

Judge (Ret.) Ron Reinstein
Chairman
Commission on Victims in the Courts
State Courts Building
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Phoenix, Arizona 85007
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IN THE ARIZONA SUPREME COURT

In the Matter of:

PETITION TO AMEND
RULES 4.2, 6.1, 6.5, 6.6, 7.2, AND
7.4, OF THE RULES OF CRIMINAL
PROCEDURE

Supreme Court No. R-21-0022

COMMENT OF THE COMMISSION ON
VICTIMS IN THE COURTS ON THE
PETITION TO AMEND RULES 4.2, 6.1,
6.5, 6.6, 7.2, AND 7.4, OF THE RULES
OF CRIMINAL PROCEDURE

**COMMENT OF THE COMMISSION ON VICTIMS IN THE COURTS TO
GRANT PETITION R-21-0022**

The Commission on Victims in the Courts (COVIC) was established in 2006 and has 28 members from superior and limited jurisdiction courts, victim advocacy organizations, public members, law enforcement, prosecution agencies and defense counsel. The Commission was established to make recommendations and work and liaison with courts and organizations around the state on matters affecting victims' rights and the administration of justice.

The Administrative Office of the Courts (AOC), on February 4, 2021, petitioned the Arizona Supreme Court amend Rules 4.2, 6.1, 6.5, 6.6, 7.2, and 7.4, of the Rules of

Criminal Procedure (supplement filed on May 26, 2021). The petition seeks to authorize Legal Paraprofessional (LP) representation at the initial appearance and at the later review of bond and other conditions of release hearings.

At COVIC's June 11th meeting the membership voted unanimously to support adoption of the rule change proposed by the Administrative Office of the Courts (AOC).¹ COVIC's position is informed by the fact that criminal defendants have the right to a determination of release conditions; that legal representation at the initial appearance and at a subsequent bail review hearing should serve to fully litigate the matter of pretrial release at an early stage of the criminal proceedings; and that expedited consideration of release conditions serves crime victims' interest in a prompt resolution of the matter of pretrial release conditions.

In addition to supporting the instant petition, COVIC members support further expansion of the scope of LP representation to include representation of victims at the initial appearance and at any later review of bond and other conditions of release hearings. To this end, COVIC anticipates the future filing of a separate rule change petition.

DATED this 25th day of June, 2021.

/s/ Judge (Ret.) Ron Reinstein
Judge (Ret.) Ron Reinstein
Chair, Commission on Victims in the Courts

¹ One member abstained from voting.