



May 3, 2009

The Clerk of the Arizona Supreme Court
Attention Rules Comment Section
1501 West Washington
Phoenix, Arizona 85007-3231

Re: Rule Petition No. R-08-0012

Greetings,

I am writing this letter in support of the above Rule Petition change request.

I have had the opportunity to attend many hearings held before the Administrative Law Justices as an observer. I have found that the ALJ's are extremely fair but limited to how much leeway they can give the complainant because of their position. In all cases the complainant was an elderly person living in a manufactured home on leased land. The complainant has limited knowledge of the law but genuinely concerned for their rights as given in the Landlord/Tenant Act. The problem is that they cannot afford a Lawyer but most often are faced with a landlord or manager who is represented by an Attorney. Very intimidating for an elderly person.

A specific case in which I was an observer was in the matter of Robert & Marylou Hagen vs. Superstition Village MHP docket number 08F-L078019-BFS. The lady was in her 80's, recuperating from a stroke, her husband had to testify via telecommunications because of sever COPD. The hearing was held because they were facing eviction from their home as a result of their daughter who misrepresented her application for residency and to become care-giver status for them.

Mrs. Hagen had to sit alone at the table, present her case, defend herself against all sorts of remarks and accusations made by the respondents while struggling to maintain her papers and train of thought. Had Mr. & Mrs.

Hagen been allowed to have a layperson sit beside her and help her with the paper work and questioning she had to face, the outcome of the hearing may not have been different, but, I am confident that the playing field would have been more level and that some documents introduced would have been challenged and perhaps withdrawn.

My plea to the Court is to allow our aged petitioners to have a person assist them in preparing and helping with the hearing process. The law allows the landlord to represent himself, have a manager represent him, or have legal council, yet a petitioner cannot have a non legal person assisting them. Please level the playing field. Thank you for your consideration.

Sincerely,



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