



# Supreme Court

STATE OF ARIZONA

402 ARIZONA STATE COURTS BUILDING  
1501 WEST WASHINGTON STREET  
PHOENIX, ARIZONA 85007-3231

TELEPHONE: (602) 542-9396

NOËL K. DESSAINT  
CLERK OF THE COURT

KATHLEEN E. KEMPLEY  
CHIEF DEPUTY CLERK

June 6, 2005

**RE: NEW RULE 42, ER 7.4(d), RULES OF SUPREME CT et seq**  
Arizona Supreme Court No. R-03-0030

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on June 1, 2005, in regard to the above-referenced cause:

**ORDERED: Proposed Rule Changes [Petition to Promulgate New Rule 42, ER 7.4(d), Rules of the Supreme Court and Amend the Rules and Regulations of the Arizona Board of Legal Specialization] = Amendment to ER 7.4 ADOPTED as modified, effective December 1, 2005.**

**FURTHER ORDERED: Those portions of the Petition seeking amendment to the Rules of the Arizona Board of Legal Specialization = DISMISSED as moot.**

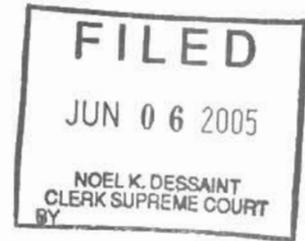
Noel K Dessaint, Clerk

TO:

Mark I Harrison, Bryan Cave LLP  
Ed Hendricks, Meyer, Hendricks & Bivens, PA  
Robert B Van Wyck, Chief Counsel, State Bar of Arizona  
Lexis-Nexis  
West Publishing  
Rules Final List  
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**IN THE SUPREME COURT OF THE STATE OF ARIZONA**

Supreme Court No. R-03-0030



ORDER AMENDING  
ER 7.4, RULE 42, RULES OF THE SUPREME COURT

IT IS ORDERED that ER 7.4, Rule 42, Rules of the Supreme Court, be amended in accordance with the attachment hereto,\* effective as of December 1, 2005.

DATED in the City of Phoenix, Arizona at the Arizona Courts Building, this 6<sup>th</sup> day of June, 2005.

For the Court:

  
RUTH V. MCGREGOR  
Vice Chief Justice

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

## RULES OF THE SUPREME COURT

### RULES 42. ARIZONA RULES OF PROFESSIONAL CONDUCT

\* \* \*

#### ER 7.4. Communication of Fields of Practice

(a) A lawyer may communicate the fact that the lawyer does or does not practice in particular fields of law. A lawyer shall not state or imply that the lawyer is a specialist except as follows:

(a<sub>1</sub>) a lawyer admitted to engage in patent practice before the United States Patent and Trademark Office may use the designation "patent attorney" or a substantially similar designation;

(b<sub>2</sub>) a lawyer engaged in admiralty practice may use the designation "admiralty," "proctor in admiralty" or a substantially similar designation; and

(c<sub>3</sub>) a lawyer certified by the Arizona Board of Legal Specialization or by a national entity that has standards for certification substantially the same as those established by the board may state the area or areas of specialization in which the lawyer is certified. Prior to stating that the lawyer is a specialist certified by a national entity, the entity must be recognized by the board as having standards for certification substantially the same as those established by the board. If the national entity has not been recognized by the board, it may make application for recognition by completing an application form provided by the board.

(b) Communications to the Arizona Board of Legal Specialization and its Advisory Commissions relating to an applicant's qualifications for specialization certification shall be absolutely privileged, and no civil action predicated thereon may be instituted or maintained against any evaluator, staff or witness who communicates with or before the Board or its Advisory Commissions. Members of the Board of Legal Specialization, its Advisory Commission, and others involved in the specialization certification process shall be immune from suit for any conduct in the course of their official duties.

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