

Arizona Supreme Court

Rule 28 Petition

R-24-0016

RULES 17.4 AND 38, RULES OF CRIMINAL PROCEDURE

Appellate Case Information

Case Filed: 9-Jan-2024

Case Closed:

Dept/Composition

Arizona Supreme Court

Rule 28 Petition

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RULES 17.4 AND 38, RULES OF CRIMINAL PROCEDURE

Side 1. RULES 17.4 AND 38, RULES OF CRIMINAL PROCEDURE, Other

(Litigant Group) PETITIONER: ARIZONA RESTORATIVE JUSTICE COALITION

- Kevin D Heade, Arizona Restorative Justice Coalition, Petitioner
- Paula Barr Skillicorn, Arizona Restorative Justice Coalition, Petitioner

(Litigant Group) COMMENTOR: TERRY BORDEN

- Terry Borden, Commentor PRO SE

(Litigant Group) COMMENTOR: DIANNE POST

- Dianne Post, Commentor
AZ Bar No. 6141
[Current Member]
Admitted 1/8/80

(Litigant Group) COMMENTOR: ARIZONANS FOR RATIONAL SEX OFFENSE LAWS

- Patricia Borden, Arizonans for Rational Sex Offense Laws, Commentor

(Litigant Group) COMMENTOR: TOM BURKE

- Tom Burke, Commentor

(Litigant Group) COMMENTOR: PJ BOONE- EDGERTON LONGNI

- PJ Boone- Edgerton Longni, Commentor

(Litigant Group) COMMENTOR: VICKY CAMPO

- Vicky Campo, Commentor

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

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

(Litigant Group) COMMENTOR: RUSSELL FACENTE

- Russell Brian Facente, Commentor
AZ Bar No. 38673
[Current Member]
Admitted 11/6/23

(Litigant Group) COMMENTOR: CHARLOTTE HAWKEN

- Charlotte Hawken, Commentor

(Litigant Group) COMMENTOR: MARICOPA COUNTY ATTORNEY'S OFFICE

- Rachel H Mitchell, Maricopa County Attorney's Office, Commentor
- Blaine D Gadow, Maricopa County Attorney's Office, Commentor

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

- Rosemarie Pena-Lynch, Maricopa County Office of Public Defense Services, Commentor
- Steve B Koestner, Maricopa County Office of the Legal Advocate, Commentor
- Sherri McGuire Lawson, Maricopa County Legal Defender's Office, Commentor
- Mr Gary M Kula, Maricopa County Public Defender's Office, Commentor
- Ms Shannon L Burns, Maricopa County Office of the Public Advocate, Commentor

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(Litigant Group) COMMENTOR: ARIZONA ATTORNEY GENERAL'S OFFICE

- Arizona Attorney General's Office, Commentor
- Kristin K. Mayes, Arizona Attorney General's Office, Commentor
- Alice Jones, Arizona Attorney General's Office, Commentor

(Litigant Group) COMMENTOR: HAZEL HURLBUT

- Hazel Hurlbut, Commentor

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

- Elizabeth Burton Ortiz, Arizona Prosecuting Attorneys' Advisory Council, Commentor

CASE STATUS

Jan 10, 2024....**Pending**

16 PROCEEDING ENTRIES

1. 10-Jan-2024 FILED: Petition to Amend Rule 17.4 and Rule 38 of the Arizona Rules of Criminal Procedure to Incorporate Limited Restorative Justice Principles via Victim- Defendant Conferencing; AZRJC'S Proposed Amendments (Petitioner Arizona Restorative Justice Coalition by Kevin D. Heade and Paula Barr Skillicorn, Members)
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-Jan-2024 FILED: (Comment) (Terry Borden)
4. 5-Feb-2024 FILED: (Comment) (Dianne Post)
5. 7-Feb-2024 FILED: Comment (Arizonans for Rational Sex Offense Laws by Patricia Borden, Director)
6. 8-Feb-2024 FILED: (Comment) (Tom Burke)
7. 14-Feb-2024 FILED: (Comment) (PJ Boone- Edgerton Longni)
8. 16-Feb-2024 FILED: (Comment) (Vicky Campo)
9. 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)
10. 5-Apr-2024 FILED: (Comment) (Russell Facente)
11. 16-Apr-2024 FILED: (Comment) (Charlotte Hawken)
12. 24-Apr-2024 FILED: Maricopa County Attorney's Office Comment in Opposition (Maricopa County Attorney's Office by Rachel H. Mitchell, Maricopa County Attorney and Blaine Gadow, Chief Deputy)
13. 28-Apr-2024 FILED: Joint Comment by the Directors of the Maricopa County Indigent Defense Agencies (The Maricopa Indigent Defense Offices by Rosemarie Pena-Lynch, Steve Koestner, Sherri McGuire Lawson, Gary Kula, Shannon Burns)

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| 14. | 30-Apr-2024 | FILED: Comment in Opposition to Petition to Amend Rule 17.4 and Rule 38 of the Arizona Rules of Criminal Procedure (Arizona Attorney General's Office by Kristin Mayes, Arizona Attorney General and Alice Jones, Deputy Solicitor General/ Chief Counsel Criminal Appeals Section) |
| 15. | 30-Apr-2024 | FILED: (Comment) (Hazel Hurlbut) |
| 16. | 1-May-2024 | FILED: Arizona Prosecuting Attorneys Advisory Council's Comment in Opposition (Arizona Prosecuting Attorneys' Advisory Council ("APAAC") by Elizabeth Burton Ortiz, Executive Director) |