

FILED
TIME 1:50 P M

JUL 07 1993

SHIRLEY NEWMAN
CLERK SUPERIOR COURT
BY: _____ DEPUTY

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF LA PAZ



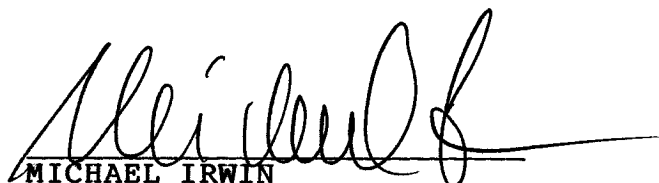
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In re Application of Rule 4(i),)
Arizona Rules of Civil Procedure,)
and Rule V(e), Uniform Rules of)
Practice, to damage actions filed)
between July and July 17, 1993,)
in light of the enactment of)
SB 1055)

ADMINISTRATIVE ORDER
No. 93-02

IT IS ORDERED directing the Clerk to maintain a record of each case in which an affidavit pursuant to Supreme Court Administrative Order R-93-0027 is filed.

DATED this 7 day of July, 1993.


MICHAEL IRWIN
Judge of the Superior Court

IN THE SUPREME COURT OF THE STATE OF ARIZONA

FILED
JUN 22 1993
NOEL K. DESSAINT
CLERK SUPREME COURT
BY *[Signature]*

In re Application of Rule 4(i), Arizona)
Rules of Civil Procedure, and Rule V(e),)
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tions filed between July 1 and July 17,)
1993, in light of the enactment of)
SB 1055)

No. R-93-0027

**ADMINISTRATIVE
ORDER**

A petition has been filed, pursuant to Rule 28, Arizona Rules of the Supreme Court, seeking amendment to Rule 4(i), Arizona Rules of Civil Procedure, and Rule V(e), Uniform Rules of Practice, as those rules would apply to certain cases that may be filed because of the enactment of SB 1055, which is to become effective on July 17, 1993.

The Court believes that it is reasonable to anticipate the filing of a large number of damage actions between July 1 and July 17, 1993, in light of the enactment of SB 1055.

The Presiding Civil Judge of the Maricopa County Superior Court has requested that this Court take administrative action that will enable the Maricopa County Superior Court to meet the large number of anticipated filings prior to July 17, 1993. In addition, the matter has been considered by a subcommittee of the Civil Study Committee of the Maricopa County Superior Court, and the Court has received and considered majority and minority comments on this matter from that committee.

For several reasons, including the fact that preparation of a large number of these cases may be incomplete at the time of filing, the Court anticipates numerous motions seeking to extend the time for service provided by Rule 4(i), Arizona Rules of Civil Procedure. Adjudication of such motions will place an undue administrative burden on the superior courts of the state and will unduly divert court resources from the courts' existing case load.

In the exercise of the Court's supervisory power, therefore, IT IS ORDERED that with respect to all damage actions filed in the Superior Court of Arizona between 12.01 a.m. on July 1 and 11.59 p.m. on July 16, 1993, if the complaint is accompanied by an affidavit stating that the case is being filed solely for the purpose of anticipating the impact of SB 1055 and would not otherwise have been filed at that time, then the time periods specified in Rule 4(i), Arizona Rules of Civil Procedure, and the first sentence of Rule V(e), Uniform Rules of Practice, shall commence to run sixty (60) days after the date of filing.

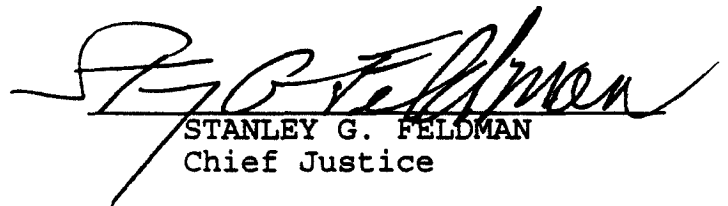
IT IS FURTHER ORDERED that the provisions of Rule 11, Arizona Rules of Civil Procedure, shall apply to any affidavit filed pursuant to the foregoing paragraph.

IT IS FURTHER ORDERED that the Presiding Judge of each county shall direct the Clerk of Court to maintain a record of each case in which the plaintiff or plaintiffs file an affidavit pursuant to the foregoing paragraph. That record shall contain the names of all plaintiffs and defendants in each case and shall be open and available for public inspection.

This order makes the petition filed in this matter moot; therefore,

IT IS FURTHER ORDERED that the petition is dismissed.

Dated this 22nd day of June, 1993.


STANLEY G. FELDMAN
Chief Justice