

**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, or judgment and sentencing).

Arizona Criminal-Felony

The following case processing time standards have been adopted for Felony cases in Superior Court:

- 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).

Excluded Time: The following time will be excluded from measurement: pre-adjudication warrant time, Rule 11 competency issues, pre-adjudication diversions, specialty courts/programs, and pre-adjudication special actions/appeals.

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Charging Document 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)</p> <p><u>Arrest warrant or summons issued:</u> Upon presentment of an indictment, or on a finding of probable cause made pursuant to Rule 2.4(a), the court shall promptly issue a warrant or summons, or a notice of supervening indictment under Rule 12.7(c). 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><u>Summons:</u> The defendant must 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 the 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</p>

¹ Arizona Rules of Criminal Procedure

Arizona Rules and Statutes	Timelines under Statute and Rule
	the determination of probable cause or the defendant's waiver of a preliminary hearing.
<p>Initial Appearance: Rule 4.1(a), Ariz.R.Crim.P.</p> <p>Rule 4.1(b), Ariz.R.Crim.P.</p>	<p>If the person is arrested, the initial appearance must held within 24 hours of arrest.</p> <p>Arrest without a warrant: A person arrested without a warrant shall be taken before the nearest or most accessible magistrate in the county of arrest, whereupon a complaint, if one has not already been filed, shall promptly be 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>Preliminary Hearing: Rule 5.1(a), Ariz.R.Crim.P.</p> <p>Rule 5.1(c), Ariz.R.Crim.P.</p>	<p>Defendant in custody: A preliminary hearing shall commence before a magistrate not later than 10 days following the defendant's initial appearance if the defendant is in custody.</p> <p>Defendant not in custody: A preliminary hearing shall commence before a magistrate not later than 20 days following the defendant's initial appearance if the defendant is in custody.</p> <p>Postponement: Upon motion of any party, or on his or her own initiative, the magistrate may postpone the preliminary hearing beyond the 20-day limit specified in Section (a), upon finding that extraordinary circumstances exist and that delay is indispensable to the interests of justice, entering a written order detailing the reasons for his or her finding and giving the parties prompt notice thereof.</p>
<p>Arraignment: Rule 14.1(a), Ariz.R.Crim.P.</p>	<p>Defendant in custody: Arraignment shall be held within 10 days after filing of the indictment, information, or complaint.</p> <p>Defendant not in custody: Arraignment shall be held within 30 days after filing of the indictment, information, or complaint.</p>
<p>Disclosure: 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>Time for Disclosure: The prosecutor shall disclose the materials and information listed in Rule 15.1(b) not later than 30 days after arraignment.</p> <p>Prior Felony Convictions of Witnesses: At least 30 days prior to trial, or 30 days after a request from the defendant, whichever occurs first, the state shall make available to the defendant a list of the prior felony convictions of witnesses whom the prosecutor intends to call at trial or that the prosecutor intends to use to impeach a disclosed defense witness at trial.</p> <p>Additional Disclosure Upon Request: The prosecutor shall provide additional disclosure within 30 days of a written request.</p>

Arizona Rules and Statutes	Timelines under Statute and Rule
Rule 15.2(d), Ariz.R.Crim.P.	<p><u>Time for Disclosure by Defendant:</u> The defendant shall disclose the materials and information listed in Rules 15.2(b) and 15.2(c) 40 days after arraignment or within 10 days after the prosecutor's disclosure pursuant to Rule 15.1(b), whichever occurs first.</p>
<p>Trial: Rule 8.2, Ariz.R.Crim.P. (Excluded periods from the timeframes set forth in Rule 8.2 are specified in Rule 8.4)</p>	<p><u>Defendant in custody:</u> Trial must take place 150 days from arraignment, except as specified in Rule 8.2(a)(3).</p> <p><u>Defendant not in custody:</u> Trial must take place 180 days from arraignment, except as specified in Rule 8.2(a)(3).</p> <p><u>Complex cases:</u> Trial must take place 270 days from arraignment.</p> <p><u>Capital cases:</u> Trial must take place 24 months from the date the state files a notice of intent to seek the death penalty pursuant to Rule 15.1(i).</p>
<p>Sentencing: Rule 26.3(a), Ariz.R.Crim.P.</p> <p>Rule 26.3(b), Ariz.R.Crim.P.</p>	<p>Upon a determination of guilt, the court shall set a date for sentencing. Sentence shall be pronounced not less than 15 days, nor more than 30 days after the determination of guilt unless the court, after advising the defendant of his or her right to a pre-sentence report, grants his or her request that sentence be pronounced earlier.</p> <p><u>Pre-Sentence Hearing:</u> 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 sentencing within 60 days after the determination of guilt.</p> <p style="text-align: center;">(Measurement Stops Here)</p>