

Arizona Supreme Court

Rule 28 Petition

R-26-0029

RULE 43(b), RULES OF PROTECTIVE ORDER PROCEDURE

Appellate Case Information

Case Filed: 23-Apr-2026

Case Closed:

Dept/Composition

Side 1. RULE 43(b), RULES OF PROTECTIVE ORDER PROCEDURE, Other

(Litigant Group) PETITIONER: DAVID K. BYERS

- David K Byers, Administrative Office of the Courts, Petitioner

CASE STATUS

Apr 23, 2026....Pending

2 PROCEEDING ENTRIES

1. 23-Apr-2026 FILED: Petition to Amend Rule 43(b) of the Rules of Protective Order Procedure (Expedited Consideration Requested) (Petitioner David K. Byers, Administrative Director, Administrative Office of the Courts)

2. 23-Apr-2026 On April 23, 2026, David K. Byers, Administrative Director of the Administrative Office of the Courts, filed a rule petition to amend Rule 43(b) of the Arizona Rules of Protective Order Procedure. The proposed amendment is intended to implement recent legislation to add an offense to the list of criminal offenses qualifying for a lifetime no-contact injunction. It would add "aggravated harassment" under A.R.S. § 13-2921.01 involving domestic violence.

To ensure that the Court considers and acts on the proposed amendment before the enactment goes into effect in mid-to-late September 2026, Petitioner further requests that the petition be given expedited consideration under Rule 28(h)(1), Rules of the Supreme Court of Arizona, and be adopted on an emergency basis under Rule 28(h)(2) of the same rules. Upon consideration,

IT IS ORDERED granting the request to consider this petition on an expedited basis.

IT IS FURTHER ORDERED that during its August 2026 Rules Agenda, the Court will consider whether to adopt the proposed amendment to Rule 43(b) on an emergency basis. If it does, the Court will consider whether to adopt the rule amendment on a permanent basis during its December 2026 Rules Agenda. If it decides not to adopt the proposed rule amendment on an emergency basis, the Court will decide whether to adopt it on a non-emergency basis during its December 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 October 1, 2026, and any reply due no later than October 15, 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, the Arizona Rules of Protective Order Procedure can be found by scrolling down the page.

For instructions on how to post comments electronically, click on https://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. Ann A. Scott Timmer)