

PREFACE TO THE 2025 EDITION

The genesis of the Arizona Family Law Rules Handbook, first published in 2008, was the adoption of the Arizona Rules of Family Law Procedure (“Family Law Rules”), effective January 1, 2006.

The ultimate goal of this Handbook, therefore, is to provide Arizona family law practitioners, and judges alike, with a resource that collects the relevant body of procedural case law interpreting both the Family Law Rules and their relevant Civil Rule counterparts. In this way, the authors intend for the Handbook to serve as a readily available source of answers and/or explanations for the procedural questions that frequently arise in Family Law cases.

Since the 2008 adoption of the Family Law Rules, the Arizona Rules of Civil Procedure have undergone significant revision, including the abrogation of those rules, and the simultaneous readoption of amended versions of those rules (effective January 1, 2017).

Thereafter, effective July 1, 2018, approximately a third of the newly revised and readopted rules of civil procedure were significantly amended to accommodate, among other revisions, the adoption of a tiered case management approach based on proportionality principles and corresponding new discovery rules. Six months later, the Arizona Rules of Civil Procedure were again significantly amended and refined.

In 2016, the Arizona Rules of Family Law Procedure became the subject of similar efforts to update and modernize the rules governing family law cases. Toward that end, on December 21, 2016, the Arizona Supreme Court established a Task Force on the Arizona Rules of Family Law Procedure. *See* Administrative Order No. 2016-131.

Administrative Order No. 2016-131 directed task force members to review the current family law rules and “to identify possible changes to conform to modern usage and to clarify and simplify language.”

The Court also directed the Task Force to carefully review the Arizona Rules of Civil Procedure, and amendments thereto, to ensure conformity therewith as appropriate. Finally, the Court directed the Task Force to seek input from various interested persons and entities with the goal of submitting a rule petition by January 10, 2018 (later extended to March 30, 2018, by order of the Chief Justice).

On March 22, 2018, the Task Force filed its “Petition to Amend the Arizona Rules of Family Law Procedure and ARCAP 9.” *See* Petition, R-17-0054. The petition proposed to restyle all Arizona Family Law Rules and to significantly amend the procedures governing Arizona family law cases. Co-authors Armstrong and Burns participated as members of the Task Force.

On August 30, 2018, after considering the Petition and responsive comments, the Arizona Supreme Court abrogated the Arizona Rules of Family Law Procedure and adopted new and amended rules in their place.

Thus, effective January 1, 2019, the Arizona Supreme Court abrogated the Arizona Rules of Family Law Procedure and adopted new and amended rules in their place. Briefly summarized, as adopted, the Family Law Rules were in large part restyled, but also in many cases, such rules were significantly revised, restructured and/or renumbered.

2025 ARIZONA FAMILY LAW RULES HANDBOOK

When using this Handbook, please keep in mind that case law updates are subject to the limitations imposed by the fact that published material appears at a discrete point in time, while the development of the law, particularly in the procedural arena, remains ongoing and dynamic.

For that reason, those who use this work in their practice are reminded to cite check cases/statutes/local rules and update all information before relying on that information.

In short, this Handbook is a starting point for further research, not the end point.

A word about citation: Throughout this Handbook, the Authors refer to the Arizona Rules of Family Law Procedure as the “Family Law Rules” or “ARFLP”; and, we refer to the Arizona Rules of Civil Procedure as the “Civil Rules.”

This is not appropriate citation to the civil rules of procedure. Rather, this citation method is used merely for clarity and convenience.

Finally, we encourage those who use this Handbook to provide any suggestions and comments to the authors. In turn, we will take all such suggestions and comments into account in future editions of this Handbook.

SHIRLEY J. MCAULIFFE
(Retired Status)
shirley.mcauliffe@cox.net

ANNETTE T. BURNS
Annette@BTlawyers.com

MARK W. ARMSTRONG
Superior Court Judge (Ret.)
Attorney, Arizona Supreme Court