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ARIZONA SUPREME COURT

In the matter of:)
)
PETITION TO MODIFY RULE 17.1(f)(1)) Supreme Court No. R-20-0005
AND RULE 41, FORM 28, ARIZONA)
RULES OF CRIMINAL PROCEDURE) COMMENT
)
)
_____)

Pursuant to Rule 28 of the Rules of the Supreme Court, David K. Byers, Administrative Director, Administrative Office of the Courts, respectfully files this Comment to recommend that, if the Court is inclined to adopt the proposed amendments, it should consider adding language expected to be included in a forthcoming Administrative Order, making changes to this rule that are necessary due to the health emergency.

The Arizona Judiciary’s strategic agenda, *Advancing Justice Together: Courts and Communities*, includes the goals of “Promoting Access to Justice” by exploring the use of technology-based access to justice solutions and “Improving Court Processes to Better Serve the Public” by improving timeliness and efficiency of processing court cases. Consistent with this directive, the Judicial Branch is working

to increase access to justice through the use of online dispute resolution (ODR) to resolve misdemeanor cases.

Additionally, due to the concern for the spread of COVID-19 in the general population, courts must conduct court business in a manner that reduces the risk associated with this public emergency, which includes expanding the use of technology to eliminate or limit in-person contact.

The logistics regarding how online pleas should be handled need to be established by statewide rule to ensure consistency concerning how these pleas are handled and to ensure constitutional and statutory guarantees.

Respectfully submitted this 1st day of May, 2020.

By /s/
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