

Arizona Supreme Court

Rule 28 Petition

R-24-0001

RULE 5(b)(2), RULES OF SMALL CLAIMS PROCEDURE

Appellate Case Information

Case Filed: 1-Jan-2024

Case Closed: 22-Aug-2024

Dept/Composition

Side 1. RULE 5(b), RULES OF SMALL CLAIMS PROCEDURE, Other

(Litigant Group) PETITIONER: ARIZONA PROCESS SERVERS ASSOCIATION

- Arizona Process Servers Association, Petitioner
- Barry R Goldman, Arizona Process Servers Association, Petitioner

(Litigant Group) COMMENTOR: CRAIG WISMER

- Craig Wismer, Commentor
- (Litigant Group) COMMENTOR: MARICOPA COUNTY JUSTICE OF THE PEACE BENCH

- Maricopa County Justices of the Peace Bench, Commentor
- Hon Gerald A Williams, Maricopa County Justices of the Peace Bench, Commentor
- Hon Anna Huberman, Maricopa County Justice Court Administration, Commentor

CASE STATUS

Aug 22, 2024....Case Closed

Aug 22, 2024....Decision Rendered

CASE DECISION

22-Aug-2024 ORDER

\* A petition having been filed proposing to amend Rule 5(b)(2) of the Rules of Small Claims Procedure, and comments having been received, upon consideration,

IT IS ORDERED that Rule 5(b)(2) of the Rules of Small Claims Procedure is amended in accordanc

Filed: 22-Aug-2024 Mandate:

Decision Disposition

Adopted

Ann Timmer

7 PROCEEDING ENTRIES

1. 1-Jan-2024 FILED: (Replaced by Amended Petition Filed March 6, 2024) Petition to Amend Rules of Small Claims Procedure, Rule 5(b)(2) (Petitioner Arizona Process Servers Association by Barry R. Goldman, Administrator)

Arizona Supreme Court

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RULE 5(b)(2), RULES OF SMALL CLAIMS PROCEDURE

7 PROCEEDING ENTRIES

2. 17-Jan-2024 Rule petitions have been filed in the above-captioned matters under Rule 28(a), Rules of the Supreme Court of Arizona. Upon consideration,
- IT IS ORDERED that these petitions are opened for public comment pursuant to Rule 28(c), Rules of the Supreme Court of Arizona. Comments must be submitted by no later than Wednesday, May 1, 2024, and any reply by a petitioner must be submitted no later than Monday, June 3, 2024.
- The petitions 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, follow the steps listed above and click on <http://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. (Hon. John R. Lopez IV)
3. 28-Feb-2024 FILED: (Comment) (Craig Wismer)
4. 6-Mar-2024 FILED: Amended Petition- Petition to Amend Rules of Small Claims Procedure, Rule 5(b)(2) (Petitioner Arizona Process Servers Association by Barry R. Goldman, Administrator)
5. 14-Mar-2024 FILED: (Comment) (Maricopa County Justice of the Peace Bench by Hon. Gerald A. Williams, North Valley Justice Court and Hon. Anna Huberman, Maricopa County Justice Court Administration, Presiding Justice of the Peace)
6. 20-Aug-2024 WOULD AMEND RULE 5(b)(2) OF THE RULES OF SMALL CLAIMS PROCEDURE TO CLARIFY METHODS OF PERSONAL SERVICE OF A COMPLAINT AND SUMMONS IF THOSE DOCUMENTS ARE NOT SERVED BY CERTIFIED OR REGISTERED MAIL
- ORDERED: Amended Petition-Petition to Amend Rules of Small Claims Procedure, Rule 5(b)(2) = ADOPTED as modified, effective January 1, 2025.
7. 22-Aug-2024 A petition having been filed proposing to amend Rule 5(b)(2) of the Rules of Small Claims Procedure, and comments having been received, upon consideration,
- IT IS ORDERED that Rule 5(b)(2) of the Rules of Small Claims Procedure is amended in accordance with the attachment to this order, effective January 1, 2025. (Hon. Ann A. Scott Timmer)
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