

Task Force on the Arizona Rules of Civil Procedure

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Request for Pre-Petition Comments on a Draft of Revised Arizona Rules of Civil Procedure

We serve as Co-Chairs of the Arizona Supreme Court's Task Force on the Arizona Rules of Civil Procedure. The Chief Justice established the Task Force on November 24, 2014, by entering Administrative Order number 2014-116. The Order (available [here](#)) charged the Task Force with the following undertaking:

...to review the Arizona Rules of Civil Procedure to identify possible changes to conform to modern usage, to clarify and simplify language, and to avoid unintended variation from language in counterpart federal rules. These changes should promote access to the courts and the resolution of cases without unnecessary cost, delay, or complexity. The Task Force shall seek input from various interested persons and entities with a goal of submitting a rules petition by January 2016 with respect to any proposed rules changes.

Task Force members thereafter spent hundreds of hours discussing changes to the civil rules. The Task Force recently achieved the milestone of producing a draft that encompasses changes to all of the civil rules, and which the Task Force refers to as the "vetting draft." Two versions of the vetting draft are available for review. The first version is a clean version and may be accessed [here](#). The second may be accessed [here](#), and is a redline version that identifies by strikethrough and underline the proposed revisions to the current civil rules. The revisions reflected on the redline version and incorporated into the "clean" version include changes which are both stylistic and substantive in nature.

The Task Force website may be accessed [here](#) and contains links to the minutes of Task Force meetings. The minutes detail the Task Force's deliberations regarding broad issues and particular rules.

The Task Force has discussed whether to retain or eliminate certain comments to the existing rules, and it has also discussed adding several new comments. The vetting drafts do not show proposed new comments or treatment of existing comments, however, because including this information would significantly increase the length of what already are lengthy documents.

Through this letter, and on behalf of the Task Force, we invite you and, if you represent an organization, your organization, to comment on the vetting draft. To obtain as many viewpoints as possible, and if you represent an organization, we ask that you distribute this letter to your organization's membership, or to particular colleagues, groups or sections within your organization that deal with civil litigation, or who otherwise have interest in these

rules. Comments can touch on any aspect of the draft, large or small, concerning its style or its substance.

Comments should be directed to the following Task Force mailbox: CivilRules@courts.az.gov So that it can consider all comments and make such additional revisions to the vetting draft as the Task Force deems warranted in advance of filing its Petition, the Task Force has set a November 16, 2015 deadline for submission of comments. Should you have any questions or comments, please don't hesitate to contact us. Thank you for your time and consideration.

Sincerely,

William G. Klain, Co-Chair
David B. Rosenbaum, Co-Chair