

1 Larry Hammond, 4049  
2 ARIZONA JUSTICE PROJECT  
3 c/o Sandra Day O'Connor College of Law  
4 PO Box 875920  
5 Tempe, Arizona 85287-5920  
6 Phone: 602.640.9361  
7 Email: [lhammond@omlaw.com](mailto:lhammond@omlaw.com)

8 Keith Swisher, 23493  
9 PHOENIX SCHOOL OF LAW\*  
10 One North Central Avenue  
11 Suite 1400  
12 Phoenix, Arizona 85004  
13 Phone: 602.432.8464  
14 Email: [kswisher@phoenixlaw.edu](mailto:kswisher@phoenixlaw.edu)

15 Karen Wilkinson, 14095  
16 OFFICE OF THE FEDERAL PUBLIC DEFENDER\*  
17 850 West Adams Street  
18 Phoenix, Arizona 85007-2730  
19 Phone: 602.382.2700  
20 Email: [Karen\\_Wilkinson@fd.org](mailto:Karen_Wilkinson@fd.org)

21 **IN THE SUPREME COURT**  
22 **STATE OF ARIZONA**

23 In the Matter of, ) Supreme Court No. R-11-0033  
24 )  
25 ) **PETITIONERS' NOTICE OF**  
26 **PETITION TO AMEND ER 3.8 OF** ) **SUPPLEMENTAL**  
27 **THE ARIZONA RULES OF** ) **AUTHORITY**  
28 **PROFESSIONAL CONDUCT (RULE** )  
**42 OF THE ARIZONA RULES OF** )  
**SUPREME COURT)** )  
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remedy consistent with justice, applicable law, and the circumstances of the case.

(e) A prosecutor’s independent judgment, made in good faith, that the new evidence is not of such nature as to trigger the obligations of sections (c) and (d), though subsequently determined to have been erroneous, does not constitute a violation of this rule.

N.Y. RULES OF PROF’L CONDUCT R. 3.8(c), (d), (e) (2012).<sup>2</sup>

**RESPECTFULLY SUBMITTED** this 30th day of July, 2012.

By s/Larry Hammond  
ARIZONA JUSTICE PROJECT  
c/o O’Connor College of Law  
PO Box 875920  
Tempe, Arizona 85287-5920

s/Keith Swisher  
PHOENIX SCHOOL OF LAW\*  
One North Central Avenue  
Suite 1400  
Phoenix, Arizona 85004

s/Karen Wilkinson  
FEDERAL PUBLIC DEFENDER’S  
OFFICE\*  
850 West Adams Street  
Phoenix, Arizona 85007-2730

Electronic copy filed with the Clerk  
of the Supreme Court of Arizona  
this 30th day of July, 2012.

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<sup>2</sup> Appendix (N.Y. Court Notice (July 18, 2012)).

\* Institutional designation is for identification purposes.