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IN THE SUPREME COURT STATE OF ARIZONA

PETITION TO AMEND RULES)	Supreme Court No. R-16-0040
5(a), 5(b)(6), 5(b)(7) AND ADD)	
RULES 13(h) AND 20, OF THE)	Comments of Arizona
RULES OF PROCEDURE FOR)	Community Action
EVICITION ACTIONS)	Association in Support of
_____)	Petition

Arizona Community Action Association (“ACAA”) submits its comments in support of the petition in this proceeding. The Petitioner has requested that this Court amend Rules 5(a), 5(b)(6), and 5(b)(7), and add new Rules 13(h) and 20 to the Rules of Procedure for Eviction Actions. In particular, new Rule 20 would require litigants to use court-approved eviction action forms and authorizes the Administrative Director of the Administrative Office of the Courts (AOC) to approve and modify eviction action forms in response to changes in state laws or procedures, to make other necessary amendments or technical corrections, and to add or delete eviction action forms as may be appropriate. ACAA believes the proposals set forth in the Petition will benefit the low-income families and individuals served by ACAA’s member organizations.

I. Background on ACAA.

ACAA is a non-profit organization that advocates on behalf of Community Action Agencies and the low-income community throughout Arizona. ACAA works to realize economic equity in the state and works with community partners throughout the State to: educate the community about issues related to poverty, improve public policy, and ensure low-income families have access to the tools needed to become and sustain self-sufficiency.

A large majority of the constituents served by ACAA's members must rent their place of residence. Moreover, having a stable residential address is important in facilitating employment, access to support services and sustaining self-sufficiency. ACAA believes fair and equitable processes designed to reduce evictions are critical in helping to maintain stability for low-income families in many aspects of their lives.

II. ACAA's Comments

As noted in the Petition, standard forms for the eviction process should be mandated rather than optional to better promote improved readability of and consistency in forms used by attorneys, landlords and judges; and to allow for standardized and timely updating. The Petition further notes that in fiscal year 2015, almost 84,000 eviction actions were filed in Justice Courts in Arizona; almost 64,000 were filed in Maricopa County alone. The overwhelming majority

of these actions concern residential leases with most tenants and many landlords appearing without legal representation.

The families and individuals served by ACAA's members struggle every day to put food on the table and pay their bills. Losing their place of residence through eviction can be the last straw leading to homelessness. The eviction process is a daunting process, particularly given the other challenges facing these families and individuals. Having a standard, more understandable eviction process would allow a better opportunity to understand their rights and help mitigate the potential that they be evicted simply because they did not follow the correct process.

Conclusion

ACAA respectfully requests the Supreme Court to adopt the amendments contained in Appendix A to the Petition.

RESPECTFULLY SUBMITTED this 19th day of September, 2016.

By: _____/S/_____
Cynthia Zwick, Executive Director
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