

In the Matter of) Arizona Supreme Court
) No. R-24-0045
RULES 81 AND 2.10, RULES OF THE)
SUPREME COURT)
)
)
)
)
) **FILED 08/22/2024**

On April 17, 2024, David K. Byers, Administrative Director of the Administrative Office of the Courts ("AOC"), filed a rule petition on AOC's behalf to amend the Terminology Section and Rule 2.10 of the Arizona Code of Judicial Conduct, which is part of Rule 81 of the Rules of the Supreme Court of Arizona. Having considered the petition and no comments having been received, upon consideration,

IT IS FURTHER ORDERED that, consistent with the Court's April 17, 2024 order, the Court will consider whether to adopt

the rule amendments on a permanent basis during its December 2024 Rules Agenda.

IT IS FURTHER ORDERED that this matter is reopened for public comment as to whether these amendments should adopted permanently, with comments due no later than October 1, 2024 and any reply due no later than October 14, 2024.

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 (such as the "Rules of the Supreme Court"), which can be 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?"

Alternatively, commenters may submit comments by filing an original and one paper copy of the comment and one electronic copy of the written comments and supporting documents in Microsoft Word format on a CD or other compatible electronic medium with the Clerk of the Supreme Court, 1501 West Washington St., Room 402, Phoenix, AZ 85007 in an envelope marked "Rule Comment."

Any person filing a comment must send a copy of the comment to the Petitioner electronically or by ordinary mail.

DATED this 22nd day of August, 2024.

/s/
ANN A. SCOTT TIMMER
Chief Justice

TO:

Rule 28 Distribution

David K Byers

ATTACHMENT¹

RULES OF THE SUPREME COURT OF ARIZONA

Rule 81. Arizona Code of Judicial Conduct

* * *

TERMINOLOGY

After the definition of “Political Organization” and before the definition of “Public election”:

“Presiding judge of a court of record” means a presiding judge of the superior court in a county, a chief judge of the court of appeals, or the chief justice.

* * *

Rule 2.10. Judicial Statements

(A)-(E) [No change]

(F) Subject to the requirements of paragraph (A), a presiding judge of a court of record is authorized to make statements and provide statistics about another judge’s administrative performance in calendar and caseload management.

¹ Additions to the text of the rule are shown by underscoring.