



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

House: JUD DPA 6-4-0-0

HB 2413: jurors; peremptory challenges
Sponsor: Representative Parker, LD 16
Caucus & COW

Overview

An emergency measure outlining the peremptory challenges each party is entitled to in a criminal or civil action.

History

The Arizona Supreme Court can make rules concerning pleading, practice and procedure as long as those rules are supplementary to, and not inconsistent with, statute ([A.R.S. § 12-903](#)).

In 2021, the Arizona Supreme Court amended certain rules concerning the criminal and civil procedure. This amendment eliminated peremptory challenges in jury selection in criminal and civil trials as of January 1, 2022. Peremptory challenges occur during jury selection where attorneys reject a certain number of potential jurors without stating a reason ([R-21-0020, Arizona Supreme Court](#)).

Provisions

1. Outlines the peremptory challenges each party is entitled to in a criminal action, specifically:
 - a) If the offense is punishable by death, ten;
 - b) If the offense is not punishable by death and the case is tried in superior court, six;
 - c) If the offense is not punishable by death and the case is tried in a limited jurisdiction court, two; or
 - d) If the trial involves more than one defendant, one-half the number of peremptory challenges to which a single defendant is entitled. (Sec. 1)
2. States in a civil action, each party is entitled to four peremptory challenges and outlines how the challenges may be used. (Sec. 1)
3. States in a forcible detainer, each party is entitled to three peremptory challenges. (Sec. 1)
4. States in a civil action in justice court, each party is entitled to two peremptory challenges. (Sec. 1)
5. Contains an emergency clause. (Sec. 2)

Amendments

Committee on Judiciary

1. Removes all language relating to civil actions.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input checked="" type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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