

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-21-0029
PETITION TO AMEND RULES 4.1, 7.6,)
11.3, 26.10, 29.3, 29.7, and 41,) **FILED 06/04/2021**
RULES OF CRIMINAL PROCEDURE)
)
_____)

O R D E R

On June 3, 2021, David K. Byers, Administrative Director of the Administrative Office of the Courts, filed a rule petition to amend Rules 4.1, 7.6, 11.3, 26.10, 29.3, 29.7, and 41 of the Arizona Rules of Criminal Procedure. The proposed amendments are intended to conform the rules to recent statutory enactments. To ensure the proposed amendments are considered before the statutory amendments go into effect, the Petitioner further requests that the petition be given expedited consideration under Rule 28(h)(1), Rules of the Supreme Court of Arizona, and be adopted on an emergency basis under Rule 28(h)(2) of the same rules. Upon consideration,

IT IS ORDERED granting the request to consider this petition on an expedited basis.

IT IS FURTHER ORDERED that during its August 2021 Rules Agenda, the Court will consider whether to adopt the proposed rule amendments on an emergency basis. If it does, the Court

will consider whether to adopt the rule amendments on a permanent basis during its December 2021 Rules Agenda. If it decides not to adopt the proposed rule amendments on an emergency basis, the Court will decide whether to adopt proposed rule amendments during its December 2021 Rules Agenda.

IT IS FURTHER ORDERED that this petition is opened for public comment under Rule 28(c), Rules of the Supreme Court of Arizona, with all comments due no later than October 1, 2021, and any reply due no later than October 15, 2021.

The petition may be viewed by going to: <http://www.azcourts.gov/Rules-Forum>. This opens the "Welcome" page. Petitions are posted under the appropriate body of rules, for example, Rules of Criminal Procedure, which is found by scrolling down the page.

For instructions on how to post comments electronically, click on <https://www.azcourts.gov/rules/Forum-FAQ> at the top of the "Forum FAQ" page and then "How do I file a comment on a Rule 28 petition?"

Alternatively, commenters may submit comments by filing an original and one paper copy of the comment and one electronic copy of the written comments and supporting documents in Microsoft Word format on a CD or other compatible electronic medium with the Clerk of the Supreme Court, 1501 West Washington

St., Room 402, Phoenix, AZ 85007 in an envelope marked "Rule
Comment."

Any person filing a comment must send a copy of the comment
to the Petitioner electronically or by ordinary mail.

DATED this 4th day of June, 2021.

_____/s/_____
ROBERT BRUTINEL
Chief Justice

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TO:

Rule 28 Distribution List
David K Byers