

Arizona Supreme Court

Rule 28 Petition

R-24-0023

APPENDIX A, RULES OF PROCEDURE FOR EVICTION

Appellate Case Information

Case Filed: 10-Jan-2024

Case Closed: 22-Aug-2024

Dept/Composition

Arizona Supreme Court

Rule 28 Petition

R-24-0023

APPENDIX A, RULES OF PROCEDURE FOR EVICTION

Side 1. APPENDIX A, 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, Petitioner
- Southern Arizona Legal Aid, Petitioner

Attorneys for: Petitioners

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: 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: WILDFIRE: IGNITING COMMUNITY ACTION TO END POVERTY IN ARIZONA

- Wildfire: Igniting Community Action to End Poverty in Arizon, Commentor
- Executive Director, Wildfire: Igniting Community Action to End Poverty in Arizon, Kelly McGowan, Commentor

Attorneys for: Commentor

Maxine M Becker, Esq. (AZ Bar No. 19951)

(Litigant Group) COMMENTOR: SOUTHWEST FAIR HOUSING COUNCIL

- Southwest Fair Housing Council, Commentor
- Jay Young, Southwest Fair Housing Council, Commentor

(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 Agüero, 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)

(Litigant Group) COMMENTOR: STATE BAR OF ARIZONA

- State Bar of Arizona, Commentor

Attorneys for: Commentor

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

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APPENDIX A, RULES OF PROCEDURE FOR EVICTION

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 the Residential Eviction Information Sheet contained in Appendix A to the Rules of Procedure for Eviction Actions, and comments having been received, upon consideration,

Filed: 22-Aug-2024

Mandate:

Decision Disposition

Adopted as Modified

IT IS ORDERED that Appendix A to

Ann Timmer

14 PROCEEDING ENTRIES

- 1. 10-Jan-2024 FILED: Petition to Amend Appendix A, Arizona Rules of Procedure for Eviction Actions; Appendix A; Appendix B (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. Doughty; Southern Arizona Legal Aid by Alan R. Solot)
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. 23-Apr-2024 FILED: Comment to Petition to Amend Appendix A. Arizona Rules of Procedure for Eviction Actions; Exhibit A; Exhibit B (Manufactured Housing Communities of Arizona by Scott A. Baluha and Tatianna Dunne)
4. 29-Apr-2024 FILED: (Comment) (Charles Lucking)
5. 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)
6. 30-Apr-2024 FILED: Comment in Support of Petition to Amend Rules 4 and 9 of the Rules of Procedure for Eviction Actions (Wildfire: Igniting Community Action to End Poverty in Arizona by Maxine M. Becker and Kelly McGowan, Executive Director)
7. 30-Apr-2024 FILED: (Comment) (Southwest Fair Housing Council by Jay Young)
8. 30-Apr-2024 FILED: Comment in Support of Petition to Amend Appendix A, 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)
9. 30-Apr-2024 FILED: Comments on Petition to Amend Appendix A, Arizona Rules of Procedure for Eviction Actions (Hull, Holliday & Holliday P.L.C. by Andrew Hull et al.)
10. 1-May-2024 FILED: Comment to Petition to Amend Appendix A, of the Rules of Procedure for Eviction Actions (Unemployed Worker United by Keally L. Cieslik, Staff Attorney)
11. 1-May-2024 FILED: State Bar of Arizona Comment (State Bar of Arizona by Lisa Panahi, General Counsel)

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12. 3-Jun-2024 FILED: Reply in Support of 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)
13. 20-Aug-2024 WOULD AMEND APPENDIX A OF THE RULES OF PROCEDURE FOR EVICTION ACTIONS TO SUBSTANTIALLY REWRITE THE RESIDENTIAL EVICTION INFORMATION SHEET SO IT IS EASIER TO READ AND UNDERSTAND
- ORDERED: Petition to Amend Appendix A, Arizona Rules of Procedure for Eviction Actions = ADOPTED as modified, effective January 1, 2025.
14. 22-Aug-2024 A petition having been filed proposing to amend the Residential Eviction Information Sheet contained in Appendix A to the Rules of Procedure for Eviction Actions, and comments having been received, upon consideration,
- IT IS ORDERED that Appendix A to the Rules of Procedure for Eviction Actions is amended in accordance with the attachment to this order, effective January 1, 2025. (Hon. Ann A. Scott Timmer)