

Arizona Supreme Court

Rule 28 Petition

R-25-0006

RULES 5, 9, AND 10, RULES OF JUDICIAL PERFORMANCE

Appellate Case Information

Case Filed: 9-Jan-2025

Case Closed:

Dept/Composition

Side 1. RULES 5, 9, AND 10, RULES OF PROCEDURE FOR JUDICIAL PERFORMANCE REVIEW IN THE STATE OF ARIZONA, Other (Litigant Group) PETITIONER: WILLIAM F. AUTHER

- William F Auther, Commission on Judicial Performance Review, Petitioner

CASE STATUS

Table with 2 columns: Date and Status. Rows include Nov 26, 2025...Continued, Aug 28, 2025...Continued, Jan 21, 2025...Circulating, and Jan 9, 2025.....Pending.

6 PROCEEDING ENTRIES

- 1. 9-Jan-2025 FILED: Petition to Amend Rules of Procedure for Judicial Performance Review in the State of Arizona, 5, 9, and 10; Appendix A (Petitioner William F. Auther, Commission on Judicial Performance Review, Chair)
2. 21-Jan-2025 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 Thursday, May 1, 2025, and any reply by a petitioner must be submitted no later than Monday, June 2, 2025. Note that R-24-0005 is being reopened for public comment on the petitioner's second amended petition, filed January 3, 2025. 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, the Rules of Criminal Procedure can be 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. 28-Aug-2025 WOULD AMEND RULES 5, 9, AND 10 OF THE RULES OF PROCEDURE FOR JUDICIAL PERFORMANCE REVIEW TO CLARIFY AND MODIFY ASPECTS OF THE COMMISSION'S EVALUATION OF JUDICIAL PERFORMANCE ORDERED: Petition to Amend Rules of Procedure for Judicial Performance Review in the State of Arizona, 5, 9, and 10 = CONTINUED until the November 2025 Rules Agenda. FURTHER ORDERED: The proposed amendments as revised are opened for public comment, with all comments due no later than October 1, 2025 and any reply due no later than October 15, 2025.

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4. 28-Aug-2025 On June 9, 2025, William F. Auther, Chair of the Commission on Judicial Performance Review filed a petition proposing to amend parts of the Rules of Procedure for Judicial Performance Review in the State of Arizona. Having considered the petition,
- IT IS ORDERED continuing this petition until the November 2025 Rules Agenda.
- IT IS FURTHER ORDERED that this matter is opened for public comment as to whether the proposed amendments to the rules, as revised in accordance with the attachment to this order, should be adopted, with all comments due by no later than October 1, 2025. The Court will consider this issue at its November 2025 Rules Agenda.
- Rule petitions, including this one, 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 Procedure for Judicial Performance review in the State of Arizona, which can be found by scrolling down the page.
- For instructions on how to post comments electronically, follow the steps listed above and click on "FAQ" at the top of the "Welcome" page and then find "How do I file a comment on a Rule 28 petition?"
- Alternatively, commenters may submit a comment by filing an original and one paper copy of the comment and one electronic copy of the written comment and any 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, Arizona 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. Ann A. Scott Timmer)
5. 26-Nov-2025 **WOULD AMEND RULES 5, 9, AND 10 OF THE RULES OF PROCEDURE FOR JUDICIAL PERFORMANCE REVIEW TO CLARIFY AND MODIFY ASPECTS OF THE COMMISSION'S EVALUATION OF JUDICIAL PERFORMANCE**
- ORDERED: Petition to Amend Rules of Procedure for Judicial Performance Review in the State of Arizona 5, 9, and 10 = ADOPTED as modified on an emergency basis, effective July 1, 2026.
- FURTHER ORDERED: The Court will decide whether to adopt the rule amendments on permanent basis during the August 2026 Rules Agenda.
- FURTHER ORDERED: This matter is opened for public comment on whether the amendments should be adopted on a permanent basis, with all comments due no later than May 1, 2026, and any reply by June 1, 2026.
6. 26-Nov-2025 On January 9, 2025, Petitioner filed a petition proposing to amend Rules 5, 9, and 10 the Rules of Procedure for Judicial Performance Review in the State of Arizona. On August 28, the Court continued consideration until the November 2025 Rules Agenda.
- Having considered the petition and having received no comments,
- IT IS ORDERED, pursuant to Rule 28(h)(2) of the Rules of the Supreme Court of Arizona, that Rules 5, 9, and 10 of the Rules of Procedure for Judicial Performance Review in the State of Arizona are amended on an emergency basis in accordance with the attachment to this order, effective July 1, 2026.
- IT IS FURTHER ORDERED that the Court will consider whether to adopt these amendments on a permanent basis during its August 2026 Rules Agenda.
- IT IS FURTHER ORDERED that this matter is opened for public comment under Rule 28(c), Rules of the Supreme Court of Arizona, on whether these amendments should be adopted on a permanent basis, with all comments due by no later than May 1, 2026, and any reply due no later than June 1, 2026.
- Rule petitions, including this one, 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, the Rules of Procedure for Judicial Performance Review can be found by scrolling down the page.
- For instructions on how to post comments electronically, follow the steps listed above and click on "FAQ" at the top of the "Welcome" page and then find "How do I file a comment on a Rule 28 petition?"
- Alternatively, commenters may submit a comment by filing an original and one paper copy of the comment and one electronic copy of the written comment and any 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, Arizona 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.