

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-15-0024
RULE 41, RULES OF)
CRIMINAL PROCEDURE)
)
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)
)
)
) FILED 04/11/2016

ORDER

**ABROGATING FORM 2, ADOPTING FORMS 2(a) AND (b), AND AMENDING RULE 41,
ARIZONA RULES OF CRIMINAL PROCEDURE**

On August 27, 2015, this Court amended Rule 41, Arizona Rules of Criminal Procedure, abrogating Forms 2(a) through (h) and substituting a new Form 2 in their place. It also made use of the new Form 2 mandatory throughout the State of Arizona, effective January 1, 2016. Because problems were encountered in implementing the new form, the Court has determined it is necessary to abrogate Form 2, adopt new Forms 2(a) and (b), and to further amend Rule 41. Therefore, after consideration,

IT IS ORDERED abrogating Form 2, adopting Forms 2(a) and (b), and amending Rule 41, Arizona Rules of Criminal Procedure, in accordance with the attachment hereto.

IT IS FURTHER ORDERED authorizing immediate use of new Forms 2(a) and (b), with a mandatory effective date of July 1, 2016.

DATED this 11th day of April, 2016.

_____ \s\
SCOTT BALES
Chief Justice

Arizona Supreme Court No. R-15-0024

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TO:

Rule 28 Distribution

David K Byers

Elizabeth B Ortiz

ATTACHMENT*

Arizona Rules of Criminal Procedure

* * *

Rule 41. Forms

Forms 2(a) and (b) (Arrest Warrants) in the following Appendix ~~is~~are mandatory for use in courts throughout the State of Arizona. The other forms are recommended for use in Arizona courts and are sufficient to meet the requirements of these rules. All forms shall comply with the formatting requirements of Rule 10, Rules of Civil Procedure.

FORMS

* * *

Form 1. Reserved

Form 2(a). Arrest Warrant: Superior Court

[See next page.]

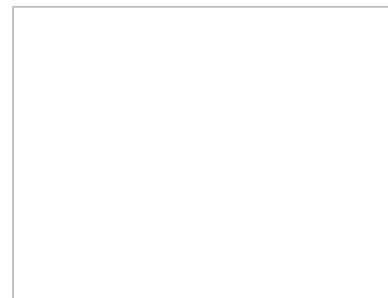
* Additions to text are indicated by underlining and deletions from text are indicated by ~~strikeouts~~.

_____ COURT _____ County, Arizona

STATE OF ARIZONA	Plaintiff
-vs-	

Defendant(s) (First, MI, Last) *Address	

ARREST WARRANT
CASE NO.



TO: ANY AUTHORIZED LAW ENFORCEMENT OFFICER,
YOU ARE COMMANDED to arrest and bring the defendant before this court. If this court is unavailable or if the arrest is made in another county, you shall take the defendant before the nearest or most accessible Magistrate. The defendant is accused of an offense or violation based on the following:

[List reason for issuing the warrant] [Include interstate compact statement for probation violations]

This offense or violation is briefly described as follows:

Offense Date	Statute/Rule & Literal Description	Class
_____	_____	_____

The defendant may be released if a \$_____ *[secured appearance] [cash] [unsecured appearance]* bond is posted by or on behalf of the accused OR

The defendant is not eligible for release on bond. [Explain / add additional orders of the court] [Add fingerprint instruction if known – 01 criminal history, 04 ID print, 09 civil]

Yes No Unknown The offense is, or is materially related to, a victims’ rights applicable offense.

BY ORDER OF: The Honorable _____, Judge of _____ Court. [If signed by the Deputy Clerk]

_____ Date _____ *[Printed name of the Judge or Deputy Clerk of Superior Court]*

SEX:	RACE:	DOB:	HGT:	WGT:	EYES:	HAIR:
ADDRESS: [:TYPE____]						
COURT ORI:		WARRANT #: *		EXTRADITION: *		
DL#: *		STATE: *		PURGE DATE: *		
LE AGENCY: [Arresting Agency]		CITATION #: *		DR #: *		

[*optional information can vary by court and may include the last four digits of the defendant’s SSN]

CERTIFICATE OF EXECUTION

I certify that the defendant was arrested at _____ a.m./p.m. on _____, 20____, _____ (month) _____ (day) _____ (year) and presented defendant before Judge _____ at _____.

_____ Date _____ Agency

_____ Deputy Sheriff / Officer _____ Badge #

Form 2(b). Arrest Warrant: Limited Jurisdiction Courts

[See next page.]

COURT

County, Arizona

STATE OF ARIZONA Plaintiff -vs Defendant(s) (First, MI, Last) *Address	CASE NO.	ARREST WARRANT
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TO: ANY AUTHORIZED LAW ENFORCEMENT OFFICER, YOU ARE COMMANDED to arrest and bring the defendant before this court. If this court is unavailable or if the arrest is made in another county, you shall take the defendant before the nearest or most accessible Magistrate. The defendant is accused of an offense or violation based on the following:

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The defendant is not eligible for release on bond. [Explain / add additional orders of the court]

[Add fingerprint instruction if known – 01 criminal history, 04 ID print, 09 civil]

Yes No Unknown The offense is, or is materially related to, a victims' rights applicable offense.

Date _____ Judge *[Judges Name Printed]*

SEX:	RACE:	DOB:	HGT:	WGT:	EYES:	HAIR:
ADDRESS: [TYPE: _____]						
COURT ORI:			WARRANT #: *		EXTRADITION: *	
DL#: *			STATE: *		PURGE DATE: *	
LE AGENCY: [Arresting Agency]			CITATION #: *		DR #: *	

[*optional information can vary by court and may include the last four digits of the defendant's SSN]

CERTIFICATE OF EXECUTION

I certify that the defendant was arrested at _____ a.m./p.m. on _____, 20____, (month) (day) (year) and presented defendant before Judge _____ at _____.

Date Agency

Deputy Sheriff / Officer Badge #