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5 IN THE SUPREME COURT
6 STATE OF ARIZONA

7
8 IN THE MATTER OF:
9 PETITION TO AMEND RULES FOR
10 REMOTE ACCESS LITIGANTS

SUPREME COURT NO. R-__-____

PETITION TO AMEND RULES
CONCERNING ELECTRONIC
PLEADINGS, ORDERS, SUMMONS, FOR
DOMESTIC RELATIONS CASES.

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15 Pursuant to Rule 28, Rules of the Supreme Court, Donald Guadagni respectfully
16 petitions this Court to adopt amendments to the Body of Rules, governing electronic
17 communications for domestic relations cases for remote litigants.
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1 I. Background and Purpose of the Proposed Rule Amendments.

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3 When any Party is either remote (overseas) and / or has no fixed mailing address
4 or the sending and receiving of regular mail is either time or cost prohibitive impacting
5 fundamental fairness in and of the proceedings and if on any level the proceedings allow
6 electronic documents to be used in the proceedings (e.g. efile.azcourts.gov.) then all parties
7 including the jurist should allow bilateral electronic communications during the case to ensure
8 prompt access to justice.
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12 2 II. Contents of the Proposed Rule Amendment.

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14 That full electronic bilateral communication be allowed between parties including
15 the bench for the purpose of facilitating the timely transfer of pleadings, orders, minute entries,
16 petitions, response and other case matters.
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18 The rule shall apply as an element of the efile and COSC system where parties
19 accept service of pleadings, motions, response and replies et al. and extend to issuance of orders,
20 minute entries and other judicial notifications and processes.
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22 The rule does not apply to parties who do not participate in efile services and / or
23 reside locally (in the United States) and have access to U.S. postal service mail service for the
24 purpose of receiving and sending court and legal communications.

25 The rule would allow for electronically signed summons or other court signed
26 processes in so far as to grant access to the necessary and required elements by the remote party
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1 to facilitate proceedings and who then becomes responsible for “service” on the non-electronic
2 participating party, whether by mail or process server or legal notice as required under the rules.

3 Item are considered served when sent by efile / COSC electronic methods to their
4 distribution lists.
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7 RESPECTFULLY SUBMITTED this 24th day of January, 2023.
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10 By Donald Guadagni

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