

IN THE
Court of Appeals
STATE OF ARIZONA
DIVISION ONE

**CASE MANAGEMENT STATEMENT
INSTRUCTIONS**

Arizona Rule of Civil Appellate Procedure 12(d) requires an appellant to file a Case Management Statement in superior court within 20 days after distribution of the appellate clerk's initial notice under Rule 12(b). The appellant must file a copy of the judgment/order appealed from with the Case Management Statement. In cases involving multiple appellants, the Court encourages appellants to consult with each other and file a single Case Management Statement. A cross-appellant must file a Case Management Statement within 30 days after the appellate clerk's second notice under Rule 12(c).

Copies of the Case Management Statement must be served on all other parties to the appeal. Failure to file or serve the statement within the time prescribed may result in sanctions, including dismissal of the appeal.

The Case Management Statement assists the parties in identifying common procedural and jurisdictional problems prior to briefing and provides the Court of Appeals with information it needs to process the appeal properly. The statement must be completed fully and accurately. The omission of an issue from a Case Management Statement, however, will not by itself support a motion to strike an argument from the opening brief.

IN THE
Court of Appeals
STATE OF ARIZONA
DIVISION ONE

CASE MANAGEMENT STATEMENT

v.

1 CA-CV _____

_____ County Superior Court

Superior Court case number: _____

Judge _____

Name of Filing Party

Signature of Counsel or Party

Date

A. APPELLATE JURISDICTION

1. State the basis for appellate jurisdiction (*See* A.R.S. § 12-2101):

2. State the date the superior court filed the judgment/order you are appealing and state whether the court signed the ruling.

3. Provide the date each notice of appeal or cross-appeal was filed and identify the filing party.

4. If the time for appeal was extended by one of the motions identified in Arizona Rule of Civil Appellate Procedure 9(e)(1), identify the motion, the date it was filed, the date the superior court filed its ruling on the motion, and state whether the ruling was signed.

5. If any motions are currently pending in superior court, identify the name of each motion and the date it was filed.

6. Is the judgment/order appealed from certified as final pursuant to Arizona Rule of Civil Procedure 54(c)?

7. If any claims remain pending in the superior court, including claims for attorneys' fees, was the judgment/order made appealable pursuant to Arizona Rule of Civil Procedure 54(b) or Arizona Rule of Family Law Procedure 78(B)?

B. CASE INFORMATION

1. List all parties to the superior court action.
2. List any party in superior court that is not a party to this appeal and explain in detail why the party is not included in this appeal, e.g., the party was dismissed, not served, or other. Include specific relevant references to the record.
3. Describe briefly all claims (including counterclaims, cross-claims and third-party claims) asserted in the superior court and the manner each such claim was resolved in the superior court (i.e., bench trial, jury verdict, dismissal, summary judgment, or default judgment). Include specific relevant references to the record.
4. Identify the issues to be raised on appeal.

5. If this case involves an assertion or allegation that a state statute, ordinance, franchise, or rule is unconstitutional on its face, or that a municipal ordinance or franchise is facially invalid, have you complied with A.R.S. § 12-1841?

C. TRANSCRIPTS

1. State the date you complied with Arizona Rule of Civil Appellate Procedure 11(c)(1) and (2) by ordering the transcript(s) necessary for proper consideration of the issues on appeal.

Identify the certified court reporter or authorized transcriber responsible for preparing the transcript(s): _____

Provide the court reporter's estimated date of completion of the transcript(s):

2. State the date you complied with Arizona Rule of Civil Appellate Procedure 11(c)(3) by filing a notice of transcript order and, if applicable, a statement of the issues.

D. OTHER PENDING AND PRIOR PROCEEDINGS

1. If any party to this appeal is the subject of a pending petition in bankruptcy court, identify the court and provide the case name and number.
2. Provide the case name and number of any other appeal, special action, or petition for review filed from the same, or a consolidated, superior court action.

3. Provide the case name and number of any other appeal(s) pending in the Court of Appeals that involve the same parties, events, or transactions giving rise to this appeal.
4. Provide the case name and number of any known pending appeals in the Court of Appeals that raise the same or closely related issues.

E. CONTACT INFORMATION

1. Filing Party

This Case Management Statement is filed by or on behalf of:

Name of Party: _____

Counsel: _____

Address: _____

Email address: _____

Telephone: _____

Check one: ☐ Appellant ☐ Cross-Appellant ☐ Appellee

For a joint statement by multiple appellants, provide contact information for additional appellants on a separate sheet accompanied by certification that they concur in the contents of this statement.

2. Opposing Party

Name of Party: _____

Counsel for Opposing Party: _____

Address: _____

Email address: _____

Telephone: _____

(List additional counsel/parties on separate sheet if necessary)

CERTIFICATION OF SERVICE

I certify that on the ____ day of _____, _____, I served copies of the above Case Management Statement on all counsel/parties of record by electronic service, hand delivery or by depositing a true copy thereof in the United States mail addressed as follows:

Name: _____

Address: _____

Signature