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3 (FIRM STATE BAR NO. 00032000)

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9 (STATE BAR NUMBER 006926)

8 ARIZONA SUPREME COURT

10 IN RE:

11 PETITION TO AMEND THE
12 ARIZONA RULES OF CRIMINAL
13 PROCEDURE

R-19-0016

MARICOPA COUNTY ATTORNEY'S
RESPONSE TO PETITION TO AMEND THE
RULES OF CRIMINAL PROCEDURE
(VICTIMS' RIGHTS)

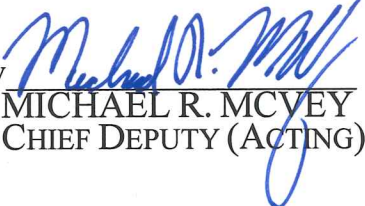
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15 The Maricopa County Attorney hereby responds to the Petition to Amend the
16 Rules of Criminal Procedure by integrating victims' rights into the rules and removing
17 Rule 39 and asks this Court to grant the Petition. Last year, in comment to a similar
18 Petition, the Maricopa County Attorney's Office (MCAO) filed a joint comment with
19 Petitioner, Arizona Voice for Crime Victims, which made significant modifications to
20 the initial Petition. The Petition submitted this year incorporates those changes that
21 were proposed in last year's joint comment and it adequately addresses MCAO's
22 concerns with the initial Petition filed last year.
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26 MCAO agrees with Petitioner that integrating victims' rights into the rules will
27 help courts and practitioners appropriately adhere to and enforce these rights. As
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1 currently drafted, victims' rights are an afterthought at the end of the rules and are
2 easily overlooked or ignored when practitioners or courts refer to individual rules of
3 procedure for guidance. Victims' rights are protected in the Arizona Constitution and
4 they deserve the same presence and protection within the Arizona Rules of Criminal
5 Procedure as the procedural rights of the parties. The Petition's integration of the rights
6 within the rules and the abrogation of Rule 39 will achieve that necessary equality.
7 Therefore, the Maricopa County Attorney asks this Court to grant the Petition.
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11 Respectfully submitted this 1st day of May 2019.

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13 WILLIAM G. MONTGOMERY
14 MARICOPA COUNTY ATTORNEY

15 By 
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