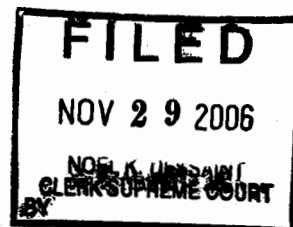


**IN THE SUPREME COURT OF THE STATE OF ARIZONA**

Supreme Court No. R-06-0020




**ORDER AMENDING  
RULES 5(a), 9(b), and 30(r),  
ARIZONA RULES OF CIVIL APPELLATE PROCEDURE**

On November 2, 2006, this Court issued an order in this matter rejecting a request for emergency adoption of the proposed amendments and opening the matter for comment. Upon reconsideration,

IT IS ORDERED that Rules 5(a), 9(b), and 30(r), Arizona Rules of Civil Appellate Procedure, be amended on an emergency basis pursuant to Rule 28(G), Rules of the Supreme Court, in accordance with the attachment hereto,\* effective as of November 28, 2006. This matter shall be open for public comment until May 21, 2007.

DATED in the City of Phoenix, Arizona at the Arizona Courts Building, this 29<sup>th</sup> day of November, 2006.

For the Court:

  
\_\_\_\_\_  
RUTH V. MCGREGOR  
Chief Justice

\* Changes or additions in text are indicated by underscoring and deletions from text are indicated by ~~strikeouts~~.

ATTACHMENT A

ARIZONA RULES OF CIVIL APPELLATE PROCEDURE

\* \* \*

**Rule 5. Computation; Shortening or Extension of Time.**

(a) **Computation of Time.** In computing any period of time prescribed by these rules, or by an order of court, or by any applicable statute, the provisions of Ariz. Rules Civ. Proc. 6(a) and (e), or Ariz. Rules Fam. L. Proc. 4(A) and (D), shall apply.

(b)-(c) [No change in text.]

**Rule 9. Appeal – When Taken.**

(a) [No change in text.]

(b) **Extension of Appeal Time.** When any of the following motions are timely filed by any party, the time for appeal for all parties is extended, and the times set forth in Rule 9(a) shall be computed from the entry of any of the following orders:

(1) [No change in text.]

(2) Granting or denying a motion to amend or make additional findings of fact pursuant to Ariz. Rules Civ. Proc. 52(b) or Ariz. Rules Fam. L. Proc. 82(B), whether or not granting the motion would alter the judgment;

(3) Granting or denying a motion to alter or amend the judgment pursuant to Ariz. Rules Civ. Proc. 59(1) or Ariz. Rules Fam. L. Proc. 84;

(4) Denying a motion for new trial pursuant to Ariz. Rules Civ. Proc. 59(a) or Ariz. Rules Fam. L. Proc. 83(A).

If more than one of the foregoing motions is timely filed, the expiration of the time for appeal is to be computed from the entry of the order which disposes of the last remaining motion. When a motion to amend or make additional findings of fact is granted, the time does not start to run until the amendment or addition has been accomplished by court order. The same applies also to the granting of a motion to alter or amend the judgment. For the purposes of this subdivision, entry of an order occurs when a signed written order is filed with the clerk of the superior court.

(c) [No change in text.]

\* \* \*

**Rule 30. Arizona Appellate Settlement Conference Program.**

**(a)-(q)** No change in text.

**(r) Time.** In computing any period of time prescribed by these rules or by order entered pursuant to these rules, the provisions of Ariz. R. Civ. P. (6)(a) or Ariz. Rules Fam. L. Proc. 4(A) shall apply, unless the rule or an order expressly states otherwise.

\* \* \*