

**CASE PROCESSING STANDARDS ANALYSIS
CRIMINAL-FELONY**

National Center for State Courts Model Time Standards:

- 75% within 90 days
- 90% within 180 days
- 98% within 365 days

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

Arizona Criminal-Felony

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

- 65% within 90 days**
- 85% within 180 days**
- 96% within 365 days**

✓ Death Penalty cases will be included as part of the 4% disposed after 365 days.

Measurement: Filing of first charging document (e.g. information, indictment or complaint) in superior court through disposition (e.g. dismissal, acquittal or judgment and sentencing.)

The following time will be excluded from measurement: warrant time, Rule 11 competency issues, diversion and special action/appeals.

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Complaint Filed Rule 3.1(a), Ariz.R.Crim.P.¹</p> <p>Rule 3.2, Ariz.R.Crim.P</p> <p>Indictment: Rule 12.7, Ariz.R.Crim.P and Rule 3.1(a), Ariz.R.Crim.P</p> <p>Information Filed Rule 13.1(c), Ariz.R.Crim.P</p>	<p style="text-align: center;">(Measurement Starts Here in AJACS)</p> <p>Arrest warrant or summons issued: Upon presentment of a complaint signed by a prosecutor, the court shall promptly issue a summons or notice of supervening indictment under rule 12.7(c) or, after a finding of probable cause, issue a warrant.</p> <p>Summons: The defendant will be summoned to appear within 30 days after the filing of an indictment, information or complaint.</p> <p>The indictment shall be returned in open court by the foreman in the presence of the grand jury and the prosecutor. If defendant has previously had an initial appearance under Rule 4.2, the court shall prepare and send to the defendant and defendant’s counsel a notice of supervening indictment in lieu of issuing a warrant or summons.</p> <p>An information shall be filed in Superior Court within 10 days after determination of probable cause or the defendant’s waiver of a preliminary hearing.</p>
<p>Initial Appearance: Rule 4.1(a), Ariz.R.Crim.P.</p>	<p>Initial Appearance held within 24 hours of arrest.</p>

¹ Arizona Rules of Criminal Procedure

Arizona Rules and Statutes	Timelines under Statute and Rule
Rule 4.1(b), Ariz.R.Crim.P.	<p>Arrest without a warrant: If complaint has not already been filed, a complaint shall be promptly prepared and filed. If a complaint is not filed within 48 hours from the time of the initial appearance before the magistrate, the defendant shall be released from jail, and the preliminary hearing date, if any, shall be vacated.</p> <p style="text-align: center;">(Measurement Starts Here in AJACS)</p>
<p>Preliminary Hearing: Rule 5.1(a), Ariz.R.Crim.P.</p> <p>Rule 5.1(c), Ariz.R.Crim.P.</p>	<p><u>Defendant in custody:</u> When a complaint is filed, a preliminary hearing shall be held within 10 days following defendant’s initial appearance.</p> <p><u>Defendant not in custody:</u> When a complaint is filed, a preliminary hearing shall be held within 20 days following defendant’s initial appearance.</p> <p>Postponement: Upon a finding of extraordinary circumstances, the preliminary hearing may be postponed beyond the 20-day limit.</p>
<p>Arraignment: Rule 14.1, Ariz.R.Crim.P.</p>	<p style="text-align: center;">(Measurement Starts Here for Speedy Trial Rules)</p> <p><u>Defendant in custody:</u> Arraignment held within 10 days after filing of indictment, information, or complaint.</p> <p><u>Defendant not in custody:</u> Arraignment held within 30 days after filing of indictment, information, or complaint.</p>
<p>Discovery: Rule 15.1 (b), Ariz.R.Crim.P.</p> <p>Rule 15.1(d), Ariz.R.Crim.P.</p> <p>Rule 15.1(e), Ariz.R.Crim.P.</p> <p>Rule 15.2(d), Ariz.R.Crim.P.</p>	<p>Supplemental Disclosure of evidence by the Prosecutor must occur:</p> <ul style="list-style-type: none"> • <u>In Superior Court:</u> 30 days after arraignment. • <u>In Limited Jurisdiction Courts:</u> at the first pre-trial conference. <p><u>Prior Felony Convictions:</u> At least 30 days prior to trial or 30 days after request from defendant.</p> <p><u>Additional disclosure upon request:</u> Prosecutor shall provide within 30 days upon written request.</p> <p><u>Time for disclosure by defendant:</u></p> <ul style="list-style-type: none"> • <u>In Superior Court:</u> 40 days after arraignment or within 10 days after prosecutor’s disclosure pursuant to Rule 15.1(b), whichever occurs first. • <u>In Limited Jurisdiction Courts:</u> 20 days after prosecutor’s disclosure pursuant to Rule 15.1(b). •
<p>Trial: Rule 8.2 Ariz.R.Crim.P. [Excluded time, such as a competency determination, are specified in Rule 8.4]</p>	<p><u>Defendant in custody:</u> Within 150 days from arraignment.</p> <p><u>Defendant not in custody:</u> Within 180 days from arraignment.</p> <p><u>Complex cases:</u> Within 270 days from arraignment.</p> <p><u>Capital cases:</u> Within 24 months from filing of a notice of intent to seek the death penalty.</p>

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Sentencing: Rule 26.3(a), Ariz.R.Crim.P.</p>	<p><u>In Superior Court:</u> Upon determination of guilt, the court shall set a date for sentencing. Sentence shall be pronounced not less than 15 nor more than 30 days after determination of guilt unless the court, after advising the defendant of the right to a pre-sentence report, grants the request that sentence be pronounced earlier.</p>
<p>Rule 26.3(a), Ariz.R.Crim.P.</p>	<p><u>In Limited Jurisdiction Courts:</u> Sentence may be pronounced immediately upon determination of guilt unless the court on its own motion or upon request of the party or victim, orders that sentence should be pronounced at a later date, not more than 30 days after determination of guilt.</p>
<p>Rule 26.3(b), Ariz.R.Crim.P.</p>	<p>If a pre-sentencing hearing is requested under Rule 26.7 or if good cause is shown, the trial court may reset the date of the sentencing within 60 days after determination of guilt. (Measurement Stops Here)</p>

SUPERIOR COURT FELONY TIMELINE

NCSC Model Time Standards
75% within 90 days - 90% within 180 days - 98% within 365 days

