

**Arizona Supreme Court**

**Rule 28 Petition**

**R-24-0030**

**RULES 32(b) AND (c), RULES OF THE SUPREME COURT**

**Appellate Case Information**

Case Filed: 10-Jan-2024

Case Closed:

**Dept/Composition**

**Arizona Supreme Court**

**Rule 28 Petition**

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**RULES 32(b) AND (c), RULES OF THE SUPREME COURT**

**Side 1. RULES 32(b) AND (c), RULES OF THE SUPREME COURT, Other**

**(Litigant Group) PETITIONER: SCHARF-NORTON CENTER FOR CONSTITUTIONAL LITIGATION AT THE GOLDWATER INSTITUTE**

- Scharf-Norton Center for Constitutional Litigation, Petitioner

**Attorneys for: Petitioner**

Jonathan Matthew Riches, Esq. (AZ Bar No. 25712)

Timothy Sandefur, Esq. (AZ Bar No. 33670)

Scott Day Freeman, Esq. (AZ Bar No. 19784)

Stacy Skankey, Esq. (AZ Bar No. 35589)

**(Litigant Group) COMMENTOR: STEVEN SIMON LAW**

- Steven Simon Law, Commentor

**(Litigant Group) COMMENTOR: JAMES C. MITCHELL**

- James C Mitchell, Commentor

AZ Bar No. 17387

[Resigned in Good Standing]

SOLE PRACTITIONER

Admitted 10/19/96

**(Litigant Group) COMMENTOR: ARIZONA BLACK BAR**

- Arizona Black Bar, Commentor

**Attorneys for: Commentor**

Pearlette J Ramos, Esq. (AZ Bar No. 28368)

**(Litigant Group) COMMENTOR: MICHAEL KIELSKY**

- Michael Kielsky, Commentor

AZ Bar No. 21864

[Current Member]

Admitted 9/20/06

**(Litigant Group) COMMENTOR: ADITYA DYNAR**

- Aditya Dynar, Commentor

AZ Bar No. 31583

[Current Member]

Admitted 10/27/14

**(Litigant Group) COMMENTOR: DUSTIN ROMNEY**

- Dustin D Romney, Commentor

AZ Bar No. 34728

[Current Member]

Admitted 10/25/18

**(Litigant Group) COMMENTOR: ARIZONA FOUNDATION FOR LEGAL SERVICE AND EDUCATION**

- Arizona Foundation for Legal Services and Education, Commentor

- Kevin Ruegg, Arizona Foundation for Legal Services and Education, Commentor

**(Litigant Group) COMMENTOR: MAURICIO R. HERNANDEZ**

- Mauricio Hernandez, Commentor

AZ Bar No. 020181

**(Litigant Group) COMMENTOR: DR. RICHARD W. MORRIS, J.D., PH.D**

- Richard W Morris, Ph.D., Commentor

AZ Bar No. 2009

[Retired]

Admitted 4/7/67

**(Litigant Group) COMMENTOR: CHARLES F. HAUFF, JR.**

- Mr Charles F Hauff, Jr, Commentor

AZ Bar No. 14465

[Current Member]

Admitted 10/24/92

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(Litigant Group) COMMENTOR: DON BIVENS , et al.

- Don Bivens, Commentor  
AZ Bar No. 05134  
[Current Member]  
Admitted 11/1/77
- Frederick M "Fritz" Aspey, Commentor  
AZ Bar No. 3018  
[Current Member]  
Admitted 9/23/72
- Roxana C Bacon, Commentor  
AZ Bar No. 3758  
[Resigned in Good Standing]  
Admitted 10/5/74
- Mr Alan P Bayham, Jr, Commentor  
AZ Bar No. 4817  
[Current Member]  
SOLE PRACTITIONER  
Admitted 4/30/77
- Bryan B Chambers, Commentor  
AZ Bar No. 14371  
[Current Member]  
Admitted 10/24/92
- Amelia C Cramer, Commentor  
AZ Bar No. 18297  
[Current Member]  
Admitted 10/18/97
- Whitney Cunningham, Commentor  
AZ Bar No. 15016  
[Current Member]  
Admitted 10/23/93
- Stanley G Feldman, Commentor  
AZ Bar No. 838  
[Current Member]  
Admitted 10/13/56
- Denis M Fitzgibbons, Commentor  
AZ Bar No. 12708  
[Current Member]  
Admitted 10/21/89
- Hon Brian Y Furuya, Commentor  
AZ Bar No. 25486
- Helen Perry Grimwood, Commentor  
AZ Bar No. 6355  
[Current Member]  
Admitted 10/4/80
- Raymond A Hanna, Commentor  
AZ Bar No. 14182  
[Current Member]  
Admitted 5/23/92
- Lisa S K Loo, Commentor  
AZ Bar No. 12246  
[Current Member]  
Admitted 10/21/88
- Michael R Murphy, Commentor  
AZ Bar No. 3201  
[Current Member]  
Admitted 9/23/72
- Edward F Novak, Commentor  
AZ Bar No. 6092  
[Current Member]  
Admitted 12/20/79

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- Michael L Piccarreta, Commentor  
AZ Bar No. 3962  
[Current Member]  
Admitted 10/5/74
- Richard T Platt, Commentor  
AZ Bar No. 9542  
[Current Member]  
Admitted 5/12/84
- Jennifer R Rebholz, Commentor  
AZ Bar No. 24098  
[Current Member]
- Dee-Dee Samet, Commentor  
AZ Bar No. 1631  
[Current Member]  
Admitted 4/25/64
- Jessica S Sanchez, Commentor  
AZ Bar No. 24982  
[Current Member]  
Admitted 1/11/07
- Robert E Schmitt, Commentor  
AZ Bar No. 3585  
[Current Member]  
Admitted 9/29/73
- Kenneth J Sherk, Commentor  
AZ Bar No. 1371  
[Current Member]  
Admitted 4/2/62
- Tom Slutes, Commentor  
AZ Bar No. 1212  
[Current Member]  
Admitted 10/29/60
- Jimmie D Smith, Commentor  
AZ Bar No. 2661  
[Current Member]  
SOLE PRACTITIONER  
Admitted 9/26/70
- Geoffrey M Trachtenberg, Commentor  
AZ Bar No. 19338
- Pamela A Treadwell-Rubin, Commentor  
AZ Bar No. 10496  
[Current Member]  
Admitted 11/9/85
- Alex B Vakula, Commentor  
AZ Bar No. 11749  
[Current Member]  
Admitted 10/24/87
- Jeffrey Willis, Commentor  
AZ Bar No. 4870  
[Current Member]  
Admitted 4/30/77
- Charles W Wirken, Commentor  
AZ Bar No. 4276  
[Current Member]  
Admitted 10/11/75
- Robert B Van Wyck, Commentor  
AZ Bar No. 7800  
[Current Member]  
Admitted 7/19/83

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- Thomas A Zlaket, Commentor  
AZ Bar No. 1819  
[Current Member]  
Admitted 9/25/65

**(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, Commentor

**(Litigant Group) COMMENTOR: JAMES P. O'SULLIVAN**

- Mr James P O'Sullivan, Commentor  
AZ Bar No. 9236  
[Current Member]  
Admitted 10/15/83

**(Litigant Group) COMMENTOR: LOS ABOGADOS HISPANIC BAR ASSOCIATION ("LOS ABOGADOS")**

- Los Abogados Hispanic Bar Association, Commentor

**Attorneys for: Commentor**

Freddy A Saavedra, Esq. (AZ Bar No. 30848)

**(Litigant Group) COMMENTORS: ARIZONA ASIAN AMERICAN BAR ASSOCIATION, ARIZONA BLACK BAR, AZ-LGBT BAR ASSOCIATION, ARIZONA MINORITY BAR ASSOCIATION, ARIZONA WOMEN LAWYERS ASSOCIATION, IRANIAN AMERICAN BAR ASSOCIATION, LOS ABOGADOS HISPANIC BAR ASSOCIATION AND NATIVE AMERICAN BAR ASSOCIATION OF ARIZONA**

- Arizona Asian American Bar Association, Commentor
- Arizona Black Bar, Commentor
- AZ-LGBT Bar Association, Commentor
- Arizona Minority Bar Association, Commentor
- Arizona Women Lawyers Association, Commentor
- Iranian American Bar Association, Phoenix Chapter, Commentor
- Los Abogados Hispanic Bar Association, Commentor
- Native American Bar Association of Arizona, Commentor

**Attorneys for: Commentor**

Christopher K Heo, Esq. (AZ Bar No. christopherheo)

Pearlette J Ramos, Esq. (AZ Bar No. 28368)

Randal Boyd McDonald, Esq. (AZ Bar No. 32008)

Alonzo Corral, Esq. (AZ Bar No. alonzocorral)

Anya Stangl, Esq. (AZ Bar No. anyastangl)

Saman John Golestan, Esq. (AZ Bar No. 31710)

Freddy A Saavedra, Esq. (AZ Bar No. 30848)

Kevin S Pooley, Esq. (AZ Bar No. kevinpooley)

**(Litigant Group) COMMENTOR: WILLIAM E. MORRIS INSTITUTE FOR JUSTICE, COMMUNITY LEGAL SERVICES, DNA PEOPLE'S LEGAL SERVICES, AND SOUTHERN ARIZONA LEGAL AID**

- William E Morris Institute for Justice, Commentor
- Community Legal Services, Commentor
- DNA People's Legal Services Inc, Commentor
- Southern Arizona Legal Aid, Commentor

**Attorneys for: Commentor**

Andrew P Schaffer, Esq. (AZ Bar No. 37352)

Brenda Munoz Furnish, Esq. (AZ Bar No. 27280)

Michelle J Simpson, Esq. (AZ Bar No. 20199)

Pamela M Bridge, Esq. (AZ Bar No. 18252)

Charles W Doughty, Esq. (AZ Bar No. 27403)

Alan R Solot, Esq. (AZ Bar No. 6587)

**(Litigant Group) COMMENTOR: STATE BAR OF ARIZONA**

- State Bar of Arizona, Commentor

**Attorneys for: Commentor**

Lisa M Panahi, Esq. (AZ Bar No. 23421)

**(Litigant Group) COMMENTOR: COUNCIL ON PERSONS WITH DISABILITIES IN THE LEGAL PROFESSION**

- Council on Persons with Disabilities in the Legal Profession, Commentor

**Attorneys for: Commentor**

Corey Lovato, Esq. (AZ Bar No. 34202)

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**RULES 32(b) AND (c), RULES OF THE SUPREME COURT**

(Litigant Group) COMMENTOR: TED A. SCHMIDT, et al.

- Mr Ted A Schmidt, Commentor  
AZ Bar No. 5030  
[Current Member]  
Admitted 10/8/77
- Hon Frances T Lynch, Commentor  
AZ Bar No. 12249  
[Current Member]  
SOLE PRACTITIONER  
Admitted 10/21/88
- David J Armstrong, Commentor  
AZ Bar No. 17111  
[Current Member]  
Admitted 10/19/96
- Patrick J McGroder, III, Commentor  
AZ Bar No. 2598  
[Current Member]  
Admitted 9/26/70
- Robert N Brier, Commentor  
AZ Bar No. 12642  
[Current Member]  
Admitted 10/21/89
- Sean K McElenney, Commentor  
AZ Bar No. 16987  
[Current Member]  
Admitted 1/29/97
- Susanne Ingold, Commentor  
AZ Bar No. 19143
- Nicholas Boca, Commentor  
AZ Bar No. 30666  
[Current Member]
- William P Ring, Commentor  
AZ Bar No. 12860  
[Current Member]  
Admitted 10/21/89
- Daniel G Dowd, Commentor  
AZ Bar No. 12115  
[Current Member]  
Admitted 10/21/88
- Jill J Chasson, Commentor  
AZ Bar No. 19424  
[Current Member]  
Admitted 5/21/99
- Mr David P Lewis, Commentor  
AZ Bar No. 15877  
[Current Member]  
SOLE PRACTITIONER  
Admitted 10/22/94
- Christine Whalin, Commentor  
AZ Bar No. 24912
- Brian I Clymer, Commentor  
AZ Bar No. 5579  
[Current Member]  
Admitted 10/7/78
- Timothy M Medcoff, Commentor  
AZ Bar No. 19204  
[Current Member]
- Nicole M Goodwin, Commentor  
AZ Bar No. 24593  
[Current Member]

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- **Jeremy Zangara, Commentor**
- **G James Goodnow, III, Commentor**  
AZ Bar No. 24695  
[Current Member]  
Admitted 10/18/06
- **Kevin E O'Malley, Commentor**  
AZ Bar No. 6420  
[Current Member]  
Admitted 10/4/80
- **Mr Lawrence M Hecker, Jr, Commentor**  
AZ Bar No. 3176  
[Current Member]  
Admitted 9/23/72
- **John G Sinodis, Commentor**  
AZ Bar No. 11100  
[Current Member]  
Admitted 10/25/86
- **Sean J O'Hara, Commentor**  
AZ Bar No. 24749  
[Current Member]  
Admitted 10/18/06
- **E Hardy Smith, Commentor**  
AZ Bar No. 10463  
[Current Member]  
Admitted 11/9/85
- **Kenneth Van Winkle, Jr, Commentor**  
AZ Bar No. 11752  
[Current Member]  
Admitted 10/24/87
- **Sam Daniels, Commentor**
- **Jonathan Rothschild, Commentor**  
AZ Bar No. 7091  
[Current Member]  
Admitted 10/17/81
- **Scott W Rodgers, Commentor**  
AZ Bar No. 13082  
[Current Member]  
Admitted 5/19/90
- **Scott I Palumbo, Commentor**  
AZ Bar No. 21271
- **Todd R Kerr, Commentor**  
AZ Bar No. 13286  
[Current Member]  
Admitted 10/27/90
- **Mr Phillip P Guttilla, Commentor**  
AZ Bar No. 16524  
[Current Member]  
Admitted 10/21/95
- **Jason Wood, Commentor**
- **Brandon Rafi, Commentor**
- **Mr Leighton H Rockafellow, Commentor**  
AZ Bar No. 3570  
[Current Member]  
Admitted 9/29/73
- **Jordan R Rose, Commentor**

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**RULES 32(b) AND (c), RULES OF THE SUPREME COURT**

- Mark D Rubin, Commentor  
AZ Bar No. 7092  
[Current Member]  
Admitted 10/17/81
- Russell B Stowers, Commentor  
AZ Bar No. 12903  
[Current Member]  
Admitted 10/21/89
- Bryan J Gottfredson, Commentor  
AZ Bar No. 25140  
[Current Member]
- Barbara J Dawson, Commentor  
AZ Bar No. 12104  
[Current Member]  
Admitted 10/21/88
- David E Funkhouser, III, Commentor  
AZ Bar No. 22449
- Lonnie J Williams, Jr, Commentor  
AZ Bar No. 5966  
[Current Member]  
Admitted 10/13/79
- Benjamin P Taylor, II, Commentor  
AZ Bar No. 23868
- Ronald D Mercaldo, Commentor  
AZ Bar No. 2753  
[Current Member]  
Admitted 4/3/71
- Ms Lynda C Shely, Commentor  
AZ Bar No. 15549  
[Current Member]  
Admitted 5/21/94
- Mark S Bosco, Commentor  
AZ Bar No. 10167  
[Current Member]  
Admitted 11/9/85
- Mr Stephen L West, Commentor  
AZ Bar No. 11764  
[Current Member]  
Admitted 10/24/87
- Troy A Wallin, Commentor  
AZ Bar No. 23522
- Mr James A Whitehill, Commentor  
AZ Bar No. 11138  
[Current Member]  
Admitted 11/3/86

**(Litigant Group) COMMENTOR: COUNCIL ON MINORITIES AND WOMEN IN THE LAW**

- Council on Minorities and Women in the Law, Commentor  
**Attorneys for: Commentor**  
Simon Goldenberg, Esq. (AZ Bar No. 34104)

**(Litigant Group) COMMENTOR: LATINA MENTORING PROJECT**

- Latina Mentoring Project, Commentor  
**Attorneys for: Commentor**
- Jessica S Sanchez, Latina Mentoring Project, Commentor
- Hon Mina E Mendez, Latina Mentoring Project, Commentor
- Hon Ashley V Halvorson, Latina Mentoring Project, Commentor
- Julieta Carrillo, Latina Mentoring Project, Commentor
- Annelise M Dominguez, Latina Mentoring Project, Commentor



# Arizona Supreme Court

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(Litigant Group) COMMENTOR: ARIZONA LAWYERS FOR EQUAL JUSTICE STEERING COMMITTEE

- Arizona Lawyers for Equal Justice Steering Committee, Commentor
- Hon Carol Scott Berry, Arizona Lawyers for Equal Justice Steering Committee, Commentor
- Hon Roxanne K Song Ong, Arizona Lawyers for Equal Justice Steering Committee, Commentor
- Elena Nethers, Arizona Lawyers for Equal Justice Steering Committee, Commentor

### CASE STATUS

Jan 10, 2024....Pending

### 25 PROCEEDING ENTRIES

1. 10-Jan-2024 FILED: Petition to Amend Rules 32(b) and (c), Rules of the Supreme Court (Petitioners Scharf-Norton Center for Constitutional Litigation at the Goldwater Institute by Jonathan Riches, Timonthy Sandefur, Scott Day Freeman and Stacy Skankey)
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. 20-Jan-2024 FILED: (Comment) (Steven Simon Law)
4. 8-Feb-2024 FILED: (Comment) (James C. Mitchell)
5. 28-Mar-2024 FILED: (Comment) (Arizona Black Bar by Pearlette J. Ramos, President)
6. 1-Apr-2024 FILED: (Comment) (Michael Kielsky)
7. 1-Apr-2024 FILED: (Comment) (Aditya Dynar)
8. 3-Apr-2024 FILED: (Comment) (Dustin Romney)
9. 5-Apr-2024 FILED: (Comment) (Arizona Bar Foundation)
10. 25-Apr-2024 FILED: Comment in Support of Pending Petition (Mauricio R. Hernandez)
11. 26-Apr-2024 FILED: (Comment) (Dr. Richard W. Morris, J.D., Ph.D)
12. 28-Apr-2024 FILED: (Comment) (Charles F. Hauff, Jr.)
13. 29-Apr-2024 FILED: (Comment) (Don Bivens)
14. 29-Apr-2024 FILED: Comments of the Arizona Commission on Access to Justice Opposing the Petition (Arizona Commission on Access to Justice by Samuel A. Thumma, Chair)
15. 30-Apr-2024 FILED: (Comment) (James P. O'Sullivan)
16. 30-Apr-2024 FILED: (Comment) (Los Abogados Hispanic Bar Association ("Los Abogados) by Freddy Saavedra, President)

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**25 PROCEEDING ENTRIES**

17. 30-Apr-2024 FILED: (Comment) (Arizona Asian American Bar Association by Chirstopher Heo, President; Arizona Black Bar by Dr. Pearlette J. Ramos, President; AZ- LGBT Bar Association by Randy McDonald, President; Arizona Minority Bar Association by Alonzo Corral, President; Arizona Women Lawyers Association by Anya Stangl, President; Iranian American Bar Association Phoenix by Saman Golestan, President; Los Abogados Bar Association, Freddy Saavedra, President; Native American Bar Association of Arizona by Kevin Pooley, President)
18. 30-Apr-2024 FILED: Comment on the Petition to Amend Rules 32(b) and (c), Rules of the Supreme Court (William E. Morris Institute for Justice by Andrew P. Schaffer, Brenda Munoz Furnish, and Michelle J. Simpson; Community Legal Services by Pamela Bridge; DNA People's Legal Services by Charles W. Doughty; Southern Arizona Legal Aid by Alan R. Solot)
19. 30-Apr-2024 FILED: State Bar of Arizona Comment (State Bar of Arizona by Lisa M. Panahi, General Counsel)
20. 1-May-2024 FILED: (Comment) (Council on Persons with Disabilities in the Legal Profession by Corey Lovato, Chair)
21. 1-May-2024 FILED: (Comment) (Ted A. Schmidt)
22. 1-May-2024 FILED: (Comment) (Council on Minorities and Women in the Law by Simon Goldenberg, Chair)
23. 1-May-2024 FILED: (Comment) (Latina Mentoring Project by Hon. Minda Mendez, Jessica Sanchez, Hon. Ashley Villaverde Halvorson, Julieta Carrillo, Annelise M. Dominguez, Project Co-Chairs)
24. 1-May-2024 FILED: (Comment) (Arizona Lawyers for Equal Justice Steering Committee by Ret. Hon. Carol Scott Berry, Ret. Roxanne Song Ong and Elena Nethers)
25. 3-Jun-2024 FILED: Reply in Support of Petition to Amend Rules 32(b) and (c), Rules of the Supreme Court (Scharf-Norton Center for Constitutional Litigation at the Goldwater Institute by Jonathan Riches, Timothy Sandefur, Scott Day Freeman and Stacy Skankey)