

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

National Center for State Courts Model Time Standards:

- 75% within 180 days
- 90% within 365 days
- 98% within 540 days

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

Arizona Civil - Superior Court Cases

The following standards have been adopted for Superior Court Civil cases:

- 60% within 180 days**
- 90% within 365 days**
- 96% within 540 days**

- ✓ 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).

Excluded Time: The following may result in a stay of proceedings and the time elapsed will be excluded from measurement: special actions, appeals, bankruptcy, and stays granted pursuant to the 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> If a defendant is not served with process within 90 days after the complaint is filed, the court—on motion, or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.
Rule 12(a)(1)(B), ARCP	<u>Waiver of Service:</u> A defendant or third-party defendant must serve an answer or other responsive pleading if it has timely waived service under Rule 4(f), within 60 days after the request for a waiver was sent, or within 90 days after it was sent to the defendant or third-party defendant outside any judicial district of the United States.
Rule 12(a), ARCP	<u>Service in Arizona:</u> A defendant or third-party defendant must serve an answer or other responsive pleading within 20 days after being served with the summons and complaint, unless the person waived

¹ Arizona Rules of Civil Procedure

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Rule 4.2 (m), ARCP</p> <p>Rule 4.1(l), Rule 12(a), Rule 4.2(f), ARCP</p>	<p>service.</p> <p><u>Out-of-State Service:</u> Unless Rule 4.2(d)(3) applies, or the parties agree or the court orders otherwise, a person served outside Arizona under Rule 4.2 must serve a responsive pleading within 30 days after the completion of service. Service of a responsive pleading must be made in the same manner, and the served person is subject to the same consequences, as if the person had been personally served with a summons in the county in which the action is pending.</p> <p><u>Service by Publication:</u> Answer is due 50 days from date of first publication if served in Arizona or 60 days if served out of state.</p>
<p>Motions Filed Prior to Answer:</p> <p>Rule 7.1(a), ARCP</p> <p>Rule 55(a), ARCP</p>	<p><u>Response and Reply:</u> A party opposing a motion shall have 10 days after service to file a response. The moving party has 5 days to file a reply.</p> <p><u>Default Judgment:</u> The filing of the application for default constitutes the entry of default. A default is effective 10 days after the application for entry of default is filed.</p> <p style="text-align: center;">(Measurement Stops Here)</p> <p style="text-align: center;">OR</p>
<p>Discovery and Disclosure:</p> <p>Rule 26.1(d), ARCP</p> <p>Rule 26.1(d)(2), ARCP</p> <p>Rule 33(a), Rule 34(b), Rule 36(a), ARCP</p> <p>Rule 26(b)(5), ARCP</p> <p>Amending Pleadings:</p> <p>Rule 15(a), ARCP</p>	<p><u>Disclosure Statements:</u> Parties must serve initial disclosure statements within 40 days of the filing of the first responsive pleading.</p> <p>Parties have a continuing duty to disclose but not within 60 days of trial date without leave of the court.</p> <p><u>Interrogatories, Request for Production of Documents, and Requests for Admissions:</u> Responses to discovery must be served within 30 days of service of the request for discovery, or within 60 days of service of the summons and complaint.</p> <p><u>Non- Parties at Fault:</u> No later than 150 days after filing its answer, a party must serve on all other parties—and should file with the court—a notice disclosing any person: (A) not currently or formerly named as a party in the action; and (B) whom the party alleges was wholly or partly at fault under ARS § 12-2506(B).</p> <p><u>Amendment to Pleadings:</u> A party may amend its pleading once as a matter of course: (A) no later than 21 days after serving it if the pleading is one to which no responsive pleading is permitted; or (B) no later than 21 days after a responsive pleading is served if the pleading is one to which a responsive pleading is required or, if a</p>

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Summary Judgment: Rule 56(a), (b), and (c), ARCP</p>	<p>motion under Rule 12(b), (e), or (f) is served, on or before the date on which a response to the motion is due, whichever is earlier.</p> <p>Summary Judgment: A party may move for summary judgment, identifying each claim or defense—or the part of each claim or defense—on which summary judgment is sought. A claimant may move for summary judgment only after the date when a responsive pleading is due from the party against whom summary judgment is sought; or the filing of a Rule 12(b)(6) motion to dismiss or a summary judgment motion by the party against whom summary judgment is sought. A summary judgment motion may not be filed later than the dispositive motion deadline set by the court or local rule, or absent such a deadline, 90 days before the date set for trial.</p> <p>An opposing party must file its response and any supporting materials within 30 days after the motion is served. The moving party must serve any reply memorandum and supporting materials 15 days after the response is served.</p> <p style="text-align: center;">(Measurement Stops Here if Summary Judgment Is Granted On All Claims)</p> <p style="text-align: center;">OR</p>
<p>Arbitration: ARS² § 12-133 Rule 72, ARCP</p> <p>Rule 73(d), ARCP</p> <p>Rule 74(b), ARCP</p> <p>Rule 76(a), ARCP</p>	<p>Arbitration of Claims: Jurisdictional amount for arbitration is set by Superior Court, not to exceed \$65,000. (See local court rules for jurisdictional amount of each county.)</p> <p>Timing of Assignment: The clerk or court administrator must appoint an arbitrator to an action no later than 120 days after an answer is filed.</p> <p>Hearing Date: The arbitrator must set a hearing date not earlier than 60 days nor later than 120 days after the arbitrator's appointment. If good cause exists, an arbitrator may set a hearing date that is before or after this time period, or reschedule a noticed hearing date for a date later than 120 days after the arbitrator is appointed. The arbitrator must provide at least 30 days' written notice of the hearing's time and place, unless waived by the parties. Unless the parties agree otherwise, no hearings may be held on Saturdays, Sundays, legal holidays, or evenings.</p> <p>Notice of Decision: Within 10 days of completion of the hearing, the arbitrator shall notify the parties of the decision and file a notice of decision with the court.</p> <p style="text-align: center;">(Measurement Stops After Arbitration Award Entered)</p>

² Arizona Revised Statutes

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Rule 76(b), ARCP</p> <p>Rule 76(e), ARCP</p> <p>ARS § 12-3023</p>	<p style="text-align: center;">OR</p> <p>If an award or stipulation for entry of another form of relief is not filed with the court within 50 days after the notice of decision is filed, the notice of decision will constitute the arbitrator's award.</p> <p><u>Referral to Judge:</u> If the arbitrator does not file an award with the clerk within the later of 145 days after the arbitrator's appointment or 30 days after a noticed hearing, the clerk or the court administrator must refer the matter to the assigned judge for appropriate action.</p> <p><u>Vacating Arbitration Award:</u> The motion must be filed within 90 days of receiving notice of the award.</p>
<p>Trial:</p> <p>Rule 38.1(b), ARCP</p> <p>Rule 38.1(d) ARCP</p>	<p><u>Motion to Set and Certificate of Readiness:</u> A party seeking postponement of a trial must file a motion setting forth the basis for the request and any supporting evidence. The party must attach a separate statement certifying that the requested postponement is not being sought solely for the purpose of delay and will serve the interests of justice.</p> <p><u>Inactive Calendar:</u> The clerk or court administrator must place a civil action on the Dismissal Calendar if 270 days have passed since the action was commenced, and: (A) in an action other than a medical malpractice action or an action assigned to arbitration, the parties have not filed a Joint Report and a Proposed Scheduling Order under Rule 16(b) or a joint report under Rule 16.3(b); (B) in a medical malpractice action, the court has not set a date for a Comprehensive Pretrial Conference under Rule 16(e) and the parties have not filed a proposed scheduling order; or (C) in actions assigned to arbitration, the arbitrator has not filed a notice of decision under Rule 76.</p> <p>If an action remains on the Dismissal Calendar for 60 days, the court must dismiss it without prejudice and enter an appropriate order regarding any bond or other posted security, unless, before the 60-day period expires: (A) the parties file a Joint Report and a Proposed Scheduling Order under Rule 16(b) or a joint report under Rule 16.3(b); (B) in a medical malpractice action, the court sets a date for a Comprehensive Pretrial Conference under Rule 16(e) or the parties file a proposed scheduling order; (C) in an action assigned to arbitration, the arbitrator files a notice of decision under Rule 76; or (D) the court, on motion showing good cause, orders the action to be continued on the Dismissal Calendar for a specified period of time without being dismissed.</p> <p style="text-align: center;">(Measurement Stops Here)</p>