

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-23-0038
RULES 25, 26.11, 27.4, 29.7)
AND 41, RULES OF CRIMINAL)
PROCEDURE)
)
)
)
) **FILED:06/30/2023**
)
_____)

O R D E R

On June 29, 2023, David K. Byers, Administrative Director of the Administrative Office of the Courts, filed a rule petition to amend Rules 25, 26.11, 27.4, 29.7, and 41 of the Rules of Criminal Procedure. The proposed amendments are intended to implement the provisions of three enactments adopted last spring by the Arizona legislature and an enactment adopted in the prior session. One of these enactment has already gone into effect, but the rest are likely to go into effect this fall. To ensure that the Court considers the proposed amendments before all the statutes go into effect, Petitioner further requests that the petition be given expedited consideration under Rule 28(h)(1), Rules of the Supreme Court of Arizona, and be adopted on an emergency basis under Rule 28(h)(2) of the same rules. Upon consideration,

IT IS ORDERED granting the request to consider this petition on an expedited basis.

IT IS FURTHER ORDERED that during its August 2023 Rules Agenda, the Court will consider whether to adopt the proposed amendments to the rules on an emergency basis. If it does, the Court will consider whether to adopt the rule amendments on a permanent basis during its December 2023 Rules Agenda. If it decides not to adopt the proposed rule amendments on an emergency basis, the Court will decide whether to adopt them on a non-emergency basis during its December 2023 Rules Agenda.

IT IS FURTHER ORDERED that this petition is opened for public comment under Rule 28(c), Rules of the Supreme Court of Arizona, with all comments due no later than October 2, 2023, and any reply due no later than October 16, 2023.

The petition may be viewed by going to: <http://www.azcourts.gov/Rules-Forum>. This opens the "Welcome" page. Petitions are posted under the appropriate body of rules, for example, Rules of Criminal Procedure, which is found by scrolling down the page.

For instructions on how to post comments electronically, click on <https://www.azcourts.gov/rules/Forum-FAQ> at the top of the "Forum FAQ" page and then "How do I file a comment on a Rule 28 petition?"

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TO:

Rule 28 Distribution
David K Byers