

SUPREME COURT OF ARIZONA

In the Matter of	)	Arizona Supreme Court
	)	No. R-25-0016
RULE 31.23, RULES OF CRIMINAL	)	
PROCEDURE	)	
	)	
	)	
	)	
	)	
	)	FILED 11/26/2025

**ORDER CONTINUING PETITION'S CONSIDERATION AND
REOPENING FOR PUBLIC COMMENT
AMENDED, MODIFIED AMENDMENTS TO RULE 31.23 OF
THE RULES OF CRIMINAL PROCEDURE**

On January 10, 2025, Petitioner Deputy Solicitor General/Section Chief of Capital Litigation Jason D. Lewis filed a petition proposing to amend Rule 31.23 of the Rules of Criminal Procedure.

On August 28, 2025, the Court continued the petition until the November 2025 Rules Agenda, reopened it for public comment as to whether the proposed amendments to Rule 31.23 of the Rules of Criminal Procedure, as modified in accordance with the amendments shown on the attachment to that order, should be adopted.

Having considered the petition, comments, and reply, and the modified amendment and comments,

IT IS ORDERED continuing this petition until the August 2026 Rules Agenda.

IT IS FURTHER ORDERED that this matter is reopened for public comment as to whether the proposed amendments to Rule 31.23 of the Rules of Criminal Procedure, as amended in accordance with the modified amendments shown on the attachment to the Court's August 28, 2025 order, with any comments due by no later than May 1, 2026. The Court will consider this matter again during its August 2026 Rules Agenda.

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 Criminal Procedure 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/
ANN A. SCOTT TIMMER
Chief Justice

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