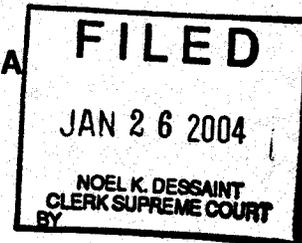**IN THE SUPREME COURT OF THE STATE OF ARIZONA**

Supreme Court No. R-03-0008

ORDER PROMULGATING RULE 902(12),
ARIZONA RULES OF EVIDENCE

IT IS ORDERED that Rule 902(12), Arizona Rules of Evidence, be

promulgated, in accordance with the attachment hereto,* effective as of June 1, 2004.

DATED in the City of Phoenix, Arizona at the Arizona Courts
Building, this 26th day of January 2004.

For the Court:

CHARLES E. JONES
Chief Justice

* Changes or additions in text are indicated by underlining and deletions from text are
indicated by strikeouts.

* * *

RULE 902. SELF-AUTHENTICATION

Extrinsic evidence of authenticity as a condition precedent to admissibility is not required with respect to the following:

(1) -(11) [No change in text.]

(12) Certified Foreign Records of Regularly Conducted Activity. In a civil case, the original or a duplicate of a foreign record of regularly conducted activity that would be admissible under Rule 803(6) if accompanied by a written declaration by its custodian or other qualified person certifying that the record:

(A) was made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;

(B) was kept in the course of the regularly conducted activity; and

(C) was made by the regularly conducted activity as a regular practice.

The declaration must be signed in a manner that, if falsely made, would subject the maker to criminal penalty under the laws of the country where the declaration is signed. A party intending to offer a record into evidence under this paragraph must provide written notice of that intention to all adverse parties, and must make the record and declaration available for inspection sufficiently in advance of their offer into evidence to provide an adverse party with a fair opportunity to challenge them.

* * *