule 4)
- Updating Arizona’s rules regarding class actions (Rule 23)
- Following the model of recent amendments to federal rules regarding the scope and limits of discovery, including the requirement that discovery be proportional to the needs of the case (Rules 16 and 26.1)
- Adopting new rules regarding the preservation, disclosure, and discovery of electronically stored information or “ESI” (Rules 26.1, 37(g), and 45)
- Requiring parties to specify whether they are withholding documents under an objection (Rule 34)

The rule amendments will generally become effective on January 1, 2017, and will apply to cases filed after that date and, except to the extent a court orders otherwise, pending cases.

The restyling of the Arizona Civil Rules of Procedure furthers one of the goals of the Arizona Supreme Court’s [Strategic Agenda](#). Similar restyling projects have been completed for the Arizona Rules of Civil Appellate Procedure, the Rules of Protective Order Procedure, and the Justice Court Rules of Civil Procedure. A [Criminal Rules Task Force](#) is now working on proposals for the restyling of the Arizona criminal rules, and another task force is expected to begin reviewing the family law rules next year.

Also under way is an effort to identify other possible improvements in the handling of civil cases in Arizona’s courts to reduce the time and expense of litigation. Recommendations from the [Civil Justice Reform Task Force](#) are expected later this year. In addition to seeking input from Arizona judges, lawyers, and litigants, the Civil Justice Reform Task Force is reviewing recommendations from the Conference of Chief Justices’ [Civil Justice Improvements Committee](#) and the [Institute for the Advancement of the American Legal System \(IAALS\)](#) at the University of Denver, as well as innovations adopted by other courts across the United States.

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