

House Engrossed

venue; employee conflict; superior court

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HOUSE BILL 2126

AN ACT

AMENDING TITLE 12, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 12-412; RELATING TO CHANGE OF VENUE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 12, chapter 4, article 1, Arizona Revised
3 Statutes, is amended by adding section 12-412, to read:

4 12-412. Procedure for change of venue when a party is a court
5 or clerk employee

6 A. IF A PARTY TO A CIVIL ACTION PENDING IN THE SUPERIOR COURT IS AN
7 EMPLOYEE OF THE JUDICIAL BRANCH OR THE CLERK OF THE SUPERIOR COURT IN THE
8 COUNTY WHERE THE ACTION IS PENDING, A CHANGE OF VENUE AS A MATTER OF
9 RIGHT, APPLIES ONLY IF ONE OR MORE OF THE FOLLOWING CONDITIONS ARE MET:

10 1. THE EMPLOYEE HOLDS OR HELD AT THE TIME THE ACTION WAS FILED A
11 LEADERSHIP OR SUPERVISORY POSITION, INCLUDING A JUDGE, COMMISSIONER,
12 PRESIDING JUDGE, COURT ADMINISTRATOR, CLERK OF THE SUPERIOR COURT, CHIEF
13 DEPUTY CLERK OR DIVISION DIRECTOR OR AN EQUIVALENT MANAGEMENT POSITION
14 WITH AUTHORITY OVER COURT OPERATIONS OR PERSONNEL.

15 2. THE EMPLOYEE WORKS OR WORKED IN THE SAME DIVISION OF THE
16 SUPERIOR COURT TO WHICH THE ACTION IS ASSIGNED.

17 3. THE SUPERIOR COURT IN THE COUNTY WHERE THE ACTION IS PENDING HAS
18 THREE OR FEWER DIVISIONS, AND THE EMPLOYEE IS EMPLOYED BY THE JUDICIAL
19 BRANCH OR THE CLERK OF THE SUPERIOR COURT IN THAT COUNTY.

20 B. IF A PARTY MEETS THE CRITERIA PRESCRIBED IN SUBSECTION A OF THIS
21 SECTION, EITHER PARTY IS ENTITLED TO A CHANGE OF VENUE AS A MATTER OF
22 RIGHT. ON REQUEST OF THE PARTY APPLYING FOR THE CHANGE OF VENUE, THE
23 COURT SHALL TRANSFER THE ACTION TO THE MOST CONVENIENT ADJOINING COUNTY,
24 UNLESS THE PARTIES AGREE TO ANOTHER COUNTY, IN WHICH CASE THE COURT SHALL
25 TRANSFER THE ACTION TO THE AGREED-ON COUNTY.

26 C. IF A PARTY DOES NOT MEET THE CRITERIA PRESCRIBED IN SUBSECTION A
27 OF THIS SECTION, A CHANGE OF VENUE BASED SOLELY ON THE PARTY'S EMPLOYMENT
28 WITH THE JUDICIAL BRANCH OR THE CLERK OF THE SUPERIOR COURT MAY BE GRANTED
29 ONLY ON A SHOWING OF GOOD CAUSE, INCLUDING A DEMONSTRATED RISK OF ACTUAL
30 BIAS OR THE APPEARANCE OF IMPROPRIETY THAT CANNOT BE ADEQUATELY ADDRESSED
31 THROUGH RECUSAL, REASSIGNMENT OR USE OF A VISITING JUDGE.

32 D. THIS SECTION DOES NOT LIMIT OR REPLACE ANY OTHER AUTHORITY OF
33 THE COURT TO ORDER RECUSAL, REASSIGNMENT OR APPOINTMENT OF A VISITING
34 JUDGE UNDER EXISTING LAW OR RULE.