

In the Matter of) Arizona Supreme Court
) No. R-24-0045
RULES 81 AND 2.10, RULES OF THE)
SUPREME COURT)
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)
)
) **FILED 12/03/2024**

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. On April 17, 2024, the Court entered an order granting the petition's request for expedited consideration and opened the petition for public comment until May 31, 2024.

Following its August 2024 Rules Agenda, the Court entered an order on August 22, 2024, adopting the rule amendments on an emergency basis under Rule 28(h)(2) of the Rules of the Supreme Court of Arizona, effective immediately. The order also provided that during the December 2024 Rules Agenda, the Court would consider whether to adopt the rule amendments on a

permanent basis, and it reopened public comment until October 1, 2024.

As the Court has not received any comments and as the Court remains convinced that the rule amendments are appropriate,

IT IS ORDERED that the amendments to the Terminology Section and Rule 2.10 of the Arizona Code of Judicial Conduct, Rule 81 of the Rules of the Supreme Court of Arizona, which the Court adopted on an emergency basis on August 22, 2024, are adopted permanently in accordance with the attachment to this order, effective January 1, 2025. The amendments shown on the attachment are the same as the amendments shown on the attachment to this Court's August 22, 2024, order.

DATED this 3rd day of December, 2024.

_____/s/_____
ANN A. SCOTT TIMMER
Chief Justice

Arizona Supreme Court No. R-24-0045

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TO:

Rule 28 Distribution

David K Byers

ATTACHMENT¹

RULES OF THE SUPREME COURT OF ARIZONA

Rule 81. Arizona Code of Judicial Conduct

* * *

TERMINOLOGY

“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.