

IT IS FURTHER ORDERED that, effective immediately, Rule 108(d)(4)(B) of the Rules of Procedure for the Juvenile Court is amended to replace the reference to "subpart (b)(3)" with "subpart (c)(3)".

IT IS FURTHER ORDERED that this matter is opened for public comment as to whether the proposed amendments to Rule 108 of the Rules of Procedure for the Juvenile Court, as modified in accordance with the proposed amendments shown on the attachment to this order, should be adopted, with all comments due by no later than October 1, 2025. The Court will consider this issue at its November 2025 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 Procedure for the Juvenile Court 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

ATTACHMENT¹

RULES OF PROCEDURE FOR THE JUVENILE COURT

Rule 108. Change of Judge

(a)-(b) [No change]

(c) Without Cause.

(1)-(3) [No change]

(4) *Remand by Appellate Court.*

(A) In cases remanded from an appellate court, the right to a change of judge without cause is renewed and no event connected with the first proceeding constitutes a waiver:

(i) if the appellate decision requires a new proceeding or contested hearing; and

(ii) the party seeking a change of judge has not previously filed a notice of change of judge of right.

(B) Any notice of change of judge filed under this rule must be filed no later than 15 days after issuance of the appellate court's mandate under Rule 602(i)(14) (incorporating ARCAP 24).

~~(A) If the appellate court remands a case that remains assigned to the original judge, the parties do not have a renewed right to a change of judge.~~

~~(B) If upon remand the case is assigned a new judge, a party who has not waived a right under subpart (b)(3) or who has not previously filed a notice of change of judge of right may file a notice no later than 10 days after notice to the requesting party of the assignment of the case to a new judge.~~

(d) [No change]

¹ Additions to the text of a rule are shown by underscoring and deletions are shown by ~~strike through~~.