

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
RULE 4(b)(1), RULES OF PROCEDURE)	Administrative Order
FOR JUDICIAL PERFORMANCE)	No. 2023 - <u>194</u>
REVIEW)	(Amending Order No. R-23-0036)
)	
)	
)	

On August 24, 2023, this Court abrogated the then-existing Rules of Procedure for Judicial Performance Review and adopted a new set of Rules of Procedure for Judicial Performance Review in the State of Arizona, effective October 1, 2023.

It has come to the Court’s attention that a technical amendment to Rule 4(b)(1), Rules of Procedure for Judicial Performance Review, is necessary to expand the time period during which the Commission on Judicial Performance Review may hold public hearings to receive the oral comments it must consider during the relevant survey period in compliance with Rule 5(b)(2). As adopted, Rule 4(b)(1) requires public hearings during the election year. Holding public hearings only during the election year may preclude the Commission from receiving public hearing comments during the relevant survey period and from including those comments in the data reports provided to the Commission members in which the data and comments are encoded by the number randomly assigned to each judge as required by Rule 5(c)(1) and (2). The timely production of data reports to the Commission members is necessary for the Commission to complete its work and timely disseminate information to the voters in compliance with Rule 7.

Therefore, pursuant to Article 6, Section 3, Constitution of Arizona,

IT IS ORDERED that Rule 4(b)(1), Rules of Procedure for Judicial Performance Review in the State of Arizona, is amended as set forth in attachment to this Order.

Dated this 8th day of November, 2023.

ROBERT BRUTINEL
Chief Justice

ATTACHMENT

RULES OF PROCEDURE FOR JUDICIAL PERFORMANCE REVIEW IN THE STATE OF ARIZONA

Rule 1. through Rule 3. [No change]

Rule 4. Meetings and Action

(a) [No Change]

(b) Election-Related Meetings.

(1) *Public Hearings.* ~~In each election year~~ During the two-year period between regular general election dates, the Commission must request written public comments and hold at least one hearing for the sole purpose of receiving public comment on the performance of judges eligible for retention on the next general election ballot.

(A) through (D) [No change]

(2) through (3) [No change]

(c) through (h) [No change]

Rule 5. through Rule 14. [No change]