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7 **IN THE SUPREME COURT**
8 **STATE OF ARIZONA**

9 In the Matter of:

Supreme Court No. R-18-0018

10 **PETITION TO AMEND RULES 38,**
11 **39, 49, 77, AND 84 OF THE**
12 **ARIZONA RULES OF CIVIL**
13 **PROCEDURE**

REPLY OF THE
STATE BAR OF ARIZONA

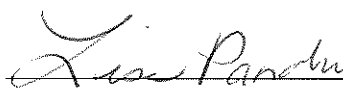
14 The State Bar filed a petition to amend the rules in order to simplify the
15 procedure for gaining a jury trial. In general, the petition proposes altering our
16 system from one requiring explicit jury demands to one based on jury waivers. As
17 discussed in the petition, the State Bar believes that the proposed amendments will
18 make it easier for parties to secure a jury trial when they are entitled to one and will
19 also alleviate existing traps for the unwary in obtaining jury trials.

20 One comment has been filed in response to the Petition. That comment was
21 filed by the Committee on Superior Courts and states in total as follows: “The
22 Supreme Court should refrain from amending civil rules this year in order to allow
23 the bar and bench time to assimilate the very substantial changes that were made
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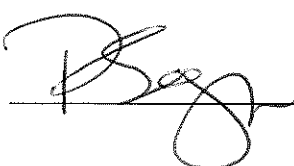
1 last year and the year before.” That same comment has been filed in response to a
2 number of the pending rules petitions.

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4 While the State Bar understands that a number of rules amendments have
5 gone into effect in the past two years, it does not believe that this is reason enough
6 alone to forgo new amendments that will improve the practice of law and increase
7 access to justice. In that regard, the proposed amendments for securing jury trials
8 will make it easier for parties to secure a jury trial when they have the right to one.
9 Concomitantly, the proposed amendments should serve to ease the burden on
10 courts, as they will no longer need to consider motions to grant jury trials when not
11 timely demanded. *See* ARIZ. R. CIV. P. 39(b). Accordingly, the State Bar asks that
12 the Court adopt the amendments proposed by the Petition.
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15 RESPECTFULLY SUBMITTED this 26th day of June, 2018.

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18 
19 Lisa M. Panahi
20 General Counsel

21 Electronic copy filed with the
22 Clerk of the Supreme Court of Arizona
23 this 26th day of June, 2018.

24 by: 
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