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**IN THE SUPREME COURT
STATE OF ARIZONA**

In the Matter of) Arizona Supreme Court No. R-_____
)
ARIZONA RULES OF FAMILY)
COURT PROCEDURE 45.1 AND) EMERGENCY PETITION TO ADOPT
78.1) ARIZONA RULES OF FAMILY
_____) LAW PROCEDURE 45.1 AND 78.1

The legislature recently passed, and the governor signed into law Senate Bill 1383 amending provisions of Title 25. In the bill, the legislature amended A.R.S. § 25-313 (legal separation decree) to allow a court to terminate a legal separation. The legal separation termination order restores the marriage while establishing property and debt obligations. Proposed Rule 78.1 establishes the procedures for the parties and court to implement a termination order under the statute.

Also, in SB1383, the legislature created a summary consent decree. The summary consent decree allows for an amicable divorce at a reduced cost to the parties. Proposed Rule 45.1 establishes the procedures for the parties and court to implement the new decree.

The provisions of SB 1383 will take effect before this Court's timeline for consideration of court rules. For that reason, I submit the proposed rules on an emergency basis with comments to follow. I have addressed the changes with the Statute and Rules workgroup of the Family Court Improvement Committee. The FCIC has not formally voted on the proposal but will do so at the next committee meeting.

CONCLUSION

Petitioner respectfully requests that the Court consider and adopt the proposed changes reflected in the attachment with an effective date of _____.

DATED this 1st day of July 2022.

Paul J. McMurdie

ATTACHMENT¹

¹ As the proposed rules are new rules, they are printed in sentence case.