

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
ESTABLISHMENT OF THE)	Administrative Order
COMMITTEE ON RULES OF)	<u>No. 2003- 63</u>
PROCEDURE IN DOMESTIC)	
RELATIONS CASES)	
)	
)	

Statewide reform efforts are underway to improve the manner in which courts process divorce and child custody cases with the goal of achieving fair, effective, uniform and timely resolution of family disputes and to better meet the needs of families and children. These efforts face uncertain results in the absence of a comprehensive and thorough review of the degree to which the Arizona Rules of Civil Procedure impede effective processing of domestic relations cases. Many trial courts have created their own local rules and practices to supplement those rules, resulting in a lack of uniformity where predictability is needed. Also, there is little uniformity in the manner in which trial courts implement and enforce the civil rules, and trial courts often disregard those rules that appear inapplicable. Failure to abide by the current rules, regardless of the appropriateness of doing so, threatens to undermine the public’s trust and confidence in the courts. These practices are symptomatic of a need for reform.

In accordance with Arizona Code of Judicial Administration § 1-104, the Chief Justice may establish advisory committees to the Arizona Judicial Council to assist the Council in carrying out its responsibilities. Furthermore, in keeping with the Court’s strategic goal to provide swift, fair justice for self-represented litigants and continuous improvement, it is deemed advisable to study and draft specific rules to govern these cases.

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the Committee on Rules of Procedure for Domestic Relations Cases is established as follows:

- PURPOSE:** The Committee shall review current statewide and local rules of procedure, evidence and alternative dispute resolution applicable to domestic relations cases as well as those used in other states, identify areas in which current rules impede the fair and efficient disposition of domestic relations cases and propose substitute or additional rules as needed.
- MEMBERSHIP:** The membership of the Committee is attached to this order as an Appendix. The Chief Justice may appoint additional members as may be necessary.

3. **MEETINGS:** Meetings shall be scheduled at the discretion of the Committee Chair. All meetings shall comply with the public meeting policy of the Arizona Judicial Branch.
4. **REPORTS:** The Committee shall submit a report of its findings and recommendations to the Arizona Judicial Council in March 2004.
5. **STAFF:** The Administrative Office of the Courts shall provide staff for the Committee and, as feasible, may conduct or coordinate research as requested by the Committee.

IT IS FURTHER ORDERED that the individuals designated in the Appendix to this order are appointed to serve as members of the Committee until June 30, 2004.

IT IS FURTHER ORDERED that Judge Mark W. Armstrong is appointed to serve as the Committee Chairperson.

Dated this 2nd day of June, 2003.

CHARLES E. JONES
Chief Justice

APPENDIX A

Hon. Mark Armstrong, Chair
Maricopa County Presiding Family Court Judge

Bridget Humphrey, Esq.
Community Legal Services Representative

Hon. Monica Stauffer
Superior Court in Greenlee County

Deborah Fine, Esq.
Coconino County Family Law Practitioner

Hon. Norm Davis
Superior Court in Maricopa County

Annette Burns, Esq.
Maricopa County Family Law Practitioner

Hon. Dale Nielson
Superior Court in Navajo County

Richard Scholz, Esq.
Mohave County Family Law Practitioner

Hon. Nanette Warner
Pima County Presiding Family Court Judge

Annette Everlove, Esq.
Pima County Family Law Practitioner

Michael Jeanes
Clerk of the Superior Court in Maricopa County

Janet Metcalf, Esq.
Yuma County Family Law Practitioner

Phil Knox, Family Court Administrator
Court Administrators Representative

Bob Schwartz, Esq.
State Bar Family Law Executive Council Representative

Brian Yee, Ph.D.
Psychologist/Custody Evaluator

Debra Tanner, Esq.
Attorney General's Office