

SUPREME COURT OF ARIZONA

In the Matter of ) Arizona Supreme Court  
) No. R-11-0004  
PETITION TO AMEND ETHICAL )  
RULE 1.5, RULE 42, ARIZONA RULES )  
OF THE SUPREME COURT )  
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In the Matter of ) Arizona Supreme Court  
) No. R-11-0015  
PETITION TO AMEND ETHICAL )  
RULE 1.5, RULE 42, RULES OF )  
THE SUPREME COURT )  
) **FILED 09/01/2011**  
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\_\_\_\_\_ )

**ORDER AMENDING  
RULE 42, ER 1.5, RULES OF THE SUPREME COURT**

Petitions for rule change having been filed in the above captioned matters and comments having been received, upon consideration,

IT IS ORDERED that Rule 42, ER 1.5, Rules of the Supreme Court, be amended in accordance with the attachment hereto, effective January 1, 2012.

DATED this \_\_\_\_\_ day of September, 2011.

\_\_\_\_\_  
REBECCA WHITE BERCH  
Chief Justice

TO:  
Rule 28 Distribution  
John A Furlong

**ATTACHMENT**

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**RULES OF THE SUPREME COURT\***

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**RULE 42. ARIZONA RULES OF PROFESSIONAL CONDUCT**

**ER 1.5. Fees**

(a) [No change in text.]

(b) The scope of the representation and the basis or rate of the fee and expenses for which the client will be responsible shall be communicated to the client in writing, before or within a reasonable time after commencing the representation, except when the lawyer will charge a regularly represented client on the same basis or rate. Any changes in the basis or rate of the fee or expenses shall also be communicated in writing before the fees or expenses to be billed at higher rates are actually incurred. The requirements of this subsection shall not apply to court-appointed lawyers who are paid by a court or other governmental entity.

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

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