

FASTAR DESCRIPTION AND PROCEDURES

Under the Fast Trial and Alternative Resolution (“FASTAR”) program, cases valued between \$1,000 and \$50,000, excluding attorney’s fees and cost are subject to the FASTAR program.

Under the FASTAR program, civil cases seeking no more than \$50,000 in compensation (excluding attorney’s fees, interest, and costs) must be referred to the FASTAR Program. The FASTAR program is an alternative to compulsory arbitration, and Rules 73-77, Ariz. R. Civ. P., do not apply.

When filing a complaint, the Plaintiff must file a ***FASTAR Certificate***, which is a separate statement with the Court indicating whether the case is subject to the FASTAR program. The Summons, Complaint and FASTAR Certificate (certifying whether the cause qualifies for the program) must be served on all other parties within 90 days. ***Only one extension of 30 additional days to serve shall be permitted by order of the Court; the Court has no discretion to order more than one extension of time to serve.***

Once served, a Defendant must respond to the complaint within 20 days. A Defendant may respond by filing an Answer or a responsive pleading as defined by Rule 12, Arizona Rules of Civil Procedure. If a Request for Waiver of Service is served with the Complaint, the Waiver must be returned within 15 days. If a Waiver of Service is accepted by a Defendant, the Defendant must then file an Answer within 35 days if residing in Arizona or 45 days if residing outside Arizona.

If the Defendant disagrees with Plaintiff’s FASTAR Certificate, the Defendant may file a ***Controverting Certificate***. If a controverting certificate is filed, the matter will then be referred to the assigned trial division for ruling.

Once Defendant has answered, Plaintiff may file a ***Choice Certificate*** if they have not already done so, indicating whether Plaintiff elects a Fast Trial or elects Alternative Resolution. The selection of Fast Trial or Alternative Resolution is a choice left entirely to Plaintiff.

- The Plaintiff and the Defendant may appeal from an arbitration decision, and request a Fast Trial of an arbitrated matter.
- On any appeal, the Fast Trial is held on all issues determined by the arbitrator, and the arbitrator’s legal rulings and factual findings are not binding on the court or the parties.

Fast Trial

If Plaintiff chooses a Fast Trial, the matter will be set for a Trial Setting Conference within 120 days from the time the Complaint is filed. At the Trial Setting Conference, the Court will set a trial to take place no earlier than 190 days and no later than 270 days from the date of the filing of the Complaint.

Fast Trials are set for no more than two days and will proceed on a compressed schedule. Please refer to FASTAR Rule 117(g)(1)-(5) for the trial schedule.

Parties may stipulate to use only six jurors, but if they do not agree, eight jurors will hear the case. If all parties agree to use six jurors, the parties must advise the Court.

Discovery in a Fast Trial is governed by the FASTAR rules. *See “FASTAR Rules of Procedure” at end of this section.*

Alternative Resolution

If the Plaintiff selects Alternative Resolution, the Court will appoint an arbitrator within 30 days of the Answer being filed. The assigned arbitrator must schedule an alternative resolution hearing no earlier than 60 days and no more than 120 days after being assigned.

[FASTAR Rules of Procedure](#)