

SUPREME COURT OF ARIZONA

In the Matter of ) Arizona Supreme Court  
 ) No. R-17-0033  
Rule 113(i), JUSTICE COURT )  
RULES OF CIVIL PROCEDURE ) **FILED 8/28/2018**  
 )  
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 )  
\_\_\_\_\_ )

**ORDER  
AMENDING RULE 113(i), JUSTICE COURT RULES OF CIVIL PROCEDURE**

A petition having been filed proposing to amend Rule 113(i), Justice Court Rules of Civil Procedure, upon consideration,

**IT IS ORDERED** that Rule 113(i), Justice Court Rules of Civil Procedure, be amended in accordance with the attachment hereto, effective January 1, 2019.

DATED this 28th day of August, 2018.

\_\_\_\_\_/s/\_\_\_\_\_  
SCOTT BALES  
Chief Justice

Arizona Supreme Court No. R-17-0033  
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TO:  
Rule 28 Distribution  
Colin Oglesbee

**ATTACHMENT \***

**Justice Court Rules of Civil Procedure**

**Rule 113. Serving a Summons and Complaint**

**(a) – (h)** [no change]

**(i) Dismissal because of lack of service; service on some but not all defendants.** After at least twenty (20) days notice to plaintiff, the court may dismiss a complaint as to any defendant who has not been served with the summons and complaint within ~~one hundred twenty (120)~~ ninety (90) days after the filing date of the complaint. Before the dismissal date, if the plaintiff shows good reasons why a defendant has not been served, the court may extend the time for service. When some but not all of the defendants in a lawsuit have been timely served, the court may dismiss from the lawsuit the defendants who have not been served, and allow the plaintiff to proceed against the defendants who have been served. [ARCP 4(i), 5(b)]

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\* Changes to text are indicated by underscoring and deletions from text are indicated by ~~strikeouts~~.