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**IN THE SUPREME COURT  
STATE OF ARIZONA**

In the Matter of	)	Arizona Supreme Court No. R-25-0026
	)	
PETITION TO AMEND	)	
RULE 47(k), ARIZONA	)	COMMENT IN SUPPORT OF
RULES OF FAMILY LAW	)	THE PETITION
PROCEDURE	)	
	)	
_____	)	

At its February 13, 2025 meeting, the Committee on Family Court (“COFC”), f.k.a. Family Court Improvement Committee, voted to support the Petition with the following modification to the proposed new Rule 47(k)(3), Ariz. R. Fam. L. Pro.

The COFC agrees with the Petitioner State Bar that the Rules of Family Law Procedure should include language addressing the enforceability of temporary orders where a family court issues temporary orders, thereafter dismisses the case, and later reinstates the same case. After discussion, the COFC’s disagreement with the Petitioner is whether the prior temporary orders automatically revive in full or whether a family court should specify which temporary orders are revived. Recognizing the variety of factual and

procedural scenarios that come before the family court and that there may be occasions where some temporary orders may not necessarily be equitable or in the child(ren)'s best interests at the time of the case's reinstatement, the COFC believes the better approach would be to provide that the family court must specify which temporary orders are revived upon reinstatement.

The COFC's proposed modification to the Petition's Rule 37(k) is highlighted below in red:

**Rule 47. Motions for Temporary Orders**

**(k) Enforceability of Temporary Orders**

(3) Reinstatement. If a dismissed matter is reinstated, whether on a party's motion or the court's own motion, ~~the court's order reinstating the case must specify whether the all~~ temporary orders in effect at the time the matter was dismissed are returned to full force and effect as of the date of the matter's reinstatement, ~~unless the court specifies otherwise in the order reinstating the case.~~

DATED this 18th day of March, 2025.

Greg Sakall

Chair, Committee on Family Court