

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-19-0018
RULES 5(d) and 10(a), RULES OF)
PROCEDURE FOR EVICTION ACTIONS)
)
) **FILED 08/27/2019**
)
)
_____)

**ORDER
AMENDING RULES 5(d) AND 10(a) AND (c) OF THE RULES OF PROCEDURE FOR
EVICTION ACTIONS**

A petition having been filed proposing to amend Rules 5(d) and 10(a), Rules of Procedure for Eviction Actions, and comments having been received, upon consideration,

IT IS ORDERED that Rules 5(d) and 10(a) and (c), Rules of Procedure for Eviction Actions, be amended in accordance with the attachment hereto, effective January 1, 2020.

DATED this 27th day of August, 2019.

_____/s/_____
ROBERT BRUTINEL
Chief Justice

TO:

Rule 28 Distribution

Lisa M Panahi

Keith E Russell

Terri McKenney

Chad Kamp

Scott E Williams

Mark B Zinman

Melissa Parham

Scott Andrew Baluha

Ellen S Katz

Scott M Clark

Judy Drickey-Prohow

Colin L Clark

Christopher R Walker

Denise Holiday

ATTACHMENT¹

Rules of Procedure for Eviction Actions

Rule 5. Summons and Complaint; Issuance, Content and Service of Process.

a. Summons. [No change in text]

b. Complaint. [No change in text]

c. Complaint for Monetary Damages. [No change in text]

d. Additional Requirements for Complaint.

(1) [No change in text]

(2) [No change in text]

(3) A copy of the provisions of any lease agreement and any addendums related to the underlying basis of the eviction action must be served with the complaint.

(4) If the action is based on non-payment of rent, a copy of the accounting of charges and payments for the preceding six months must be served with the complaint.

e. Service of Process. [No change in text]

f. Failure to Obtain Service. [No change in text]

¹ Changes or additions in rule text are indicated by underscoring and deletions from text are indicated by strikeouts.

Rule 10. Disclosure.

a. Upon request, a party ~~shall~~ must provide to the other party prior to the hearing or trial: 1) a complete copy of any lease agreement and any addendums; 2) a list of witnesses and exhibits; and 3) ~~if nonpayment of rent is an issue, an accounting of charges and payments for the preceding six months; and~~ 4) copies of any documents the party intends to introduce as an exhibit at trial.

b. [No change in text]

c. If a party fails to comply with this rule or Rule 5(d)(3) or (4) without good cause, the court may take appropriate action, including granting a continuance, excluding evidence not disclosed, and sanctioning the offending party or parties, up to and including dismissing the complaint or counterclaim.

d. [No change in text]