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7 **IN THE SUPREME COURT**
8 **STATE OF ARIZONA**

9 In the Matter of:

Supreme Court No. R-15-0024

10 **PETITION TO AMEND RULE 41**
11 **OF THE ARIZONA RULES OF**
12 **CRIMINAL PROCEDURE**

COMMENT OF THE
ARIZONA PROSECUTING
ATTORNEYS' ADVISORY
COUNCIL IN SUPPORT

13 The Administrative Office of the Courts ("A.O.C.") has filed a petition that
14 would amend Rule 41, Form 2, Rules of Criminal Procedure, by removing the
15 existing arrest warrant forms and replacing them with a single mandatory arrest
16 warrant form to be used in all Arizona courts. This proposal would eliminate the
17 multiple warrant forms currently being used across the state and allow for
18 uniformity in practice in Arizona. The Arizona Prosecuting Attorneys' Advisory
19 Council ("APAAC") supports this petition.
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22 **I. BACKGROUND OF PETITION**

23 During the past decade, the arrest warrant form used in Arizona has been
24 examined and modified by various judicial committees and individual judges.
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1 Currently, the Arizona Rules of Criminal Procedure provide for the utilization of
2 eight (8) different arrest warrant forms in Arizona. The continued use of these
3 forms prompted a reexamination by the A.O.C. in light of several stated goals of
4 the Arizona Supreme Court's new strategic agenda. To help achieve these
5 Supreme Court goals, the A.O.C. has proposed the elimination of the eight
6 different versions of warrant forms to be replaced with one universal form for use
7 throughout the state.
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10 II. DISCUSSION/ANALYSIS

11 Rule 41, Form 2, Arizona Rules of Criminal Procedure, has eight subpart
12 forms related to arrest warrants. These include: Form 2(a) (Arrest Warrant), Form
13 2(b) (Arrest Warrant: Pre-adjudication), Form 2(c) (Arrest Warrant: Post-
14 adjudication), Form 2(d) (Arrest Warrant: Failure to Pay), Form 2(e) (Arrest
15 Warrant: Probation Violation), Form 2(f) (Arrest Warrant: Failure to Appear),
16 Form 2(g) (Arrest Warrant: Long Form/ Probable Cause) and Form 2(h) (Arrest
17 Warrant: Violation of Promise to Appear). Use of these separate forms can create
18 confusion in application by law enforcement agencies, inconsistencies in data
19 entry, and errors in processing.
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23 One of the goals of the Arizona Supreme Court's strategic agenda is to
24 "[e]xpand electronic access to court documents and data with appropriate
25 protections for security and privacy." *Advancing Justice Together: Courts and*

1 *Communities, 2014 – 2019, Goal 1: Promoting Access to Justice.* Another of the
2 goals of the strategic agenda is “[e]xpanding [the] e-warrants project to other
3 justice system entities.” *Advancing Justice Together: Courts and Communities,*
4 *2014 – 2019, Goal 3: Improving Court Processes to Better Serve the Public.* In
5 analyzing these goals, the A.O.C. has proposed eliminating the multiple arrest
6 warrant forms in Arizona and replacing them with a single, universal form that
7 would cover the arrest situation currently addressed in each of the separate forms.
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9 The benefits of this proposal are meritorious and clear. Creating a single universal
10 form would streamline how warrants are utilized, reduce confusion and errors in
11 data entry, improve case management efficiencies for law enforcement and courts,
12 and increase public access to accurate electronic documents. For these reasons,
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14 APAAC supports the A.O.C.’s proposal in its petition.
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16 **III. CONCLUSION**

17 The AOC’S proposal in R-15-0024 to amend Rule 41, Form 2, Rules of
18 Criminal Procedure, by removing the current existing arrest warrant forms in
19 Arizona and replacing them with a single mandatory arrest warrant form should be
20 supported. The A.O.C.’s proposal will help reduce confusion in the application of
21 the form, reduce errors in data entry, improve case management efficiencies, and
22 improve the public’s access to accurate court documents. APAAC respectfully
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24 requests that the Arizona Supreme Court grant the petition.
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1 RESPECTFULLY SUBMITTED this 27th day of April, 2015.

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3 ELIZABETH ORTIZ
4 Executive Director, Arizona Prosecuting
5 Attorneys' Advisory Council

6 By: 
7 ELIZABETH ORTIZ

8 Electronic copy filed with the
9 Clerk of the Arizona Supreme Court
10 this 27th day of April, 2015.

11 By: 
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