

SUPREME COURT OF ARIZONA

In the Matter of	)	Arizona Supreme Court
	)	No. R-20-0013
RULES OF PROCEDURE RELATED TO	)	
CREATING THE VERBATIM RECORD OF	)	
JUDICIAL PROCEEDINGS	)	
	)	
	)	
	)	
_____	)	FILED 06/07/2021

O R D E R

On January 9, 2020, David K. Byers, Administrative Director of the Administrative Office of the Courts, filed this rule petition to amend various procedural rules to expand the authority of the Arizona courts to use electronic recording technology to record court proceedings. On December 12, 2020, this Court entered an order continuing consideration of this petition until the August 2021 Rules Agenda and authorizing Petitioner to request leave, by June 4, 2021, to file an amended rule petition.

On June 3, 2021, Petitioner filed a request to file an amended petition and submitted an amended petition. The amended petition notes that the Arizona legislature has enacted S.B. 1267, which amends A.R.S. § 38-424(A) to authorize courts to use electronic recording devices in lieu of court reporters. The statute is likely to go into effect sometime this fall. The

amended petition also includes twenty-six pages of proposed rule amendments affecting thirteen different sets of Arizona procedural rules. Upon consideration,

IT IS ORDERED granting Petitioner leave to file an amended petition.

IT IS FURTHER ORDERED that the amended petition submitted by Petitioner is deemed filed on June 3, 2020.

IT IS FURTHER ORDERED that in light of the recent statutory amendment to A.R.S. § 38-424(A) and the complexity of the proposed amendments, the petition is reopened for public comment until October 1, 2021, with any reply due October 15, 2021.

IT IS FURTHER ORDERED that during the Court's August 2021 Rules Agenda, the Court will consider whether to adopt the petition's proposed amendments on an emergency basis under Rule 28(h)(2), Rules of the Supreme Court of Arizona. If it does, the Court will consider whether to adopt the proposed amendments on a permanent basis during its December 2021 Rules Agenda.

The amended petition may be viewed by going to: <http://www.azcourts.gov/Rules-Forum>. This opens the "Welcome" page. Petitions are posted under the appropriate body of rules, for example, Rules of Criminal Procedure, which is found by scrolling down the page.

For instructions on how to post comments electronically, click on <https://www.azcourts.gov/rules/Forum-FAQ> at the top of

the "Forum FAQ" page and then "How do I file a comment on a Rule 28 petition?"

Alternatively, commenters may submit comments by filing an original and one paper copy of the comment and one electronic copy of the written comments and supporting documents in Microsoft Word format on a CD or other compatible electronic medium with the Clerk of the Supreme Court, 1501 West Washington St., Room 402, Phoenix, AZ 85007 in an envelope marked "Rule Comment."

Any person filing a comment must send a copy of the comment to the Petitioner electronically or by ordinary mail.

DATED this 7th day of June, 2021.

_____/s/_____
ROBERT BRUTINEL
Chief Justice

TO:

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