

SUPREME COURT OF ARIZONA

In the Matter of:)	
)	Petition No. R-17-0010
PETITION TO AMEND THE ARIZONA)	
RULES OF CIVIL PROCEDURE, TO)	
MODIFY RULES 8, 8.1, 11, 16, 26, 26.1-.2,)	
29, 30, 31, 33–37, 45, 45.2; ABROGATE)	
RULE 16.3; ADOPT NEW RULES 26.2)	
and 45.2 AND MODIFY RULE 84)	
_____)	

IMPLEMENTATION ORDER

A Petition having been filed proposing to amend Rules 8, 8.1, 11, 16, 26, 26.1-.2, 29, 30, 31, 33–37, 45, 45.2, to abrogate Rule 16.3, to adopt new Rules 26.2 and 45.2, and to modify Rule 84 by the Committee on Civil Justice Reform (the “CCJR”) previously appointed by this Court in Administrative Order 2015-126, comments having been received on the Petition, and upon consideration,

IT IS ORDERED that the CCJR’s proposed amendments to Rules 8, 8.1, 11, 16, 26, 26.1-.2, 29, 30, 31, 33–37, 45, 45.2, and 84, Arizona Rules of Civil Procedure, proposed abrogation of Rule 16.3, Arizona Rules of Civil Procedure, and proposed institution of new Rules 26.2 and 45.2, Arizona Rules of Civil Procedure, are hereby adopted as shown in Attachment A hereto, effective July 1, 2018, shall apply to all cases pending on, or filed on or after July 1, 2018, subject to limited exceptions stated below:

1. Rules 8, 8.1(f), 16, 26.2, 30(d)(1), 33, 34, and 36 as amended will apply to all cases filed on or after July 1, 2018;

2. The pre-July 1, 2018 versions of Rules 8, 8.1(f), 16, 30(d)(1), 33, 34, and 36 will apply to cases filed before July 1, 2018; and

3. Where before July 1, 2018: (a) discovery is served before service of the serving party's initial disclosure statement, where the responses are due on or after July 1, 2018 (*see* Amended Rule 26(f), requiring service of disclosure before discovery can be served, unless court approves such service for good cause); (b) depositions by written questions are served under Rule 31, but response is due on or after July 1, 2018; (c) a motion for protective order is served under Rule 26(c), and the response to same is due on or after July 1, 2018; (d) a motion to compel is served under Rule 37(a), and the response to same is due on or after July 1, 2018; or (e) a subpoena is served under Rule 45 before July 1, 2018, to which response or objection is due after July 1, 2018, then with respect to each of these particular circumstances, the pre-July 1, 2018 versions of Rules 26(f), 31, 26(c), 37(a), and 45 apply.

DATED this _____ day of August, 2017.

SCOTT BALES
Chief Justice