

**Arizona Supreme Court**

**Rule 28 Petition**

**R-24-0022**

**RULE 11(b)(1), RULES OF PROCEDURE FOR EVICTION**

**Appellate Case Information**

Case Filed: 10-Jan-2024

Case Closed: 20-Aug-2024

**Dept/Composition**

**Arizona Supreme Court**

**Rule 28 Petition**

**R-24-0022**

**RULE 11(b)(1), RULES OF PROCEDURE FOR EVICTION**

**Side 1. RULE 11(b)(1), RULES OF PROCEDURE FOR EVICTION, Other**

**(Litigant Group) PETITIONERS: 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, Petitioner
- Community Legal Services, Petitioner
- DNA People's Legal Services Inc, Commentor
- Southern Arizona Legal Aid, Petitioner

**Attorneys for: Petitioner**

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: MARICOPA COUNTY JUSTICE OF THE PEACE BENCH**

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

**(Litigant Group) COMMENTOR: MANUFACTURED HOUSING COMMUNITIES OF ARIZONA**

- Manufactured Housing Communities of Arizona, Commentor

**Attorneys for: Commentor**

Scott Andrew Baluha, Esq. (AZ Bar No. 29957)  
Tatianna F Dunne, Esq. (AZ Bar No. 36776)

**(Litigant Group) COMMENTOR: CHARLES LUCKING**

- Charles Lucking, Commentor  
AZ Bar No. 31964  
[Current Member]  
Admitted 3/9/15

**(Litigant Group) COMMENTOR: ARIZONA COMMISSION ON ACCESS TO JUSTICE**

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

**(Litigant Group) COMMENTOR: MAXINE M. BECKER**

- Maxine M Becker, Commentor  
AZ Bar No. 19951  
[Inactive]  
Admitted 10/25/99

**(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)  
Natalie Trouard, Esq. (AZ Bar No. 37365)  
Leslie Ross, Esq. (AZ Bar No. 27207)

**(Litigant Group) COMMENTOR: HULL, HOLLIDAY & HOLLIDAY P.L.C.**

- Hull Holliday & Holliday PLC, Commentor

**Attorneys for: Commentor**

Andrew M Hull, Esq. (AZ Bar No. 4153)  
Denise M Holliday, Esq. (AZ Bar No. 17275)  
Kevin W Holliday, Esq. (AZ Bar No. 17276)  
Matthew Schlabach, Esq. (AZ Bar No. 34118)  
Christopher Hoynicki, Esq. (AZ Bar No. 34840)  
Judy Drickey-Prohow, Esq. (AZ Bar No. 5796)  
Brandy Aguero, Esq. (AZ Bar No. 33723)

**(Litigant Group) COMMENTOR: UNEMPLOYED WORKERS UNITED**

- Unemployed Workers United, Commentor

**Attorneys for: Commentor**

Keally L. Cieslik, Esq. (AZ Bar No. 38984)

# Arizona Supreme Court

## Rule 28 Petition

### R-24-0022

### RULE 11(b)(1), RULES OF PROCEDURE FOR EVICTION

(Litigant Group) COMMENTOR: DISABILITY RIGHTS ARIZONA

- Disability Rights Arizona, Commentor

Attorneys for: Commentor

Joseph Falcon-Freeman, Esq. (AZ Bar No. 36798)

(Litigant Group) COMMENTOR: STATE BAR OF ARIZONA

- State Bar of Arizona, Commentor

Attorneys for: Commentor

Lisa M Panahi, Esq. (AZ Bar No. 23421)

#### CASE STATUS

Aug 20, 2024...Case Closed

Aug 20, 2024...Decision Rendered

#### CASE DECISION

20-Aug-2024 ORDER

\* WOULD AMEND RULE 11(b) OF THE RULES OF PROCEDURE FOR EVICTION ACTIONS TO ADOPT FOR A ONE-YEAR PILOT PROJECT A RULE AMENDMENT REQUIRING A COURT TO RECALL EVICTION CASES AT THE END OF A CALENDAR

Filed: 20-Aug-2024

Mandate:

Decision Disposition

**Denied**

ORDERED: Petition to Amend Rule 11(b)(1), Arizona Rules o

#### 14 PROCEEDING ENTRIES

- 10-Jan-2024 FILED: Petition to Amend Rule 11(b)(1), Arizona Rules of Procedure for Eviction Actions (Petitioners 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. Doughy; Southern Arizona Legal Aid by Alan R. Solot)
- 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)
- 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)
- 19-Mar-2024 FILED: Comments on Proposed Rule (Manufactured Housing Communities of Arizona by Scott A. Baluha and Tatianna Dunne]
- 29-Apr-2024 FILED: (Comment) (Charles Lucking)
- 29-Apr-2024 FILED: Comments of the Arizona Commission on Access to Justice in Support of the Petition (Arizona Commission on Access to Justice by Samuel A. Thumma, Chair)
- 30-Apr-2024 FILED: (Comment)( Maxine M. Becker)
- 30-Apr-2024 FILED: Comment in Support of Petition to Amend Rule 11(b)(1), Rules of Procedure for Eviction Actions (Arizona Attorney General's Office by Kristin Mayes, Arizona Attorney General, Leslie Ross and Natalie Trouard, Assistant Attorneys General)
- 30-Apr-2024 FILED: Comments on Petition to Amend the Proposed Rule 11(b)(1) (Hull, Holliday & Holliday P.L.C.)

**Arizona Supreme Court**

**Rule 28 Petition**

**R-24-0022**

**RULE 11(b)(1), RULES OF PROCEDURE FOR EVICTION**

**14 PROCEEDING ENTRIES**

10. 1-May-2024 FILED: Comment to Petition to Amend Rule 11(b)(1), of the Rules of Procedure for Eviction Actions (Unemployed Worker United by Keally L. Cieslik, Staff Attorney)
11. 1-May-2024 FILED: Comment to Petition to Amend Rule 11(b)(1), Rules of Procedure for Eviction Actions (Disability Rights Arizona by Joseph Falcon-Freeman, Staff Attorney)
12. 1-May-2024 FILED: State Bar of Arizona Comment (State Bar of Arizona by Lisa Panahi, General Counsel)
13. 3-Jun-2024 FILED: Reply to Comments to the Petition (Petitioners 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 Leslie McLean; Southern Arizona Legal Aid by Alan R. Solot)
14. 20-Aug-2024 WOULD AMEND RULE 11(b) OF THE RULES OF PROCEDURE FOR EVICTION ACTIONS TO ADOPT FOR A ONE-YEAR PILOT PROJECT A RULE AMENDMENT REQUIRING A COURT TO RECALL EVICTION CASES AT THE END OF A CALENDAR

ORDERED: Petition to Amend Rule 11(b)(1), Arizona Rules of Procedure for Eviction Actions = DENIED.

---