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(STATE BAR NUMBERS 003813 AND 010471)

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11 IN THE SUPREME COURT OF THE STATE OF ARIZONA

12 IN THE MATTER OF:

R-08-0002

13 PETITION TO AMEND RULES 18.5, 18.6,
14 22.1, 22.5 OF THE ARIZONA RULES OF
15 CRIMINAL PROCEDURE and RULES 39(d),
47(b), 51(a) OF THE ARIZONA RULES OF
CIVIL PROCEDURE.

MARICOPA COUNTY ATTORNEY'S
COMMENTS TO PETITION TO AMEND
RULES 18.5, 18.6, 22.1, 22.5 OF THE
ARIZONA RULES OF CRIMINAL
PROCEDURE and RULES 39(d), 47(b), 51(a)
OF THE ARIZONA RULES OF CIVIL
PROCEDURE

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17 The Maricopa County Attorney hereby comments to, and supports, the Petition to Amend Rules
18 18.5, 18.6, 22.1, 22.5 of the Arizona Rules of Criminal Procedure and Rules 39(d), 47(b), 51(a) of the
19 Arizona Rules of Civil Procedure.

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21 The proposed rule amendments relate to significant aspects of the trial process. Inclusion of the
22 petitioner's cited jury practices and procedures from the Arizona Code of Judicial Administration into
23 the Rules of Criminal and Civil Procedure would provide beneficial guidelines for the trial judge and
24 trial attorneys. The amendments would enhance the existing rules. In fact, many of the changes already
25 reflect current trial court practices. The proposed modifications to the rules would assure greater
26 consistency and uniformity in the trial process by the trial courts and attorneys.
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1 The State Bar of Arizona submitted a comment in support of the petition with a slight
2 modification. The State Bar recommends the use of the word "court" instead of "judge" in order to
3 avoid confusion and to maintain consistency with those portions of the rules unaffected by the proposed
4 amendments. The Maricopa County Attorney's Office agrees with the State Bar's recommendation.
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6 The Maricopa County Attorney's Office requests that this Court adopt the amendments in the
7 petition, as modified by the State Bar of Arizona, to Rules 18.5, 18.6, 22.1, 22.5 of the Arizona Rules of
8 Criminal Procedure and Rules 39(d), 47(b), 51(a) of the Arizona Rules of Civil Procedure.
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10 Respectfully submitted this 19th of May, 2008.
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14 BY: 
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1 Copies of the forgoing mailed
2 this 19 day of May, 2008 to:

3 Clerk of the Court
4 Arizona Supreme Court

5 David K. Byers, Director
6 Administrative Office of the Courts
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