

Arizona Supreme Court Rules 2022

August 23, 2022 Rules Agenda

Paul Julien – Judicial Education Officer

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R-22-0002

RULE 2.6, RULES OF CRIMINAL PROCEDURE

- NEW RULE 2.6 OF THE RULES OF CRIMINAL PROCEDURE GOVERNING THE PROCEDURES FOR SEARCH WARRANT APPLICATIONS REQUESTING AN UNANNOUNCED ENTRY OR NIGHTTIME SERVICE.
- ORDERED: Petition to Adopt Rule 2.6, Arizona Rules of Criminal Procedure ADOPTED as modified, effective January 1, 2023.

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R-22-0003
RULE 27.6, RULES OF CRIMINAL PROCEDURE

- AMEND RULE 27.6 OF THE RULES OF CRIMINAL PROCEDURE TO CLARIFY THE PROCEDURES FOR RELEASE DETERMINATIONS IN SUPERIOR COURT AND LIMITED JURISDICTION COURTS AFTER THE FILING OF A PETITION TO REVOKE PROBATION.
- ORDERED: Petition to Amend Rule 27.6, Arizona Rules of Criminal Procedure ADOPTED as modified, effective January 1, 2023.

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R-22-0004
RULES 4 (d) AND RULE 9, RULES OF EVICTION
ACTIONS

- WOULD AMEND RULES 4(d) AND 9 OF THE RULES OF PROCEDURE FOR EVICTION ACTIONS TO MODIFY THE PROCEDURES GOVERNING THE SATISFACTION OF A JUDGMENT AND TO ADOPT A NEW RULE GOVERNING THE VACATING OF AN EVICTION JUDGMENT.
- ORDERED: Petition to Amend Rule 4(d) and Rule 9, Arizona Rules of Procedure for Eviction Actions CONTINUED until the December 2022 Rules Agenda.

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R-22-0018
RULE 16, RULES OF SMALL CLAIMS PROCEDURE

- WOULD AMEND RULE 16 OF THE RULES OF SMALL CLAIMS PROCEDURE TO MODIFY THE PROVISIONS GOVERNING THE VACATING OF A JUDGMENT.

- ORDERED: Petition to Amend Rule 16 of Arizona Rules of Small Claims Procedure = DENIED.

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R-22-0028
RULE 26.11 AND RULE 36.1, RULES OF CRIMINAL PROCEDURE

AMEND RULE 26.11 OF THE RULES OF CRIMINAL PROCEDURE AND ADOPT A NEW RULE 36.1 OF THE SAME RULES TO IMPLEMENT A RECENT STATUTE GOVERNING THE SEALING OF CRIMINAL RECORDS.
ORDERED: Emergency Adoption Requested = GRANTED

FURTHER ORDERED: Petition to Amend Rule 26.11 and Adopt Rule 36.1, Rules of Criminal Procedure = ADOPTED as modified on an emergency basis, effective January 1, 2023.

FURTHER ORDERED: The Court will decide whether to adopt this rule and rule amendments on a permanent basis at its December 2022 Rules Agenda.

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R-21-0045
 CRIMINAL AND CIVIL PROCEDURES PERTAINING TO JURY
 QUESTIONNAIRES, VOIR DIRE, AND CHALLENGES FOR CAUSE

- VARIOUS RULES WILL AMEND THE RULES OF CIVIL PROCEDURE, THE RULES OF CRIMINAL PROCEDURE, AND OTHER RULES TO MODIFY, AMONG OTHER THINGS, THE RULES PERTAINING TO JURY QUESTIONNAIRES, VOIR DIRE, AND CHALLENGES FOR CAUSE.
- ORDERED: Petition to Amend Rules of Criminal Procedure 16.3, 18.3, 18.4 & 18.5; Rules of Civil Procedure 16 & 47; Justice Court Rule of Civil Procedure 134; and Rule of Procedure for Eviction Actions 12 ADOPTED as modified on a permanent basis, effective immediately

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R-21-0051
 RULES 5.3, 6.1, 7.3, AND 7.4,
 RULES OF CRIMINAL PROCEDURE

AMENDED RULES 5.3, 6.1, 7.3, AND 7.4 OF THE RULES OF CRIMINAL PROCEDURE TO MODIFY THE PROCEDURES GOVERNING PRETRIAL RELEASE.

ORDERED: Petition to Amend Rules 5.3, 6.1, 7.3, and 7.4, Arizona Rules of Criminal Procedure = ADOPTED as modified, effective January 1, 2023.

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R-22-0027
RULES 7 AND 11, RULES OF PROCEDURE FOR
EVICTION

- AMENDED RULES OF PROCEDURE FOR EVICTION ACTIONS RULES 7, 11, AND APPENDIX A (RESIDENTIAL EVICTION INFORMATION SHEET), AND ADDS A NEW RULE 20, TO CONFORM TO STATUTORY CHANGES ENACTED BY HB2484 AND HB2485.
- ORDERED: Emergency Adoption Requested = GRANTED.
- FURTHER ORDERED: Petition to Amend Rules 7, 11, and Appendix A, and add Rule 20 in the Rules of Procedure for Eviction Actions = ADOPTED as modified on an emergency basis, effective September 24, 2022.
- FURTHER ORDERED: The Court will decide whether to adopt this rule and these amendments to the rules and Appendix A on a permanent basis at its December 2022 Rules Agenda.

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RULES 3.2, 4.2, 7.3, 11.5, 14.4, 39, 41
CRIMINAL RULES

- WOULD AMEND CRIMINAL RULES 3.2, 4.2, 7.3, 11.5, 14.4, 39, AND 41 TO IMPLEMENT SB 1075, SB 1602, HB 2709, AND HB2372 FROM THE 2022 LEGISLATIVE SESSION.
- ORDERED: Emergency Adoption Requested = GRANTED.
 FURTHER ORDERED: Petition to Amend Rules 3.2, 4.2, 7.3, 11.5, 14.4, 39 and 41 of the Rules of Criminal Procedure = ADOPTED on an emergency basis.
 FURTHER ORDERED: The amendments to Rules 7.3, 11.5, and 39 and to Form 6 of Rule 41 are effective September 24, 2022.
 FURTHER ORDERED: The amendments to Rules 3.2, 4.2, 14.4, and to Form 3(a) of Rule 41 are effective January 1, 2023.
 FURTHER ORDERED: The Court will decide whether to adopt these amendments to the rules and forms on a permanent basis at its December 2022 Rules Agenda.

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R-20-0031
RULE 39, RULES OF CRIMINAL PROCEDURE

- WOULD AMEND OVER 50 CRIMINAL PROCEDURE RULES TO INSERT VICTIMS' RIGHTS PROVISIONS.
- ORDERED: Petition to Amend the Arizona Rules of Criminal Procedure CONTINUED until the December 2022 Rules Agenda.

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R-22-0030
VARIOUS RULES OF PROTECTIVE ORDER PROCEDURE TO INCORPORATE THE PROVISIONS OF SEVERAL STATUTES ENACTED IN THE LAST LEGISLATIVE SESSION.

- ORDERED: Emergency Adoption Requested = GRANTED.
- FURTHER ORDERED: Petition to Amend Rules 3, 14, 23, 24, 25, 26, 30, 31, 32 and 42 of the Arizona Rules of Protective Order Procedure = ADOPTED as modified on an emergency basis, effective September 24, 2022.
- FURTHER ORDERED: The Court will decide whether to adopt these rule amendments on a permanent basis at its December 2022 Rules Agenda.

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R-22-0032
CRIMINAL RULES 26.10, 26.11, 27.5, 30.1-30.6, 41

- WOULD AMEND RULES 26.10, 26.11, 27.5, 30.1 THROUGH 30.6, AND 41 OF THE RULES OF CRIMINAL PROCEDURE TO IMPLEMENT THE RECENTLY ENACTED HB 2119, WHICH ALLOWS A PERSON'S CIVIL RIGHTS TO BE RESTORED WHEN CERTAIN CRITERIA HAVE BEEN MET
- ORDERED: Emergency Adoption Requested for 30 days.
- FURTHER ORDERED: Petition to Amend Rules 26.10, 26.11, 27.5, 30.1 through 30.6 and 41, Rules of Criminal Procedure
- CONTINUED for 30 days.

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**VARIOUS RULES OF PROCEDURE TO
 IMPLEMENT SB 1115**

- WOULD AMEND VARIOUS PROCEDURAL RULES AND FORMS TO IMPLEMENT A RECENT STATUTE (SB 1115) TO CHANGE REFERENCES TO "NOTARY" TO "NOTARIAL OFFICER".
- ORDERED: Emergency Adoption Requested = GRANTED.
- FURTHER ORDERED: Petition to Amend Civil Rules 5.2 and 80; Criminal Rules 1.6, 17.1, and 41; Civil Appellate Rule 4.2; Family Court Rules 20, 40, 45, and 97; Justice Court Civil Rule 113; Juvenile Rule 105; and Supreme Court Rule 1, Form 1 (Expedited Consideration and Emergency Adoption Requested Pursuant to Rule 28) = ADOPTED on an emergency basis, effective immediately.
- FURTHER ORDERED: The Court will decide whether to adopt these amendments to the rules and form on a permanent basis at its December 2022 Rules Agenda.

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