

In the Matter of) Arizona Supreme Court
) No. R-25-0045
RULES 2.4, 3.1, 3.2, 4.1, 4.2,)
AND 41, RULES OF CRIMINAL)
PROCEDURE)
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) **FILED: 07/21/2025**

On July 18, 2025, David K. Byers, Administrative Director of the Administrative Office of the Courts ("AOC"), filed a rule petition on AOC's behalf to amend Rules 2.4, 3.1, 3.2, 4.1, 4.2, and 41 (Forms 2(a) and (b)) of the Rules of Criminal Procedure. The proposed amendments are mainly intended to implement recent legislation amending A.R.S. § 13-3897, which relates to arrest warrants. The petition also proposes two minor amendments to Rule 4.2 to correct inaccurate cross-references in two subparts of the rule.

To ensure that the Court considers and acts on the proposed amendments before the recent legislation goes into effect in late September 2025, Petitioner further requests that the petition be given expedited consideration under Rule 28(h)(1), Rules of the Supreme Court of Arizona, and be adopted on an emergency basis under Rule 28(h)(2) of the same rules.

Upon consideration,

IT IS ORDERED granting the request to consider this petition on an expedited basis.

IT IS FURTHER ORDERED that during its August 2025 Rules Agenda, the Court will consider whether to adopt on an emergency basis the proposed amendments to Rules 2.4, 3.1, 3.2, 4.1, 4.2, and 41 (Forms 2(a) and (b)) of the Rules of Criminal Procedure. If it does, the Court will consider whether to adopt the rule amendments on a permanent basis during its November 2025 Rules Agenda. If it decides not to adopt the proposed rule amendments on an emergency basis, the Court will decide whether to adopt them on a non-emergency basis during its November 2025 Rules Agenda.

IT IS FURTHER ORDERED that this petition is opened for public comment under Rule 28(c), Rules of the Supreme Court of Arizona, with all comments due no later than October 1, 2025, and any reply due no later than October 15, 2025.

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 Criminal Procedure," which applies here), 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 21st day of July, 2025.

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

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TO:

Rule 28 Distribution

David K Byers