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7 **BEFORE THE ARIZONA SUPREME COURT**

8 IN THE MATTER OF PETITION FOR : No. R-06-0038
9 CHANGE IN RULE 111, ARIZONA :
10 RULES OF THE SUPREME COURT : **STATE BAR OF**
11 : **ARIZONA’S COMMENT**
12 : **TO THE PETITION FOR**
13 : **CHANGE IN RULE 111**
14 :
15 _____:

16 **COMES NOW** the State Bar of Arizona, by and through the undersigned,
17 and hereby files this comment to the Petition for Change in Rule 111, filed by
18 Richard D. Coffinger (hereinafter “Coffinger Petition”) on November 1, 2006.

19 **PREFACE**

20 The Board of Governors for the State Bar of Arizona (hereinafter “Board”)
21 heard recommendations from its Rules Committee and also considered the issues
22 in the Coffinger Petition in open session, and having reviewed and considered the
23 proposed amendments to Rule 111 as indicated in the Coffinger Petition, the
24 Board now provides the following comment.

25 **COMMENT**

The Board approves and recommends that the Supreme Court adopt the
Coffinger Petition to the extent that it requires appellate decisions to be made by

1 written opinion in those cases involving reversals, concurrences and dissents, and
2 the acceptance of special actions.

3
4 With respect to the issue of requiring judges to certify their “Basis for
5 Memorandum Decision,” the Board opposes that position in the Coffinger
6 Petition. Thus, the Board recommends that the Supreme Court reject those
7 portions of the proposed amendments that pertain to requiring certification.
8

9 **CONCLUSION**

10 The State Bar of Arizona respectfully submits these comments to the
11 Supreme Court.

12 **RESPECTFULLY SUBMITTED** this _____ day of May 2007.

13
14
15 _____
16 John A. Furlong
General Counsel

17 Original, seven copies and an
18 electronic copy filed with the
19 Clerk of the Supreme Court of
Arizona this _____ day of
May 2007.

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21 by: _____
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