

# MINUTES

No. 6126

*Arizona Supreme Court*  
Monday, December 11, 2017

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**R-16-0020**  
(1)

## **RULE 78, RULES OF FAMILY LAW PROCEDURE**

WOULD CONFORM THE FAMILY LAW RULE TO THE CORRESPONDING RULES OF CIVIL PROCEDURE REGARDING TIME TO REQUEST ATTORNEY'S FEES AFTER A RULING ON THE OTHER PENDING ISSUES

ORDERED: Petition to Amend Rule 78, Arizona Rules of Family Law Procedure = DENIED.

**R-16-0022**  
(2)

## **RULES OF PROCEDURE FOR EVICTION ACTIONS**

WOULD PERMIT A CHANGE OF JUDGE AS A MATTER OF RIGHT AND FOR CAUSE IN EVICTION ACTIONS IN JUSTICE COURT

ORDERED: Petition to Amend the Rules of Procedure for Eviction Actions = ADOPTED as modified, on a permanent basis.

**R-16-0040**  
(3)

## **RULES 5(a),5(b)(6),5(b)(7) et al, EVICTION ACTIONS**

WOULD REQUIRE LITIGANTS STATEWIDE TO USE COURT-APPROVED EVICTION ACTION FORMS AND AUTHORIZES THE ADMINISTRATIVE DIRECTOR OF THE ADMINISTRATIVE OFFICE OF THE COURTS (AOC) TO APPROVE, MODIFY, OR DELETE EVICTION ACTION FORMS AS MAY BE APPROPRIATE

ORDERED: Petition to Amend Rules 5(a), 5(b)(6), 5(b)(7) and Add Rules 13(h) and 20, of the Rules of Procedure for Eviction Actions = DENIED.

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**R-16-0046**  
(4)

## **APPENDIX TO ARIZONA RULES OF CRIMINAL PROCEDURE**

WOULD AMEND FORM 4(a), APPENDIX TO ARIZONA RULES OF CRIMINAL PROCEDURE, TO CREATE A UNIFORM RISK ASSESSMENT FORM TO ASSIST COURTS MAKING A LETHALITY DETERMINATION IN A DOMESTIC VIOLENCE CHARGE

ORDERED: Petition to Amend Appendix to Arizona Rules of Criminal Procedure = ADOPTED as modified, effective April 2, 2018.

**R-17-0027**  
(5)

## **RULES 15.1 and 15.4, RULES OF CRIMINAL PROCEDURE**

WOULD PROVIDE A REASONABLE PROCEDURE FOR THE DISCLOSURE OF VIDEO FROM OFFICER WORN BODY CAMERAS

ORDERED: Maricopa County Attorney's Petition to Modify Rule 15.1 and Rule 15.4, Arizona Rules of Criminal Procedure = DENIED.

**R-17-0038**  
(6)

## **RULES 61 AND 62, RULES OF JUVENILE COURT**

THE PROPOSED AMENDMENTS WOULD PERMIT THE JUVENILE COURTS TO IMPLEMENT AMENDMENTS TO A.R.S. § 8-871 AND 8-872 THAT EXTEND THE PERMANENT GUARDIANSHIP PROCESS TO PENDING DEPENDENCIES

ORDERED: Petition to Amend Rules 61 and 62, Rules of Procedure for the Juvenile Court = ADOPTED on a permanent basis.

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**R-17-0039**  
(7)

**RULES 29.1 AND 41, RULES OF CRIMINAL PROCEDURE**

THE PETITION WOULD AMEND CRIMINAL RULES 29.1 AND 41, FORM 21(a) TO ALLOW A SEX TRAFFICKING VICTIM TO ASK A MUNICIPAL COURT TO VACATE A CONVICTION HAVING ELEMENTS THE SAME AS OR SIMILAR TO A.R.S. § 13-3214

ORDERED: Petition to Amend Rules 29.1 and 41 of the Arizona Rules of Criminal Procedure = ADOPTED on a permanent basis, effective January 1, 2018.

**R-17-0040**  
(8)

**RULE 26.10, RULES OF CRIMINAL PROCEDURE**

WOULD ADD SHOPLIFTING TO THE LIST OF OFFENSES WHICH REQUIRE THE COLLECTION OF FINGERPRINTS AT SENTENCING, CONSISTENT WITH THE AMENDMENT TO A.R.S. § 13-607

ORDERED: Petition to Amend Rule 26.10 of the Arizona Rules of Criminal Procedure = ADOPTED on a permanent basis.

**R-17-0041**  
(9)

**RULES 11.2, 11.3, 11.5 AND 11.7, RULES OF CR PROC**

WOULD AMEND RULE 11, ARIZONA RULES OF CRIMINAL PROCEDURE TO IMPLEMENT NEW STATUTORY PROVISIONS CONCERNING COMPETENCY DETERMINATIONS IN CRIMINAL CASES

ORDERED: Petition to Amend Rules 11.2, 11.3, 11.5, and 11.7 of the Arizona Rules of Criminal Procedure = ADOPTED as modified, effective April 2, 2018.

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**R-17-0042**  
(10)

## **RULE 2, RULES OF TRIBAL COURT COMMITMENT**

WOULD AMEND RULES OF PROCEDURE FOR ENFORCEMENT OF TRIBAL COURT INVOLUNTARY COMMITMENT ORDERS TO PERMIT ELECTRONIC OR FACSIMILE FILING OF SUCH ORDERS AND ASSOCIATED DOCUMENTS

ORDERED: Petition to Amend Rule 2 of the Arizona Rules of Procedure for Enforcement of Tribal Court Involuntary Commitment Orders = ADOPTED on a permanent basis.

**R-17-0046**  
(11)

## **RULE 47.3, RULES OF PROC FOR JUV COURT**

WOULD ADD RULE 47.3 TO THE RULES OF PROCEDURE FOR THE JUVENILE COURT, IMPLEMENTING AN AMENDMENT TO A.R.S. § 8-821(A), WHICH PERMITS A JUVENILE COURT IN A DEPENDENCY PETITION TO ISSUE A PRE-PETITION ORDER THAT AUTHORIZES THE DEPARTMENT OF CHILD SAFETY TO TAKE TEMPORARY CUSTODY OF A CHILD

ORDERED: Petition to Add New Rule 47.3 Concerning Child Removal to the Rules of Procedure for the Juvenile Court = ADOPTED as modified, effective July 1, 2018.



The foregoing action was taken by the Arizona Supreme Court on Monday, December 11, 2017.

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Scott Bales, Chief Justice

Date: \_\_\_\_\_