

**NOTICE OF THE
RULES COMMITTEE MEETING
OF THE
ARIZONA PROSECUTING ATTORNEYS' ADVISORY COUNCIL**

AGENDA

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the members of the Arizona Prosecuting Attorneys' Advisory Council (APAAC) and to the general public that the APAAC will hold a Rules Committee meeting open to the public on **Thursday, February 04, 2016** at **9:00 a.m.**, at the APAAC Office, which is located at 1951 W. Camelback, Suite 202, in Phoenix. The toll-free call-in number to appear telephonically is **1-888-238-5279**. At the voice prompt, please enter the Meeting ID **9890052100** followed by the # sign, the PIN is **1951**. Videoconferencing via SCOPIA is also available.

Pursuant to the Americans with Disabilities Act (ADA), the Arizona Prosecuting Attorneys' Advisory Council endeavors to ensure the accessibility of its meetings to all persons with disabilities. If you need an accommodation for a meeting, please contact Elizabeth Iniguez-Reyna at (602) 542-7222 at least 24 hours prior to the meeting so that an accommodation can be arranged.

A copy of the Agenda for the meeting will be available at the Council Offices at least twenty-four (24) hours in advance of the meeting. You can also access the Agenda with attachments by visiting <http://apaac.az.gov>. Click on the Event Calendar icon on the left and select the meeting date on the Calendar for a link to the documents.

Rules Committee members:

John Belatti – Chair
Mark Brnovich
Barbara LaWall
Bill Montgomery
Dave Rozema

The Agenda for this meeting is as follows:

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- I. Call To Order JOHN BELATTI
- II. Roll Call JOHN BELATTI
- III. Recent and Pending Rules Packages (Pending Comment): Input (Forty Minutes) (Attachments) JOHN BELATTI
Possible Action
P – F – T

- A. R-15-0035. Proposed by citizen Mike Palmer on 9-30-15.
Comments due 3-25-16.

Would amend Rules 25(b) and 26(b), AZ Rules of Protective Order Procedure, and require petitions for an Injunction Against Harassment and Injunction Against Workplace Harassment to include specific acts of harassment that will be relied upon by the court.

- B. R-15-0038. Proposed by Marty Lieberman, Maricopa County Office of the Legal Defender, on 10-22-15.
Comments due 3-25-16.

Would amend Rule 16.4, Rules of Criminal Procedure, and require a court to “ensure” that prosecutors have searched their files, investigating police agency files, and any other appropriate files to determine whether evidence favorable to the defense exists and has been disclosed.

- C. R-16-0007. Proposed by Hon. Sam Myers, Criminal Court Presiding Judge, Maricopa County.
Comments due 3-25-16.

Would amend Rule 8.4, Rules of Criminal Procedure, which excludes certain periods from the computation of time within which a defendant must be brought to trial, by adding to the exclusions a period of 30 days if the reasons for the delay under Rule 8.4(a) end within 30 days of the speedy trial time limits to allow time to schedule and prepare for a trial.

- D. R-16-0026. Proposed by David Byers, Administrative Director, A.O.C.
Comments due 2-8-16.

Would amend Rule 31, Arizona Rules of Protective Order Procedure, to allow courts to transmit orders of protection and injunctions against harassment to law enforcement agencies or private process servers electronically, thereby providing safety to domestic violence victims.

IV. Call To The Public**JOHN BELATTI**
Information Only

At this time, any member of the public is allowed to address the Rules Committee on any issue, whether or not on the Agenda. Pursuant to Arizona Open Meeting Law, at the conclusion of the Call to the Public, individual members of the Rules Committee may respond to criticism made by those who have addressed the Committee; may ask staff to review the matter; or may ask that the matter be placed on a future agenda. However, members of the Rules Committee shall not discuss or take legal action on matters raised during an open call to the public unless the matters appear on this Agenda and are otherwise properly noticed for discussion and legal action. On items specified for a vote on this Agenda, members of the public may comment after the Rules Committee discussion and prior to any vote on the matter.

V. Adjournment**JOHN BELATTI**