

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of: )  
 )  
APPLICATION OF THE CODE OF ) Administrative Order  
JUDICIAL CONDUCT TO THE ) No. 2021 - 188  
PRESIDING DISCIPLINARY JUDGE )  
AND HEARING PANEL MEMBERS )  
 )  
 )

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Administrative Order No. 2010-83 established the Office of the Presiding Disciplinary Judge. Thereafter, the Arizona Supreme Court adopted rules governing the attorney discipline system, including the establishment of hearing panels to preside over complaints of misconduct, applications for reinstatement, and other matters designated by the court. *See* Rule 52, Ariz. R. Sup. Ct. Hearing panels typically consist of the Presiding Disciplinary Judge, a volunteer attorney member, and a volunteer public member. *Id.*

The Presiding Disciplinary Judge serves as a full-time judge, and, as such, is subject to the Arizona Code of Judicial Conduct (“Code”) in all respects. Attorney and public members of hearing panels are appointed by the court. Their service is similar to that of a part-time hearing officer or judge *pro tempore* who serves on a sporadic basis and is considered a “Part D” judge under the Code. *See* Code, Application. Not all provisions of the Code apply to “Part D” judges.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the Presiding Disciplinary Judge is subject to the Arizona Code of Judicial Conduct in all respects.

IT IS FURTHER ORDERED that attorney and public members of hearing panels shall be treated as “Part D” judges under the Code and shall abide by all Code provisions applicable to “Part D” judges.

IT IS FURTHER ORDERED that all hearing panel members shall participate in training to be provided by the Office of the Presiding Disciplinary Judge regarding their obligations under the Code.

Dated this 14th day of December, 2021.

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ROBERT BRUTINEL  
Chief Justice