

NEWS RELEASE

ARIZONA SUPREME COURT

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Arizona Supreme Court Approves Civil Justice Reforms

PHOENIX – As part of its annual review of proposed changes to court rules, the Arizona Supreme Court has approved procedural reforms aimed at reducing the time and expense it takes to resolve civil cases in Arizona’s superior courts.

The new procedures are based on recommendations made by the [Civil Justice Reform Task Force](#), which Chief Justice Scott Bales established at the end of 2015. Don Bivens, an Arizona attorney and the former chair of the American Bar Association’s Section of Litigation, chaired the 25-person Task Force, which also included Justice Robert Brutinel, other judges and court personnel from throughout Arizona, attorneys from various practice areas, including in-house counsel, and public members.

As part of its extensive work, the Task Force sought input from Arizona judges, lawyers, and litigants and also considered reforms adopted by courts outside Arizona and 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. The Task Force’s [final report](#) also recommended establishing a pilot project in Pima County offering short jury trials as an alternative to compulsory arbitration and improving judicial training and public information for civil cases. Those recommendations were not part of the rule changes and are otherwise being implemented.

Chief Justice Bales praised the Task Force’s work, noting, “Task Force members and court staff did an extraordinary job in identifying proposed reforms. Arizona’s courts have long been leaders in adopting innovative approaches to improve the handling of cases. The new procedures continue that tradition and respond to changes in technology and litigation practices to help ensure that our courts efficiently resolve civil disputes.”

The [rule changes](#) will become effective on July 1, 2018. Some highlights among the changes include:

- Differentiated case-management providing for case tiering and lower discovery limits for less complicated cases.
- Expedited procedures for resolving discovery and disclosure disputes.
- Revised rules regarding preservation, disclosure, and discovery of electronically stored information (ESI).
- Changes to better protect non-parties from unduly burdensome requests for information via civil subpoenas.
- New procedures to resolve disputes about the duties of parties or non-parties to preserve ESI.

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