

Arizona Supreme Court

Rule 28 Petition

R-24-0006

RULE 2.6, CODE OF JUDICIAL CONDUCT

Appellate Case Information

Case Filed: 9-Jan-2024

Case Closed: 22-Aug-2024

Dept/Composition

Side 1. RULE 2.6, CODE OF JUDICIAL CONDUCT, Other

(Litigant Group) PETITIONER: ARIZONA COMMISSION ON ACCESS TO JUSTICE

- Arizona Commission on Access to Justice, Petitioner
- Hon Samuel A Thumma, Arizona Commission on Access to Justice, Petitioner

(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

(Litigant Group) COMMENTOR: COMMISSION ON JUDICIAL CONDUCT

- Commission on Judicial Conduct, Commentor
- April Phillips Elliott, Commission on Judicial Conduct, Commentor

(Litigant Group) COMMENTOR: ARIZONA JUDICIAL ETHICS ADVISORY COMMITTEE

- Judicial Ethics Advisory Committee, Commentor
- April Phillips Elliott, Judicial Ethics Advisory Committee, Commentor

(Litigant Group) COMMENTOR: WILLIAM E. MORRIS INSTITUTE FOR JUSTICE, COMMUNITY LEGAL SERVICES, DNA PEOPLE'S LEGAL SERVICES, AND SOUTHERN ARIZONA LEGAL AID

- William E Morris Institute for Justice, Commentor
- Community Legal Services, Commentor
- DNA People's Legal Services Inc, Commentor
- Southern Arizona Legal Aid, Commentor

Attorneys for: Commentor

Andrew P Schaffer, Esq. (AZ Bar No. 37352)
 Brenda Munoz Furnish, Esq. (AZ Bar No. 27280)
 Michelle J Simpson, Esq. (AZ Bar No. 20199)
 Pamela M Bridge, Esq. (AZ Bar No. 18252)
 Charles W Doughty, Esq. (AZ Bar No. 27403)
 Alan R Solot, Esq. (AZ Bar No. 6587)

(Litigant Group) COMMENTOR: ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL ("APAAC")

- Arizona Prosecuting Attorneys' Advisory Council, Commentor

Attorneys for: Commentor

Elizabeth Burton Ortiz, Esq. (AZ Bar No. 12838)

(Litigant Group) COMMENTOR: ARIZONA ATTORNEY GENERAL'S OFFICE

- Arizona Attorney General's Office, Commentor

Attorneys for: Commentor

Kristin K Mayes, Esq. (AZ Bar No. 22584)
 Krista Wood, Esq. (AZ Bar No. 25503)

CASE STATUS

Aug 22, 2024....Case Closed

Aug 22, 2024....Decision Rendered

Arizona Supreme Court

Rule 28 Petition

R-24-0006

RULE 2.6, CODE OF JUDICIAL CONDUCT

CASE DECISION

22-Aug-2024 ORDER

* A petition having been filed to proposing to amend Rule 2.6 of the Arizona Code of Judicial Conduct, Rule 81 of the Rules of the Supreme Court, and comments having been received, upon consideration,

Filed: 22-Aug-2024	Mandate:
Decision Disposition	
Adopted	

IT IS ORDERED that Rule 2.6 of the Arizona Code of

Ann Timmer

11 PROCEEDING ENTRIES

1. 9-Jan-2024 FILED: Petition to Amend Arizona Code of Judicial Conduct Rule 2.6 (Ensuring the Right to be Heard) (Petitioner Arizona Commission on Access to Justice, Samuel A. Thumma, Chair)
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. 16-Feb-2024 FILED: Comment in Support from Maricopa County Justice Court Bench; Exhibit A (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)
4. 29-Mar-2024 FILED: Comment of the Arizona Commission on Judicial Conduct (Commission on Judicial Conduct, April P. Elliott, Executive Director)
5. 30-Apr-2024 FILED: Comment of the Arizona Judicial Ethics Advisory Committee (Arizona Judicial Ethics Advisory Committee, April P. Elliott, Staff Director)
6. 30-Apr-2024 FILED: Comment in Support of Petition to Amend Arizona Code of Judicial Conduct Rule 2.6 (William E. Morris Institute for Justice by Andrew P. Schaffer, Brenda Munoz Furnish, and Michelle J. Simpson; Community Legal Services by Pamela Bridge; DNA People's Legal Services by Charles W. Doughty; Southern Arizona Legal Aid by Alan R. Solot)
7. 1-May-2024 FILED: Arizona Prosecuting Attorneys' Advisory Council Comment in Opposition (Arizona Prosecuting Attorneys' Advisory Council ("APAAC") by Elizabeth Burton Ortiz, Executive Director)
8. 1-May-2024 FILED: Comment (Arizona Attorney General's Office by Kristin Mayes, Arizona Attorney General, Krista Wood, Assistant Attorney General)
9. 30-May-2024 FILED: Reply in Support of Petition to Amend Arizona Code of Judicial Conduct Rule 2.6; Exhibit A (Ensuring the Right to be Heard) (Petitioner Arizona Commission on Access to Justice, Samuel A. Thumma, Chair)
10. 20-Aug-2024 WOULD AMEND RULE 2.6 OF THE ARIZONA CODE OF JUDICIAL CONDUCT (RULE 81 OF THE RULES OF THE SUPREME COURT OF ARIZONA) TO ADD A COMMENT PROVIDING EXAMPLES OF ACTIONS JUDGES MAY PROPERLY TAKE TO ENSURE A SELF-REPRESENTED LITIGANT'S RIGHT TO BE HEARD

ORDERED: Petition to Amend Arizona Code of Judicial Conduct Rule 2.6, Arizona Supreme Court Rule 81 = ADOPTED as modified, effective January 1, 2025.

Arizona Supreme Court

Rule 28 Petition

R-24-0006

RULE 2.6, CODE OF JUDICIAL CONDUCT

11 PROCEEDING ENTRIES

11. 22-Aug-2024 A petition having been filed to proposing to amend Rule 2.6 of the Arizona Code of Judicial Conduct, Rule 81 of the Rules of the Supreme Court, and comments having been received, upon consideration,

IT IS ORDERED that Rule 2.6 of the Arizona Code of Judicial Conduct, Rule 81 of the Rules of the Supreme Court, is amended in accordance with the attachment to this order, effective January 1, 2025. (Hon. Ann A. Scott Timmer)
