

Rebecca White Berch (Justice, ret.), Chair  
Task Force on the Arizona Rules of Probate Procedure, Petitioner  
1501 W. Washington St.  
Phoenix, AZ 85007

SUPREME COURT OF ARIZONA

PETITION TO AMEND THE ) Supreme Court No. R-18-\_\_\_\_  
ARIZONA RULES OF PROBATE )  
PROCEDURE ) Motion to Permit Additional Time for  
 ) Filing a Rule Petition, with a Request  
 ) for Expedited Consideration  
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**Background.** Administrative Order No. 2017-133, entered on December 20, 2017, established the Task Force on the Arizona Rules of Probate Procedure (“Task Force”). The Order directed the Task Force to review the Arizona Rules of Probate Procedure and “to identify possible changes to conform to modern usage and to clarify and simplify language.” With respect to any rule changes proposed by the Task Force, the Order provided a “goal of submitting a rule petition by January 10, 2019.”

At the first Task Force meeting, the Chair established three workgroups and assigned each workgroup designated Probate Rules for review. Workgroups met between Task Force meetings to research and discuss rule revisions, which they

presented at subsequent Task Force meetings. Workgroups met more than 40 times during 2018, with some meetings lasting more than six hours. In addition, the Task Force met 10 times in 2018. Its last meeting was on December 14, 2018, and its editorial group has met for several hours since then.

Despite its rigorous schedule and its earnest efforts to completely restyle and, where necessary, rewrite the Probate Rules, the Task Force is unable to meet the January 10, 2019, filing goal set by A.O. 2017-133. The Task Force therefore requests the Court to extend the time for filing the rule petition and allow the Task Force 21 additional days, until January 31, 2019, to submit its rule petition. The proposed extension would still allow about three months for public comments.

**Motion.** The Task Force moves the Court to extend the time for the Task Force to file its rule petition until January 31, 2019. Public comments and the Task Force's reply could be submitted thereafter as provided by Rule 28, Rules of the Arizona Supreme Court, thereby allowing the Court to consider the rule petition on its regular 2019 rules agenda.

RESPECTFULLY SUBMITTED this 26<sup>th</sup> day of December 2018.

By /s/ Rebecca White Berch  
Rebecca White Berch (Justice, ret.), Chair