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**IN THE SUPREME COURT OF THE STATE OF ARIZONA**

In the matter of:	)	
	)	
	)	Supreme Court No. R-22-0009
PETITION TO ADOPT RULE 124	)	
OF THE RULES OF THE	)	Request to Defer Consideration
SUPREME COURT OF ARIZONA	)	of Petition Until August 2023
	)	Rules Agenda
_____	)	

David K. Byers, Administrative Director, Administrative Office of the Courts, and Petitioner in this matter, hereby files a request to defer ruling on petition R-22-0009 until the Court’s annual rules agenda in August 2023.

**I. Background**

On January 10, 2022, Petitioner filed petition R-22-0009 to implement the changes to A.R.S. § 12-109 made by Senate Bill (SB) 1265 during the 2021 First Regular Session of the Fifty-fifth Legislature. The proposed rule is intended to create uniform provisions for the acceptance of electronic signatures on electronically filed (“e-filed”) documents as the e-filing project expands to additional case types.

Three comments to this rule petition were received during the comment period. Two of the comments, one filed by the Arizona Association of Superior Court Clerks and one filed by the State Bar of Arizona, raised concerns about the proposed rule's definition of "electronic signature," as well as the placement of the proposed rule, i.e., whether the best placement is indeed in the Supreme Court Rules or whether placement should be in the specific rules sets (e.g., civil, criminal, family, juvenile, probate, etc.) Both comments requested that a workgroup comprised of stakeholders and practitioners be formed to examine the verbiage of the proposed rule and make recommendations to the AOC on how best to implement SB 1265 in the Rules of Court.

In response to these comments, Petitioner filed on May 26, 2022 a request to delay consideration of this petition until a workgroup could be formed to examine the proposed rule and make recommendations regarding the same. To that end, Petitioner files this request to ask this Court to further delay consideration of petition R-22-0009 until its August 2023 Rules Agenda to allow Petitioner to file an amended petition reflecting the recommendations of the workgroup.

## **II. Request**

The undersigned therefore requests that this Court defer ruling on petition R-22-0009 until its annual rules agenda in August 2023 and permit Petitioner to file an amended petition by May 1, 2023. The undersigned suggests that the comment

period for this petition remain open until July 1, 2023, and Petitioner be permitted to reply to the comments by July 15, 2023.

RESPECTFULLY SUBMITTED this 13<sup>th</sup> day of October 2022.

/s/David K. Byers  
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