

SUPREME COURT OF ARIZONA

In the Matter of:) Arizona Supreme Court
EO-20-0011) No. EO-20-0011
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) **FILED 07/19/2022**

ORDER

Pursuant to Rule 42.1(i), Rules of the Supreme Court of Arizona, the Ethics Advisory Committee (the Committee) requested the Supreme Court to review the proposed Ethics Opinion (EO) 20-0011. The Court may take any action it deems appropriate, including declining review of the opinion, approving the opinion, ordering that the opinion not be posted or distributed, modifying the opinion, or directing the Committee to make specified changes or reconsider certain issues.

Under ER 4.2, a lawyer shall not communicate about the subject of representation with a party the lawyer knows to be represented by another lawyer in the matter, unless the lawyer has the consent of the other lawyer or is authorized by law to do so. The proposed Ethics Opinion affirms the holding from SBA Opinion 02-02 that lacking consent from the represented party's lawyer, a lawyer may not contemporaneously copy a represented party on documents sent to that party's lawyer. However, the proposed Ethics Opinion also holds that when a lawyer copies the

TO:

Christopher P Staring
Hon John David Napper, Presiding Judge
Michael Aaron
Ann Ching
Kimberly A Demarchi
Jason Easterday
Maria F Hubbard
Ashley M Mahoney
Regina L Nassen
Kimberly H Ortiz
Amy K Rehm
Ann Schrock
Christine Whalin
Christine Davis
Aaron Nash
Ashleigh Hansen
Paul J McMurdie