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ARIZONA SUPREME COURT

In the Matter of:

Petition to Amend R. Pro. Jv. Ct. 214

Supreme Court No. R-26-_____

Joint Petition by the Directors of the
Maricopa County Indigent Defense
Agencies

The Maricopa County indigent representation offices (IR) collectively handle most cases filed in Maricopa County in which there has been a finding of indigency. The Office of Public Defense Services (OPDS) provides administrative and financial oversight to the staffed offices and the Office of Contract Counsel (OCC). The staffed offices are

comprised of the Office of the Public Defender (OPD), the Office of the Legal Advocate (OLA), the Office of the Legal Defender (OLD), and the Office of the Public Advocate (OPA).

I. Background.

We propose amending Rule of Procedure for the Juvenile Court (R. Pro. Jv. Ct.) 214, Victim’s Rights. Currently, R. Pro. Jv. Ct. 214 incorporates the Rule of Criminal Procedure (R. Crim. P.) 39, Victim’s Rights, into delinquency proceedings. However, R. Crim. P. 39 (b)(12) was amended on August 28, 2025, with the changes going into effect on January 1, 2026. In particular, a new section, R. Crim. P. 39 (b) (12) (A)(ii), places a deadline on the prosecutor to respond to a defense request to interview a victim, and R. Crim. P. 39 (b) (12) (A)(ii) reads as follows:

“no later than 30 days after the notice of request is filed or made on the record before the court, the prosecutor must notify defense counsel or an unrepresented defendant and the court of: the date(s) the prosecutor conveyed or attempted to convey the request; whether the victims wants the prosecutor to be present at the defense interview; and the date the victim responded to the request;”

II. Discussion of Rules Changes.

The 30-day deadline on the prosecutor makes more sense in criminal proceedings than within the expedited timeframes of delinquency proceedings. An adjudication hearing must be held no later than 45 days after the advisory hearing if the child is detained, unless the child has waived time or time has been excluded by the court under R. Pro. Jv. Ct. 221(b)(1). If the child is not detained, then the adjudication hearing must be held no later

than 60 days, unless the child has waived time or time has been excluded by the court under R. Pro. Jv. Ct. 212(b)(2).

We further look to delinquency and criminal disclosure timeframes for guidance. R. Pro. Jv. Ct. 210 (a)(1) and (2) affords the State 10 days to make the same disclosure in delinquency proceedings that R. Crim. P. 15.1 (b) and (c) grant 30 days to the State to make in criminal felony cases. Based on the expedited nature of delinquency hearings, we suggest creating a similar 10-day deadline for the prosecutor to respond to a defense request to interview a victim.

It is respectfully requested that this Court open this petition for public comment, consider the petition and comments in the regular course provided by Supreme Court Rule 28, and adopt the proposed amendments as set forth in the Appendix.

Respectfully submitted this day of December **XX**, 2025.

By /s/ Rosemarie Peña-Lynch
Rosemarie Peña-Lynch, Director
Mcpa. Cnty. Ofc. of Public Defense Svc.

By /s/ Lina G. Garcia
Lina G. Garcia, Interim Director
Mcpa. Cnty. Public Defenders Ofc.

By /s/ Steve Koestner
Steve Koestner, Director
Mcpa. Cnty. Ofc. of Legal Advocate

By /s/ Shannon L. Burns
Shannon L. Burns, Director
Mcpa. Cnty. Ofc. of Public Advocate

By /s/ Michael C. Jones
Michael C. Jones, Director
Mcpa. Cnty. Ofc. of Legal Defender

APPENDIX

(new language is underlined)

Rules of Procedure for the Juvenile Court

Rule 214. Victim's Rights

- (a) Applicable Offenses. The rights afforded victims by law apply to an act committed by a juvenile that would be a criminal or petty offense if committed by an adult.
- (b) Application of Rules of Criminal Procedure. Rule of Criminal Procedure 39, which pertains to victims' rights, applies except the State must make required notifications no later than 10 days after the notice of a request to interview a victim is filed or made on the record before the court.
- (c) Enforcement. The court must ensure the rights of victims are enforced as provided in the Victim's Bill of Rights, Arizona Constitution, Article 2, Section 2.1 and A.R.S. §§ 8-381 through 8-422.