

**MINUTES**  
*Arizona Supreme Court*  
**Monday, August 31, 2009**

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No. 2634

**R-08-0019**  
(1)

**RULE 28, RULES OF PROC FOR JUVENILE COURT et al**

ALLOW FOR COURT ORDERS THAT JUVENILES OR ADULTS SUMMONED TO COURT AND WHO ARE CHARGED WITH SPECIFIED OFFENSES REPORT TO THE ARRESTING AGENCY AND SUBMIT BIOLOGICAL SAMPLES FOR DNA TESTING

ORDERED: Request for Public Hearing = DENIED.

FURTHER ORDERED: Amended Petition [Petition to Amend Rules 23 and 28, Rules of Procedure for the Juvenile Court; and To Amend Rule 7.3 and 7.5, Arizona Rules of Criminal Procedure] = ADOPTED as modified on a permanent basis, effective January 1, 2010.

[Click here for separate order](#)

**R-08-0021**  
(2)

**RULE 1, 2 & 22 RULES OF PROC IN TRAFFIC CASE et al**

TO GOVERN THE TRAFFIC PHOTO ENFORCEMENT SYSTEM

ORDERED: Amended Petition [Petition to Amend Rules 1, 2 and 22, Arizona Rules of Procedure in Civil Traffic Cases and Add Rules 38-46, Arizona Rules of Procedure in Civil Traffic Cases] = ADOPTED as modified on a permanent basis, effective January 1, 2010.

[Click here for separate order](#)

**MINUTES**  
*Arizona Supreme Court*  
**Monday, August 31, 2009**

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No. 2634

**R-08-0022**  
(3)

**RULE 10.5, ARIZONA RULES OF CRIMINAL PROCEDURE**

WOULD CREATE A NEW PARAGRAPH "C" WHICH ADDRESSES THE TRANSFER OF CASES ALREADY SET FOR TRIAL DATE DUE TO THE UNAVAILABILITY OF THE TRIAL JUDGE

ORDERED: Petition to Amend Rule 10.5 of the Arizona Rules of Criminal Procedure = CONTINUED.

No separate order

**R-08-0024**  
(4)

**RULE 27.4, ARIZONA RULES OF CRIMINAL PROCEDURE**

WOULD PERMIT COURTS TO ADJUST THE TERM OF A PROBATIONERS SUPERVISED PROBATION BASED ON "EARNED TIME CREDIT"

ORDERED: Amended Petition [Petition to Amend Rule 27.4, Arizona Rules of Criminal Procedure] = ADOPTED on a permanent basis, as amended December 31, 2008.

[Click here for separate order](#)

**R-08-0026**  
(5)

**RULES 2 AND 28.2, ARIZONA RULES OF CRIM PROCEDURE**

WOULD PROVIDE LAW ENFORCEMENT AGENCIES A PROCESS FOR OBTAINING FINGERPRINTS FROM AN UNCOOPERATIVE ARRESTED PERSON AND WOULD SET NEW REQUIREMENTS FOR THE RETENTION AND DISPOSITION OF BIOLOGICAL EVIDENCE

ORDERED: Petition to Amend Rule 2 and Rule 28.2, Arizona Rules of Criminal Procedure = ADOPTED on a permanent basis, as amended January 1, 2009.

[Click here for separate order](#)

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*Arizona Supreme Court*  
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No. 2634

**R-08-0037**  
(6)

**RULE 39, ARIZONA RULES OF CRIMINAL PROCEDURE**

WOULD AMEND THE DEFINITION OF "VICTIM" IN RULE 39(a) TO CONFORM TO STATUTORY CHANGES BROADENING THE DEFINITION APPEARING IN A.R.S. SECTIONS 3-382, 13-703.01, 13-703.03, AND 13-4401.

ORDERED: Petition to Amend Rule 39, Arizona Rules of Criminal Procedure = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**R-08-0041**  
(7)

**RULE 6.3, ARIZONA RULES OF CRIMINAL PROCEDURE**

WOULD REQUIRE PRESERVATION OF DEFENSE COUNSEL'S COMPLETE RECORDS AND FILES AND TRANSFER THEREOF TO SUCCESSOR COUNSEL IN A CAPITAL CASE.

ORDERED: Petition to Amend Rule 6.3, Arizona Rules of Criminal Procedure = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**R-08-0042**  
(8)

**RULE 32.7, RULES OF CRIMINAL PROCEDURE**

WOULD REQUIRE MANDATORY INFORMAL CONFERENCES AFTER THE APPOINTMENT OF COUNSEL ON THE FIRST NOTICE OF PETITION FOR POST-CONVICTION RELIEF IN CAPITAL CASES.

ORDERED: Petition to Amend Rule 32.7, Arizona Rules of Criminal Procedure = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

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*Arizona Supreme Court*  
**Monday, August 31, 2009**

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No. 2634

**R-09-0001**  
(9)

**RULE 31.6, RULES OF CRIMINAL PROCEDURE et al**

WOULD REQUIRE DISBURSEMENT OF RESTITUTION PAYMENTS COLLECTED BY THE COURT PENDING AN APPEAL UNLESS THE DEFENDANT CAN DEMONSTRATE TO THE COURT SUFFICIENT GROUNDS FOR A STAY.

ORDERED: Petition to Amend Rule 31.6, Rules of Criminal Procedure, and Rule 103, Rules of Procedure in Juvenile Court = REJECTED.

No separate order

**R-09-0002**  
(10)

**RULE 10, CIVIL TRAFFIC RULES**

WOULD AUTHORIZE INTERACTIVE AUDIO VISUAL APPEARANCE AS PARTY OR WITNESS

ORDERED: Rule 28 Petition to Amend Rule 10 to Allow Interactive Audio Visual and Telephonic Appearances = ADOPTED, effective January 1, 2010.

[Click here for separate order](#)

**R-09-0005**  
(11)

**RULE 4.1(b), ARIZONA RULES OF CRIMINAL PROCEDURE**

WOULD IMPOSE A UNIFORM AND EQUITABLE TIME LIMIT OF 48 HOURS FROM THE INITIAL APPEARANCE WITHIN WHICH THE STATE MUST FILE A COMPLAINT

ORDERED: Petition to Amend Rule 4.1(b), Rules of Criminal Procedure = REJECTED.

No separate order

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*Arizona Supreme Court*  
**Monday, August 31, 2009**

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No. 2634

**R-09-0006**  
(12)

**RULE 1.4, ARIZONA RULES OF CRIMINAL PROCEDURE**

WOULD AMEND THE DEFINITION OF PRESIDING JUDGE TO INCLUDE  
A JUSTICE OF THE PEACE

ORDERED: Petition to Amend the Rules of Criminal Procedure, Rule 1.4 =  
REJECTED.

No separate order

**R-08-0011**  
(13)

**RULE 31(d), RULES OF THE SUPREME COURT**

TO ALLOW AN INDIVIDUAL WHO IS NOT AN ACTIVE MEMBER OF THE  
STATE BAR TO REPRESENT EITHER A PUBLIC SERVICE  
CORPORATION, AN INTERIM OPERATOR APPOINTED BY THE  
COMMISSION, OR A NON-PROFIT ORGANIZATION

ORDERED: Petition to Amend Rule 31(d) of the Rules of the Supreme Court of  
Arizona = ADOPTED as modified, effective January 1, 2010.

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**R-08-0012**  
(14)

**RULE 31(d)(11), RULES OF THE SUPREME COURT**

TO PROVIDE FOR NON-LICENSED REPRESENTATION AT  
LANDLORD/TENANT ADMINISTRATIVE HEARINGS

ORDERED: Petition to Amend Supreme Court Rule 31(d)(11) = ADOPTED as  
modified, effective January 1, 2010.

[Click here for separate order](#)

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No. 2634

**R-08-0013**  
(15)

**RULE 38(d), RULES OF THE SUPREME COURT**

TO ALLOW GRADUATED LAW STUDENTS THAT HAVE ALREADY TAKEN THE BAR EXAM, BUT ARE WAITING THE RESULTS TO PRACTICE LAW UNDER THE SAME EXCEPTION THAT IS AFFORDED TO LAW STUDENTS

ORDERED: Petition to Amend Rule 38(d) = REJECTED.

No separate order

**R-08-0014**  
(16)

**RULE 42, RULES OF THE SUPREME COURT**

TO ALLOW A LAWYER TO DISCLOSE INFORMATION RELATING TO THE REPRESENTATION OF A CLIENT TO PREVENT REASONABLY CERTAIN DEATH OR SUBSTANTIAL BODILY HARM

ORDERED: Petition to Amend Supreme Court Rule 42 = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**R-08-0016**  
(17)

**RULE 35(b), RULES OF THE SUPREME COURT**

AMEND RULE 35(b) TO INCLUDE INDIAN LAW AS ONE OF THE SUBJECT AREAS WHICH MAY BE TESTED ON THE ARIZONA BAR EXAMINATION

ORDERED: Petition to Amend Rule 35(b) Arizona Rules of the Supreme Court = CONTINUED pending study of a uniform bar examination.

No separate order

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No. 2634

**R-08-0030**  
(18)

**RULES 42 and 43, RULES OF THE SUPREME COURT**

WOULD ADDRESS THE IMPACT OF ETHICS OP. 08-01, WHICH CONCLUDED THAT LAWYERS AND LAW FIRMS MAY NOT ETHICALLY ACCEPT PAYMENT BY CREDIT CARD FOR ADVANCE FEES, COSTS, OR EXPENSES

ORDERED: Petition to Amend Supreme Court Rules 42 and 43 = ADOPTED on a permanent basis, as amended January 1, 2009.

[Click here for separate order](#)

**R-08-0033**  
(19)

**RULE 32(c)(3), RULES OF THE SUPREME COURT**

WOULD REQUIRE STATE BAR MEMBERS TO INCLUDE AN E-MAIL ADDRESS ALONG WITH OTHER INFORMATION REQUIRED TO BE PROVIDED TO THE STATE BAR OFFICE

ORDERED: Petition to Amend Rule 32(c)(3), Arizona Rules of the Supreme Court = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**R-08-0039**  
(20)

**RULE 123, RULES OF THE SUPREME COURT et al**

TO PROVIDE GREATER ACCESS TO CASE RECORDS WHILE BEING MINDFUL OF SENSITIVE INFORMATION THAT MIGHT BE CONTAINED WITHIN THE RECORDS

ORDERED: Amended Petition to Amend Various Rules Relating to Access to Judicial Records = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

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*Arizona Supreme Court*  
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No. 2634

**R-09-0010**  
(21)

**RULE 42; ERs 5.5, 7.1 & 7.3, RULES OF SUPREME CT**

WOULD AMEND THE ETHICAL RULES TO CLARIFY THE NATURE OF INFORMATION THAT MAY BE DIRECTED TO POTENTIAL CONSUMERS OF LEGAL SERVICES IN ADVERTISEMENTS OR OTHER COMMUNICATIONS

ORDERED: Petition to Amend Supreme Court Rule 42; ERs 5.5, 7.1, and 7.3 = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**R-09-0012**  
(22)

**RULE 92(a)(1), RULES OF THE SUPREME COURT**

WOULD REQUIRE THE PRESIDING JUDGE IN EACH COUNTY TO CREATE A RANDOM CASE ASSIGNMENT SYSTEM WITHIN EACH JUDICIAL DIVISION FOR ALL CASES IN WHICH A JUDGE HAS NOT PREVIOUSLY BEEN INVOLVED

ORDERED: Maricopa County Attorney's Petition to Amend Rule 92(a)(1) of the Rules of the Supreme Court of Arizona = REJECTED.

No separate order

**R-08-0020**  
(23)

**RULE 41, RULES OF PROC FOR JUVENILE COURT et al**

TO INCLUDE NEW PROVISIONS CONCERNING OPEN COURT PROCEEDINGS AND NOTICE REQUIREMENTS FOR JUVENILE COURT

ORDERED: Petition to Amend Proposed Rule 41, Rule 47.1, Rule 50, Rule 56, Rule 58, Rule 60, Rule 61, Rule 63 and Rule 79; and Petition to Adopt Proposed Rule 61.1 and 62.1 (Emergency or Expedited Adoption Requested) [Rules of Procedure for Juvenile Court] = ADOPTED as modified on a permanent basis, effective January 1, 2010.

[Click here for separate order](#)

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No. 2634

**R-08-0025**  
(24)

**PROMULGATE RULE 97, RULES OF THE SUPREME COURT**

WOULD ESTABLISH WRITTEN PERFORMANCE STANDARDS AND A PUBLIC REVIEW PROCESS FOR SUPERIOR COURT COMMISSIONERS

ORDERED: Petition to Adopt New Rule 97 of the Supreme Court, Performance Evaluation of Court Commissioners = ADOPTED on a permanent basis, as promulgated January 1, 2009.

[Click here for separate order](#)

**R-08-0029**  
(25)

**RULE 41, RULES OF PROCEDURE FOR JUVENILE COURT**

WOULD REQUIRE THE PRESENCE OF CHILDREN WHO ARE THE SUBJECT OF A DEPENDENCY PROCEEDING AT ALL HEARINGS EXCEPT FOR GOOD CAUSE SHOWN, AND WOULD REQUIRE A COURT DETERMINATION THAT THE CHILD'S COUNSEL HAD MEANINGFUL CONTACT WITH THE CHILD BEFORE ANY SUBSTANTIVE HEARING

ORDERED: Petition to Amend Rule 41 of the Rules of Juvenile Procedure for the Juvenile Court = REJECTED.

No separate order

**R-08-0034**  
(26)

**RULE 4, RULES OF PROC FOR JUDICIAL PERFORMANCE**

WOULD AMEND RULE 4, RELATING TO ORGANIZATION OF CONFERENCE TEAMS; RULE 6, RELATING TO THE REVIEW PROCESS AND DISSEMINATION OF FINDINGS; AND RULE 7, RELATING TO CONFIDENTIALITY AND DISCLOSURE OF RECORDS

ORDERED: Petition to Amend Rules of Procedure for Judicial Performance Review in the State of Arizona = ADOPTED, effective January 1, 2010.

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No. 2634

**R-08-0038**  
(27)

**RULE 96, RULES OF SUPREME COURT**

WOULD EXPAND THE POWERS AND DUTIES OF COURT COMMISSIONERS TO ENABLE THEM TO HEAR A WIDER RANGE OF CRIMINAL PROCEEDINGS

ORDERED: Petition to Amend Supreme Court Rule 96 = ADOPTED as modified, effective January 1, 2010.

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**R-08-0040**  
(28)

**RULE 41(I), RULES OF PROCEDURE FOR JUVENILE COURT**

WOULD DELETE PROVISION REQUIRING COURT TO ENSURE NOTICE OF PROCEEDINGS IN DEPENDENCY CASES TO FOSTER PARENTS, PRE-ADOPTIVE PARENTS OR RELATIVE CAREGIVERS IF THE PETITIONING PARTY IS NOT THE DEPARTMENT

ORDERED: Petition for Amendment Pursuant to Rule 28, Rules of the Supreme Court (Emergency or expedited adoption requested) = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**R-09-0003**  
(29)

**RULES OF SUP CT, RULES 47, 48, 50, 56, 57, 65, 72**

WOULD IMPLEMENT RECOMMENDATIONS FOR IMPROVEMENT OF COMPLAINT RESOLUTION IN THE ATTORNEY DISCIPLINE PROCESS BASED ON EXPERIENCE OF PILOT PROGRAM USING PAID HEARING OFFICER

ORDERED: Petition to Amend Rules 47, 48, 50, 56, 57, 65 and 72, Arizona Rules of Supreme Court = CONTINUED.

No separate order

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No. 2634

**R-09-0008**  
(30)

**RULE 72(b), RULES OF THE SUPREME COURT**

WOULD ALLOW ASSOCIATION OF COUNSEL IN SHORT-TERM  
SUSPENSION

ORDERED: Sua Sponte Petition to Amend Rule 72(b) [Rules of the Supreme Court] = ADOPTED as modified, effective January 1, 2010.

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**R-09-0011**  
(31)

**RULE 50 AND PROMULGATE RULE 50.1, RULES OF SUP CT**

WOULD CODIFY THE PRACTICE OF APPOINTING PAID HEARING  
OFFICERS AND WOULD ESTABLISH THE PAID HEARING OFFICER  
POSITION AS THE SOLE MEANS OF ADJUDICATING FORMAL  
DISCIPLINARY CASES

ORDERED: Petition to Amend Supreme Court Rule 50 and Include 50.1 =  
CONTINUED.

No separate order

**R-09-0013**  
(32)

**RULES 48.1, 50, 52-60, 62, 65 RULES OF JUVENILE CT**

WOULD CONFORM RULES TO RELEVANT STATUTES, PROCEDURAL  
RULES, AND CASE LAW, AND WOULD MAKE RULES MORE  
UNDERSTANDABLE TO PARENTS IN DEPENDENCY, GUARDIANSHIP,  
AND TERMINATION OF PARENTAL RIGHTS ACTIONS

ORDERED: Amended Petition to Amend Rules 48.1, 50, 52, 53, 54, 55, 56, 57,  
58, 59, 60, 61, 62 and 65 and Forms I, II and III, Rules of Procedure for the  
Juvenile Court, and to Add Form 1A, Rules of Procedure for the Juvenile Court =  
ADOPTED, effective January 1, 2010.

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No. 2634

**R-09-0015**  
(33)

**RULES 55 & 66, RULES OF PROCEDURE FOR JUVENILE CT**

WOULD CONFORM THE RULES RELATING TO STANDARD OF PROOF TO ARIZONA STATUTES, RECENT CASE LAW, AND THE INDIAN CHILD WELFARE ACT, 25 U.S.C. SS 1912(d) THROUGH (f)

ORDERED: Petition to Amend Rules 55 and 66, Arizona Rules of Procedure for the Juvenile Court, on an expedited basis = ADOPTED, effective January 1, 2010.

[Click here for separate order](#)

**R-06-0016**  
(34)

**RULE 1.6, ARIZONA RULES OF CRIMINAL PROCEDURE**

WOULD PROVIDE FOR APPEARANCES BY DEFENDANTS VIA VIDEOCONFERENCING FOR INITIAL APPEARANCES, ARRAIGNMENTS, AND SOME OTHER HEARINGS

ORDERED: Petition to Amend Rule 1.6 of the Arizona Rules of Criminal Procedure] = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**R-08-0015**  
(35)

**RULE 50, ARIZONA RULES OF CIVIL PROCEDURE**

WOULD AMEND RULE 50 TO REMOVE THE REQUIREMENT THAT A PARTY RENEW A MOTION FOR JUDGMENT AS A MATTER OF LAW AT THE CLOSE OF ALL EVIDENCE

ORDERED: Petition to Amend Rule 50 Arizona Rules of Civil Procedure = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**MINUTES**  
*Arizona Supreme Court*  
**Monday, August 31, 2009**

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No. 2634

**R-08-0017**  
(36)

**RULES 6(c) & 6(e), RULES OF PROTECTIVE ORDER PROC**

TO AMEND RULES 6(c) AND 6(e) TO CONFORM WITH AMENDMENTS TO A.R.S. 13-3602(E) AND A.R.S. 12-1809(E) AND TO MAKE TECHNICAL CHANGES TO RULES 1, 2, 4, AND 7 OF THE RULES OF PROTECTIVE ORDER PROCEDURE

ORDERED: Petition for Adoption of Amendment to the Arizona Rules of Protective Order Procedure = ADOPTED on a permanent basis, as amended on September 26, 2008.

[Click here for separate order](#)

**R-08-0027**  
(37)

**PROMULGATE RULE 57.1 AND 57.2, ARIZ.R.CIV.P**

WOULD PROVIDE A PROCEDURAL MECHANISM FOR A VICTIM OF IDENTITY THEFT TO PETITION FOR DECLARATION OF FACTUAL INNOCENCE WHEN THE VICTIMS IDENTITY HAS BEEN USED IN THE COMMISSION OF A CRIMINAL OFFENSE AND A DECLARATION OF IMPROPER PARTY STATUS IN CIVIL CASES

ORDERED: Petition to Add Rule 57.1 and Rule 57.2, Arizona Rules of Civil Procedure = ADOPTED as modified on a permanent basis, effective January 1, 2010.

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No. 2634

**R-08-0031**  
(38)

**RULES 74, et al RULES OF FAMILY PROCEDURE**

WOULD INCREASE THE TIME FOR OBJECTING TO PARENTING COORDINATOR RECOMMENDATIONS, CONFORM THE TIME FOR RESPONDING TO SUMMARY JUDGMENT MOTIONS TO RECENT CHANGES TO THE RULES OF CIVIL PROCEDURE, AMEND FORMS TO CONFORM TO NEW LEGISLATION, AND ADD A NEW FORM TO ASSIST PRO PER LITIGANTS IN COMPLYING WITH PRETRIAL PROCEDURES

ORDERED: Petition to Amend Rules 74, 76, 79, 97, and Forms 2, 4, 5, 7 and 8; and Add Form 16, Arizona Rules of Family Law Procedure = ADOPTED, effective January 1, 2010.

[Click here for separate order](#)

**R-08-0032**  
(39)

**RULE 7, RULES OF PROBATE PROCEDURE**

WOULD AMEND PROVISIONS RELATING TO THE FILING OF CONFIDENTIAL DOCUMENTS IN PROBATE CASES

ORDERED: Petition to Amend Rule 7, Arizona Rules of Probate Procedure = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**MINUTES**  
*Arizona Supreme Court*  
**Monday, August 31, 2009**

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No. 2634

**R-08-0035**  
(40)

**RULE 408, ARIZONA RULES OF EVIDENCE**

WOULD INCORPORATE RECENT AMENDMENTS TO FED. R. EVID. 408 PROHIBITING THE USE OF SETTLEMENT OFFERS FOR IMPEACHMENT PURPOSES AND CLARIFYING THAT THE RULE 408 PROTECTION MAY NOT BE WAIVED UNILATERALLY TO ALLOW A PARTY TO OFFER INTO EVIDENCE HIS OR HER OWN SETTLEMENT OFFERS

ORDERED: Petition to Amend Rule 408, Arizona Rules of Evidence = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**R-08-0036**  
(41)

**RULES 703 AND 705, ARIZONA RULES OF EVIDENCE**

WOULD RECOGNIZE COURT'S DISCRETION NOT TO ALLOW AN EXPERT TO DISCLOSE TO THE JURY INADMISSIBLE EVIDENCE UPON WHICH THE EXPERT'S OPINION IS BASED, AND WOULD CLARIFY THAT THE RULE GOVERNS ONLY THE PRESENTATION OF EXPERT TESTIMONY DURING TRIAL, AND NOT THE OBLIGATION TO DISCLOSE THE BASES OF AN EXPERT'S OPINION PRIOR TO TRIAL

ORDERED: Petition to Amend Rules 703 and 705 of the Arizona Rules of Evidence = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

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*Arizona Supreme Court*  
**Monday, August 31, 2009**

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No. 2634

**R-09-0004**  
(42)

**RULE 502, ARIZONA RULES OF EVIDENCE**

WOULD PROVIDE A PREDICTABLE, UNIFORM SET OF STANDARDS FOR DETERMINING THE CONSEQUENCES OF A DISCLOSURE OF A COMMUNICATION OR INFORMATION COVERED BY THE ATTORNEY-CLIENT PRIVILEGE OR WORK PRODUCT PROTECTION

ORDERED: Petition to Adopt Rule 502 Arizona Rules of Evidence = ADOPTED as modified, effective January 1, 2010.

[Click for separate order](#)

**R-09-0009**  
(43)

**PROMULGATE RULE 804(b)(5), ARIZ RULES OF EVIDENCE**

WOULD ADD A NEW HEARSAY EXCEPTION WHEN THE DEFENDANT HAS DELIBERATELY ACTED TO MAKE THE DECLARANT WITNESS UNAVAILABLE FOR TRIAL

ORDERED: Maricopa County Attorney's Petition to Add New Rule 804(b)(5) Arizona Rules of Evidence = ADOPTED as modified, effective January 1, 2010.

[Click here for separate order](#)

**R-09-0025**  
(44)

**RULES 6(e) and 35(c)(2), RULES OF CIVIL PROCEDURE**

WOULD CORRECT ERRONEOUS CROSS REFERENCES

ORDERED: Sua Sponte Petition to Amend Rules 5(c)(2)(C), 6(e), and 35(c)(2), Rules of Civil Procedure, and Rule 1.3, Rules of Criminal Procedure = ADOPTED, effective January 1, 2010.

[Click here for separate order](#)

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*Arizona Supreme Court*  
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No. 2634

**R-09-0026**  
(45)

**RULE 6, RULES OF PROTECTIVE ORDER PROCEDURE**

WOULD AMEND RULE 6(C) TO CONFORM WITH AMENDMENT TO  
A.R.S. 13-3601(A)

ORDERED: Petition to Amend Rule 6 of the Arizona Rules of Protective Order  
Procedure = ADOPTED on an emergency basis, effective September 30, 2009.  
Circulate for comments. Comments due May 20, 2010.

[Click here for separate order](#)

**R-09-0027**  
(46)

**RULES 41, 47, 47.1, et al, RULES OF JUVENILE COURT**

WOULD CONFORM THE RULES TO STATUTORY CHANGES EFFECTIVE  
SEPTEMBER 30, 2009

ORDERED: Petition to Amend Rule 41, Rule 47, Rule 47.1, Rule 50, Rule 52,  
Rule 58, and Rule 68 = ADOPTED on an emergency basis, effective September  
30, 2009. Circulate for comments. Comments due May 20, 2010.

[Click here for separate order](#)

**R-09-0028**  
(47)

**RULES 11.5 AND 11.6, RULES OF CRIMINAL PROCEDURE**

WOULD CONFORM THE RULES TO AMENDMENTS TO A.R.S. § 13-4515  
FOR CALCULATING MAXIMUM TIME ALLOWED FOR A RESTORATION  
TO COMPETENCY PROGRAM IN A CRIMINAL CASE

ORDERED: Petition to Amend Rules 11.5 and 11.6, Arizona Rules of Criminal  
Procedure = ADOPTED as modified on an emergency basis, effective September  
30, 2009. Circulate for comments. Comments due May 20, 2010.

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No. 2634

**R-09-0029**  
(48)

**RULES 3.2, 4.2, 7.5, 14.3, 26.10, ARCP et al**

WOULD PROVIDE PROCEDURES FOR OBTAINING FINGERPRINTS IN  
CRIMINAL PROCEEDINGS

ORDERED: Petition to Amend Rules 3.2, 4.2, 7.5, 14.3, 26.10, and Form 3(a), Arizona Rules of Criminal Procedure, and for an Amendment to the Arizona Traffic Ticket and Complaint Form, Exhibit A to the Rules of Procedure in Traffic Cases and Boating Cases = ADOPTED on an emergency basis, effective January 1, 2010. Circulate for comments. Comments due May 20, 2010.

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**The foregoing action was taken by the Arizona Supreme Court on Monday, August 31, 2009.**

\_\_\_\_\_ **Date:** \_\_\_\_\_  
**Rebecca White Berch, Chief Justice**