

# MINUTES

No. 9108

En Banc

*Arizona Supreme Court*

**Tuesday, August 26, 2025**

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**R-24-0005**

## **RULES 1.5 et al RULES OF CRIMINAL PROCEDURE**

(1)

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

ORDERED: (Second Amended) Petition to Amend Rules 1.5, 17.1, 17.2 and 17.3 of the Rules of Criminal Procedure = ADOPTED as modified, effective January 1, 2026.

**R-24-0052**

## **RULE 2.5, CODE OF JUDICIAL CONDUCT**

(2)

WOULD AMEND RULE 2.5, CMT. 1, OF THE ARIZONA CODE OF JUDICIAL CONDUCT (RULE 81 OF THE RULES OF THE SUPREME COURT OF ARIZONA) RELATING TO JUDICIAL COMPETENCE TO DISCUSS THE USE OF TECHNOLOGY RELEVANT TO A JUDICIAL OFFICER'S SERVICE

ORDERED: Petition to Amend Arizona Code of Judicial Conduct, Rule 2.5 = ADOPTED as modified, effective January 1, 2026.

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**R-24-0053**

(3)

## **RULE 316(d), PROCEDURE FOR JUVENILE COURT**

WOULD AMEND RULE 316(d), RULES OF PROCEDURE FOR THE JUVENILE COURT, TO CLARIFY THAT A PARTY WHO OBJECTS TO A MOTION MUST FILE A WRITTEN OBJECTION AND THAT OTHERWISE THE COURT MAY RULE ON THE MOTION WITH OR WITHOUT A HEARING

ORDERED: Petition to Amend Rule 316(d), Rules of Procedure for the Juvenile Court = DENIED.

**R-24-0056**

(4)

## **RULE 2.11, CODE OF JUDICIAL CONDUCT**

WOULD AMEND RULE 2.11, CMT. 5, OF THE ARIZONA CODE OF JUDICIAL CONDUCT (RULE 81 OF THE RULES OF THE SUPREME COURT OF ARIZONA) RELATING TO A JUDGE'S DISCLOSURE OF INFORMATION RELATING TO THE JUDGE'S POTENTIAL DISQUALIFICATION IN A CASE

ORDERED: Petition to Amend Rule 2.11 (Disqualification), Code of Judicial Conduct = ADOPTED as modified, effective January 1, 2026.

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**R-24-0058**  
(5)

## **RULE 31.3(d)(5), RULES OF SUPREME COURT**

WOULD AMEND RULE 31.3(d)(5) OF THE RULES OF THE SUPREME COURT OF ARIZONA TO EXPAND WHEN A LAYPERSON MAY REPRESENT A TAXPAYER IN ADMINISTRATIVE REVIEW OF MATTERS RELATED TO PROPERTY TAXES

ORDERED: Petition to Amend Rule 31.3(d)(5), Arizona Rules of Supreme Court = ADOPTED, effective January 1, 2026.

**R-24-0059**  
(6)

## **RULE 6, RULES OF FAMILY LAW PROCEDURE**

WOULD AMEND RULES 3 AND 6 OF THE RULES OF FAMILY LAW PROCEDURE TO CLARIFY THAT A PARTY MAY OBTAIN A CHANGE OF JUDGE AS MATTER OF RIGHT ONLY ONCE IN A “FAMILY LAW CASE” AND NOT IN EVERY POST-DECREE PROCEEDING

ORDERED: Emergency Petition to Amend Rule 6 Arizona Rules of Family Law Procedure = ADOPTED as modified on a permanent basis, effective immediately.

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**R-24-0061**

(7)

## **RULE 45(b)(1), RULES OF FAMILY LAW PROCEDURE**

WOULD AMEND RULE 45(b)(1) OF THE RULES OF FAMILY LAW PROCEDURE TO DELETE THE REQUIREMENT FOR PARTIES FILING A CONSENT DECREE TO FILE A SPOUSAL MAINTENANCE CALCULATOR WORKSHEET AND INSTEAD REQUIRE THEM TO ACKNOWLEDGE THAT AN AWARD OF SPOUSAL MAINTENANCE IS APPROPRIATE AND JUST

ORDERED: Petition to Amend Rule 45(b)(1), Arizona Rules of Family Law Procedure = ADOPTED as modified, effective January 1, 2026.

**R-24-0062**

(8)

## **RULE 39, RULES OF SUPREME COURT**

WOULD AMEND RULE 39 OF THE RULES OF THE SUPREME COURT OF ARIZONA TO AUTHORIZE THE LIMITED PRACTICE CERTIFICATION OF LEGAL PARAPROFESSIONAL (LP) STUDENTS

ORDERED: Petition to Amend Rule 39 of the Arizona Rules of the Supreme Court = DENIED.

FURTHER ORDERED: The rule petition's proposed amendments will be referred to the Task Force on Rules of the Supreme Court of Arizona for further review.

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**R-24-0063**

(9)

## **RULE 31.3, RULES OF THE SUPREME COURT**

WOULD AMEND RULE 31.3 OF THE RULES OF THE SUPREME COURT OF ARIZONA TO ADD A NEW SUBPART (e)(10) TO PERMIT AUTHORIZED COMMUNITY JUSTICE WORKERS AND CERTIFIED COMMUNITY LEGAL ADVOCATES TO PERFORM LEGAL SERVICES CONSISTENT WITH PROPOSED ACJA 7-211

ORDERED: Amended Petition to Amend Rule 31.3, Rules of the Arizona Supreme Court = ADOPTED on a permanent basis, effective immediately.

**R-25-0002**

(10)

## **RULE 2(b)(1), RULE PROCEDURE FOR SPECIAL ACTIONS**

WOULD AMEND RULE 2(b)(1) OF THE RULES OF PROCEDURE FOR SPECIAL ACTIONS TO PROVIDE THAT A PARTY MAY NOT SEEK SPECIAL ACTION RELIEF IN AN ORIGINAL SPECIAL ACTION IF THERE IS AN “EQUALLY PLAIN, SPEEDY, AND ADEQUATE REMEDY BY LAW

ORDERED: Petition to Amend Arizona Rule of Procedure for Special Actions 2(b)(1) = ADOPTED as modified, effective January 1, 2026.

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**R-25-0007**  
(11)

## **RULE 4.2(h), RULES OF CIVIL APPELLATE PROCEDURE**

WOULD AMEND ARCAP RULE 4.2(h) AND DELETE ARCAP FORM 5 TO PERMIT THE APPELLATE CLERK TO USE A SIMPLER FORM TO ALLOW SELF-REPRESENTED LITIGANTS TO CONSENT TO ELECTRONIC DISTRIBUTION OF APPELLATE COURT DOCUMENTS

ORDERED: Petition to Amend Rule 4.2(h), Arizona Rules of Civil Appellate Procedure or in the Alternative, Amend Appendix Form 5, Arizona Rules of Civil Appellate Procedure = ADOPTED as modified, effective January 1, 2026.

**R-25-0008**  
(12)

## **RULE 13.2, RULES OF CIVIL APPELLATE PROCEDURE**

WOULD AMEND THE CIVIL, CRIMINAL, AND JUVENILE COURT APPELLATE RULES TO PERMIT SELF-REPRESENTED LITIGANTS TO FILE INFORMAL APPELLATE BRIEFS

ORDERED: Petition to Adopt Rule 13.2, Arizona Rules of Civil Appellate Procedure, Adopt Rule 31.10(a), Arizona Rules of Criminal Procedure, and Amend Rule 607, Arizona Rules of Procedure for the Juvenile Court = DENIED.

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**R-25-0013**  
(13)

## **RULE 31.10 & RULE 13, RULES OF CRIMINAL PROCEDURE**

WOULD AMEND THE CIVIL AND CRIMINAL APPELLATE RULES TO EXPLICITLY PERMIT A PARTY TO INCORPORATE PHOTOGRAPHS, CHARTS, GRAPHS, OR OTHER VISUAL AIDS INTO THE BODY OF A BRIEF

ORDERED: Petition to Amend Ariz. R. Crim. P. 31.10 and Ariz. R. Civ. App. P. 13 to Explicitly Permit the Use of Photographs, Charts, Graphs and Other Visual Aids in Briefs = ADOPTED as modified, effective January 1, 2026.

**R-25-0017**  
(14)

## **RULE 32(e), RULES OF SUPREME COURT**

WOULD AMEND RULE 32(e) OF THE RULES OF THE SUPREME COURT OF ARIZONA TO ADD THE PRESIDENT OF THE SENIOR LAWYERS DIVISION AS A VOTING MEMBER OF THE STATE BAR BOARD OF GOVERNORS

ORDERED: Petition to Amend Rule 32(e) of the Arizona Rules of Supreme Court = ADOPTED as modified, effective January 1, 2026.

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**R-25-0021**  
(15)

## **RULE 18(a), RULES OF PROBATE PROCEDURE**

WOULD AMEND RULE 18(a) OF THE ARIZONA RULES OF PROBATE PROCEDURE TO PROVIDE THAT IF THE PETITIONER HAS NOT OBTAINED AN INITIAL HEARING DATE WITHIN THIRTY DAYS OF FILING THE PETITION (RATHER THAN SIXTY DAYS), THE COURT MUST NOTIFY THE PETITIONER THAT THE PETITION MAY BE DISMISSED WITHIN THIRTY DAYS UNLESS THE PETITIONER OBTAINS A HEARING DATE OR AN EXTENSION

ORDERED: Petition to Amend Rule 18(a) of the Rules of Probate Procedure = ADOPTED, effective January 1, 2026.

**R-25-0022**  
(16)

## **RULE 4(a), RULES OF PROBATE PROCEDURE**

WOULD AMEND RULE 4(a) OF THE ARIZONA RULES OF PROBATE PROCEDURE TO CLARIFY THAT THAT TERM “ACTION” FOR THE PURPOSE OF APPLYING THE RULE GOVERNING CHANGE OF JUDGE AS A MATTER OF RIGHT REFERS TO A “PROBATE CASE” AND NOT JUST A “PROBATE PROCEEDING”

ORDERED: Petition to Amend Rule 4(a) of the Rules of Probate Procedure = ADOPTED, effective immediately.



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**R-25-0023**  
(17)

## **RULE 8.1(d)(1), RULES OF CIVIL PROCEDURE**

WOULD AMEND RULE 8.1(d)(1) OF THE RULES OF CIVIL PROCEDURE TO PROVIDE A PROCEDURE BY WHICH A CASE CAN BE ASSIGNED TO THE COMMERCIAL COURT IN MARICOPA COUNTY AFTER IT HAS BEEN TRANSFERRED TO THAT COUNTY FROM A COUNTY THAT DOES NOT HAVE A COMMERCIAL COURT

ORDERED: Petition to Amend Rule 8.1(d) of the Arizona Rules of Civil Procedure = ADOPTED as modified, effective January 1, 2026.

**R-25-0025**  
(18)

## **RULE 45, RULES OF THE SUPREME COURT**

WOULD AMEND RULE 45 OF THE RULES OF THE SUPREME COURT OF ARIZONA TO INCREASE THE AMOUNT OF CLE CREDIT AWARDED TO ARBITRATORS WHO COMPLETE A HEARING FOR THE STATE BAR FEE ARBITRATION PROGRAM

ORDERED: Petition to Amend Rule 45 of the Arizona Rules of Supreme Court = ADOPTED as modified, effective January 1, 2026.

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**R-25-0032**  
(19)

## **RULES 4 AND 55(a), RULES OF CIVIL PROCEDURE**

WOULD AMEND RULE 45 OF THE RULES OF THE SUPREME COURT OF ARIZONA TO INCREASE THE AMOUNT OF CLE CREDIT AWARDED TO ARBITRATORS WHO COMPLETE A HEARING FOR THE STATE BAR FEE ARBITRATION PROGRAM

ORDERED: Petition to Amend Rule 45 of the Arizona Rules of Supreme Court = ADOPTED as modified, effective January 1, 2026.

**R-25-0033**  
(20)

## **RULE 42 (ER 4.2), RULES OF SUPREME COURT**

WOULD AMEND COMMENT [1] TO ER 4.2 (RULE 42 OF THE RULES OF THE SUPREME COURT OF ARIZONA) TO EXPAND ON THE EXCEPTIONS TO THE RULE AGAINST COMMUNICATING WITH A REPRESENTED PARTY

ORDERED: Petition to Amend Comment = ADOPTED as modified, effective January 1, 2026.

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**R-25-0036**  
(21)

## **RULE 31.3 (e) (2), RULES OF THE SUPREME COURT**

WOULD AMEND RULE 31.3(e)(2) OF THE RULES OF THE SUPREME COURT OF ARIZONA TO REPLACE THE REFERENCE TO THE NOW-ABOLISHED “DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY” WITH THE NAMES OF ITS SUCCESSOR DEPARTMENTS

ORDERED: Petition to Amend Rule 31.3 (e)(2), Rules of the Supreme Court of Arizona = ADOPTED, effective January 1, 2026.

**R-24-0028**  
(22)

## **RULE 34(f), RULES OF THE SUPREME COURT**

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

ORDERED: Petition to Amend Rule 34(f), Rules of the Supreme Court = DENIED.

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**R-24-0035**  
(23)

## **RULES 91(m) AND 91.1(c), RULES OF FAMILY LAW**

WOULD AMEND RULES 91(m) AND 91.1(c) OF THE RULES OF FAMILY LAW PROCEDURE TO FACILITATE DOCUMENT DISCLOSURE IN POST-DECREE CASES

ORDERED: Petition to Amend Rules 91(m) and 91.1(c) of the Arizona Rules of Family Law Procedure = CONTINUED until the November 2025 Rules Agenda.

FURTHER ORDERED: The proposed amendments as revised are opened for public comment, with all comments due no later than October 1, 2025 and any reply due no later than October 15, 2025.

**R-24-0054**  
(24)

## **RULE 415, PROCEDURE FOR THE JUVENILE COURT**

WOULD AMEND RULE 415, RULES OF PROCEDURE FOR THE JUVENILE COURT, TO MODIFY THE LIST OF DOCUMENTS THAT MUST BE PROVIDED TO THE COURT BEFORE AN ADOPTION FINALIZATION HEARING, CLARIFY WHO MUST BE PROVIDE THE DOCUMENTS, AND ENLARGE THE TIMEFRAME FOR DOING SO

ORDERED: Petition to Amend Rule 415, Rules of Procedure for the Juvenile Court = ADOPTED as modified, effective January 1, 2026.

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**R-25-0004**  
(25)

## **RULE 807.01, RULES OF EVIDENCE**

WOULD ADOPT A NEW ARIZONA RULE OF EVIDENCE 807.1  
PROVIDING THAT A CHILD'S STATEMENT TO A FORENSIC  
INTERVIEWER IS ADMISSIBLE IF CERTAIN REQUIREMENTS ARE MET

ORDERED: Petition to Amend the Arizona Rules of Evidence = DENIED.

**R-25-0009**  
(26)

## **RULE 32.16, RULES OF CRIMINAL PROCEDURE**

WOULD AMEND RULE 32.16 OF THE RULES OF CRIMINAL PROCEDURE  
TO PROVIDE AN INCREASED WORD LIMIT FOR REPLY BRIEFS IN  
CAPITAL CASES

ORDERED: Petition to Amend Rule 32.16, Arizona Rules of Criminal Procedure  
= DENIED.

**R-25-0011**  
(27)

## **RULE 50, RULES OF FAMILY LAW PROCEDURE**

WOULD AMEND RULE 50 OF THE RULES OF FAMILY LAW  
PROCEDURE TO GIVE TRIAL COURTS DISCRETION TO ADJUST THE  
TRIAL TIME FOR COMPLEX CASES

ORDERED: Petition to Amend Rule 50, Arizona Rules of Family Law Procedure  
= ADOPTED, effective January 1, 2026.

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**R-25-0014**  
(28)

**RULE 32.16(a)(1),(a)(2),(c)(1),(f)(1)(A) CRIMINAL**

WOULD AMEND RULE 32.16 OF THE RULES OF CRIMINAL PROCEDURE TO ESTABLISH OR MODIFY THE DEADLINES AND THE FORM AND LENGTH REQUIREMENTS OF FILINGS IN A CAPITAL POST-CONVICTION RELIEF PROCEEDING

ORDERED: Petition to Amend Rules of Criminal Procedure 32.16 (a)(1), (a)(2), (c)(1), (f)(1)(A), (f)(2) and (f)(3) = ADOPTED, effective January 1, 2026.

**R-25-0026**  
(29)

**RULE 47(k), RULES OF FAMILY LAW PROCEDURE**

WOULD AMEND RULE 47(k) OF THE RULES OF FAMILY LAW PROCEDURE TO CLARIFY THAT THAT TEMPORARY ORDERS ARE REVIVED IF AN ACTION IS DISMISSED BUT THEN LATER REINSTATED

ORDERED: Petition to Amend Rule 47(k) of the Arizona Rules of Family Law Procedure = ADOPTED as modified, effective January 1, 2026.

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**R-25-0031**  
(30)

## **RULE 122, RULES OF THE SUPREME COURT**

WOULD AMEND RULE 122 OF THE RULES OF THE SUPREME COURT OF ARIZONA TO BROADEN THE POWER OF A COURT TO RESTRICT RECORDING OR BROADCASTING COURT PROCEEDINGS

ORDERED: Petition to Amend Rule 122, Rules of the Supreme Court = CONTINUED until the November 2025 Rules Agenda.

FURTHER ORDERED: The rule petition's proposed amendments will be referred to the Task Force on Rules of the Supreme Court of Arizona for further review and a recommendation to this Court.

**R-23-0053**  
(31)

## **RULES 34, 38, & 39, RULES OF THE SUPREME COURT**

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 SIMPLY RULE 34'S BAR APPLICATION REQUIREMENTS

ORDERED: Petition to Amend Rules 34, 38, & 39 Rules of the Supreme Court of Arizona = ADOPTED, effective January 1, 2026.

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**R-24-0055**  
(32)

## **RULES 701 THROUGH 706, PROCEDURE FOR JUVENILE**

WOULD ADOPT NEW RULES 701 THROUGH 706, RULES OF PROCEDURE FOR THE JUVENILE COURT, TO ESTABLISH COURT RULES SETTING FORTH THE PROCESS FOR OBTAINING COURT APPROVAL FOR MENTAL HEALTH SERVICES TO JUVENILES UNDER A.R.S. § 8-272

ORDERED: Petition to Adopt Rules 701 through 706, Rules of Procedure for the Juvenile Court & Amendment to Petition = ADOPTED as modified, effective immediately.

**R-24-0057**  
(33)

## **VARIOUS RULES: CIVIL AND FAMILY LAW PROCEDURE**

WOULD AMEND RULE 4.1 OF THE RULES OF CIVIL PROCEDURE AND THE CORRESPONDING SERVICE RULES FOR OTHER RULE SETS TO SPECIFY THE MEANS FOR SERVING A LIMITED LIABILITY COMPANY

ORDERED: Petition to Amend Rule 4.1(i) of the Rules of Civil Procedure for the Superior Courts of Arizona; Rule 41(j) of the Rules of Family law Procedure; Rule 113(b) of the Justice Court Rules of Civil Procedure; Rule 5(b), Rules of Small Claims Procedure = DENIED.



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**R-24-0060**

(34)

## **RULES 22 AND 77, RULES OF FAMILY LAW PROCEDURE**

WOULD AMEND RULES 22 AND 77 OF THE RULES OF FAMILY LAW PROCEDURE TO MOVE RULE 22 INTO RULE 77 AND TO DIRECT THE TRIAL COURT TO CONDUCT THE DIRECT EXAMINATIONS OF SELF-REPRESENTED PARTIES

ORDERED: Amended Petition to Amend Rules 22 & 77, Arizona Rules of Family Law Procedure = ADOPTED as modified, effective January 1, 2026.

**R-25-0001**

(35)

## **RULE 32 (a)-(m), RULES OF SUPREME COURT**

WOULD AMEND RULE 32 OF THE RULES OF THE SUPREME COURT OF ARIZONA TO MAKE THE STATE BAR A VOLUNTARY ASSOCIATION WITHOUT REGULATORY AUTHORITY AND TRANSFER THAT AUTHORITY TO THE ADMINISTRATIVE OFFICE OF THE COURTS UNDER A NEW RULE 32.2

ORDERED: Petition to Amend Ariz. Sup. Ct. R. 32(a)-(m) = DENIED.

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**R-25-0006**

(36)

## **RULES 5, 9, AND 10, RULES OF JUDICIAL REVIEW**

WOULD AMEND RULES 5, 9, AND 10 OF THE RULES OF PROCEDURE FOR JUDICIAL PERFORMANCE REVIEW TO CLARIFY AND MODIFY ASPECTS OF THE COMMISSION'S EVALUATION OF JUDICIAL PERFORMANCE

ORDERED: Petition to Amend Rules of Procedure for Judicial Performance Review in the State of Arizona, 5, 9, and 10 = CONTINUED until the November 2025 Rules Agenda.

FURTHER ORDERED: The proposed amendments as revised are opened for public comment, with all comments due no later than October 1, 2025 and any reply due no later than October 15, 2025.

**R-25-0012**

(37)

## **RULE 31.20 & 22, RULES OF CRIMINAL PROCEDURE**

WOULD AMEND THE CIVIL AND CRIMINAL APPELLATE RULES TO AUTHORIZE AND PROVIDE A PROCEDURE FOR THE COURT OF APPEALS TO CONDUCT EN BANC RECONSIDERATION OF APPELLATE DECISIONS

ORDERED: Petition to Amend Ariz. R. Crim. P. 31.20 and Ariz. R. Civ. App. P. 22 to Provide En Banc Reconsideration by the Court of Appeals = DENIED.

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**R-25-0018**  
(38)

## **RULES 42, 60, 64 AND 65, RULES OF SUPREME COURT**

WOULD AMEND RULES 42 (ER 8.5), 60, 64, AND 65 OF THE RULES OF THE SUPREME COURT OF ARIZONA TO AUGMENT SANCTIONS AVAILABLE TO DISCIPLINE ATTORNEYS WHO ARE NOT ADMITTED TO THE STATE BAR BUT ARE AUTHORIZED TO PRACTICE LAW IN ARIZONA

ORDERED: Petition to Amend Rules 42, 60, 64 and 65 of the Arizona Rules of Supreme Court = ADOPTED as modified, effective January 1, 2026.

**R-25-0019**  
(39)

## **RULE 15, RULES OF PROCEDURE FOR EVICTION**

WOULD AMEND RULE 15 OF THE RULES OF PROCEDURE FOR EVICTION ACTIONS TO ADD THREE GROUNDS FOR RELIEF FROM EVICTION JUDGMENTS AND ORDERS, AND TO ADD A STAY DURING THE THREE-DAY DECISION PERIOD FOR EMERGENCY MATTERS

ORDERED: Petition to Amend Rule 15 of the Rules of Procedure for Eviction Actions = DENIED.

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**R-25-0028**  
(40)

## **RULES 47(a) AND 47.2(a), RULES OF FAMILY LAW**

WOULD AMEND RULES 47(a) AND 47.2(a) OF THE RULES OF FAMILY LAW PROCEDURE TO PROVIDE A PROCEDURE FOR ISSUING TEMPORARY ORDERS IN CASES INVOLVING THIRD-PARTY RIGHTS

ORDERED: Petition to Amend Rules 47(a) and 47.2(a) of the Arizona Rules of Family Law Procedure = ADOPTED, effective January 1, 2026.

**R-25-0029**  
(41)

## **RULE 42 (ERs 1.16 AND 3.3), SUPREME COURT RULES**

WOULD AMEND ERs 1.16 AND 3.3 (RULE 42 OF THE RULES OF THE SUPREME COURT OF ARIZONA) TO PROVIDE GUIDELINES TO HELP LAWYERS AVOID IMPROPER PRESENTATION OF DIGITALLY FORGED EVIDENCE TO A COURT

ORDERED: Petition to Amend Rule 42 (ER's 1.16 and 3.3), Rules of the Supreme Court = ADOPTED, effective January 1, 2026.

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**R-25-0030**  
(42)

## **RULE 36, PROTECTIVE ORDER RULES**

WOULD AMEND RULE 901 OF THE ARIZONA RULES OF EVIDENCE TO ADD A COMMENT DISCUSSING EVIDENCE DIGITALLY FORGED BY ARTIFICIAL INTELLIGENCE, AND AMEND RULE 36 OF THE ARIZONA RULES OF PROTECTIVE ORDER PROCEDURE AND RULE 315 OF THE RULES OF PROCEDURE FOR THE JUVENILE COURT TO AUTHORIZE SANCTIONS IF A PARTY OFFERS FALSE OR MATERIALLY ALTERED EVIDENCE

ORDERED: Petition to Amend Arizona Rule of Protective Order Procedure 36; Rule of Procedure for the Juvenile Court 315; and Rule of Evidence 901 = ADOPTED as modified, effective January 1, 2026.

**R-25-0037**  
(43)

## **VARIOUS COURT RULES RE MARGIN REQUIREMENTS**

WOULD AMEND VARIOUS PROCEDURAL RULES TO STANDARDIZED MARGIN REQUIREMENTS FOR DOCUMENTS FILED IN SUPERIOR COURT AND TO INCORPORATE THE FORMATTING REQUIREMENTS IN THE CIVIL AND CRIMINAL RULES INTO THE SUPERIOR COURT APPELLATE RULES

ORDERED: Petition to Amend Various Court Rules Regarding Margin Requirements = ADOPTED, effective January 1, 2026.

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**R-22-0045**  
(44)

## **RULE 39(b)(12), RULES OF CRIMINAL PROCEDURE**

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

ORDERED: Petition to Amend Arizona Rule of Criminal Procedure 39(b)(12) = DENIED.

**R-25-0005**  
(45)

## **VARIOUS RULES CIVIL, CRIMINAL JUVENILE**

WOULD AMEND THE CIVIL, CRIMINAL, AND JUVENILE COURT APPELLATE RULES TO PROVIDE FOR SEQUENTIAL MERIT BRIEFING WITH A WORD LIMIT IN CASES WHERE THE SUPREME COURT GRANTS A PETITION FOR REVIEW

ORDERED: Petition to Amend Arizona Rules of Civil Appellate Procedure 4, 16, and 23; Arizona Rules of Criminal Procedure 31.6, 31.15 and 31.21; and Arizona Rules of Juvenile Procedure 609 = DENIED.

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**R-25-0010**  
(46)

## **RULE 19.1, RULES OF CRIMINAL PROCEDURE**

WOULD AMEND RULE 19.1 OF THE RULES OF CRIMINAL PROCEDURE TO ADOPT A NEW SUBPART SETTING FORTH THE PROCEDURES APPLICABLE TO THE PENALTY PHASE OF A CAPITAL CASE IF IT IS NOT IMMEDIATELY PROCEEDED BY A GUILT AND AGGRAVATION PHASE

ORDERED: Petition to Amend Rule 19.1, Arizona Rules of Criminal Procedure = CONTINUED until the November 2025 Rules Agenda.

FURTHER ORDERED: The rule petition's proposed amendments will be referred to the Capital Case Oversight Committee for further review and for a recommendation to this Court.

**R-25-0015**  
(47)

## **RULE 4 & 8, RULES OF JUDICIAL PERFORMANCE**

WOULD AMEND RULES 4 AND 8 OF THE RULES OF PROCEDURE FOR JUDICIAL PERFORMANCE REVIEW REGARDING COMMISSION REVIEW OF CONFERENCE TEAM REPORTS AND WHEN PUBLIC COMMENT MUST TAKE PLACE DURING A COMMISSION MEETING

ORDERED: Petition to Amend Rule 4 and Rule 8 of Rules of Procedure for Judicial Performance Review in the State of Arizona = CONTINUED until the November 2025 Rules Agenda.

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**R-25-0016**  
(48)

## **RULE 31.23, RULES OF CRIMINAL PROCEDURE**

WOULD AMEND RULE 31.23 OF THE RULES OF CRIMINAL PROCEDURE TO ESTABLISH A BRIEFING SCHEDULE REGARDING THE STATE'S REQUEST FOR A WARRANT OF EXECUTION IN A CAPITAL CASE

ORDERED: Petition to Amend Rule 31.23, Arizona Rules of Criminal Procedure = CONTINUED until the November 2025 Rules Agenda.

FURTHER ORDERED: The proposed amendments as revised are opened for public comment, with all comments due no later than October 1, 2025 and any reply due no later than October 15, 2025.

FURTHER ORDERED: The rule petition's proposed amendments as revised will be referred to the Capital Case Oversight Committee for further review and for a recommendation to this Court.

**R-25-0020**  
(49)

## **RULES 11(d) & 18(d), RULES OF EVICTION ACTIONS**

WOULD AMEND RULES 11(d) AND 18(d) OF THE RULES OF PROCEDURE FOR EVICTION ACTIONS TO HAVE A CLEARER DEFINITION OF "GOOD CAUSE" FOR THE PURPOSE OF APPLYING FOR AND GRANTING A CONTINUANCE

ORDERED: Petition to Amend Rules 11(d) and 18(d), Arizona Rules of Procedure for Eviction Actions = DENIED.



# MINUTES

No. 9108

En Banc

*Arizona Supreme Court*

**Tuesday, August 26, 2025**

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**R-25-0024**  
(50)

## **RULES 35, 34, AND 37, RULES OF SUPREME COURT**

WOULD ABROGATE AND REPLACE RULE 35 OF THE RULES OF THE SUPREME COURT OF ARIZONA GOVERNING BAR EXAMINATIONS AND AMEND RULES 34 AND 37 OF THE SAME RULES TO FACILITATE THE TRANSITION TO THE NEW BAR EXAMINATION

ORDERED: Petition to Abrogate and Replace Arizona Supreme Court Rule 35 and Amend Rules 34 and 37 = ADOPTED as modified, effective January 1, 2026.

**R-25-0027**  
(51)

## **RULES 5, 6, 7 AND 12, RULES OF JUDICIAL REVIEW**

WOULD AMEND RULES 5-7 AND 12 OF THE RULES OF PROCEDURE FOR JUDICIAL PERFORMANCE REVIEW TO CHANGE THE RULES REGARDING THE COLLECTION OF SURVEY DATA

ORDERED: Petition to Amend Rule 5, Rule 6, Rule 7 and Rule 12 of Rules of Procedure for Judicial Performance Review in the State of Arizona = CONTINUED until the November 2025 Rules Agenda.

# MINUTES

No. 9108

En Banc

*Arizona Supreme Court*

**Tuesday, August 26, 2025**

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**R-25-0034**  
(52)

## **RULES 12.10, 12.7, 12.21, 12.25 RULES OF CRIMINAL**

WOULD ADOPT A NEW RULE 12.10 TO THE RULES OF CRIMINAL PROCEDURE AND AMEND RULES 12.7, 12.21, AND 12.25 OF THE SAME RULES REGARDING GRAND JURY CONFIDENTIALITY AND GRAND JURY EVIDENCE

ORDERED: Petition to Add Rule 12.10 and Amend Rules 12.7, 12.21, and 12.25 of the Rules of Criminal Procedure = ADOPTED with respect to all the proposed amendments except the proposed amendments to Rule 12.7, effective January 1, 2026.

FURTHER ORDERED: The Court's consideration of the proposed amendments to Rule 12.7 is continued until the November 2025 Rules Agenda.

FURTHER ORDERED: The proposed amendments to Rule 12.7 as revised are opened for public comment, with all comments due no later than October 1, 2025.

**R-25-0035**  
(53)

## **RULE 39 (b)(12), RULES OF CRIMINAL PROCEDURE**

WOULD AMEND RULE 39(b)(12) OF THE RULES OF CRIMINAL PROCEDURE TO MODIFY THE PROCESS FOR THE DEFENSE TO REQUEST AN INTERVIEW WITH THE VICTIM OF AN ALLEGED CRIMINAL OFFENSE

ORDERED: Petition to Amend Rule 39(b)(12) of the Rules of Criminal Procedure = ADOPTED as modified, effective January 1, 2026.

# MINUTES

No. 9108

En Banc

*Arizona Supreme Court*

**Tuesday, August 26, 2025**

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**R-25-0039**

(54)

## **RULE 123, RULES OF THE SUPREME COURT**

WOULD AMEND RULE 123 OF THE RULES OF THE SUPREME COURT OF ARIZONA TO PROVIDE THAT IF A COURT DOES NOT HAVE A COMPUTER TERMINAL WHERE MEMBERS OF THE PUBLIC MAY VIEW COURT RECORDS, THE COURT MUST MAKE AVAILABLE TO THE REQUESTOR PAPER COPIES OF REQUESTED RECORDS AT NO CHARGE

ORDERED: Petition to Amend Court Rules Regarding Court Copy Fees in Computerless Courts = DENIED.

FURTHER ORDERED: The rule petition's proposed amendments will be referred to the Task Force on Rules of the Supreme Court of Arizona for further review.

**R-25-0040**

(55)

## **UNIFORM RULES OF PROCEDURE**

WOULD AMEND THE UNIFORM RULES OF PROCEDURE FOR COMMISSIONS ON APPELLATE AND TRIAL COURT APPOINTMENTS TO UPDATE, CLARIFY, AND CODIFY THE PROCEDURES FOR THE JUDICIAL NOMINATION PROCESS

ORDERED: Petition to Amend the Uniform Rules of Procedure for Commissions on Appellate and Trial Court Appointments = ADOPTED as modified on an emergency basis, effective immediately.

FURTHER ORDERED: The Court will decide whether to adopt the rule amendments on a permanent basis during its November 2025 Rules Agenda.

# MINUTES

No. 9108

En Banc

*Arizona Supreme Court*

**Tuesday, August 26, 2025**

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**R-25-0041**  
(56)

## **RULES 1 AND 9, RULES OF SMALL CLAIMS PROCEDURE**

WOULD AMEND RULES 1 AND 9 AND THE APPENDIX OF THE RULES OF SMALL CLAIMS PROCEDURE TO IMPLEMENT RECENT LEGISLATION, INCREASING THE JURISDICTIONAL LIMIT TO \$5,000

ORDERED: Petition to Amend Rules 1 and 9 and the Appendix of the Rules of Small Claims Procedure = ADOPTED on an emergency basis, effective immediately.

FURTHER ORDERED: The Court will decide whether to adopt the rule and appendix amendments on a permanent basis during its November 2025 Rules Agenda.

# MINUTES

No. 9108

En Banc

*Arizona Supreme Court*

**Tuesday, August 26, 2025**

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**R-25-0043**  
(57)

## **RULE 108(c)(4), PROCEDURE FOR THE JUVENILE COURT**

WOULD AMEND RULE 108(c)(4) OF THE RULES OF PROCEDURE FOR THE JUVENILE COURT TO CONFORM THE RULE WITH RECENT LEGISLATION PROVIDING THAT AFTER AN APPELLATE DECISION OF A PERMANENCY DETERMINATION, THE PARTIES ON REMAND HAVE A RENEWED RIGHT TO CHANGE OF JUDGE WITHOUT CAUSE

ORDERED: Petition to Amend Rule 108(c) of the Rules of Procedure for the Juvenile Court = CONTINUED until the November 2025 Rules Agenda.

FURTHER ORDERED: Request for Adoption on an Emergency Basis = DENIED.

FURTHER ORDERED: The proposed amendments to Rule 108(c) as revised are opened for public comment, with all comments due no later than October 1, 2025.

FURTHER ORDERED: Amendment to Rule 108(d)(4)(B) of the Rules of Procedure for the Juvenile Court = ADOPTED, effective immediately.

# MINUTES

No. 9108

En Banc

*Arizona Supreme Court*  
**Tuesday, August 26, 2025**

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**R-23-0008**  
(58)

## **RULES 91(h) AND 92(c), RULES OF FAMILY LAW**

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

ORDERED: Petition to Amend Rules 91(h) and 92(c), Arizona Rules of Family Law Procedure = CONTINUED until the November 2025 Rules Agenda.

FURTHER ORDERED: The proposed amendments as revised are opened for public comment, with all comments due no later than October 1, 2025 and any reply due no later than October 15, 2025.

**R-25-0003**  
(59)

## **RULE 8, RULES OF CIVIL PROCEDURE**

WOULD ADOPT A NEW SUBSECTION (J) TO RULE 8 OF THE RULES OF CIVIL PROCEDURE TO REQUIRE CERTAIN DISCLOSURES IF A PARTY'S PURSUIT OR DEFENSE OF A LAWSUIT'S CLAIMS IS SUBJECT TO A LITIGATION FUNDING AGREEMENT

ORDERED: Petition to Amend Rule 8, Rules of Civil Procedure = ADOPTED as modified, effective January 1, 2026.

# MINUTES

No. 9108

En Banc

*Arizona Supreme Court*

**Tuesday, August 26, 2025**

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**R-25-0042**  
(60)

## **RULE 43(b), RULES OF PROTECTIVE ORDER PROCEDURE**

WOULD AMEND RULE 43(b) OF THE ARIZONA RULES OF PROTECTIVE ORDER PROCEDURE TO IMPLEMENT RECENT LEGISLATION RELATING TO LIFETIME NO-CONTACT INJUNCTIONS

ORDERED: Petition to Amend Rule 43(b) of the Rules of Protective Order Procedure = ADOPTED on an emergency basis, effective September 26, 2025.

FURTHER ORDERED: The Court will decide whether to adopt the rule on a permanent basis during its November 2025 Rules Agenda.

**R-25-0044**  
(61)

## **RULES 28.1 AND 28.2, RULES FOR CRIMINAL, VARIOUS**

WOULD AMEND TWELVE RULE SETS TO INCLUDE NEW RULES AND AMENDMENTS GOVERNING, OR RELATED TO, RECORD RETENTION AND DISPOSITION

ORDERED: Petition to Amend Criminal Rules 28.1 and 28.2 and Various Other Rule Sets Relating to Records Retention and Disposition = ADOPTED on an emergency basis, effective January 1, 2026.

FURTHER ORDERED: The Court will decide whether to adopt the rule amendments on a permanent basis during its November 2025 Rules Agenda.

# MINUTES

No. 9108

En Banc

*Arizona Supreme Court*

**Tuesday, August 26, 2025**

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**R-25-0045**  
(62)

## **RULES 2.4,3.1,3.2,4.1,4.2,41, CRIMINAL PROCEDURE**

WOULD AMEND RULES 2.4, 3.1, 3.2, 4.1, 4.2, AND 41 (FORMS 2(A) AND (B)) OF THE RULES OF CRIMINAL PROCEDURE TO IMPLEMENT RECENT LEGISLATION REGARDING ARREST WARRANTS AND TO CORRECT AN INACCURATE CROSS-REFERENCE

ORDERED: Petition to Amend Rules 2.4, 3.1, 3.2, 4.1, 4.2, and 41, Forms 2(a) and (b) of the Rules of Criminal Procedure = ADOPTED as modified on an emergency basis, effective September 26, 2025.

FURTHER ORDERED: The Court will decide whether to adopt the rule amendments on a permanent basis during its November 2025 Rules Agenda.



The foregoing action was taken by the Arizona Supreme Court on Tuesday, August 26, 2025.

/s/

Date: 8/28/2025

Ann A. Scott Timmer, Chief Justice