

**CASE PROCESSING STANDARDS ANALYSIS
LIMITED JURISDICTION APPEALS - CRIMINAL**

National Center for State Courts Model Time Standards:

None for this case type

Arizona Limited Jurisdiction Appeals Cases

The following standards have been adopted for Limited Jurisdiction Appeals cases:

75% within 180 days

99% within 365 days

✓ Administrative appeals are not included in this standard.

Measurement: Superior Court filing date through date appeal is decided (e.g. affirmed, reversed, remanded).

Excluded Time: The following may result in a stay of proceedings and the time elapsed will be excluded from measurement: special actions and appeals

Arizona Rules and Statutes	Timelines under Statute and Rule
Appeal Filed:	(Measurement Starts Here)
Rule 3, SCRAP-CR ¹	An appeal shall commence by filing a written notice of appeal with the trial court. A notice of appeal filed by mail must be received by the trial court within the allotted time.
Record on Appeal: Rule 4, SCRAP-CR	<u>Time for Taking Appeal:</u> The notice of appeal shall be filed with the trial court within 14 calendar days after the entry of the order, ruling, judgment, or sentence appealed from, except that a notice of delayed appeal shall be filed within 14 calendar days after entry of an order granting a delayed appeal.
Rule 7, SCRAP-CR	<u>Record on Appeal:</u> Within 14 calendar days after the filing of the notice of appeal, when the defendant is the appellant, a defendant who is not proceeding as an indigent on appeal shall make arrangements with all authorized transcribers to pay any record or transcript preparation fees. Thereupon, each authorized transcriber shall promptly prepare the transcript. Within the time allowed to appeal, the appellant shall also file an original and copy of a designation of items to be included in the record on appeal. Both documents shall be date-stamped on the face thereof when received by the court. The trial court shall send the copy to the opposing side. Within 14 calendar days of the date of filing, the opposing party may also file its designation of portions of the record to be included.

¹ Superior Court Rules of Appellate Procedure - Criminal

Arizona Rules and Statutes	Timelines under Statute and Rule
	<p>abandoned the appeal, and the disposition appealed from shall stand as if no appeal had been taken. If the defendant is the appellant, the trial court may enter an order declaring the appeal abandoned and requiring the defendant to re-appear in court on at least 14 calendar days written notice. At such a proceeding, the trial court may apply any available bond to fines or restitution and otherwise complete the execution of the sentence. The hearing may proceed in absentia if the defendant fails to appear or an arrest warrant may be issued.</p> <p>(Measurement Stops Here for Failure to Perfect the Record)</p>
<p>Rule 10, SCRAP-CR</p> <p>Rule 12, SCRAP-CR</p>	<p><u>Transmission of the Record; Notice of Summary Transfer:</u> When the appeal has been perfected and the time for filing the appellee's memorandum has expired, the trial court shall send the record on appeal and memoranda to the Superior Court within 30 calendar days.</p> <p><u>Disposition of Appeals:</u> After determination of an appeal pursuant to these rules, the Superior Court may:</p> <ol style="list-style-type: none"> (1) Reverse the trial court and remand the case to the trial court and direct a new trial. (2) Reverse the trial court and direct a verdict of acquittal, discharge the defendant and exonerate any bond. (3) Affirm the trial court and remand the case to the trial court for appropriate action. (4) Affirm the judgment of conviction but modify the sentence and remand the case to the trial court for action consistent with the modification. <p>The Superior Court ruling and the trial court record shall be transmitted by the Clerk of the Superior Court to the trial court within 30 calendar days after the Superior Court enters its order finally disposing of the case unless a notice of appeal is filed.</p> <p>(Measurement Stops Here after Disposition of the Appeal)</p>