

Rule 27. Certification of questions of law from federal and tribal courts.

(a) Filing; form; number of copies; additional record.

- (1) A certification proceeding may be commenced in this court by filing with the clerk of this court a certification order from a federal court or the court of last resort of a federally recognized Indian tribe within the boundaries of the State of Arizona.
- (2) The certification order shall be filed in this court only by the clerk of the certifying court.
- (3) The certification order shall set forth:
 - (A) The questions of law to be answered;
 - (B) A statement of all facts relevant to the questions certified;
 - (C) A list of the counsel (or pro se parties) appearing in the matter, together with their addresses and telephone numbers;
 - (D) The proportions in which the parties shall share the required filing fees, is such proportions are not to be equal;
 - (E) Any other matters that the certifying court deems relevant to a determination of the questions certified.
- (4) An original and six copies of the certification order shall be filed.
- (5) Upon request of this court, the clerk of the certifying court shall transmit to the clerk of this court the original or copies of such other portions of the certifying court's record as this court deems necessary to a determination of the certified questions.

(b) Acceptance of jurisdiction; notice; motion for reconsideration.

- (1) Upon the filing of the certification order and any additional record requested by this court, this court will determine whether it will accept jurisdiction or decline to accept jurisdiction to answer the certified questions.
- (2) The clerk of this court will promptly notify the certifying court and the parties of this court's decision to accept jurisdiction or to decline to accept jurisdiction.
- (3) No motion for reconsideration of an order declining to accept jurisdiction of a certification order shall be filed.

- (c) *Filing fees.* Upon receipt of notice that the court has accepted jurisdiction of a certification order and notice of the amount of the required filing fees, the parties shall promptly remit such amount to the clerk of this court.
- (d) *Briefing; oral argument.*
 - (1) Within twenty (20) days after entry of an order accepting jurisdiction of the certification order, each of the parties may file a brief addressing the questions to be answered. No further briefs may be filed without leave of court.
 - (2) Oral argument may be had only upon order of the court. Any party may request oral argument within the time provided for filing a brief.
- (e) *Costs and attorneys' fees.* There shall be no application for costs or attorneys' fees made to this court in connection with a certification proceeding.
- (f) *Motions; other procedures.* Except as otherwise provided herein, the Arizona Rules of Civil Appellate Procedure shall apply to motions and other procedures under this rule.

History: Added Jan. 10, 1985, effective Feb. 1, 1985; amended Mar. 18, 1994, effective June 1, 1994.