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**IN THE SUPREME COURT
STATE OF ARIZONA**

In the matter of:) Supreme Court No. R-26-0012
)
) **COMMENTS OF THE ARIZONA**
PETITION TO AMEND RULE 25 OF) **COMMISSION ON ACCESS TO**
THE ARIZONA RULES OF CIVIL) **JUSTICE SUPPORTING THE**
PROCEDURE) **PETITION**
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_____)

The Arizona Commission on Access to Justice is charged with considering and recommending innovative ways to promote access to justice for individuals who cannot afford legal counsel or who choose to represent themselves in civil cases. Established in 2014, the Commission evaluates best practices, identifies possible changes in court rules or practices to reduce barriers to access, identifies and encourages the adoption of best practices among legal service providers, and considers potential long-term funding options.

Following a presentation at the April 9, 2026, Commission meeting, a motion was made and seconded that the Commission support Rule Change Petition

No. R-26-0012. After discussion by members of the Commission, that motion passed. This Comment is a result of that formal Commission action and is intended to reflect the Commission's support for the changes requested in the Petition.

The proposed amendment to Arizona Rule of Civil Procedure 25 seeks to protect historically marginalized and vulnerable persons, including minors and incompetent individuals, who necessarily may rely on a conservator, guardian ad litem, trustee, or other representative to pursue claims in Arizona's civil legal system. When a conservator, guardian ad litem, trustee, or other representative of a vulnerable person dies, any litigation for which they are a party automatically terminates. The proposed amendment prevents mandatory dismissal of an action. This amendment safeguards the rights of individuals from losing their claims or progress in litigation just because their representative in the litigation has died. The amendment reasonably addresses the unintended consequence of the current language of the rule, advancing fairness in the treatment of vulnerable individuals who must rely on others to vindicate their legal rights. By preserving claims for vulnerable individuals affected by the current rule's language, the proposed amendment improves access to justice and increases the fairness of the rules governing civil litigation for minors and incompetent individuals.

