

1 Lisa M. Panahi
2 Bar No. 023421
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 AMEND RULE 19.1**
11 **OF THE ARIZONA RULES OF**
12 **CRIMINAL PROCEDURE**

Supreme Court No. R-25-0010

STATE BAR OF ARIZONA
COMMENT

13 Pursuant to Rule 28(e) of the Arizona Rules of Supreme Court, the State Bar
14 of Arizona (the “State Bar”) hereby submits the following as its comment to the
15 above-captioned Petition.

16 This Petition seeks to amend Rule 19.1 of the Arizona Rules of Criminal
17 Procedure to adopt a new subpart setting forth the procedures applicable to the
18 penalty phase of a capital case if it is not immediately proceeded by a guilt and
19 aggravation phase. The State Bar’s Criminal Practice and Procedure Committee
20 reviewed this Petition and proposed that the State Bar take no position on the
21 proposed amendments, and instead, recommend that the Court forward this Petition
22 for review to the Court’s Capital Case Oversight Committee. The Committee
23 believes the Court’s Capital Case Oversight Committee is better suited to opine on
24
25

1 amendments to the rule.

2 **CONCLUSION**

3 The State Bar of Arizona respectfully requests that the Court forward this
4 Petition to its Capital Case Oversight Committee for further study and comment.
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6 RESPECTFULLY SUBMITTED this 1st day of May 2025.
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Lisa M. Panahi
10 FOR THE STATE BAR OF ARIZONA

11 Electronic copy filed with the
12 Clerk of the Supreme Court of Arizona
13 this 1st day of May 2025.

14 by: PSequin
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