

FILED

NOV 23 2021

TRACIE K. LINDBLUM
CLERK SUPREME COURT
BY

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-21-0044
RULE 96, RULES OF THE SUPREME)
COURT)
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**ORDER ADOPTING ON AN EMERGENCY BASIS AN AMENDMENT TO RULE 96 OF
THE RULES OF THE SUPREME COURT OF ARIZONA**

On November 12, 2021, David K. Byers, Administrative Director of the Administrative Office of the Courts ("AOC"), filed a rule petition on AOC's behalf proposing the adoption, on an emergency basis, of an amendment to Rule 96 of the Rules of the Supreme Court of Arizona. Having considered the petition,

IT IS ORDERED, pursuant to Rule 28(h)(2) of the Rules of the Supreme Court of Arizona, that Rule 96 of the Rules of the Supreme Court of Arizona is hereby amended on an emergency basis in accordance with the amendments shown on the attachment to this order, effective on the date of this order's filing.

IT IS FURTHER ORDERED that during its August 2022 Rules Agenda, the Court will consider whether to adopt the rule amendment on a permanent basis.

IT IS FURTHER ORDERED that this petition and rule amendment is opened for public comment under Rule 28(c), Rules of the Supreme Court of Arizona, with all comments due no later than May 1, 2022, and any reply due no later than June 1, 2022.

The petition and rule amendment 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 23 day of November, 2021.



ROBERT BRUTINEL
Chief Justice

Arizona Supreme Court No. R-21-0044

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TO:

Rule 28 Distribution

David K Byers

ATTACHMENT¹

RULES OF THE SUPREME COURT OF ARIZONA

Rule 96. Powers and Duties of Court Commissioners

All court commissioners and juvenile court commissioners appointed in accordance with Article VI, Section 24, of the Constitution of the State of Arizona, and Sections 12-213 and 8-231 of the Arizona Revised Statutes, shall have such powers and duties as are provided by this Rule.

(a) through (i) [No change]

(i) Senior Commissioners. Presiding judges may appoint former judges with ten years or more experience as Senior Commissioners with powers and duties to hear and determine any matter governed by the Rules of Civil Procedure or the Rules of Criminal Procedure. To be effective, the Chief Justice must approve the appointment. Senior Commissioners may be compensated in the same manner as provided by law for regular court commissioners.

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