

2019 Rules Cycle Snapshot

Petitions Filed by the State Bar of Arizona (5)

Petition	Summary of Petition	Summary of Oppositions & Comments	Resolution
R-19-0015 Abrogate Rule 68, Ariz. R. Civ. P.	Would abrogate rule.	8 comments in opposition 2 comments in support SBA filed reply	Court denied
R-19-0017 Amend Rule 47.2(a), Ariz. R. Fam. L. P.	Would amend rule to add a process for post-decree temporary orders for child support.	None	Adopted as modified, effective 01-01-20
R-19-0018 Amend Rules 5(d) and 10(a), Ariz. R. P. Eviction Actions	Would amend rules to require the landlord to serve additional relevant documents with the complaint.	6 comments in opposition 2 comments in support SBA filed reply	Adopted as modified, effective 01-01-20
R-19-0019 Amend Rule 26(c), Ariz. R. Civ. P.	Would amend rule to clarify that requests for and orders re: documents filed under seal must comply with Rule 5.4.	None	Adopted as modified, effective 01-01-20
R-19-0040 Amend Rule 56, Ariz. R. Sup. Ct.	Would authorize bar counsel to enter into diversion agreements with respondents during investigation as well as intake.	3 comments in support	Adopted as modified, effective 01-01-20

Petitions Filed by Others

Petition	Petition Filed by	Summary of Petition	SBA Response	Resolution
R-19-0001 Amend Rule 68(g), Ariz. R. Civ. P.	Goldwater Institute	Would amend rule to eliminate sanctions for actions seeking declaratory or injunctive relief or nominal damages and to allow discretion in sanction awards in public interest litigation.	SBA filed comment in opposition	Court denied
R-19-0003 Amend Rule 5.4, Ariz. R. Civ. P.	Rule 5.4 Working Group	Would amend rule to add a definition and subsection setting procedures for placing case-initiating documents under seal.	SBA filed comment in support with proposed revision	Adopted as modified, effective 01-01-20
R-19-0005 Amend Rules 32(c) and (d), Ariz. R. Sup. Ct.	Goldwater Institute	Would amend rules to make voluntary some aspects of bar membership and to provide for audit to verify the use of mandatory dues.	SBA filed comment in opposition	Court denied
R-19-0008 Modify Rules 18.5, 22.5 and 32.1, Ariz. R. Crim. P.	Maricopa County Attorney	Would modify rules to limit specific contact with jurors in pre-trial, trial, and post-conviction proceedings.	SBA filed comment in opposition	Court denied
R-19-0012 Amend Rule 32, Ariz. R. Crim. P.	Task Force on Rule 32 of the Arizona Rules of Criminal Procedure	Would reorganize and substantively amend rules concerning post-conviction relief.	SBA filed comment in support with exceptions	Adopted as modified, effective 01-01-20

R-19-0013 Modify Rules 5.4, 7.2 and 7.4, Ariz. R. Crim. P.	Maricopa County Attorney	Would modify rules to permit the state to use bail eligibility hearing findings to establish probable cause and to allow for continuances.	SBA filed comment in opposition	Adopted as modified, effective 01-01-20
R-19-0016 Modify Ariz. R. Crim. P. by Integrating Victims' Rights and Repeal Rule 39	Arizona Voice for Crime Victims	Would repeal Rule 39 and integrate victims' rights provisions throughout the rules.	SBA filed comment in opposition	Court denied
R-19-0020 Amend Rules 123, 124, 125 and 126, Ariz. Justice Ct. R. Civ. P.	Hon. Sara J. Agne, Andrew M. Jacobs and Amanda Z. Weaver	Would amend rules to limit discovery to align with the Arizona Rules of Civil Procedure.	SBA filed comment in support with exception	Adopted as modified, effective 01-01-20
R-19-0025 Amend Rule 20(b), Ariz. R. Crim. P.	Arizona Attorneys for Criminal Justice	Would amend rules to permit a motion for judgment of acquittal when the jury fails to reach a unanimous verdict.	SBA filed comment in support	Court denied
R-19-0030 Amend Rule 43, Ariz. R. Sup. Ct.	Tracy Ward	Would amend rule to clarify trust account record-keeping requirements and to allow for use of advancing technology.	SBA filed comment in opposition	Court denied
R-19-0031 Amend Rules 45(a)(2) and (b)(1), Ariz. R. Civ. P.	Jeffrey A. Marks	Would amend rules to permit attorneys to issue subpoenas in their own cases.	SBA filed comment taking no position	Court denied