



PATRICIA K. NORRIS
JUDGE

(602) 542-4867

Court of Appeals

STATE OF ARIZONA
DIVISION ONE
STATE COURTS BUILDING
1501 WEST WASHINGTON STREET
PHOENIX, ARIZONA 85007

May 14, 2008

(hand delivered this date)

Justices of the Arizona Supreme Court
c/o Clerk of the Court, Rachelle M. Resnick
Arizona Supreme Court
1501 West Washington
Phoenix, Arizona 85007-3231

Re: Comment on Petition to Amend Rule 111 of the Arizona Supreme Court and Rule 28 of the Arizona Rules of Civil Appellate Procedure (Proposal 1)

Dear Justices:

Recently, John Gemmill, my judicial colleague on Division One of the Arizona Court of Appeals, submitted a comment regarding the pending Petition to Amend Rule 111 of the Arizona Supreme Court and Rule 28 of the Arizona Rules of Civil Appellate Procedure. On my own behalf and not on behalf of Division One, I join in Judge Gemmill's comments.

In his comments, Judge Gemmill discussed several steps taken by Division One regarding its memorandum decisions. On its own initiative, in July 2007, Division One began placing its unpublished memorandum decisions and decision orders on its website. And, recently, Division One negotiated an arrangement with Thomson-West Publishing Company that will allow West to "harvest" the court's memorandum decisions for inclusion in the Westlaw data base. I agree with Judge Gemmill that these and other initiatives adopted by the court demonstrate transparency and promote accountability which, in my view, will increase public confidence not only in this court but in the judicial system as a whole.

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I also join with Judge Gemmill in supporting limited citation of memorandum decisions issued by the Court of Appeals for possible persuasive value when there is no published opinion on point. Although not precedential, memorandum decisions provide a useful source of information to both the judiciary and the litigants.

Sincerely,

A handwritten signature in black ink that reads "Patricia K. Norris". The signature is written in a cursive, slightly slanted style.

Patricia K. Norris

PKN/chr