

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-23-0009
RULE 31.3(e)(1), RULES OF THE)
SUPREME COURT)
)
)
)
) **FILED:08/28/2023**
)
_____)

**ORDER
AMENDING 8/24/23 ORDER**

On August 24, 2023, this Court entered an order that adopted amendments to Rule 31.3(e) of the Rules of the Supreme Court of Arizona. The order, however, erroneously contained superfluous language in paragraph (e)(1)(B), "a person may represent a party." This phrase was already included in paragraph (1) and does not need to be repeated. To correct this oversight,

IT IS ORDERED that, effective immediately, the Court's order of August 24, 2023, is amended to modify Rule 31.3 of the Rules of the Supreme Court of Arizona to eliminate the phrase "a person may represent a party" in Rule 31.3(e)(1)(B).

DATED this 28th day of August, 2023.

/s/
ROBERT BRUTINEL
Chief Justice

TO:

Rule 28 Distribution

Diana Newmark

Amanda Helen Glass

Lisa M Panahi

James D Lee

ATTACHMENT¹

RULES OF THE SUPREME COURT OF ARIZONA

Rule 31.3. Exceptions to Rule 31.2

(a) – (d) [No change]

(e) [No change]

(1) *Children With Disabilities*. A person may represent a party in the following situations if the person has special knowledge or training with respect to the problems of children with disabilities and the person is not charging a fee for representing the party (other than receiving reimbursement for costs): ~~In any administrative proceeding under 20 U.S.C. §§ 1415(f) or (k) regarding any matter relating to the identification, evaluation, educational placement, or the provision of a free appropriate public education for a child with a disability or suspected disability, a person may represent a party if:~~

(A) in any informal conflict resolution method, such as school-based meetings or mediation, regarding matters relating to the identification, evaluation, educational placement, or the provision of a free appropriate public education for a child with a disability or suspected disability; and/or the hearing officer determines that the person has special knowledge or training with respect to the problems of children with disabilities; and

(B) in any administrative proceeding under 20 U.S.C. §§ 1415(f) or (k) regarding any matter relating to the identification, evaluation, educational placement, or the provision of a free appropriate public education for a child with a disability or suspected disability. ~~the person is not charging a fee for representing the party (other than receiving reimbursement for costs).~~

Despite these provisions, the hearing officer may order the party to appear only through counsel or in some other manner if he or she determines that the person representing the party is interfering with the proceeding's orderly progress or imposing undue burdens on other parties.

(2) – (8) [No change]

¹ Additions to the text of the rule are shown by underscoring and deletions of text are shown by ~~strike-through~~.