

A.R.S. Sup.Ct.Rules, Rule 38
Rule 38. Special Exceptions to Standard Examinations and Admission Process

(h) Practice Pending Admission on Motion

1. An applicant who meets the requirements of paragraph (f) of Rule 34 and whose application for admission on motion has been filed and deemed complete by the Committee on Character and Fitness may provide legal services in Arizona through an office or other place for the regular practice of law in Arizona for no more than 365 days, provided that the applicant:

- A. does not cease to be a member in good standing in every jurisdiction, foreign or domestic, wherever admitted to practice law;
- B. does not become subject to lawyer discipline or the subject of a disciplinary matter in any other jurisdiction;
- C. has never been denied admission on character and fitness grounds in any jurisdiction;
- D. reasonably expects to fulfill all of Arizona's requirements for admission on motion;
- E. associates with and is supervised by an attorney who is admitted to practice law in Arizona, and discloses in his or her application for admission on motion the name, address, and membership status of that attorney;
- F. provides with his application for admission on motion a signed verification from the Arizona attorney certifying the applicant's association with and supervision by that attorney;
- G. includes in all written communications with the public and clients the following language: "Arizona practice temporarily authorized pending admission under Ariz. R. Sup. Ct. 38(h). Supervision by [name of Arizona attorney], a member of the State Bar of Arizona"; and
- H. pays the annual assessment to the Client Protection Fund.

2. Until the applicant's application for admission on motion is granted, the applicant may not appear before a court of record or tribunal in Arizona that requires pro hac vice admission unless the applicant is granted such admission pursuant to Rule 39.

3. The applicant must immediately notify that Committee on Character and Fitness if the applicant becomes subject to a disciplinary or disability investigation, complaint, or sanctions in any other jurisdiction at any time during the 365 days of practice authorized

by this rule. The Committee on Character and Fitness shall take into account such information in determining whether to grant the attorney's application for admission to practice law in Arizona.

4. Any attorney practicing under this rule shall be subject to the Rules of Professional Conduct and the Rules of the Supreme Court regarding attorney discipline in the State of Arizona.

5. The authority given an applicant to practice law pending admission pursuant to this rule shall terminate immediately if:

- A. the applicant withdraws the application for admission by motion, or the application is denied;
- B. the applicant fails to remain in compliance with paragraph (h)(1) of this rule;
- C. the applicant is disbarred, suspended, or placed on disability inactive status in any other jurisdiction in which the applicant is licensed to practice law; or
- D. the applicant fails to comply with the notification requirements of paragraph (h)(3) of this rule.

6. Upon the termination of authority to practice law pursuant to this rule, the applicant shall:

- A. immediately cease practicing law in Arizona;
- B. notify in writing all clients in pending matters, and opposing counsel and co-counsel in pending litigation, of the termination of the applicant's authority to practice law in Arizona; and
- C. take all other necessary steps to protect the interests of the applicant's clients.