

# ATTORNEY REGULATION ADVISORY COMMITTEE

## MINUTES

Wednesday, January 8, 2014  
9:00am - Noon

State Courts Building  
1501 West Washington Street, Phoenix, Arizona  
Conference Room 109

### **Present**

#### **Committee Members**

The Honorable William J. O'Neil (Chair)  
Honorable Lawrence Winthrop  
George Reimer  
Ronald Watson  
John Tuchi  
Alan Bayham  
Patricia Sallen  
Bennie Click  
James Drake, Jr – at 9:41 a.m.

### **Telephonically Present**

Pamela Treadwell-Rubin  
Emily Johnston  
Maret Vessella – at 9:30 a.m.

### **Absent**

Scott Rhodes

### **Staff**

Mark Wilson  
Kathy Curry  
Emily Holliday  
Michelle Jackson  
Arnita Oliver

### **Regular Business**

9:00 a.m. Call to Order and Introductions

Judge William O'Neil, Chair

### **Business Items and Potential Action Items**

*No. 1* Review and Approve December 2013 ARC minutes

**Correction:** Change minutes to reflect vote was carried to require three members to be present in person for an inquiry.

**Motion:** Amend and approve as submitted

**Moved by:** Judge O'Neil

**Carried:** None opposed

Discussion regarding proposed Rule 36 petition language resulted in the following actions.

**Motion:** Collapse sub sections (h) and (i) of Rule 36 to follow a uniform path; to make clear that in such a hearing the burden is on the Bar by preponderance of a violation or failure to meet obligations; modify Rule 37 to give the effect of a decision by the PDJ to revoke temporary admission the same effect as the decision by the committee not to recommend admission and give the PDJ the flexibility to reduce that five year dracula clause.

**Moved by:** John Tuchi

**Seconded by:** Patricia Sallen

**Carried:** None opposed\*

**Motion:** KRC comment 8 regarding petition “In the case of informal inquiry, required by this Rule, three members...”, strike “required by this Rule.” Rule 36 (f) (5) begin with “A decision shall be made by the majority of the panel.” Search and replace to remove capitalization of terms such as “panel” and “investigative members.”

**Moved by:** George Reimer

**Seconded by:** Ben Click

**Carried:** None opposed\*

**Motion:** Formally approve changes as discussed.

**Moved by:** John Tuchi

**Seconded by:** George Riemer

**Carried:** None opposed\*

Judge O’Neil asked John Tuchi to file the petition in his name. No opposition to this request was expressed by committee members present.

\*Pat Sallen and Maret Vessella indicated that their votes are personal and not representative of the State Bar of Arizona.

2014 ARC Meeting Schedule

Wednesday, January 8

Wednesday, March 5

Wednesday, April 2

Wednesday, June 4

Wednesday, September 10

Wednesday, December 10

Meetings will begin at 9:30 unless otherwise noted.

- Statistical information is to be gathered for the Annual Report. Mark Wilson, Judge Winthrop, and Maret Vessella were called on to assist.
- Committee invited to provide ideas for areas of interest for future focus (i.e., permanent disbarment). Comments due by May 20, 2014.

- Judge O’Neil is preparing petitions to be filed for court discussion and committee comment.
- Pat Sallen tasked with providing written summary of Admissions work the committee has done.

*No. 4*    Call to Public  
          None

Meeting Adjourned: 10:29 a.m.

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