

Arizona Supreme Court

Rule 28 Petition

R-25-0059

ADOPT ARIZONA RULES FOR MENTAL HEALTH PROCEEDINGS

Appellate Case Information

Case Filed: 23-Dec-2025
Case Closed:

Dept/Composition

Side 1. ADOPT ARIZONA RULES FOR COURT ORDERED MENTAL HEALTH PROCEEDINGS, Other

(Litigant Group) PETITIONER: TASK FORCE ON THE ARIZONA RULES FOR COURT-ORDERED MENTAL HEALTH PROCEEDINGS

- Task Force on the Arizona Rules for Court-Ordered Mental Hea, Petitioner
Hon Jay M Polk, Task Force on the Arizona Rules for Court-Ordered Mental Hea, Petitioner

Attorneys for: Other

(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

(Litigant Group) COMMENTORS: DENNIS M. MCGRANE AND YAVAPAI COUNTY ATTORNEY'S OFFICE

- Dennis M McGrane, Yavapai County Attorney's Office, Commentor
Yavapai County Attorney's Office, Commentor

Attorneys for: Commentor

Benjamin D Kreutzberg, Esq. (AZ Bar No. 27984)

(Litigant Group) COMMENTOR: PASCAL BROWN

- Pascal Brown, Commentor
AZ Bar No. 24246
Admitted 2/16/06

(Litigant Group) COMMENTOR: SABRINA L. FLADNESS

- Sabrina Fladness, Pima County Attorney's Office, Commentor

CASE STATUS

Feb 17, 2026....Pending

8 PROCEEDING ENTRIES

- 1. 23-Dec-2025 FILED: Motion to Permit Additional Time for Filing a Rule Petition (Petitioner Task Force on the Arizona Rules for Court-Ordered Mental Health Proceedings by Hon. Jaym M. Polk, Chair)
2. 30-Dec-2025 On August 20, 2025, the Court entered Administrative Order No. 2025-157 establishing the Task Force on the Arizona Rules for Court-Ordered Mental Health Proceedings ("the Task Force"). The Task Force's main responsibility is to review and revise a set of draft procedural rules governing court-ordered mental health proceedings. The administrative order further provides that the Task Force submit a rule petition to the Court proposing the revised rules by no later than January 10, 2026.
On December 19, 2025, the Task Force filed a motion requesting an extension of time until February 16, 2026, in which to file a rule petition. It further requests that the comment and reply periods be extended to accommodate the extension, and that the petition be considered during the Court's August 2026 Rules Agenda.
Upon consideration,
IT IS ORDERED granting the Task Force's motion.
IT IS FURTHER ORDERED that the Task Force will have until February 16, 2026, in which to file its rule petition.
IT IS FURTHER ORDERED that if the petition is filed on or before February 16, 2026, the Court will enter an order opening the petition for public comment, with all comments due no later than June 1, 2026, and any reply due no later than June 30, 2026.
IT IS FURTHER ORDERED that if the petition is filed on or before February 16, 2026, the Court will consider it during its August 2026 Rules Agenda. (Hon. Ann A. Scott Timmer)
3. 17-Feb-2026 FILED: Petition; Appendix A; Appendix B; Appendix C; Appendix D (Petitioner Task Force on the Arizona Rules for Court-Ordered Mental Health Proceedings by Hon. Jaym M. Polk, Chair)

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4. 17-Feb-2026 On December 30, 2025, the Court entered an order granting Petitioner an extension of time in which to file its rule petition, allowing it to file the petition in mid-February rather than by the January 10, 2026, deadline prescribed in Rule 28(a)(2) of the Rules of the Supreme Court of Arizona. It further provided that if the petition was filed on or before the extended date, the Court would consider the petition during its August 2026 Rules Agenda and extend the standard comment and reply periods to accommodate the time extension.
- On February 17, 2026, Petitioner timely filed its rule petition consistent with the time extension.
- Accordingly,
- IT IS ORDERED that the Court will consider the petition during its August 2026 Rules Agenda.
- IT IS FURTHER ORDERED that this petition is opened for public comment under Rule 28(c), Rules of the Supreme Court of Arizona, with all comments due no later than June 1, 2026, and any reply due no later than June 30, 2026.
- The petition 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, this petition is located under the heading "Rules for Court-Ordered Mental Health Proceedings," 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 <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 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. Clint Bolick)
5. 29-Apr-2026 FILED: Comments of the Arizona Commission on Access to Justice Supporting the Petition (Arizona Commission on Access to Justice by Judge Samuel A. Thumma, Chair)
6. 29-May-2026 FILED: Comments of Dennis M. McGrane, Yavapai County Attorney and the Yavapai County Attorney's Office (Dennis M. McGrane, Yavapai County Attorney and Yavapai County Attorney's Office)
7. 29-May-2026 FILED: (Comment) (Pascal Brown)
8. 1-Jun-2026 FILED: Comments on Proposed Rules for Mental Health T36 Hearings ( Sabrina L. Fladness, Supervising Attorney, Health Law Unit, Pima County Attorney's Office)