



**IT IS FURTHER ORDERED** that the Court will consider whether to adopt these amendments on a permanent basis during its August 2026 Rules Agenda.

**IT IS FURTHER ORDERED** that this matter is opened for public comment under Rule 28(c), Rules of the Supreme Court of Arizona, on whether to adopt these amendments on a permanent basis, with all comments due by no later than May 1, 2026, and any reply due no later than June 1, 2026.

Rule petitions, including this one, 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. For example, the Rules of Procedure for Judicial Performance Review can be found by scrolling down the page.

For instructions on how to post comments electronically, follow the steps listed above and click on "FAQ" at the top of the "Welcome" page and then find "How do I file a comment on a Rule 28 petition?"

Alternatively, commenters may submit a comment by filing an original and one paper copy of the comment and one electronic copy of the written comment and any 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, Arizona 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 26th day of November, 2025.

/s/

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ANN A. SCOTT TIMMER  
Chief Justice

Arizona Supreme Court No. R-25-0015

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TO:

Rule 28 Distribution

Kathryn Townsend

Commission on Judicial Performance Review

**ATTACHMENT<sup>1</sup>**

**RULES OF PROCEDURE FOR  
JUDICIAL PERFORMANCE REVIEW  
IN THE STATE OF ARIZONA**

**Rule 4. Meetings and Action**

**(a) [No change]**

**(b) Election-Related Meetings.**

**(1) [No change]**

**(2) *Invitational Meeting.***

**(A)** If a Commission member requests that the Commission invite a judge to attend an executive session and articulates a reason for doing so, the Commission must invite the judge to an executive session to discuss information received from survey results, public comments, the Judicial Conduct Commission, or other sources.

**(B)** When asking the judge to attend an executive session, the Commission must inform the judge in writing of the reason or reasons for the request.

**(C)** Before the invitational meeting, the judge may submit to the Commission a personal statement and any documentation the judge believes is relevant, including any Conference Team documents generated under Rule 8(g) and (h). The Commission must maintain the confidentiality of Conference Team documents as provided in Rule 8.

**(D)** No Commission member may vote that a judge does not meet the Rule 5(a) judicial performance standards sufficient for retention in office without the judge first being given the opportunity to meet with the Commission in executive session.

**(c)-(h) [No change]**

\* \* \*

**Rule 8. Conference Teams**

**(a)-(g) [No change]**

**(h) Conference Team Report.** The judge and Conference Team must develop a written plan for self-improvement. Once finalized, the plan must be signed by the judge and the Conference Team members.

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<sup>1</sup> Additions to the text of the rule are shown by underscoring and deletions are shown by ~~strike-through~~.

(1) **[No change]**

(2) *Distribution.* The self-improvement plan is distributed only to the judge being reviewed, the judge's presiding or chief judge, and the Chief Justice. The self-improvement plan, with the name of the judge redacted, may be distributed to the Administrative Office of the Courts for use in development of judicial education programs.

(A) Generally, nNeither the Conference Team Report nor the self-improvement plan may be distributed to the Commission or used by the Commission in determining whether a judge meets the judicial performance standards for retention.

(B) A judge invited to executive session under Rule 4(b)(2) may submit any documents developed during Conference Teams proceedings for the Commission's consideration in determining whether a judge meets the judicial performance standards for retention. If a judge submits any such documents, the Commission must maintain their confidentiality. If a judge does not submit any documents developed during Conference Teams, the Commission may not draw a negative inference against the judge because of that decision.