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**IN THE SUPREME COURT
STATE OF ARIZONA**

In the Matter of:) Supreme Court No. R-24-0027
)
PETITION TO AMEND RULE 23,) **COMMENTS OF THE ARIZONA**
ARIZONA RULES OF CIVIL) **COMMISSION ON ACCESS TO**
PROCEDURE) **JUSTICE IN SUPPORT OF THE**
_____) **PETITION**

The Arizona Commission on Access to Justice is charged with considering and recommending innovative ways to promote access to justice for individuals who cannot afford legal counsel or who choose to represent themselves in civil cases. Established in 2014, the Commission evaluates best practices, identifies possible changes in court rules or practices to reduce barriers to access, identifies and encourages the adoption of best practices among legal service providers, and considers potential long-term funding options.

Following a presentation at the April 11, 2024, Commission meeting, a motion was made and seconded that the Commission support Rule Change Petition No. R-24-0027. After discussion by members of the Commission, that motion passed

unanimously. This Comment is a result of that formal Commission action and is intended to reflect the Commission's support of the changes requested in the Petition.

This Petition provides that cy pres residual funds, without statutory directives, will be provided to the Arizona Bar Foundation for the purpose of funding access to justice initiatives for low-income Arizonans. It aligns with a resolution adopted by the Conference of Chief Justices and the Conference of State Court Administrators to increase funding for civil legal aid. Prior similar petitions failed to clarify that the Arizona Bar Foundation was proposing to administer the cy pres residual funds in accordance with the judgment in each specific case. This petition clarifies this intent. This proposed use of residual cy pres funds is in line with the use of Interest on Lawyer Trust Account (IOLTA) funds, which are being used for similar purposes. Because these funds are intended to increase support for legal services for low-income individuals, there are clear access to justice implications.

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For these reasons, the Commission supports the adoption of the proposed amendments requested in Petition No. R-24-0027.

DATED this 29th day of April 2024.

_____/s/_____
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