

Arizona Supreme Court

Rule 28 Petition

R-24-0025

RULES 14.4 AND 17.2, RULES OF CRIMINAL PROCEDURE

Appellate Case Information

Case Filed: 9-Jan-2024

Case Closed: 22-Aug-2024

Dept/Composition

Side 1. RULES 14.4 AND 17.2, RULES OF CRIMINAL PROCEDURE, Other

(Litigant Group) PETITIONER: JERRY L. LANDAU

- Mr Jerry G Landau, Administrative Office of the Courts, Petitioner

(Litigant Group) COMMENTOR: MARICOPA COUNTY JUSTICE OF THE PEACE BENCH

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

(Litigant Group) COMMENTOR: ARIZONA PROSECUTING ATTORNEY'S ADVISORY COUNCIL AND MARICOPA COUNTY ATTORNEY'S OFFICE

- Arizona Prosecuting Attorneys' Advisory Council, Commentor
- Maricopa County Attorney's Office, Commentor

Attorneys for: Other

Elizabeth Burton Ortiz, Esq. (AZ Bar No. 12838)  
 Rachel H Mitchell, Esq. (AZ Bar No. 14560)  
 Blaine D Gadow, Esq. (AZ Bar No. 15741)

(Litigant Group) COMMENTOR: THE MARICOPA COUNTY INDIGENT DEFENSE OFFICES

- Maricopa County Office of Public Defense Services, Commentor
- Maricopa County Office of the Legal Advocate, Commentor
- Maricopa County Legal Defender's Office, Commentor
- Maricopa County Public Defender's Office, Commentor
- Maricopa County Office of the Public Advocate, Commentor

Attorneys for: Commentor

Rosemarie Pena-Lynch, Esq. (AZ Bar No. 23400)  
 Steve B Koestner, Esq. (AZ Bar No. 11566)  
 Sherri McGuire Lawson, Esq. (AZ Bar No. 13605)  
 Gary M Kula, Esq. (AZ Bar No. 12507)  
 Shannon L Burns, Esq. (AZ Bar No. 15976)

(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)

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

- Arizona Attorneys for Criminal Justice, Commentor

Attorneys for: Commentor

Lisa Bivens, Esq. (AZ Bar No. 34075)

(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 22, 2024....Case Closed

Aug 22, 2024....Decision Rendered

Arizona Supreme Court

Rule 28 Petition

R-24-0025

RULES 14.4 AND 17.2, RULES OF CRIMINAL PROCEDURE

CASE DECISION

22-Aug-2024 ORDER

\* A petition having been filed proposing to amend Rules 14.4 and 17.2 of the Rules of Criminal Procedure and comments having been received, upon consideration,

IT IS ORDERED that Rules 14.4 and 17.2 of the Rules of Criminal Procedure are amended in acc

Filed:	22-Aug-2024	Mandate:
Decision Disposition		
<b>Adopted</b>		

Ann Timmer

11 PROCEEDING ENTRIES

1. 9-Jan-2024 FILED: Petition to Amend Rules 14.4 and 17.2 of the Arizona Rules of Criminal Procedure (Petitioner Jerry G. Landau, Administrative Office of the Courts, Special Projects Consultant)
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. 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)
4. 24-Apr-2024 FILED: Arizona Prosecuting Attorney's Advisory Council's & Maricopa County Attorneys Office Comment in Opposition (Petitioner Arizona Prosecuting Attorneys' Advisory Council ("APAAC") by Elizabeth Burton Ortiz and Maricopa County Attorney's Office by Rachel H. Mitchell, Maricopa County Attorney and Blaine Gadow, Chief Deputy))
5. 28-Apr-2024 FILED: Comment by the Directors of Maricopa County Indigent Defense Agencies (The Maricopa Indigent Defense Offices by Rosemarie Pena-Lynch, Steve Koestner, Sherri McGuire Lawson, Gary Kula, Shannon Burns)
6. 1-May-2024 FILED: Comment in Opposition to Petition to Amend Rules 14.4 and 17.2 (Arizona Attorney General's Office by Kristin Mayes, Arizona Attorney General, Krista Wood , Assistant Attorney General)
7. 1-May-2024 FILED: Comment by Arizona Attorneys for Criminal Justice Supporting the Petition to Amend Rule 14.4 and Rule 7.2 of the Arizona Rules of Criminal Procedure (Arizona Attorneys for Criminal Justice by Lisa Bivens)
8. 1-May-2024 FILED: State Bar of Arizona Comment (State Bar of Arizona by Lisa M. Panahi, General Counsel)
9. 31-May-2024 FILED: Reply to Comments (Petitioner Jerry G. Landau, Administrative Office of the Courts, Special Projects Consultant)
10. 20-Aug-2024 WOULD AMEND RULES 14.4 AND 17.2 OF THE RULES OF CRIMINAL PROCEDURE TO EXPAND THE SCOPE OF THE COURT'S NOTICE TO A DEFENDANT OF POSSIBLE COLLATERAL CONSEQUENCES AND TO ADVISE DEFENDANTS AT THE INCEPTION OF A CRIMINAL CASE OF THESE COLLATERAL CONSEQUENCES

ORDERED: Petition to Amend Rules 14.4 and 17.2 of the Arizona Rules of Criminal Procedure = ADOPTED as modified, effective January 1, 2025.

**Arizona Supreme Court**

**Rule 28 Petition**

**R-24-0025**

**RULES 14.4 AND 17.2, RULES OF CRIMINAL PROCEDURE**

**11 PROCEEDING ENTRIES**

11. 22-Aug-2024 A petition having been filed proposing to amend Rules 14.4 and 17.2 of the Rules of Criminal Procedure and comments having been received, upon consideration,

IT IS ORDERED that Rules 14.4 and 17.2 of the Rules of Criminal Procedure are amended in accordance with the attachment to this order, effective January 1, 2025. (Hon. Ann A. Scott Timmer)

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