IN THE
COURT OF APPEALS
STATE OF ARIZONA
DIVISION ONE

DIVISION ONE
FILED: 11/21/2017
AMY M. WOOD,
CLERK
BY: JT

IN THE MATTER OF:	)	
	)	ADMINISTRATIVE ORDER
POLICIES CONCERNING THE TIMELY	)	2017-05
FILING OF BRIEFS IN JUVENILE	)	
APPEALS	)	
	)	
	)	

Appellants' rights to due process require the Court of Appeals to timely resolve juvenile appeals, and, by rule, the Court is required to give precedence to juvenile appeals. Ariz. R.P. Juv. Ct. ("Rule") 103(C). Undue delay may result, however, when the Court grants multiple extensions of time for the filing of a brief.

Pursuant to Rule 106(B), the opening brief in a juvenile appeal shall be filed within 20 days after the Clerk of the Court sends to the parties a notice of completion of record, and the answering brief shall be filed within 20 days after service of the opening brief. The Court's current policy allows a single 20-day extension of time for each of the opening and answering briefs, and a 10-day extension of time for the reply brief, without requiring a showing of good cause. In some cases, however, the Court receives additional requests for extensions of time. It is not uncommon for counsel to explain the need for additional time by offering only a brief statement citing a "scheduling conflict" or the "press of work" in other cases.

Upon consideration and in the interests of promoting due process and the interests of all parties to the timely resolution of juvenile appeals, and consistent with

the standards set forth in Administrative Order 2014-05 ("POLICY CONCERNING THE TIMELY FILING OF BRIEFS IN CRIMINAL APPEALS"),

IT IS ORDERED adopting the following Policy:

1. The Court will grant a single extension of 20 days for the filing of an opening or answering brief and a single extension of 10 days for the filing of a reply brief, without any showing of cause.

2. The Court will grant any additional extension for the filing of a brief only upon a motion showing actual and substantial good cause. Conclusory statements by counsel broadly asserting "scheduling conflicts" or "other work" normally will not constitute actual and substantial good cause sufficient to warrant a subsequent extension of time. In determining whether such an extension will be granted, the Court will consider, among other factors, when counsel was appointed in the matter, whether counsel's inability to timely complete the brief is the result of circumstances that could not have been anticipated, the complexity of the appeal, the length of the trial resulting in the decision on appeal, counsel's diligence, the size and workload of counsel's law firm or agency, the number of other appeals on counsel's docket, the briefing schedules of other appeals on counsel's docket, and counsel's diligence in those other appeals.

IT IS FURTHER ORDERED that the policy adopted in this Administrative Order will apply to any juvenile appeal filed on or after January 1, 2018.

/s/

Samuel A. Thumma
Chief Judge, Division One
Arizona Court of Appeals