

Arizona Supreme Court

Rule 28 Petition

R-24-0011

RULE 11.3(a)(5)(C), RULES OF CRIMINAL PROCEDURE

Appellate Case Information

Case Filed: 9-Jan-2024
Case Closed: 22-Aug-2024

Dept/Composition

Side 1. RULE 11.3(a)(5)(C), RULES OF CRIMINAL PROCEDURE, Other
(Litigant Group) PETITIONER: DAVID K. BYERS

David K Byers, Administrative Office of the Courts, Petitioner

(Litigant Group) COMMENTOR: ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE ("AACJ")

Arizona Attorneys for Criminal Justice, Commentor

Commentor

Kevin D Heade, Esq. (AZ Bar No. 29909)

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 11.3(a)(5)(C) of the Rules of Criminal Procedure, and a comment having been received, upon consideration,

IT IS ORDERED that Rule 11.3(a)(5)(C) of the Rules of Criminal Procedure is amended in acco

Filed: 22-Aug-2024

Mandate:

Decision Disposition

Adopted

Ann Timmer

5 PROCEEDING ENTRIES

1. 9-Jan-2024 FILED: Petition to Amend Rule 11.3(a)(5)(C) Rules of Criminal Procedure (Petitioner David K. Byers, Administrative Director, Administrative Office of the Courts)

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. 1-May-2024 FILED: Arizona Attorneys for Criminal Justice (AACJ) Comment Supporting an Amendment to Rule of Criminal Procedure 11.3(a)(5)(C) (Arizona Attorneys for Criminal Justice ("AACJ") by Kevin D. Heade)

Arizona Supreme Court

Rule 28 Petition

R-24-0011

RULE 11.3(a)(5)(C), RULES OF CRIMINAL PROCEDURE

5 PROCEEDING ENTRIES

4. 20-Aug-2024 WOULD AMEND RULE 11.3(a)(5)(C) OF THE RULES OF CRIMINAL PROCEDURE TO MODIFY THE TRAINING REQUIREMENTS FOR QUALIFYING TO BE A COMPETENCY EXAMINER

ORDERED: Petition to Amend Rule 11.3(a)(5)(C) Rules of Criminal Procedure = ADOPTED, effective January 1, 2025.

5. 22-Aug-2024 A petition having been filed proposing to amend Rule 11.3(a)(5)(C) of the Rules of Criminal Procedure, and a comment having been received, upon consideration,

IT IS ORDERED that Rule 11.3(a)(5)(C) of the Rules of Criminal Procedure is amended in accordance with the attachment to this order, effective January 1, 2025. (Hon. Ann A. Scott Timmer)
