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SUPREME COURT OF ARIZONA

FILED
MAY 21 2007
RACHELLE M. HESNICK
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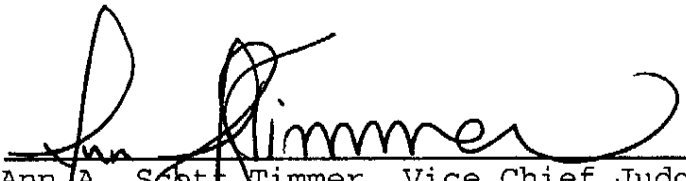
In the Matter of)
) Arizona Supreme Court
) No. R-06-0038
)
PETITION FOR CHANGE IN RULE 111,)
ARIZONA RULES OF THE SUPREME COURT,) COMMENT ON PETITION FOR
RELATING TO ISSUANCE OF PUBLISHED) CHANGE IN RULE 111,
OPINIONS AND MEMORANDUM DECISIONS NOT) ARIZONA RULES OF THE
FOR PUBLICATION BY THE SUPREME COURT) SUPREME COURT, RELATING
AND COURT OF APPEALS, AND FOR) TO ISSUANCE OF PUBLISHED
DELETION OF REDUNDANT RULES 28,) OPINIONS AND MEMORANDUM
ARIZONA RULES OF CIVIL APPELLATE) DECISIONS
PROCEDURE, AND 31.26, ARIZONA RULES)
OF CRIMINAL PROCEDURE)
)
)

I join in the comments to the petition filed by Judge Patricia K. Norris and Division Two of the Arizona Court of Appeals.

Additionally, I point out that the attempt to force more publication of decisions could adversely tax the process currently employed by Division One of the Court of Appeals in publishing opinions. It is the practice of Division One to have every member of the court review and comment on a decision before it is published. Quite often, judges outside the panel assigned to the case provide constructive criticism that the panel utilizes to ensure the soundness of the decision and to eliminate unintended consequences the analysis might have in other situations not before the court. Due to the volume of cases the court decides each year, if the majority of these cases were published, it goes without saying that the court would be

hard-pressed to provide this type of quality input to every case slated for publication.

Respectfully submitted this 21st day of May, 2007.


Ann A. Scott Timmer, Vice Chief Judge
Arizona Court of Appeals, Division One

Original and six copies of the foregoing filed with the Clerk of the Supreme Court on this 21st day of May, 2007

By Binda Schneider

Copy of the foregoing mailed on this 21st day of May, 2007 to:

Richard D. Coffinger, Attorney at Law
6838 N. 58th Drive
Glendale, Arizona 85301

By: Binda Schneider