

Arizona Supreme Court

Rule 28 Petition

R-24-0021

RULE 804, RULES OF EVIDENCE

Appellate Case Information

Case Filed: 10-Jan-2024
Case Closed: 22-Aug-2024

Dept/Composition

Side 1. RULE 804, RULES OF EVIDENCE, Other

(Litigant Group) PETITIONER: ADVISORY COMMITTEE ON RULES OF EVIDENCE

- Advisory Committee on Rules of Evidence, Petitioner
Hon Sara J Agne, Advisory Committee on Rules of Evidence, Petitioner
Hon Maria Elena Cruz, Advisory Committee on Rules of Evidence, Petitioner

(Litigant Group) COMMENTOR: ARIZONA ATTORNEYS FOR CRIMINAL JUSTICE

- Arizona Attorneys for Criminal Justice, Commentor

Attorneys for: Commentor

Karen Smith, Esq. (AZ Bar No. 33494)

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 804 of the Arizona Rules of Evidence, and comments having been received, upon consideration,

IT IS ORDERED that Rule 804 of the Arizona Rules of Evidence is amended in accordance with the attachmen

Ann Timmer

Filed: 22-Aug-2024 Mandate:

Decision Disposition

Adopted

5 PROCEEDING ENTRIES

1. 10-Jan-2024 FILED: Petition to Amend Arizona Rule of Evidence 804 (Petitioner Advisory Committee on Rules of Evidence by Hon. Sara J. Agne and Hon. Maria Elena Cruz, Co-Chairs)

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)

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RULE 804, RULES OF EVIDENCE

5 PROCEEDING ENTRIES

3. 1-May-2024 FILED: Comment of Arizona Attorneys for Criminal Justice (AACJ) in Support of an Amendment to Arizona Rule of Evidence 804(b)(3) (Arizona Attorneys for Criminal Justice by Karen S. Smith)
4. 20-Aug-2024 WOULD AMEND RULE 804 OF THE ARIZONA RULES OF EVIDENCE TO CLARIFY THE USE OF EXTRINSIC EVIDENCE IN ESTABLISHING THE TRUSTWORTHINESS OF A STATEMENT IN APPLYING THE "STATEMENT AGAINST INTEREST" EXCEPTION TO THE HEARSAY RULE IN CRIMINAL CASES

ORDERED: Petition to Amend Arizona Rule of Evidence 804 = ADOPTED, effective January 1, 2025.
5. 22-Aug-2024 A petition having been filed proposing to amend Rule 804 of the Arizona Rules of Evidence, and comments having been received, upon consideration,

IT IS ORDERED that Rule 804 of the Arizona Rules of Evidence is amended in accordance with the attachment to this order, effective January 1, 2025. (Hon. Ann A. Scott Timmer)
