

House Engrossed

jury; parental rights; termination

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HOUSE BILL 2177

AN ACT

AMENDING TITLE 8, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 8-469; RELATING TO THE RIGHT TO A JURY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 8, chapter 4, article 1, Arizona Revised Statutes,
3 is amended by adding section 8-469, to read:

4 8-469. Right to jury in termination of parental rights
5 matters

6 A. A HEARING TO TERMINATE PARENTAL RIGHTS THAT IS HELD PURSUANT TO
7 SECTION 8-537 OR 8-863 SHALL BE TRIED TO A JURY IF A PARENT FILES A
8 WRITTEN REQUEST FOR A JURY TRIAL BEFORE OR AT THE TIME OF THE INITIAL
9 TERMINATION HEARING THAT IS HELD PURSUANT TO SECTION 8-535. NOTICE OF THE
10 OPTION FOR A JURY TRIAL MUST BE INCLUDED IN THE NOTICE OF INITIAL HEARING
11 PRESCRIBED BY SECTION 8-535.

12 B. IF A COURT RECEIVES MULTIPLE REQUESTS FOR A JURY TRIAL, ONE JURY
13 TRIAL MAY BE HELD FOR THE PROCEEDING. A JURY TRIAL MAY BE HELD IN LIEU OF
14 A BENCH TRIAL FOR ALL PARENTS INVOLVED IN THE PROCEEDING.

15 C. THE NUMBER AND CONCURRENCE OF JURORS FOR A TRIAL THAT IS HELD
16 PURSUANT TO THIS SECTION SHALL BE CONSISTENT WITH THE LIMITS ESTABLISHED
17 IN SECTION 21-102, SUBSECTION C.

18 D. A JURY TRIAL THAT IS HELD PURSUANT TO THIS SECTION MUST BE
19 COMMENCED NOT LATER THAN ONE HUNDRED TWENTY DAYS AFTER THE INITIAL
20 TERMINATION HEARING UNDER SECTION 8-535 IS COMPLETED.

21 Sec. 2. Reporting requirement

22 A. On or before January 1, 2027, the administrative office of the
23 courts shall review the following:

24 1. The number of jury trials requested pursuant to section 8-469,
25 Arizona Revised Statutes, as added by this act.

26 2. The number of jury trials completed.

27 3. The outcome and length of jury trials compared to the outcome
28 and length of bench trials.

29 4. Feedback from parties, attorneys, judges, juries and court staff
30 in a jury trial case.

31 5. Any other relevant data or information related to jury trials
32 and bench trials in termination of parental rights proceedings.

33 B. The administrative office of the courts shall issue a report of
34 its findings and recommendations to the governor, the president of the
35 senate and the speaker of the house of representatives and shall provide a
36 copy of this report to the secretary of state.

37 Sec. 3. Effective date

38 Section 8-469, Arizona Revised Statutes, as added by this act, is
39 effective from and after June 30, 2025.