

IN THE SUPREME COURT OF THE STATE OF ARIZONA

Supreme Court No. R-03-0029

ORDER CORRECTING A PREVIOUS ORDER PROMULGATING RULE 40, ARIZONA RULES OF CRIMINAL PROCEDURE, AND AMENDING THE FORMS APPENDED TO THE ARIZONA RULES OF CRIMINAL PROCEDURE AND CERTAIN OF THE COMMENTS TO THE ARIZONA RULES OF CRIMINAL PROCEDURE

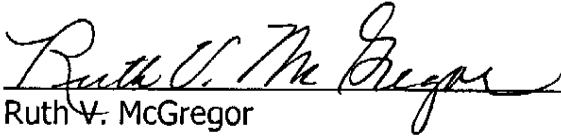
IT IS ORDERED correcting a previous order dated September 5, 2007 which promulgated Rule 40, Arizona Rules of Criminal Procedure, and amended the Forms appended to the Arizona Rules of Criminal Procedure and certain of the Comments to the Arizona Rules of Criminal Procedure effective January 1, 2008. The corrections are as follows:

1. All references to "Rule 40" in said order and in Appendix 1 thereto are changed to read "Rule 41."
2. A list of all Forms, their numbers and their titles shall be inserted at the beginning of the Forms, as shown in the Attachment hereto.
3. The informal subscripts at the right lower corner of the Forms are deleted and official Form numbers shall be inserted in their place in the right lower corner of each of the respective forms.

4. In the Comments to Rule 4.2(a)(2) and Rule 7.3(a) and (b), Rules of Criminal Procedure, the references to "Form IV" should be revised to read "Form 4(a)."

DATED in the City of Phoenix, Arizona at the Arizona Courts Building, this 25th day of September, 2007.

For the Court:


Ruth V. McGregor
Chief Justice

Attachment – List of Forms

Form 1 (Reserved)

Form 2(a) (Arrest Warrant)

Form 2 (b) (Arrest Warrant: Pre-Adjudication)

Form 2(c) (Arrest Warrant: Post-Adjudication)

Form 2(d) (Arrest Warrant: Failure to Pay)

Form 2(e) (Arrest Warrant: Probation Violation)

Form 2(f) (Arrest Warrant: Failure to Appear)

Form 2(g) (Arrest Warrant: Long Form/Probable Cause)

Form 2(h): (Arrest Warrant: Violation of Promise to Appear)

Form 3(a) (Summons: Fingerprint Required)

Form 3(b) (Summons: Fingerprint Not Required)

Form 4(a) (Release Questionnaire/Law Enforcement)

Form 4(b) (Release Questionnaire/Defendant)

Form 5 (a) (Defendant's Financial Statement)

Form 5(b) (Motion for Appointment of Counsel)

Form 6 (Release Order)

Form 7 (Appearance Bond)

Form 8 (Notice of Right to Counsel and Waiver)

Form 9 (Notice of Appearance)

Form 10 (Waiver of Preliminary Hearing)

Form 11 (Bind-Over Order)

Form 12 (Transmittal Certification)

Form 13(a) (Indictment)

Form 13(b) (Grand Jury Minutes)

Form 14 (Information)

Form 15(a) (Notice of Appointment of Mental Health Expert (Pre-Screen))

Form 15(b) (Rule 11 Order and Stipulation)

Form 15(c) (Notice of Appointment of Mental Health Expert-Competency)

Form 15(d) (Notice of Appointment of Mental Health Expert – Mental Condition at Time of Offense)

Form 16 (Reserved)

Form 17 (Waiver of Right to be Present at Deposition)

Form 18(a) (Felony Plea Agreement – Non-Capital)

Form 18(b) (Misdemeanor Plea Agreement)

Form 19 (Guilty/No Contest Plea Proceeding)

Form 20 (Waiver of Trial by Jury (Non-Capital))

Form 21 (Application upon Discharge to: Restore Civil Rights, Withdraw Guilty Plea/ Vacate Conviction (Set Aside), Restore Gun Rights)

Form 22 (Transmittal of Record on Appeal to Superior Court)

Form 23 (Notice of Rights of Review after Conviction in Superior Court)

Form 24(a) (Notice of Appeal from Superior Court)

Form 24(b) (Notice of Post-Conviction Relief)

Form 25 (Petition for Post-Conviction Relief)

Form 26 (Request for Preparation of Post-Conviction Relief Record)

Form 27(a) (Subpoena)

Form 27(b) (Subpoena - Alternative, Standby)

Form 28 (Telephonic Guilty Plea/No Contest Plea Proceedings)

Form 29 (Entry of Not Guilty Plea and Advisements)