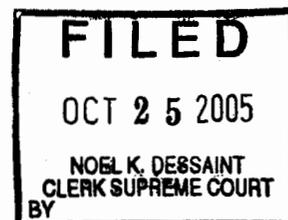


IN THE SUPREME COURT OF THE STATE OF ARIZONA

Supreme Court No. R-05-0022



ORDER AMENDING RULE 28,
RULES OF THE SUPREME COURT

IT IS ORDERED that Rule 28, Rules of the Supreme Court, be amended in accordance with the attachment hereto,* effective as of December 1, 2005.

DATED in the City of Phoenix, Arizona at the Arizona Courts Building, this 25th day of October, 2005.

For the Court:


RUTH V. MCGREGOR
Chief Justice

* Changes or additions in text are indicated by underscoring and deletions from text are indicated by ~~strikeouts~~.

RULES OF THE SUPREME COURT

* * *

Rule 28. Procedure for Adoption, Amendment or Repeal of Rules

Preamble

[No change in text.]

(A) Petition for Adoption, Amendment or Repeal of Rule.

(1) Any person, association or public agency interested in the adoption, amendment or repeal of a court rule may file with the Clerk of the Supreme Court a petition to adopt, amend or repeal a rule. Any such filing shall consist of an original and six (6) copies, in addition to one copy of the petition and supporting documentation in Word format on a CD, disk, or other compatible electronic format. The petition shall state the grounds for the adoption, amendment or repeal of the rule, include a draft of the proposed new or amended rule, and may be accompanied by supporting documentation. The petition and supporting documentation shall not exceed 20 pages exclusive of pages containing a draft of the proposed new or amended rule. The form, method of preparation and filing of the petition and supporting documentation shall conform, insofar as practicable, to the requirements of Rule 6(c), ARCAP.

(2)-(3) [No change in text.]

(B) Proposed Rule Changes by the Supreme Court. [No change in text.]

(C) Circulation of Petition for Rule Change.

(1) Whenever the circulation of a petition for a rule change is required by the court or by these rules, the clerk shall prepare and attach to each copy of the petition a request for comment which shall state that the court invites written comment on the merits of the petition, indicate the place for filing such comments and the expiration date for filing such comments. Copies of the petition and the request for comment shall be sent by the clerk to the following:

[No change in text of list of recipients.]

In addition, the clerk shall send copies of the petition and request for comment to such other persons or organizations as may be designated by the court. The clerk shall also provide copies of the petition to the members of the news media. The court shall also make copies of the petition available on its website.

(2) [Deleted].

(D) Comment on Proposed Rule Changes; Reply to Comments. The form and method of preparation of written comments concerning the merits of a petition for rule change shall conform, insofar as practicable, to the requirements of Rule 6(c), ARCAP, shall not exceed 20 pages, and shall be filed with the clerk by the date stated in the request for comments. Any such filing shall consist of an original and six copies, in addition to one copy of the written comments and any supporting documentation in Word format on a CD, disk, or other compatible electronic format. A copy of the comment shall be served upon the petitioner. The petitioner shall have 20 days after the expiration of the comment period to reply to any comments. After the expiration of the time allowed for comment and reply, the clerk shall submit to the court the comments and replies which have been filed.

(E) Request for Public Hearing. [No change in text.]

(F) Consideration of Rule Change by the Court. [No change in text.]

(G) Emergency Adoption of Rule. [No change in text.]

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