

Justice John R. Lopez IV, Former Chair
Committee on Criminal Rules Regarding Victims
1501 W. Washington St.
Phoenix, AZ 85007

IN THE SUPREME COURT

STATE OF ARIZONA

IN THE MATTER OF:) No. R-22-
)
PETITION TO AMEND THE) **PETITION**
ARIZONA RULES OF)
CRIMINAL PROCEDURE) REQUEST FOR EXPEDITED
(Section (v) amendments)) CONSIDERATION
_____)

The former Chair of the Committee on Criminal Rules Regarding Victims (“the committee”) files this present petition.¹

On July 1, 2022, the committee filed a report in rule petition No. R-20-0031 recommending that the Arizona Supreme Court decline to adopt proposed amendments to the Arizona Rules of Criminal Procedure. Those amendments would have further integrated victims’ rights provisions currently found in Rule 39 into other criminal rules. The committee’s report recognized the concerns underlying the

¹ Pursuant to Administrative Order No. 2021-182, the terms of committee members concluded on July 1, 2022.

contrary position, however, and it therefore agreed to provide an alternative recommendation. The committee's alternative recommendation was to add a new section (v) to 40 criminal rules.

Undersigned files this present petition to bring the alternative recommendation before the Court in a manner that is procedurally appropriate for considering rule amendments under Rule 28 of the Rules of the Arizona Supreme Court. The proposed amendments are shown in attached Appendix A. Attached Appendix B contains an explanation of each amendment. The substance of the committee's [July 1, 2022, report](#), which includes the committee's background and additional details regarding the section (v) approach, is incorporated in this present petition by reference.

Request for Expedited Consideration. Pursuant to Rule 28(h)(1) of the Rules of the Supreme Court of Arizona, Petitioner requests the Court's expedited consideration of this petition. Rule petition No. R-20-0031 was filed by the Arizona Voice for Crime Victims in January 2020 and it has been pending for more than 30 months. The amendments proposed by the present rule petition arose out of the committee's review of R-20-0031 and both petitions — R-20-0031 and this petition — concern the same subject matter: the rights of crime victims. Expedited resolution of the present petition could further the interests of justice by further clarifying the rights of crime victims within the criminal rules. The appendices filed with the report

in R-20-0031 and the appendices to the present petition are identical. The Court's concurrent consideration of this petition and the report in R-20-0031 would therefore serve judicial economy.

Petitioner proposes an October 3, 2022, public comment deadline on this petition, an October 21, 2022, due date for a reply, and expedited consideration of the petition, comments, and reply at the Court's December 2022 rules agenda.

Respectfully submitted this 12th day of July 2022.

/s/ _____
Justice John R. Lopez IV
Former Chair of the Committee on
Criminal Rules Regarding Victims