



DIVISION ONE  
 FILED: 02/18/2020  
 AMY M. WOOD,  
 CLERK  
 BY: JT

IN THE  
 COURT OF APPEALS  
 STATE OF ARIZONA  
 DIVISION ONE

IN THE MATTER OF: )  
 )  
 POLICY CONCERNING THE TIMELY ) ADMINISTRATIVE ORDER  
 FILING OF BRIEFS IN JUVENILE ) 2020-02 (REPLACING  
 APPEALS ) ADMINISTRATIVE ORDER 2017-05)  
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 )

This order replaces Administrative Order 2017-05, which addressed extensions of time to file briefs in juvenile appeals.

Appellants’ rights to due process require the Court of Appeals to timely resolve juvenile appeals, and, by rule, the Court is required to give precedence to juvenile appeals. Ariz. R.P. Juv. Ct. (“Rule”) 103(C). Rule 106(B) requires that the opening brief in a juvenile appeal be filed within 20 days after the Clerk of the Court of Appeals sends a Notice of Completion of Record to the parties, and the answering brief must be filed within 20 days after service of the opening brief. Previously, the Court allowed a single extension of time for each brief without requiring a showing of good cause. Undue delay may result when the Court grants extensions of time that are not supported by good cause. Moreover, in some cases, the Court receives additional requests for extensions of time supported only by a brief statement citing a “scheduling conflict” or the “press of work” in other cases.

Upon consideration and in the interests of promoting due process and timely resolution of juvenile appeals,

IT IS ORDERED adopting the following Policy:

1. The Court will only grant an extension of time to file a brief upon a motion showing good cause. Conclusory statements by counsel broadly asserting “scheduling conflicts” or “other work” will not constitute good cause for an extension of time. In determining whether an extension will be granted, the Court will consider, among other factors, when counsel was appointed in the matter, whether counsel’s inability to timely complete the brief is the result of circumstances that could not have been anticipated, the complexity of the appeal, the length of the trial resulting in the decision on appeal, counsel’s diligence, the size and workload of counsel’s law firm or agency, the number of other appeals on counsel’s docket, the briefing schedules of other appeals on counsel’s docket, and counsel’s diligence in those other appeals.

2. If a party has not obtained an order extending time prior to the deadline to file, the brief must be timely filed.

3. The Court will only grant additional extensions if it receives a motion providing new and unforeseen circumstances that justify another extension.

IT IS FURTHER ORDERED that the policy adopted in this administrative order will apply to juvenile appeals effective April 1, 2020.

\_\_\_\_\_/s/  
Peter B. Swann  
Chief Judge, Division One  
Arizona Court of Appeals