

**CASE PROCESSING STANDARDS ANALYSIS
SUPERIOR COURT CRIMINAL POST CONVICTION RELIEF**

National Center for State Courts Model Time Standards:

98% within 180 days

Measurement: Filing of Petition for Post Conviction Relief through disposition.

Arizona Superior Court Criminal - Post Conviction Relief

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

94% within 180 days

✓ Capital cases will be included as part of the 6% disposed after 180 days.

Measurement: Filing of Petition for Post Conviction Relief through disposition (e.g., dismissed/denied or relief granted).

Excluded Time: No excluded time.

Arizona Rules and Statutes	Timelines under Statute and Rule
<p>Notice Filed: Rule 32.4(a), Ariz.R.Crim.P.¹ ARS² § 13-4234</p> <p>Rule 32.4(c)(2), Ariz.R.Crim.P. ARS § 13-4234(F)</p>	<p>Notice Filed: Notice of post conviction relief proceeding must be filed within 90 days after entry of judgment and sentence or 30 days after final order or mandate by the appellate court.</p> <p>Appointment of Counsel: If defendant is determined to be indigent, counsel will be appointed within 15 days if requested. Defendant shall have 60 days from the appointment of counsel to file the petition for post conviction relief in non-capital cases.</p> <p>Defendant's Extension: Defendant may be granted a 30-day extension to file the petition on a showing of "good cause." Additional extensions may be granted on a showing of "extraordinary circumstances."</p>
<p><u>Petition for Post Conviction Relief Filed:</u> ARS § 13-4235</p>	<p style="text-align: center;">(Measurement Starts Here)</p> <p>Defendant shall include every ground known to him or her for vacating, reducing or correcting the judgment or sentence imposed.</p>
<p>Response and Reply: Rule 32.6(a), Ariz.R.Crim.P. ARS § 13-4236(A)</p> <p>Rule 32.6(b), Ariz.R.Crim.P. A.R.S. § 13-4236(B)</p>	<p>Response: The state is to file a response 45 days after petition is filed.</p> <p>State Extension: The state may be granted a 30-day extension on a showing of "good cause." Additional extensions are allowed on a showing of "extraordinary circumstances."</p> <p>Defendant's Reply: Defendant may file a reply within 15 days of receipt of response. Extensions may be granted only upon a showing of "extraordinary circumstances"</p>
<p>Adjudication: Rule 32.6(c), Ariz.R.Crim.P. A.R.S. § 13-4236(C)</p> <p>Rule 32.8(d), Ariz.R.Crim.P.</p>	<p>Summary Disposition: The court shall review the petition within 20 days after defendant's reply was due. If petition is not dismissed, the court will set a hearing within 30 days on those claims that present a material issue of fact or law.</p>

¹ Arizona Rules of Criminal Procedure

² Arizona Revised Statutes

A.R.S. § 13-4238(D)

Evidentiary Hearing Decision: The court shall rule within **10 days** after the hearing except in extraordinary circumstances where the volume of the evidence or the complexity of the issues require additional time.

(Measurement Stops Here)