

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-08-0024
RULE 27.4, ARIZONA RULES OF)
CRIMINAL PROCEDURE)
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_____)

**ORDER
AMENDING RULE 27.4, RULES OF CRIMINAL PROCEDURE**

A petition having been filed proposing to amend Rule 27.4, Arizona Rules of Criminal Procedure, in order to implement Senate Bill 1476, which was passed in the Second Regular Session of the Forty-Eighth Legislature (2008), with an effective date of December 31, 2008. Upon consideration,

IT IS ORDERED that Rule 27.4, Rules of Criminal Procedure, be amended as modified in accordance with the attachment hereto, on an emergency basis, effective December 31, 2008.

IT IS FURTHER ORDERED that the Petition shall be opened for public comment pursuant to Rule 28(C), Rules of the Supreme Court.

The Petition may be viewed by going to: <http://www.supreme.state.az.us/> and clicking on "Court Rules Forum" under the heading "Quick Links." Comments shall be due on or before May 20, 2009.

Comments may be posted electronically by going to: <http://www.supreme.state.az.us/>, clicking on "Court rules Forum" and following the instructions for submitting a comment.

Alternatively, comments may be submitted by filing an original

and six (6) paper copies and one copy of the written comments and supporting documents in Microsoft Word format on a CD, disk or other compatible electronic medium with the Clerk of the Supreme Court, 1501 West Washington Street, Room 402, Phoenix AZ 85007 in an envelope marked "Rule Comment".

Any person filing a comment shall send a copy thereof to Petitioner.

DATED this _____ day of December, 2008.

RUTH V. MCGREGOR
Chief Justice

TO:
Rule 28 Distribution

ATTACHMENT*

Rule 27.4 Early Termination of Probation

a. Discretionary Probation Termination. At any time during the term of probation, upon motion of the probation officer or on its own initiative, the court, after notifying the prosecutor, may terminate probation and discharge the probationer absolutely as provided by law.

b. Earned Time Credit Probation Termination. The court may reduce the term of supervised probation for earned time credit as provided by law.

* Changes or additions to text are indicated by underscoring and deletions are indicated by ~~strikeouts~~.