

MINUTES

No. 2480

Arizona Supreme Court
Tuesday, December 9, 2008

R-07-0023

RULES OF PROCEDURE FOR EVICTION ACTIONS

(1)

WOULD PROMOTE THE UNIFORMITY OF PUBLIC LAWS AND PROCEDURES FOR EVICTION ACTIONS

ORDERED: Petition for Rules of Procedure for Eviction Actions = ADOPTED as modified, effective January 1, 2009.

[Click here for separate order](#)

R-08-0024

RULE 27.4, ARIZONA RULES OF CRIMINAL PROCEDURE

(2)

WOULD PERMIT COURTS TO ADJUST A TERM OF A PROBATIONER'S SUPERVISED PROBATION BASED ON "EARNED TIME CREDIT"

ORDERED: Amended Petition = ADOPTED as modified on an emergency basis, effective January 1, 2009. Circulate for comments. Comments due May 20, 2009.

[Click here for separate order](#)

R-08-0025

PROMULGATE RULE 97, RULES OF THE SUPREME COURT

(3)

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 as modified on an emergency basis, effective January 1, 2009. Circulate for comments. Comments due May 20, 2009.

[Click here for separate order](#)

MINUTES

No. 2480

Arizona Supreme Court
Tuesday, December 9, 2008

R-08-0026
(4)

RULE 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 as modified on an emergency basis, effective January 1, 2009. Circulate for comments. Comments due May 20, 2009.

[Click here for separate order](#)

R-08-0027
(5)

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 VICTIM'S 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 an emergency basis, effective January 1, 2009. Circulate for comments. Comments due May 20, 2009.

[Click here for separate order](#)

MINUTES

No. 2480

Arizona Supreme Court
Tuesday, December 9, 2008

R-08-0030
(6)

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: Motion to Amend Supreme Court Rules 42 and 43 on an Emergency and Experimental Basis = GRANTED.

FURTHER ORDERED: Petition to Amend Supreme Court Rules 42 and 43 = ADOPTED as amended on an emergency and experimental basis, effective January 1, 2009. Circulate for comments. Comments due May 20, 2009.

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The foregoing action was taken by the Arizona Supreme Court on Tuesday, December 9, 2008.

Date: _____

Ruth V. McGregor, Chief Justice