



# Supreme Court

STATE OF ARIZONA

402 ARIZONA STATE COURTS BUILDING  
1501 WEST WASHINGTON STREET  
PHOENIX, ARIZONA 85007-3231  
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NOÉL K. DESSAINT  
CLERK OF THE COURT

KATHLEEN E. KEMPLEY  
CHIEF DEPUTY CLERK

September 20, 2006

**RE: RULE 18, ARIZONA RULES OF CIVIL APPELLATE PROC**  
Arizona Supreme Court No. R-05-0036

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on September 11, 2006, in regard to the above-referenced cause:

**ORDERED: Petition to Amend Rule [18, Arizona Rules of Civil Appellate Procedure] = ADOPTED, effective January 1, 2007. A parallel change shall be made to Rule 31.14(a), Rules of Criminal Procedure.**

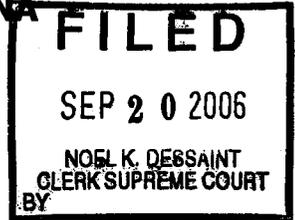
Noel K Dessaint, Clerk

TO:

Ethan Steele, Law Office of Ethan Steele PC  
Andrew P Thomas, Maricopa County Attorney  
Attn: Philip J MacDonnell  
Final Rule Distribution List  
cf

IN THE SUPREME COURT OF THE STATE OF ARIZONA

Supreme Court No. R-05-0036

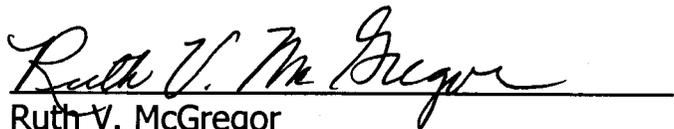


ORDER AMENDING RULE 18, ARIZONA RULES OF CIVIL APPELLATE PROCEDURE, AND RULE 31.14(a), ARIZONA RULES OF CRIMINAL PROCEDURE

IT IS ORDERED Amending Rule 18, Arizona Rules of Civil Appellate Procedure, and Rule 31.14(a), Arizona Rules of Criminal Procedure, as shown on the attachment hereto,\* effective on January 1, 2007.

DATED in the City of Phoenix, Arizona at the Arizona Courts Building, this 20th day of September, 2006.

For the Court:

  
Ruth V. McGregor  
Chief Justice

\* Changes or additions to text are indicated by underlining and deletions from text are indicated by ~~strikeouts~~.

**Arizona Rules of Civil Appellate Procedure**  
**Rule 18. Oral Argument**

An appeal may be scheduled for oral argument if, on or before the earlier of the ten (10) days after the date the reply brief is due or filed, a party files with the Court of Appeals a separate instrument requesting oral argument. If any party believes that extended oral argument should be permitted, the reasons therefore should be filed as part of the request for oral argument, or in a separate instrument, no later than 10 days after the request for oral argument is filed. The clerk of the appellate court shall notify the parties of the specific time and place at which oral argument will be heard, at least 20 days prior to the date fixed for oral argument. The notice shall inform the parties as to the appellate court's allocation of time to each side at oral argument. An appeal may be considered and decided without oral argument if the appellate court determines that (1) the appeal is frivolous; (2) the dispositive issue or set of issues presented has been recently authoritatively decided; or (3) the facts and legal arguments are adequately presented in the briefs and record and the decisional process would not be significantly aided by oral argument. When such a determination is made that a case is to be submitted without oral argument, the clerk of the appellate court shall give the parties prompt written notice of such determination, and any party shall have 10 days from the date of such notice from the clerk in which to file a statement setting forth the reasons why, in the opinion of that party, oral argument should be heard.

**Arizona Rules of Criminal Procedure**  
**Rule 31.14.a Request for Oral Argument**

a. Request for Oral Argument. An appeal may be scheduled for oral argument if, on or before the earlier of the ten (10) days after the date the reply brief is due or filed, a party files with the Court of Appeals a separate instrument requesting oral argument. If any party believes that extended oral argument should be permitted, the reasons therefore should be filed as part of the request for oral argument, or in a separate instrument, no later than 10 days after the request for oral argument is filed. The clerk of the appellate court shall notify the parties of the specific time and place at which oral argument will be heard, at least 20 days prior to the date fixed for oral argument. The notice shall inform the parties as to the appellate court's allocation of

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