

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-21-0024
RULE 14.3, RULES OF CRIMINAL)
PROCEDURE)
)
)
)
_____) **FILED 08/25/2021**

**ORDER AMENDING RULE 14.3 OF
THE RULES OF CRIMINAL PROCEDURE**

A petition having been filed proposing to amend Rule 14.3 of the Rules of Criminal Procedure, and comments having been received, upon consideration,

IT IS ORDERED that Rule 14.3 of the Rules of Criminal Procedure is amended in accordance with the attachment to this order, effective January 1, 2022.

DATED this 25th day of August, 2021.

_____/s/_____
ROBERT BRUTINEL
Chief Justice

TO:

Rule 28 Distribution
Andrew K Hettinger
Gerald A Williams

ATTACHMENT¹

RULES OF CRIMINAL PROCEDURE

Rule 14.3. The Defendant's Presence

(a) Personal Presence Required. A defendant must be arraigned personally before the trial court or by an interactive video appearance under Rule 1.5.

(b) Personal Presence Not Required if Waived. A defendant who personally appeared at an initial appearance may waive personal presence at an arraignment by filing a written waiver at least two days before the arraignment date. The defendant and defense counsel must sign and notarize the waiver. A defendant also must file a notarized affidavit no later than 20 days after arraignment stating that the defendant is aware of all scheduled court appearances and understands that failure to appear at sentencing may result in losing the right to a direct appeal.

(c) Exception for Limited Jurisdiction Courts. A limited jurisdiction court may conduct a telephonic arraignment for misdemeanor offenses and for civil traffic offenses that are charged on the same complaint as misdemeanor offenses. For purposes of this rule, "telephonic" includes voice-only communications between the court and the parties.

¹ Additions to the text of the rule are shown by underscoring and deletions of are shown by ~~strike through~~.