

1 MAXINE M. BECKER, AZ Bar No. 019951  
2 KELLY MCGOWAN, Executive Director  
3 WILDFIRE: Igniting Community Action to End Poverty in Arizona  
4 340 E. Palm Lane, Suite 315  
5 Phoenix, Arizona 85004  
6 (602) 604-0640  
7 [mbecker@wildfireaz.org](mailto:mbecker@wildfireaz.org)  
8 [kmcgowan@wildfireaz.org](mailto:kmcgowan@wildfireaz.org)

9 **IN THE SUPREME COURT**

10 **STATE OF ARIZONA**

11  
12  
13 In the matter of:

Supreme Court No. R-24-0023

14  
15 **PETITION TO AMEND APPENDIX A,**  
16 **ARIZONA RULES OF PROCEDURE FOR**  
17 **EVICITION ACTIONS**

**COMMENT IN SUPPORT OF PETITION TO**  
**AMEND RULES 4 and 9 OF THE RULES OF**  
**PROCEDURE FOR EVICITION ACTIONS**

18 Under Rule 28 of the Rules of the Supreme Court, Wildfire: Igniting Community  
19 Action to End Poverty in Arizona, hereby submits this Comment in support of the Petition  
20 by the William E. Morris Institute for Justice, Community Legal Services, Southern Arizona  
21 Legal Aid, and DNA People’s Legal Services, regarding the Petition to Amend Appendix A,  
22 Arizona Rules of Procedure for Eviction Actions. The Petition puts forward straightforward  
23 and necessary revisions that improve the Residential Eviction Information Sheet (“REIS”)  
24 for Arizona tenants, and it should be adopted by this Court.

25 In 2023, landlords filed 96,698 eviction actions in Arizona justice courts. See  
26 ARIZONA JUDICIAL BRANCH INTERACTIVE DATA DASHBOARDS, [Justice Court Evictions](https://azcourts.gov)  
27 ([azcourts.gov](https://azcourts.gov)) (last visited April 29, 2024) Because the average Arizona household includes  
28 more than one person, for hundreds of thousands of Arizonans who are sued for eviction

1 each year, the REIS is the only document they have before going to court that provides any  
2 substantive or procedural information about the eviction process.

3 Arizona tenants who are sued for eviction have very few legal resources and  
4 information available to them. Almost all tenants represent themselves through the  
5 eviction process. Data provided by the Maricopa County Justice Court, which hears about  
6 80% of the states' eviction cases, showed that in 2023, only 141 tenant households, out of  
7 the 55,537 who appeared in court, were represented by counsel. [Arizona Eviction and  
8 Foreclosure Dashboard \(arcgis.com\)](https://arcgis.com) (last visited April 29, 2024). Across Arizona, there are  
9 only 1.2 legal aid attorneys for every 10,000 residents living in poverty, ranking our state  
10 47<sup>th</sup> in the nation for legal aid availability. See American Bar Association, "Profile of the  
11 Legal Profession" 2023.

12 The lack of resources for tenants facing eviction, coupled with the speed of the  
13 eviction process (there are only a few days between the service of the complaint and the  
14 eviction hearing) makes it imperative that the REIS is as complete and as easily  
15 understandable as possible. The Proposed REIS by Petitioners provides plain language  
16 information for self-represented litigants. It simplifies the existing REIS language to better  
17 explain important legal rights for tenants and adds basic definitions for the key documents  
18 self-represented litigants must understand. The proposed language puts the nuts and  
19 bolts of the eviction procedure that many lawyers and judges take for granted such as how  
20 to appear in court. It also provides contact information to legal aid organizations  
21 statewide, not just for Maricopa County, as is in the current REIS.

22 Court forms are critical for bridging the access to justice gap that occurs for self-  
23 represented litigants. A well-designed, plain-language court document helps people  
24 resolve their justice problems, protect their rights, and face their justice issues with dignity  
25 and empowerment. See Margaret Hagen, *Design Standards for Court & Government*  
26 *Forms, A Human-Centered Rubric to Evaluate a Form*, Medium, (March 2, 2023)

27 The proposed revisions to the REIS modernize it and provide more concise, easily  
28 readable, substantive and procedural eviction information and resources for self-  
represented litigants. The REIS is a critical document for access to justice for hundreds of

1 thousands of unrepresented Arizona litigants in the eviction system each year. Wildfire  
2 urges this Court to adopt these necessary updates and revisions.

3  
4 By /s/ Maxine M. Becker

5 Maxine M. Becker  
6 Kelly McGowan  
7 Wildfire: Igniting Community Action to  
8 End Poverty in Arizona  
9

10 Electronically posted  
11 this 29<sup>th</sup> day of April 2024.

12 By: /s/ Maxine M. Becker  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28