

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of: )  
)  
ESTABLISHMENT OF THE ) Administrative Order  
ADVISORY COMMITTEE ON ) No. 2012 - 43  
RULES OF EVIDENCE )  
)  
\_\_\_\_\_ )

The *Arizona Rules of Evidence* were first adopted by this Court in September 1977, and were based on the *Federal Rules of Evidence*, which had been adopted in 1975. In the more than thirty years since the adoption of the *Arizona Rules of Evidence*, the *Federal Rules of Evidence* had been amended on several occasions, and not all of these amendments had become part of the Arizona Rules.

Therefore, Administrative Order No. 2010-42, dated March 24, 2010, established the Ad Hoc Committee on Rules of Evidence to compare the *Arizona Rules of Evidence* to the restyled *Federal Rules of Evidence*, identify differences, and provide input to this Court regarding conforming changes not later than December 2010. The Committee timely completed its work and recommended changes to the *Arizona Rules of Evidence* in R-10-0035, which were approved by the Court with an effective date of January 1, 2012.

The Committee’s petition in R-10-0035 also recommended that the Court “create a standing committee on the Rules of Evidence to consider future amendment of the rules based on changes to the Federal Rules of Evidence or evolving case law.” This recommendation was approved by the Court.

Therefore, pursuant to Article VI, Section 3 of the Arizona Constitution,

IT IS ORDERED as follows:

1. The Advisory Committee on Rules of Evidence is established.
2. PURPOSE: The Committee shall periodically conduct a review and analysis of the *Arizona Rules of Evidence*, review all proposals to amend the *Arizona Rules of Evidence*, compare the rules to the *Federal Rules of Evidence*, recommend revisions and additional rules as the Committee deems appropriate, entertain comments concerning the rules, and provide reports to this Court, as appropriate.
3. MEMBERSHIP: The membership of the Committee is attached as Appendix A. The Chief Justice may appoint additional members as may be necessary.

4. MEETINGS: All meetings shall comply with the Arizona Code of Judicial Administration § 1-202: Public Meetings.
5. REPORTS: If the Committee concludes that the Supreme Court should consider amendments to the Arizona Rules, it shall draft and file the necessary petitions to amend the *Arizona Rules of Evidence*.
6. STAFF: The Court's Staff Attorneys' Office shall provide support for the Task Force and shall assist the Task Force in developing the recommendations and submitting the final report.

Dated this 11th day of June, 2012.

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REBECCA WHITE BERCH  
Chief Justice

**APPENDIX A**  
**ADVISORY COMMITTEE ON RULES OF EVIDENCE**  
**MEMBERSHIP**

The Honorable Samuel A. Thumma, Co-Chair

The Honorable Mark W. Armstrong, Co-Chair

The Honorable David R. Cole

The Honorable Paul D. Julien

The Honorable Michael Miller

The Honorable James A. Soto

Mr. Paul W. Ahler

Mr. Timothy J. Eckstein

Mr. Milton W. Hathaway, Jr.

Mr. William G. Klain

Ms. Shirley J. McAuliffe

Mr. Carl A. Piccarreta

Ms. Patricia Lee Refo