

LIST OF PENDING RULE CHANGE PETITIONS

Current as of August 20, 2024

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A. PENDING PETITIONS **OPEN** FOR COMMENT

1. *Arizona Rules of Civil Procedure*

R-24-0004	Comment Deadline: October 1, 2024 Reply Deadline: October 15, 2024	Originally Filed: January 1, 2024
Petitioner(s): Hon. Jeffrey T. Bergin, Presiding Judge, Superior Court of Arizona in Pima County		
Rule(s) Addressed: Petition to permanently adopt the FASTAR Rules in Pima County, and modify FASTAR Rules 101 and 126		
Description: Would adopt the FASTAR Rules in Pima County on a permanent basis and amend FASTAR Rules 101 and 126(a)(2).		
Link to Petition and any comments: R-24-0004 Petition to permanently adopt the FASTAR Rules in Pima (azcourts.gov)		
R-24-0048	Comment Deadline: October 1, 2024 Reply Deadline: October 15, 2024	Originally Filed: June 18, 2024
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Petition to Amend Various Rules of Procedure Related to E-filing		
Description: Would abrogate the rules governing electronic filing and service in all the Arizona courts' procedural rules, including the Rules of Civil Procedure, and replace them with provisions incorporating by reference the recently adopted ACJA 1-901.		
Link to Petition and any comments: R-24-0048 Petition to Amend Various Rules of Procedure Related to (azcourts.gov)		

2. Arizona Rules of Criminal Procedure

R-24-0049	Comment Deadline: October 1, 2024	Originally Filed: July 3, 2024
	Reply Deadline: October 15, 2024	
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Petition to Amend Criminal Rules 18.3(b), 26.11(a), 26.13, 29.1(b), 31.5(a), 35.1, 36.1(b) and (f), and 41, Supreme Court Rule 123(e)(10), and Civil Rule 47(b)		
Description: Would amend various rules of the Rules of Criminal Procedure, along with several other rules, to implement recent legislation and the Court's decision in <i>State v. Perez-Gutierrez</i> .		
Link to Petition and any comments: R-24-0049 Petition to Amend Criminal Rules 18.3(b), 26.11(a), (azcourts.gov)		

3. Arizona Rules of Evidence

There are no pending petitions in this category.

4. Rules of the Supreme Court

R-23-0056	Comment Deadline: October 1, 2024	Originally Filed: December 13, 2023
	Reply Deadline: October 15, 2024	
Petitioner(s): Hon. Christopher Staring, Chair, Ariz. Sup. Ct. Ethics Advisory Committee		
Rule(s) Addressed: Petition to Amend Rule 42 (ER 4.2), Ariz. R. Sup. Ct.		
Description: Would amend ER 4.2 (Rule 42, Rules of the Supreme Court of Arizona) to provide that a lawyer may communicate with a represented government official without the consent of the official's lawyer only if the lawyer notifies the official's lawyer in advance or simultaneously with the communication.		
Link to Petition and any comments: R-23-0056 Petition to Amend Rule 42 (ER 4.2) ARIZ. R. SUP. CT. - (azcourts.gov)		

R-24-0030	Comment Deadline: October 1, 2024 Reply Deadline: October 15, 2024	Originally Filed: January 10, 2024
Petitioner(s): Stacy Skankey, Goldwater Institute		
Rule(s) Addressed: Rules 32(b) and (c), Rules of the Supreme Court		
Description: Would amend Rules 32(b) and (c) of the Rules of the Supreme Court of Arizona to eliminate the authority to levy State Bar membership dues for non-regulatory functions. Public comment has been reopened to solicit comment on an alternative proposed amendment .		
Link to Petition and any comments: R-24-0030 Rules 32(b) and (c), Rules of the Supreme Court – (azcourts.gov)		
R-24-0045	Comment Deadline: October 1, 2024 Reply Deadline: October 15, 2024	Originally Filed: April 17, 2024
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rule 2.10, Az. Code of Jud. Conduct (Sup. Ct. Rule 81)		
Description: Would amend Rule 2.10 of the Arizona Code of Judicial Conduct (Rule 81 of the Rules of the Supreme Court of Arizona) to permit a presiding judge to publicly comment on another judge’s calendar and caseload management.		
Link to Petition and any comments: R-24-0045 Rule 81 and Rule 2.10 – Arizona Judicial Branch – Rules (azcourts.gov)		
R-24-0046	Comment Deadline: October 1, 2024 Reply Deadline: October 15, 2024	Originally Filed: April 25, 2024
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Petition to Amend Rule 53, Rules of the AZ Supreme Court		
Description: Would amend Rule 53 of the Rules of the Supreme Court of Arizona to impose a standing requirement to qualify as a complainant in a Bar disciplinary proceeding.		
Link to Petition and any comments: R-24-0046 PETITION TO AMEND RULE 53, RULES OF THE AZ SUPREME (azcourts.gov)		

R-24-0047	Comment Deadline: October 1, 2024 Reply Deadline: October 15, 2024	Originally Filed: June 3, 2024
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Rule 82, Rules of the Arizona Supreme Court		
Description: Would amend Rule 82 of the Rules of the Supreme Court of Arizona to require the Judicial Ethics Advisory Committee to seek comment before issuing a formal advisory opinion and provide for Supreme Court review before an opinion becomes final.		
Link to Petition and any comments: R-24-0047 Rule 82, Rules of the Arizona Supreme Court – Arizona (azcourts.gov)		

R-24-0050	Comment Deadline: October 1, 2024 Reply Deadline: October 15, 2024	Originally Filed: July 10, 2024
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Petition to Amend Supreme Court Rule 45(a)		
Description: Would amend Rule 45(a) of the Rules of the Supreme Court of Arizona to implement a recent statute providing that continuing education credit by a State Bar member for state agency licensing renewal may be applied to the member’s annual CLE requirement if certain conditions are met.		
Link to Petition and any comments: R-24-0050 Petition to Amend Supreme Court Rule 45(a) – Arizona (azcourts.gov)		

5. Arizona Rules of Civil Appellate Procedure

There are no pending petitions in this category.

6. Rules of Procedure for Special Actions

There are no pending petitions in this category.

7. Arizona Rules of Family Law Procedure

There are no pending petitions in this category.

8. Arizona Rules of Protective Order Procedure

There are no pending petitions in this category.

9. Arizona Rules of Probate Procedure

There are no pending petitions in this category.

10. Rules of Procedure for Juvenile Court

R-24-0051	Comment Deadline: October 1, 2024	Originally Filed: July 19, 2024
	Reply Deadline: October 15, 2024	
Petitioner(s): David K. Byers, Administrative Director, Administrative Office of the Courts		
Rule(s) Addressed: Petition to Amend Rule 349 and Adopt Rule 354, Rules of Procedure for the Juvenile Court		
Description: Would adopt a new Rule 354 to the Rules of Procedure for the Juvenile Court to implement a recent statute regarding the restoration of parental rights, and would make a technical correction to Rule 349 of the same rules.		
Link to Petition and any comments: R-24-0051 Petition to Amend Rule 349 and Adopt Rule 354, Rules of (azcourts.gov)		

11. Arizona Tax Court Rules of Practice

R-23-0016	Comment Deadline: October 18, 2024	Originally Filed: January 9, 2023
	Reply Deadline: November 4, 2024	
Petitioner(s): Hon. Sara J. Agne, Presiding Judge, Arizona Tax Court		
Rule(s) Addressed: Petition to Amend Arizona Tax Court Rules of Practice		
Description: Would amend the Arizona Tax Court Rules of Practice to restyle them by using clearer language, avoiding long sentences and ambiguous terms, and using consistent formatting conventions and terminology. Public comment has been reopened to solicit comment on a supplemental petition.		
Link to Petition and any comments: R-23-0016 Petition to Amend Arizona Tax Court Rules of Practice – (azcourts.gov)		

12. Tribal Court Rules

There are no pending petitions in this category.

13. Local Rules

There are no pending petitions in this category.

14. Justice Court Rules of Civil Procedure

There are no pending petitions in this category.

15. Rules of Procedure for Judicial Review of Administrative Decisions

There are no pending petitions in this category.

16. Rules of Procedure in Traffic and Boating Cases

There are no pending petitions in this category.

17. Rules of Procedure in Civil Traffic and Civil Boating Violation Cases

There are no pending petitions in this category.

18. Rules of Procedure for Eviction Actions

There are no pending petitions in this category.

19. Rules of Judicial Performance Review

There are no pending petitions in this category.

20. Rules of Procedure for Commissions on Appellate and Trial Court Appointments

There are no pending petitions in this category.

B. PENDING PETITIONS **NOT OPEN** FOR COMMENT

1. *Arizona Rules of Civil Procedure*

R-20-0012	Comment Deadline: Reply Deadline:	Originally Filed: January 9, 2020
Petitioner(s): Hon. Kyle Bryson, Presiding Judge, Superior Court of Arizona in Pima County		
Rule(s) Addressed: Petition to Permanently Adopt Rules for the Fast Trial and Alternative Resolution Program ("FASTAR")		
Description: Would permanently adopt and amend the Rules for the Fast Trial and Alternative Resolution Program. Note: This petition has been superseded by R-24-0004.		
Link to Petition and any comments: R-20-0012 PETITION TO PERMANENTLY ADOPT RULES FOR THE FAST TRIAL (azcourts.gov)		

2. *Arizona Rules of Criminal Procedure*

R-22-0045	Comment Deadline: Reply Deadline:	Originally Filed: December 1, 2022
Petitioner(s): Kathleen E. Brody, Jared G. Keenan, Arizona Attorneys for Criminal Justice		
Rule(s) Addressed: Petition to Amend Arizona Rule of Criminal Procedure 39(b)(12)		
Description: Would abrogate Rules 39(b)(12)(A) & (B) of the Rules of Criminal Procedure to allow defense counsel to make an interview request directly to a victim without going through the prosecutor.		
Link to Petition and any comments: R-22-0045 Petition to Amend Arizona Rule of Criminal Procedure (azcourts.gov)		

R-24-0005	Comment Deadline: Reply Deadline:	Originally Filed: January 4, 2024
Petitioner(s): Hon. Umayok Novell, City of Mesa Municipal Court		
Rule(s) Addressed: Petition to Amend Rules 1.5, 17.1, 17.2, and 17.3 of the Arizona Rules of Criminal Procedure		
Description: Would amend Rules 1.5, 17.1, 17.2, and 17.3 of the Rules of Criminal Procedure to facilitate the use of interactive audiovisual appearances in proceedings before limited jurisdiction courts and encourage the use of electronic filing portals in such courts. Referred to the Committee on Limited Jurisdiction Courts for further review, with a report and recommendation due to the Court no later than April 1, 2025.		
Link to Petition and any comments: R-24-0005 Petition to Amend Rules 1.5, 17.1, 17.2, and 17.3 of (azcourts.gov)		

3. Arizona Rules of Evidence

There are no pending petitions in this category.

4. Rules of the Supreme Court

R-23-0053	Comment Deadline: Reply Deadline:	Originally Filed: December 7, 2023
Petitioner(s): Hon. John R. Lopez IV, Chair, Attorney Regulation Advisory Committee		
Rule(s) Addressed: Petition to amend Supreme Court Rules 34, 38 & 39		
Description: Would amend Rules 34, 38, and 39 of the Rules of the Supreme Court of Arizona to clarify the phrases "good standing" and "active practice of law," and to simplify Rule 34's bar application requirements. Proposed amendments to Rule 34(f) continued pending the Court's consideration of other proposed amendments to the rule in R-24-0028. The other proposed amendments were adopted, effective January 1, 2025.		
Link to Petition and any comments: R-23-0053 Petition to amend Supreme Court Rules 34, 38 & 39 - (azcourts.gov)		

R-24-0028	Comment Deadline: Reply Deadline:	Originally Filed: January 10, 2024
Petitioner(s): Adam Shelton, Goldwater Institute		
Rule(s) Addressed: Rule 34(f), Rules of the Supreme Court		
Description: Would amend Rule 34(f) of the Rules of the Supreme Court of Arizona to provide for a “streamlined” process to allow attorneys admitted in other jurisdictions to practice law in Arizona. Referred to the Attorney Regulation Advisory Committee for further review and for a recommendation to the Court.		
Link to Petition and any comments: R-24-0028 Rule 34(f), Rules of the Supreme Court - Arizona (azcourts.gov)		

5. Arizona Rules of Civil Appellate Procedure

There are no pending petitions in this category.

6. Rules of Procedure for Special Actions

There are no pending petitions in this category.

7. Arizona Rules of Family Law Procedure

R-22-0007	Comment Deadline: Reply Deadline:	Originally Filed: January 8, 2022
Petitioner(s): Hon. Greg Sakall, Family Court Presiding Judge, Superior Court in Pima County; Hon. Michael Peterson, Judge, Superior Court in Graham County; Hon. Bruce Cohen, Family Department Presiding Judge, Superior Court in Maricopa County		
Rule(s) Addressed: ARFLP Rules 77 and 77.1 Regarding Informal Family Law Trials		
Description: Would amend Rule 77 and adopt a new Rule 77.1 of the Arizona Rules of Family Law Procedure to adopt an informal family trial program to increase access to justice and improve efficiency in family law matters.		
Link to Petition and any comments: R-22-0007 ARFLP Rules 77 and 77.1 Regarding Informal Family Law (azcourts.gov)		

R-23-0008	Comment Deadline: Reply Deadline:	Originally Filed: January 4, 2023
Petitioner(s): Hon. Bruce Cohen, Family Department Presiding Judge, Superior Court in Maricopa County		
Rule(s) Addressed: Petition to Amend Rules 91(h) and 92(c) ARFLP		
Description: Would amend Rules 91(h) and 92(c) of the Rules of Family Law Procedure to give a family law court the option of issuing an order to appear or a notice of hearing either before or after service of process. Referred to the Committee on Family Court for a recommendation about whether this matter should be maintained on the Court's docket or closed.		
Link to Petition and any comments: R-23-0008 Petition to Amend Rules 91(h) and 92(c) ARFLP - Arizona (azcourts.gov)		

R-24-0035	Comment Deadline: Reply Deadline:	Originally Filed: January 10, 2024
Petitioner(s): Lisa M. Panahi, General Counsel, State Bar of Arizona		
Rule(s) Addressed: Petition to Amend Rules 91(m) and 91.1(c), Ariz. R. Fam. L. P.		
Description: Would amend Rules 91(m) and 91.1(c) of the Rules of Family Law Procedure to facilitate document disclosure in post-decree cases. Referred to the Committee on Family Court for further review and for a recommendation to the Court.		
Link to Petition and any comments: R-24-0035 Petition to Amend Rules 91(m) and 91.1(c), Ariz. R. (azcourts.gov)		

8. Arizona Rules of Protective Order Procedure

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9. Arizona Rules of Probate Procedure

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10. Rules of Procedure for the Juvenile Court

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