

SUPREME COURT OF ARIZONA

In the Matter of	)	Arizona Supreme Court
	)	No. R-25-0047
RULE 55(c), RULES OF PROBATE	)	
PROCEDURE	)	FILED 11/26/2025
	)	
	)	
	)	
	)	

**ORDER AMENDING ON AN EMERGENCY BASIS
RULE 55 OF THE ARIZONA RULES OF PROBATE PROCEDURE**

On September 19, 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 55(c) of the Arizona Rules of Probate Procedure. Petitioner further requested that the proposed rule amendments be adopted on an emergency basis under Rule 28(h)(2) of the Rules of the Supreme Court of Arizona. On September 22, 2025, the Court granted Petitioner's request for expedited consideration and opened the petition for public comment until October 23, 2025. Having considered the petition and received no comments,

IT IS ORDERED, pursuant to Rule 28(h)(2) of the Rules of the Supreme Court of Arizona, that Rule 55(c) of the Arizona Rules of Probate Procedure is amended on an emergency basis in accordance with the attachment to this order, upon the adoption of a conforming amendment to Section 3-302(D)(5)(b) of the

Arizona Code of Judicial Administration, but no earlier than January 1, 2026.

IT IS FURTHER ORDERED, consistent with the Court's September 22, 2025 order, that the Court will consider whether to adopt the rule amendments on a permanent basis during its August 2026 Rules Agenda.

IT IS FURTHER ORDERED that this matter is reopened for public comment under Rule 28(c), Rules of the Supreme Court of Arizona, on whether the amendments should be adopted on a permanent basis, with all comments due 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 Arizona Rules of Probate 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

Arizona Supreme Court No. R-25-0047

Page 4 of 5

TO:

Rule 28 Distribution

David K Byers

ATTACHMENT¹

ARIZONA RULES OF PROBATE PROCEDURE

Rule 55. Forms

(a) – (b) [No change]

(c) ~~Supreme Court~~ Amendments. ~~The Supreme Court may adopt, approve, or modify forms as provided by Arizona Code of Judicial Administration § 3-302. The Supreme Court by administrative order may substantively change, add, or delete a form. The Administrative Director may approve a technical change to a form that increases the form's usability and understandability, corrects an error, or addresses other technical issues.~~

¹ Additions to the text of the rule are shown by underscoring, and deletions are shown by ~~striketrough~~.