

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-10-0023
PETITION TO AMEND RULE 42,)
RULES OF THE SUPREME COURT)
)
)
_____) **FILED 09/02/2010**

**ORDER
ADOPTING IN FINAL FORM AMENDMENTS TO
RULE 42, ERs 5.4 AND 7.2,
RULES OF THE SUPREME COURT**

The Court adopted amendments to Rule 42, ERs 5.4 and 7.2, Rules of the Supreme Court, on an emergency basis, effective April 6, 2010, with a public comment period to follow. The Court having received comments, and upon consideration,

IT IS ORDERED that Rule 42, ER 7.2, Rules of the Supreme Court, be further amended, effective the date of signing, in accordance with the attachment hereto.

IT IS FURTHER ORDERED that all other amendments be adopted on a permanent basis.

DATED this ____ day of September, 2010.

REBECCA WHITE BERCH
Chief Justice

TO:
Rule 28 Distribution
Mark I Harrison
James K Rogers

ATTACHMENT*

RULES OF THE SUPREME COURT

Rule 42. Arizona Rules of Professional Conduct

* * *

ER 7.2. Advertising

(a) [No change in text.]

(b) A lawyer shall not give anything of value to a person for recommending the lawyer's services except that a lawyer may:

(1) [No change in text.]

(2) pay the usual charges of a legal service plan or a not-for-profit or qualified lawyer referral service, which charges may include, in addition to any membership fee, ~~may include~~ a fee calculated as a percentage of legal fees earned by the lawyer to whom the service or organization has referred a matter, provided that any such percentage fee shall not exceed ten percent, and shall be used only to help defray the reasonable operating expenses of the service or organization and to fund public service activities, including the delivery of pro bono legal services. The fees paid by a client referred by such service shall not exceed the total charges which that the client would have paid had no such service been involved. A qualified lawyer referral service is a lawyer referral service that has been approved by an appropriate regulatory authority; and

(3) [No change in text.]

(c)-(f) [No change in text.]

Comment

[1]-[9] [No change in text.]

* * *

* Changes or additions in text are indicated by underlining and deletions from text are indicated by ~~strikeouts~~.