

Memo

To: David K. Byers, Administrative Director, AOC
From: Doug Brooks, Deputy Director, CLD *DB*
J. R. Rittenhouse, Fiduciary Program Manager *JR*
Date: June 5, 2003
Subject: Delegation of Authority

Pursuant to Rule 1.2.2: "The Director upon the Director's own initiative or upon receiving a complaint may conduct such investigation as the Director deems proper to determine whether a person has violated these rules or for the purpose of securing information useful in the lawful administration of the law or these rules."

Under the proposed amendments to Code §7-201, scheduled for presentation to the AJC in October 2003, the Deputy Director will have the same authority. Because the Director is the final decision maker, the Director's status as a neutral party should be maintained while investigations are being conducted. By doing this, staff of the certification and licensing division can meet with the Deputy Director or probable cause panelist to discuss the commencement of an investigation based on the facts provided to the probable cause panelist while the Director's status as a neutral party is unchanged.

In view of the above stated background information, we recommend you delegate to the Deputy Director the authority to initiate an investigation pursuant to Rule 1.2.2. If you are in agreement with this request, we ask you signify by signing this document in the signature block below where your name appears.

I HEREBY DELEGATE AUTHORITY TO INITIATE AN INVESTIGATION PURSUANT TO RULE 1.2.2 TO THE DEPUTY DIRECTOR, MIKE BAUMSTARK, EFFECTIVE THIS DATE.

SIGNED, AUTHORIZED AND APPROVED THIS 9th DAY OF June, 2003.

ADMINISTRATIVE DIRECTOR
ADMINISTRATIVE OFFICE OF THE COURTS
ARIZONA SUPREME COURT