

**RACHEL H MITCHELL
MARICOPA COUNTY ATTORNEY
(FIRM STATE BAR NO. 00032000)**

**PAUL W AHLER
CHIEF DEPUTY
225 WEST MADISON STREET
PHOENIX, ARIZONA 85003
TELEPHONE: (602) 506-3800
(STATE BAR NUMBER 005379)**

ARIZONA SUPREME COURT

**PETITION TO AMEND Rule 2.6,
Arizona Rules of Criminal Procedure.**

R-23-0024

MARICOPA COUNTY ATTORNEY'S OFFICE
COMMENT IN SUPPORT


The Maricopa County Attorney's Office (MCAO) is supportive of the proposals to amend Rule 2.6, Arizona Rules of Criminal Procedure, regarding search warrants.

As indicated in the Petition, there are occasions where a search warrant return is filed with a court other than the issuing court. This can cause confusion and/or unnecessary work in locating the return if it is not filed with the court where criminal charges are ultimately filed. This is particularly true when responding to public records requests post-conviction, as the criminal case file may not include the search warrant return filed with another court and unnecessary resources are expended by staff trying to determine whether MCAO is in possession of that return or not.

MCAO is also supportive of the other proposed changes that would allow for electronic returns, for written oaths and for requests to lengthen the time before records become open.

Respectfully submitted this 19th of April, 2023.

RACHEL H MITCHELL
MARICOPA COUNTY ATTORNEY

BY 
PAUL W AHLER
CHIEF DEPUTY