

1 Lisa M. Panahi, Bar No. 023421
2 General Counsel
3 State Bar of Arizona
4 4201 N. 24th Street, Suite 100
5 Phoenix, AZ 85016-6288
6 (602) 340-7236

7 **IN THE SUPREME COURT**
8 **STATE OF ARIZONA**

9 In the Matter of:

10 **PETITION TO PERMANENTLY**
11 **ADOPT RULES FOR THE FAST**
12 **TRIAL AND ALTERNATIVE**
13 **RESOLUTION PROGRAM**
14 **(“FASTAR”)**

Supreme Court No. R-24-0004

STATE BAR OF ARIZONA
COMMENT

15 Pursuant to Rule 28(e) of the Arizona Rules of Supreme Court, the State Bar
16 of Arizona (the “State Bar”) hereby submits this comment in support of the Petition
17 filed in this matter.

18 The State Bar endorses the Petition proposed by the Honorable Jeffrey Bergin
19 on behalf of the Superior Court in Pima County. The Petition requests the Court
20 permanently adopt the Fast Trial and Alternative Resolution (“FASTAR”) Rules
21 (currently designated as FASTAR Rules 101 through 126 and associated forms) in
22 any county that authorizes its use in lieu of compulsory arbitration under Arizona
23 Rules of Civil Procedure 72 through 77. The Petition also requests the Court modify
24 the FASTAR Rules to remove specific references in FASTAR Rule 101(a) to
25 FASTAR being a pilot program in Pima County—as granting the Petition would

1 make it a permanent program—and to modify FASTAR Rule 126(a)(2) so that *de*
2 *novo* appeals from arbitration hearings on the Alternative Resolution Track would
3 occur via a fast trial governed by FASTAR Rules 110 through 119, rather than by a
4 trial governed by the regular rules of procedure applicable to other civil cases as
5 occurs at present.

7 The State Bar supports the Petition to make the FASTAR pilot program
8 permanent, subject to the proposed modifications, for the reasons explained therein.
9
10 The FASTAR program has reduced the disposition time for the class of cases within
11 the pilot program without burdening the superior court bench or administration. This
12 reduced disposition time, in turn, furthers the Court’s strategic goal of improving
13 access to the justice. The Superior Court in Pima County is pleased with this program
14 and wishes for it to continue permanently. If the courts in other counties wish to
15 adopt the FASTAR program, they should have the opportunity to adopt it too.

17
18 RESPECTFULLY SUBMITTED this 1st day of May 2024.

19
20 

21 Lisa M. Panahi
22 General Counsel

23 Electronic copy filed with the
24 Clerk of the Supreme Court of Arizona
25 this 1st day of May 2024.

by: PSequin