



Supreme Court

STATE OF ARIZONA

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RACHELLE M. RESNICK
CLERK OF THE COURT

KATHLEEN E. KEMPLEY
CHIEF DEPUTY CLERK

September 6, 2007

RE: ARIZONA RULES OF CRIMINAL PROCEDURE - FORMS
Arizona Supreme Court No. R-03-0029

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on August 27, 2007, in regard to the above-referenced cause:

ORDERED: Amended Petition to Amend the Forms Appended to the Rules of Criminal Procedure = ADOPTED as modified, effective January 1, 2008.

Rachelle M Resnick, Clerk

TO:

George T Anagnost, Presiding Judge, Peoria Municipal Court

Benjamin S Cole, Navajo County Legal Defender

Robert B Van Wyck, Chief Counsel, State Bar of Arizona

Thomas M Stoxen, Deputy County Attorney, Yavapai County Attorney's Office

Kevin E Kane, Chairperson, Supreme Court Criminal Rules Review Committee

Juanita Mann, President, Arizona Association of Superior Court Clerks

R Michael Traynor, Chairperson, Committee on Limited Jurisdiction Courts

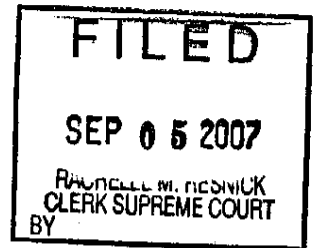
Philip J MacDonnell, Maricopa County Attorney's Office

Final Rule Distribution List

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IN THE SUPREME COURT OF THE STATE OF ARIZONA

Supreme Court No. R-03-0029



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 promulgating Rule 40, Arizona Rules of Criminal Procedure, as shown in Attachment 1 hereto, effective January 1, 2008.

IT IS FURTHER ORDERED abrogating in their entirety the Forms attached to the Arizona Rules of Criminal Procedure and substituting in their place revised Forms with the exception of Forms 4(a) and 4(b) [*See* R-07-0003], as shown in Attachment 2 hereto, effective January 1, 2008.

IT IS FURTHER ORDERED making the following technical, conforming revisions to the commentary set forth in the Arizona Rules of Criminal Procedure, as follows:

1. The first paragraph of the Comment following Rule 2.3 is hereby deleted.
2. The reference in the Comment following Rule 3.2 to "Forms II(a), II(b) and III" is changed to read "Forms 2(a) through 3(b)."
3. The reference in the Comment following Rule 4.1 to "Form IV" is changed to read "Form 4(a)."

4. The words "and Form XVI" are hereby deleted from the Comment following Rule 5.4(c).

5. The reference in the Comment following Rule 5.6 to "Form XII" is changed to read "Form 12."

6. The reference in the Comment following Rule 6.3(a) to "Form IX" is changed to read "Form 9."

7. The reference in the Comment following Rule 6.4(b) to "Form V" is changed to read "Forms 5(a) and (b)."

8. In the Comment following Rule 7.1(a), the words "See Form VI for an order of release on own recognizance." are changed to read "See Form 6 for an order of release."

9. The references in the Comments following Rule 7.1(b), (c) and (e) to "Form VII" are changed to read "Form 7."

10. In the Comment following Rule 7.4(a), the words "See Form IV, Release Questionnaire and Form V, Financial Questionnaire" are changed to read "See Forms 4(a), 4(b), 5(a) and 5(b)."

11. The references in the Comment following Rule 7.4(a) to "Form IV" are changed to read "Form 4(a)."

12. The reference in the Comment following Rule 9.1 to "Form VI" is changed to read "Form 6."

13. The reference in the Comment following Rule 13.1(a) to "Form XIII" is changed to read "Form 13(a)" and the reference in the Comment following Rule 13.1(b) to "Form XIV" is changed to read "Form 14."

14. In the Comment following Rule 15.1(a)(6), the words "See also Form XVI appended to these rules" are deleted.

15. In the Comment following Rule 16.3(a)(2) and (3), the words "See Section IV of the omnibus hearing form" are deleted.

16. In the Comment following Rule 16.4(a), the words "See Form XVI" are deleted.

17. In the Comments following Rule 17.2(a) and (c), the references to "Form XIX" are changed to read "Form 19."

18. In the Comments following Rules 17.4(a) and 18.1(a), the references to "Form XVIII" are changed to read "Forms 18(a) and (b)."

19. In the Comment following Rule 18.1(a) the reference to "Form XX" is changed to read "Form 20."

20. In the Comment following Rule 26.11, the reference to "Form XXIII" is changed to read "Form 23" and the reference to "Form V" is changed to read "Form 5(a)."

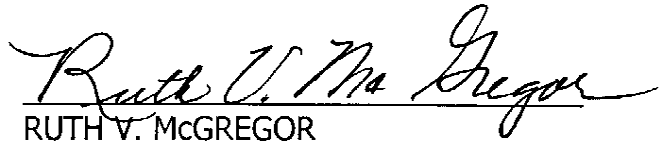
21. In the Comment following Rule 29.2(a), the reference to "Form XXI" is changed to read "Form 21."

22. In the Comment following Rule 32.1, the reference to "Form XXV" is changed to read "Form 25."

23. In the Comment following Rule 37.1, the words "The form approved by the Arizona Supreme Court for reporting dispositions is Form XXVII." are hereby deleted.

DATED in the City of Phoenix, Arizona at the Arizona Courts Building, this 5th day of September, 2007.

For the Court:


RUTH V. MCGREGOR
Chief Justice

APPENDIX 1

RULE 40, ARIZONA RULES OF CRIMINAL PROCEDURE

Rule 40. Forms

The forms contained in the following Appendix are recommended for use in Arizona courts and are sufficient to meet the requirements of these rules. All forms shall comply with the formatting requirements of Rule 10 Rules of Civil Procedure.