



Three Tiers for Civil Cases

As stated in the previous version of “Did you Know,” the Arizona Rules of Civil Procedure have undergone a thorough overhaul by the Arizona Supreme Court. Some of these changes took effect in January 2017; others will take effect in July 2018.

The Civil Justice Reform Committee was established by Chief Justice Scott Bales in 2015. Part of its purpose was to reduce “the time and expense it takes to resolve civil cases in Arizona’s superior courts.”¹ Although the changes taking effect in July do not modify a Certified Reporter’s duties or responsibilities, we encourage you to read and understand the changes – these changes will have a downstream effect on all CRs.

In summary, each case will be placed in one of three tiers based upon the “complexity” of the case. In other words, a simple case which would typically have a one- or two-day trial, no experts needed, would be considered a Tier 1 case; however, a legally complex case would be considered Tier 3. These tiers limit the amount of discovery which may be conducted throughout the entire case by each side of the case - plaintiffs collectively, defendants collectively, and third parties collectively – as partially stated here:

- (1) *Tier 1.* “Each side...is permitted 5 total hours of fact witness depositions...and 120 days in which to complete discovery.”
- (2) *Tier 2.* “Each side...is permitted 15 total hours of fact witness depositions...and 180 days in which to complete discovery.”
- (3) *Tier 3.* “Each side...is permitted 30 total hours of fact witness depositions...and 240 days in which to complete discovery.”

¹ Arizona Attorney magazine, December 2017 article by Don Bivens entitled “Arizona’s New Civil Rules, What Every Lawyer Needs to Know”



[CLICK HERE](#) to go to the link at which you will find the complete language in effect for all civil cases filed after July 1, 2018:

ACRA will follow industry trends and/or changes as these amendments to the Rules of Civil Procedure are implemented.

Have a question you would like to see referenced? Send your suggestion to office@acraonline.com.

