

1 John Furlong, Bar No. 018356
2 General Counsel
3 State Bar of Arizona
4 4201 N. 24th Street, Suite 100
5 Phoenix, AZ 85016-6288
6 (602) 340-7236
7 John.Furlong@staff.azbar.org

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

10 In the Matter of:

Supreme Court No. R-

11 **PETITION TO AMEND RULES 2,**
12 **5, 10, 14, 24, 26, 27, 28, 41, 42, 44, 45,**
13 **49, 66, 67, 68, 73, 76, 91, and 95,**
14 **ARIZONA RULES FAMILY LAW**
15 **PROCEDURE**

PETITION

16 Pursuant to Rule 28 of the Rules of the Arizona Supreme Court, the State
17 Bar of Arizona hereby petitions this Court to amend Rules 2, 5, 10, 14, 24, 26, 27,
18 28, 41, 42, 44, 45, 49, 66, 67, 68, 73, 76, 91, and 95 of the Arizona Rules of Family
19 Law Procedure.

20 All of the foregoing rules are intended to bring the Arizona Rules of Family
21 Law Procedure into alignment with a change in statutory language resulting from
22 the 2012 Senate Bill 1127 (Session Law 2012, Chapter 309). Multiple statutes were
23 amended in this bill to replace the term *legal custody* with *legal decision-making*,
24 and the terms *physical custody* or *parental visitation* with *parenting time*. It is
25

1 necessary and appropriate to make conforming changes to the Arizona Rules of
2 Family Law Procedure. In some instances the term custody in these rules is replaced
3 with the term *legal decision-making*. However, in many instances, in order to
4 incorporate the concept of both legal custody and physical custody, the term
5 custody must be replaced with *legal decision-making and parenting time*.
6 Conforming changes are also proposed to the Rule 97 Forms 1, 7, 8, 11 and 16
7 which are included with the Arizona Rules of Family Law Procedure.
8
9

10 **CONCLUSION**

11 The State Bar of Arizona respectfully requests amendment of Arizona Rules
12 of Family Law Procedure 2, 5, 10, 14, 24, 26, 27, 28, 41, 42, 44, 45, 49, 66, 67,
13 68, 73, 76, 91, and 95 together with changes to Forms 1, 7, 8, 11 and 16 as set forth
14 in the attached drafts.
15

16 RESPECTFULLY SUBMITTED this ____ day of _____, 2016.
17
18

19 _____
20 John Furlong
21 General Counsel

22 Electronic copy filed with the
23 Clerk of the Arizona Supreme Court
24 this ____ day of _____, 2016.

25 by: _____