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**IN THE SUPREME COURT
STATE OF ARIZONA**

In the Matter of:)
PETITION TO AMEND RULE) Supreme Court No. R-16-____
36, RULES OF)
THE SUPREME COURT)

Pursuant to Rule 28, Rules of the Arizona Supreme Court, the Certification and Licensing Division of the Administrative Office of the Courts, respectfully petitions the Supreme Court to adopt the attached proposed rule amendments impacting attorney admissions.

Pursuant to Rule 36, applicants for admission to the practice of law may, depending on the circumstances, be recommended for admission by the manager of the Attorney Admissions Unit, a member of the Committee on Character and Fitness, an inquiry panel of the Committee or after a hearing by the Committee.

By way of background, in January 2015, the Supreme Court adopted changes to Rule 36 (e)(2) that affected the manner in which the Committee’s inquiry panels could meet. Presently, the Rule provides that there must be three members of an inquiry panel and all members of an inquiry panel must attend in person.

The requirement that members of an inquiry panel must attend in person is creating unanticipated difficulties. When staffing an inquiry panel, the Committee endeavors to randomly select the committee members. The composition of the Committee, however, includes members from geographically diverse locations outside of the Phoenix metro area. On several occasions, members have traveled significant distances to attend proceedings that lasted less than one hour. This petition seeks to remove the in-person requirement for inquiry panels and allow for the member to participate in person or telephonically. Such an amendment would aid the Committee in insuring that inquiry panels continue to be randomly selected.

The Administrative Office of the Courts respectfully requests the modifications to Rule 36 (e)(2) as indicated in Appendix A.

RESPECTFULLY SUBMITTED this 9th day of January 2016

By Carol Mitchell
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APPENDIX A
(proposed new language is underlined)

Rule 36. Procedure Before the Committee on Character and Fitness

(e) Informal Inquiries. Informal inquiries must be held in cases involving allegations of serious misconduct specified in paragraph (d)(4) above and may also be held in other cases as determined by the investigating member.

1. [No Change]

2. *Informal Inquiry Panel.* An informal inquiry panel must consist of three members of the Committee, including at least one attorney member and one public member, assigned by Committee staff on a rotating basis. ~~The three members must attend the informal inquiry in person.~~ Attendance may be in person or by telephone. An informal inquiry panel will act for and on behalf of the Committee for all actions and decisions related to informal inquiries. The investigating member may participate in discussion with and questioning of the applicant during the informal inquiry but must not be part of the three-person panel and must not deliberate or vote at the conclusion.

3-5 [No change in text]