

LIST OF PENDING RULE CHANGE PETITIONS

Current as of September 2, 2021

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A. PENDING PETITIONS **OPEN** FOR COMMENT

1. Rules of Civil Procedure

R-20-0012	Comment Deadline: October 15, 2021 Reply Deadline: October 29, 2021	Originally Filed: January 9, 2020
Petitioner(s): Hon. Kyle Bryson, Presiding Judge, Superior Court of Arizona in Pima County		
Rule(s) Addressed: The Rules for the Fast Trial and Alternative Resolution Program ("FASTAR")		
Description: Would permanently adopt and amend the Rules for the Fast Trial and Alternative Resolution Program; continued but recently opened for additional public comment on newly proposed amendments to the FASTAR rules.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1083		

2. Rules of Criminal Procedure

R-21-0028	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: May 28, 2021
Petitioner(s): Kevin Kane, Presiding Judge, Tempe Municipal Court, LJC Forms Subcommittee Chair		
Rule(s) Addressed: Petition to Amend Rule Form 5, Rules of Criminal Procedure		
Description: Would adopt a new Form 5(c) to the Appendix to Rule 41, Ariz. R. Crim. P., for defendants' use in limited jurisdiction courts to request a court-appointed attorney and to provide a supporting financial statement. Amended on a temporary basis on June 2, 2021, effective immediately. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1231		

R-21-0029	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: June 3, 2021
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rules 4.1, 7.6, 11.3, 26.10, 29.3, 29.7, and 41 (form 31(b)) of the Rules of Criminal Procedure		
Description: Would amend Rules 4.1, 7.6, 11.3, 26.10, 29.3, 29.7, and 41 (form 31(b)) of the Rules of Criminal Procedure to conform to statutory changes enacted in the last legislative session. Adopted on an emergency basis on August 30, 2021, with an effective date of September 29, 2021 for all but the amendments to Rule 7.1, which are effective on January 1, 2022. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1233		

R-21-0030	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: June 4, 2021
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Petition to Amend Rule 17.4, Rules of Criminal Procedure		
Description: Would amend Rules 4.1, 7.6, 11.3, 26.10, 29.3, 29.7, and 41 (form 31(b)) of the Rules of Criminal Procedure to conform to statutory changes enacted in the last legislative session. Adopted on an emergency basis on August 30, 2021, with an effective date of September 29, 2021 for all but the amendments to Rule 7.1, which are effective on January 1, 2022. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1233		

3. Arizona Rules of Evidence

There are no pending petitions in this category.

4. Rules of the Supreme Court of Arizona

R-20-0013	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: January 9, 2020
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Petition to Amend Various Rules of Procedure Related to Creating the Verbatim Record of Judicial Proceedings		
Description: Would amend civil, criminal and other procedural rules to supplement court reporters with electronic recording		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1085		
R-21-0027	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: May 27, 2021
Petitioner(s): Hon. William J. O'Neil (ret.)		
Rule(s) Addressed: Rule 64(f)(1)(B) of the Rules of the Supreme Court of Arizona		
Description: Would amend Rule 64(f)(1)(B) of the Rules of the Supreme Court of Arizona to provide for reinstatement to the bar by applicants who were not previously suspended or disbarred. Adopted on an emergency basis on August 30, 2021, effective immediately. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1230		

5. Arizona Rules of Civil Appellate Procedure

There are no pending petitions in this category.

6. Rules of Procedure for Special Actions

There are no pending petitions in this category.

7. Arizona Rules of Family Law Procedure

R-21-0032	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: June 25, 2021
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rules 3, 36, and 37, and proposed new Rule 37.1 of the Arizona Rules of Family Law Procedure		
Description: Would amend Rules 3, 36, and 37, and adopt a new Rule 37.1, of the Arizona Rules of Family Law Procedure to (among other things) create a procedure for the appointment of a guardian ad litem in family law proceedings if the court has reason to believe that one of the parties is incapacitated or is an adult in need of protection. Adopted on an emergency basis on August 30, 2021, effective September 29, 2021. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1241		

8. Arizona Rules of Protective Order Procedure

R-21-0031	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: June 11, 2021
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rules 3, 32, 34, and 42 of the Arizona Rules of Protective Order Procedure		
Description: Would amend Rules 3, 32, 34, and 42 of the Arizona Rules of Protective Order Procedure to conform the rules to recent statutory enactments. Adopted on an emergency basis on August 30, 2021, effective September 29, 2021. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1237		

9. Arizona Rules of Probate Procedure

R-21-0034	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: June 29, 2021
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rules 2, 8, 13, 32, 33, 34, and 53 of the Arizona Rules of Probate Procedure		
Description: Would amend Rules 2, 8, 13, 32, 33, 34, and 53 of the Arizona Rules of Probate Procedure to conform the rules to a recent statutory enactment authorizing a court in a probate matter to appoint a guardian ad litem for a minor, incapacitated person, unborn or unascertained person, or a person whose identity or location is unknown. Adopted on an emergency basis on August 30, 2021, effective September 29, 2021. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1246		

10. Rules of Procedure for Juvenile Court

R-21-0036	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: June 30, 2021
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rules 94 and 102 of the Rules of Procedure for the Juvenile Court		
Description: Would amend Rules 94 and 102 of the Rules of Procedure for the Juvenile Court to conform the rules to a recent statutory enactment regarding the showing a minor must make to qualify for emancipation. Adopted on an emergency basis on August 30, 2021, effective September 29, 2021. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1247		

R-21-0037	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: June 30, 2021
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rule 83 of Rules of Procedure for the Juvenile Court		
Description: Would amend Rule 83(A)(8) of the Rules of Procedure for the Juvenile Court, which concerns the documents that must be submitted to a court to finalize an adoption, to conform to a recent statutory enactment. Adopted on an emergency basis on August 30, 2021, effective September 29, 2021. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1248		

R-21-0038	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: June 30, 2021
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rules 10, 38, 40, 62, 64, and 64 of Rules of Procedure for the Juvenile Court		
Description: Would amend Rules 10, 28, 40, 62, 64, and 65 of the Rules of Procedure for the Juvenile Court regarding the appointment of counsel and guardians ad litem for certain juvenile proceedings to conform the rules to a recent statutory enactment. Adopted on an emergency basis on August 30, 2021, effective September 29, 2021. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1249		

11. Arizona Tax Court Rules of Practice

There are no pending petitions in this category.

12. Tribal Court Rules

There are no pending petitions in this category.

13. Local Rules

There are no pending petitions in this category.

14. Justice Court Rules of Civil Procedure

There are no pending petitions in this category.

15. Rules of Procedure for Judicial Review of Administrative Decisions

There are no pending petitions in this category.

16. Rules of Procedure in Civil Traffic and Civil Boating Violation Cases

R-21-0033	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: June 28, 2021
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rules 10 and 24.1, and Forms 1, 7, 8, and 11 of the Rules of Court Procedure for Civil Traffic and Civil Boating Violations		
Description: Would amend Rules 10 and 24.1 of the Rules of Court Procedure for Civil Traffic and Civil Boating Violations, and certain forms, to conform the rules and forms to recent statutory enactments. Adopted on an emergency basis on August 30, 2021, effective September 29, 2021. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1242		

17. Rules of Procedure for Eviction Actions

R-21-0039	Comment Deadline: October 1, 2021 Reply Deadline: October 15, 2021	Originally Filed: June 1, 2021
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rules 5, 6, 11, and Appendix A of the Rules of Procedure for Eviction Actions		
Description: Would amend Rules 5, 6, 11, and Appendix A of the Rules of Procedure for Eviction Actions, to conform the rules and appendix to a recent statutory enactment. Adopted on an emergency basis on August 30, 2021, effective September 29, 2021. The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1251		

18. Rules of Judicial Performance Review

There are no pending petitions in this category.

19. Rules of Procedure for Commissions on Appellate and Trial Court Appointments

There are no pending petitions in this category.

B. PENDING PETITIONS NOT OPEN FOR COMMENT

1. Rules of Civil Procedure

There are no pending petitions in this category.

2. Rules of Criminal Procedure

R-20-0031	Comment Deadline: Reply Deadline:	Originally Filed: January 10, 2020
Petitioner(s): Colleen Clase, Chief Counsel, Arizona Voice for Crime Victims (AVCV)		
Rule(s) Addressed: Rule 39		
Description: Would amend over 50 Crim. Proc. Rules to insert victims' rights provisions. Petition up for consideration at the December 2021 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1104		

3. Arizona Rules of Evidence

There are no pending petitions in this category.

4. Rules of the Supreme Court of Arizona

R-21-0041	Comment Deadline: Reply Deadline:	Originally Filed: August 25, 2021
Petitioner(s): Paul McMurdie, Chair, Family Court Improvement Committee		
Rule(s) Addressed: Rule 42 (ER 1.2), Rules of the Supreme Court of Arizona		
Description: Would amend ER 1.2, Rule 42 of the Rules of the Supreme Court of Arizona, to add an additional subpart providing that despite a general rule against assisting a client in conduct that the lawyer know is criminal, a lawyer may counsel or assist a client regarding conduct expressly permitted by Arizona state law, even if it violates federal law or the law of another jurisdiction.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1255		

5. Arizona Rules of Civil Appellate Procedure

There are no pending petitions in this category.

6. Rules of Procedure for Special Actions

There are no pending petitions in this category.

7. Arizona Rules of Family Law Procedure

R-21-0040	Comment Deadline: Reply Deadline:	Originally Filed: August 3, 2021
Petitioner(s): Paul McMurdie, Chair, Family Court Improvement Committee		
Rule(s) Addressed: Petition to Amend Rule 26, Arizona Rules of Family Law Procedure		
Description: Would amend Rule 26(a)(1) of the Arizona Rules of Family Law Procedure to authorize electronic signatures by an attorney or self-represented litigant on pleadings, written motions, and other documents filed with the court or served on another party or person. The Court entered an order denying expedited consideration or adoption on an emergency basis, which means it will not be considered until August 2022 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1254		

8. Arizona Rules of Protective Order Procedure

There are no pending petitions in this category.

9. Arizona Rules of Probate Procedure

There are no pending petitions in this category.

10. Rules of Procedure for the Juvenile Court

There are no pending petitions in this category.

11. Arizona Tax Court Rules of Practice

There are no pending petitions in this category.

12. Tribal Court Rules

There are no pending petitions in this category.

13. Local Rules

There are no pending petitions in this category.

14. Justice Court Rules of Civil Procedure

There are no pending petitions in this category.

15. Rules of Procedure for Judicial Review of Administrative Decisions

There are no pending petitions in this category.

16. Rules of Procedure in Civil Traffic and Civil Boating Violation Cases

There are no pending petitions in this category.

17. Rules of Procedure for Eviction Actions

R-21-0035	Comment Deadline: Reply Deadline:	Originally Filed: June 29, 2021
Petitioner(s): Gerald A. Williams, Justice of the Peace, North Valley Justice Court		
Rule(s) Addressed: Petition to Amend Rules 5, 11, and Appendix A of the Rules of Procedure for Eviction Actions		
Description: Would amend Rules 5 and 11 and Appendix A of the Rules of Procedure for Eviction Actions, to conform the rules and appendix to a recent statutory enactment. The Court entered an order denying expedited consideration or adoption on an emergency basis, which means it will not be considered until August 2022 Rules Agenda.		
Link to Petition and any comments: https://www.azcourts.gov/Rules-Forum/aft/1245		

18. Rules of Judicial Performance Review

There are no pending petitions in this category.

19. Rules of Procedure for Commissions on Appellate and Trial Court Appointments

There are no pending petitions in this category.