

**CASE PROCESSING STANDARDS ANALYSIS
CIVIL - SUPERIOR COURT CASES**

National Center for State Courts Model Time Standards:

- 75% within 180 days/6 months
- 90% within 365 days/12 months
- 98% within 540 days/18 months

Measurement: Filing of initial complaint through disposition (e.g., dismissal, judgment)

Arizona Civil - Superior Court Cases

The Arizona Case Processing Standards Steering Committee recommends that Arizona adopt a different standard:

- 60% within 180 days/6 months**
- 90% within 365 days/12 months**
- 96% within 540 days/18 months**

- ✓ Complex cases such as medical malpractice will be included as part of the 4% of cases disposed after 540 days

Measurement: Filing of initial complaint through disposition (e.g., dismissal, judgment)
The following time will be excluded from measurement: stay for special actions, appeals, bankruptcy and Servicemembers Civil Relief Act.

Arizona Rules and Statutes	Timelines under Statute and Rule
Initial Complaint Filed:	(Measurement Starts Here)
Service of Process:	
Rule 4(i), ARCP ¹	<u>No Service-Dismissal:</u> Action dismissed without prejudice if summons and complaint not served upon defendant within 120 days of filing of complaint.
Rule 12(a)(1)(B), ARCP	<u>Waiver of Service:</u> If service made pursuant to request to waive service of summons, must file and serve answer 60 days from date Request to Waive Service was sent, or 90 days if addressed to defendant outside of United States.
Rule 12(a), ARCP	<u>Service in Arizona:</u> If defendant served in Arizona by personal service, the answer must be filed within 20 days from date of service.
Rule 4.2(b), (c) and (m), ARCP	<u>Out-of-State Service:</u> If defendant personally served outside of state, must file answer within 30 days from completion of service. If served by registered mail 30 days after date on return receipt.
Rule 4.1(n), Rule 12(a), Rule	<u>Service by Publication:</u> Answer is due 50 days from date of first

¹ Arizona Rules of Civil Procedure

Arizona Rules and Statutes	Timelines under Statute and Rule
4.2(f) and (m), ARCP	publication if within Arizona or 60 days if out of state.
Motions Filed Prior to Answer: Rule 7.1(a), ARCP Rule 55(a), ARCP	<p><u>Response and Reply:</u> Party opposing a motion shall have 10 days after service to file a response. Moving party has 5 days to file a reply.</p> <p><u>Default Judgment:</u> Default entered by the clerk effective 10 days after filing of application for entry of default</p>
Discovery and Disclosure: Rule 26.1(b), ARCP Rule 26.1(b)(2), ARCP Rule 33(a), Rule 34 (b), Rule 36(a) and (b), ARCP Rule 26(b)(5), ARCP Rule 15(a)(1), (2) and (3), ARCP Rule 56(a), (b), (c) and (f), ARCP	<p><u>Disclosure Statements:</u> Must serve disclosure statements within 40 days after filing of responsive pleading.</p> <p>Continuing duty to disclose but not within 60 days of trial date without leave of court.</p> <p><u>Interrogatories, Request for Production of Documents and Request for Admissions:</u> Responses to discovery must be served within 40 days of service except that a defendant has 60 days if discovery request is served with complaint.</p> <p><u>Non- Parties at Fault:</u> Must identify non-parties at fault at time of filing motion to set or controverting certificate, if applicable, or within 150 days of filing answer, whichever is earlier.</p> <p><u>Amendment to Pleadings:</u> Pleadings may be amended within 20 days after pleading to be amended is served. If granted, must serve amended pleading within 10 days of order granting motion to amend. Response to amended pleading must be made within 10 days after service.</p> <p><u>Summary Judgment:</u> Plaintiff may file a motion for summary judgment after the expiration of 20 days from the date of service, but no sooner than the date the answer is due. Neither party can file the motion later than 90 days before the date set for trial.</p> <p>Response to motion for summary judgment is due within 30 days after service of motion. Reply is due within 15 days of service of the response.</p>
Arbitration: A.R.S. ² § 12-133 Rule 72, ARCP	<p><u>Arbitration of Claims:</u> Jurisdictional amount set by Superior Court up to \$65,000.00. (See local court rules for jurisdictional amount of each county.)</p>

² Arizona Revised Statutes

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Rule 73(c)(2), ARCP</p> <p>Rule 74(b), ARCP</p> <p>Rule 76(a), ARCP</p> <p>Rule 76(b), ARCP</p> <p>Rule 76(e), ARCP</p> <p>A.R.S. § 12-3023</p>	<p><u>Timing of Assignment:</u> Arbitration shall take place as soon as possible after answer and controverting certificate are filed and no later than 120 days.</p> <p><u>Hearing Date:</u> Arbitrator shall commence the hearing not fewer than 60 nor more than 120 days after appointment to the case. Arbitrator must give written notice to the parties at least 30 days before the hearing unless waived by parties.</p> <p><u>Notice of Decision:</u> Within 10 days of completion of the hearing, the arbitrator shall notify the parties of the decision and file the notice of decision with the court.</p> <p>Unless formal award or stipulation for entry of another form of relief is filed with the court within 50 days from the filing of the notice of decision. The notice of decision will constitute the award of the arbitrator.</p> <p><u>Referral to Judge:</u> If arbitrator does not file award with 145 days after first appointment, case is assigned to judge for appropriate action.</p> <p><u>Vacating Arbitration Award:</u> Motion must be filed within 90 days of receiving notice of award.</p>
<p>Trial:</p> <p>Rule 38.1(b), ARCP</p> <p>Rule 38.1(a)(3)(i), ARCP</p> <p>Rule 38.1(d) ARCP</p>	<p><u>Motion to Set and Certificate of Readiness:</u> Must file controverting certificate within 10 days of filing motion to set.</p> <p><u>Completion of pre-trial discovery:</u> In counties where rule applies, discovery must be completed 60 days from the date of filing the motion to set.</p> <p><u>Inactive Calendar:</u> If a motion to set has not been filed within 9 months, the case will be set on an inactive calendar by the clerk. If case remains on calendar for 2 months, case shall be dismissed without prejudice.</p> <p style="text-align: center;">(Measurement Stops Here)</p>

SUPERIOR COURT CIVIL TIMELINE

NCSC Model Time Standards
75% with in 180 days – 90% within 365 days – 98% within 540 days

