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March 2, 2026

Sent by Email

mbrazil@courts.az.gov

Marquita Brazil
Manager ABS Program
Arizona Supreme Court
Office of Court Administrator
1501 W. Washington, Suite 104
Phoenix, AZ 85007

Re: Engagement Agreement

Dear Marquita,

I regret that I cannot attend the AJC meeting on March 12 because of long-planned family travel. I ask that you might distribute this letter to my AJC colleagues as they consider the proposed amendment to require Arizona ABS law firms to serve Arizona clients “at least in part.” I have no quarrel with this amendment and might wish that it applied to all Arizona lawyers. What I oppose is the State Bar’s eleventh-hour suggestion that ABS law firms (and the Arizona lawyers who work for them) must only represent Arizona clients. That is a misguided idea.

As a former President of the Arizona State Bar, I have deep respect for the Bar as an institution. I also have a deep respect for the staff and the lawyers who volunteers over time who have served on the State Bar Board of Governors, But I see the State Bar’s position here as a lament that the market for legal service providers is changing, just like the markets have changed for other professions like medicine and accounting.

Increasingly, Arizona’s legal market adds new tiers of legal service providers who are not lawyers. Increasingly, regional and national law firms enter the Arizona legal market. Increasingly, technology and remote connectivity allow lawyers to serve clients beyond their local community. These market forces are not the result of ABS law firms. These market changes are driven by traditional law firms responding to 21st century developments in America. Today, extremely expensive advertisements from traditional law firms abound on television, billboards, bus-sides, and social media. If traditional law firms can access sufficient capital to advertise and expand their practice, why can’t ABS law firms operate exactly the same? What’s the difference?



**Letter to Marquita Brazil for AJC Member
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The difference actually undercuts the State Bar's suggestion to limit ABS law firms to only Arizona clients. With ABS law firms the Supreme Court and the public have a periscope into the ABS firms' operations, their ownership, and their performance. ABS law firms must disclose such facts to the Supreme Court and the public every two years to requalify for a license to practice law. No traditional law firms disclose their operations to the public. ABS law firms must report their total number of clients and their number of Arizona clients. No traditional private law firm volunteers such information. ABS law firms require a compliance lawyer to monitor each firm's operations. Traditional law firm have no such monitor. My point is that ABS law firms operate in an environment of public disclosure. Meanwhile, traditional law firms operate in private.

Most ABS applicants work hard on their applications, which the Court's ABS Oversight Committee and their administrative staff review in detail before a final in-person hearing. Contrary to impressions from recent reporting, the application process takes months, not minutes. It is true, but hardly surprising, that the in-person hearing need not take long if the application and the background checks are in good order before the hearing begins, and the Committee staff recommends approval after investigations. Just like any other law firm, non-lawyers associated with ABS law firms have absolutely no role with clients. All lawyers in every practice setting are charged with exercising their independent professional judgment for the benefit of their clients.

One might suppose that the State Bar might celebrate ABS law firms as models of disclosure in the public interest. It should be remembered that a previous State Bar Board of Governors endorsed the Supreme Court's formation of ABS law firms. But the ever changing makeup of the Board of Governors now seeks to restrict ABS operations. Why?

From my seat, I suspect that one unspoken spirit motivating the State Bar's new position stems, at least in part, from anxiety over competition in a changing legal market. By intent, ABS law firms have direct access to investment capital to develop innovative technology, to advertise, to inform people about legal services, and to potentially lure clients away from traditional lawyers, maybe personal injury lawyers in particular. All those elements of competition could prove true. But all these competitive elements were firmly established in the modern legal landscape long before ABS law firms arrived. No traditional lawyer has ever been restricted to represent only certain clients. Indeed, I believe it would be unconstitutional to do so. So why try to limit the careers of a young lawyer who might choose employment by an ABS law firm? I submit there is no legitimate answer that question, and no legitimate basis for the State Bar to seek such restrictions.

I ask my AJC colleagues to remember that it was the Conference of Chief Justices, followed by the American Bar Association, that first encouraged states to experiment with regulatory innovation to bring more legal services to more people in America. Our Supreme Court has led the way with many innovations aimed at expanding legal services and expanding public awareness about accessible legal services. The ABS law firm program is only one such innovation. And, it is not really an innovation. Thousands of ABS law firms operate elsewhere, the UK and Australia included.



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Moreover, the ABS law firm program has proved a boon to Arizona. Over 150 ABS firms employ dozens if not hundreds of Arizona workers, certainly hundreds of Arizona lawyers. They pay rent for Arizona office space. They hold national conferences in Arizona attended by hundreds of stakeholders. One ABS law firm expunges marijuana convictions for \$250. No traditional law firm does that. One ABS firm offers trademark services to clients at prices far below those of traditional firms. Other ABS firms offer green cards to clients at rates far below those charged by traditional firms. Other ABS firms advertise extensively and inform people who had no previous access to legal services about their legal rights and recourse.

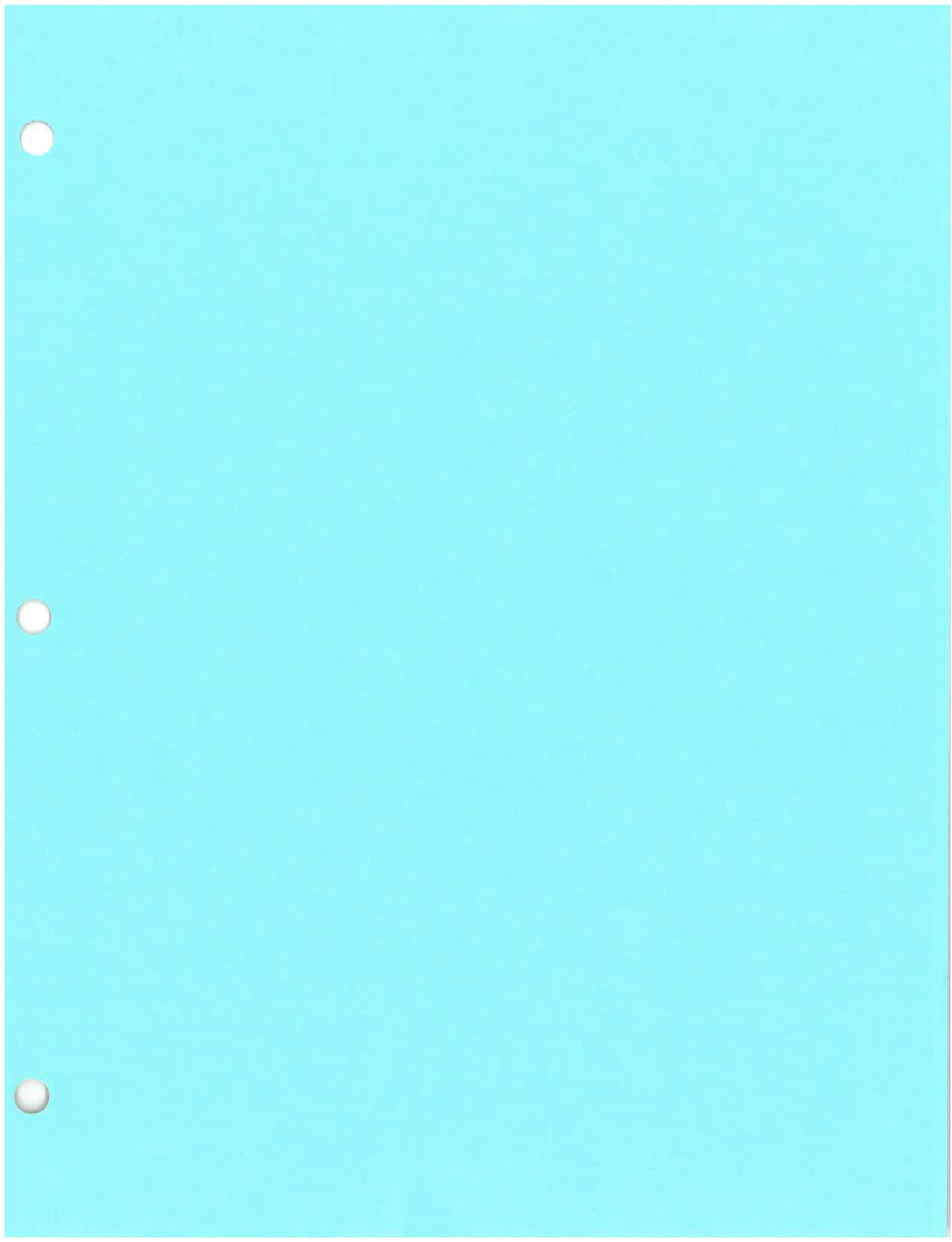
I urge my AJC colleagues to understand that our Supreme Court's ABS law firm program has brought many good and worthy things to Arizona. Like any new program, of course there are aspects of flying the plane while trying to build it. Improvements are recognized and adopted. I support the Chief Justice's intent to follow up recent reports of perceived problems. Scrutiny is a good thing. But ABS law firms are already the most scrutinized members of the Arizona legal community.

Lastly, let me note that Board of the National Association of ABS Law Firms supports the contents of this letter. NALFA will gladly work with any investigation into ABS Law Firms. The organization exists to support the highest standards of compliance with the Supreme Court's rules and regulations.

Respectfully,

A handwritten signature in black ink, appearing to read 'Don Bivens', written in a cursive style.

DON BIVENS





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March 2, 2026

VIA EMAIL to ABSProgram@courts.az.gov & araddatz@courts.az.gov

Marquita Brazil, ABS Program Manager
Committee on Alternative Business Structures
Abby Raddatz
Director of Certification and Licensing

Arizona Administrative Office of the Courts
1501 W Washington St., Ste. 104
Phoenix, Arizona 85007

Dear Ms. Brazil and Ms. Raddatz:

KPMG Law US LLC (KPMG Law) respectfully submits this letter to the Committee on Alternative Business Structures to offer its perspective on current proposals to amend Arizona's rules for Alternative Business Structure (ABS) law firms. While we understand the public comment period closed on February 17, 2026, we submit this letter primarily as a reaction to the statement published by the General Counsel for the State Bar of Arizona on February 17.

The ABS program established Arizona as a national leader in legal innovation. KPMG Law's business model is fully aligned with the program's innovation objectives. Our approach combines leading AI and technology capabilities, global reach, and legal services in ways that are truly distinctive. Together with the non-legal professional services offered by KPMG LLP (KPMG US) and other KPMG network firms, integrated teams of firms address complex multi-dimensional problems. These teams share the same culture, values, certain tech platforms and other resources. Our approach is already transforming the market for legal services by reducing costs and by improving quality, client service, and efficiencies.

As we stated during the application process, KPMG Law aims to serve clients both in and outside of Arizona. Like other ABS firms and consistent with common and well-established practices among large and small law firms, we co-counsel and partner with staffing firm lawyers to serve clients that may be in other jurisdictions, subject in all cases to legal and ethical rules in those various jurisdictions. We take compliance with those legal and ethical rules seriously, and we operate in compliance with them.

KPMG Law and KPMG US, which wholly owns KPMG Law, are invested in the Arizona economy. KPMG Law employs Arizona-based attorneys, and we continue to actively recruit in Arizona to build that team. Most KPMG Law clients have an Arizona presence, and we are committed to growing our Arizona client base even more. We are engaging with the local legal community. KPMG US has been serving the Arizona community for decades. Its Phoenix office has increased its headcount 50% over the past five years, serving more than 100 Arizona clients.

Importantly, serving regional, national, and multinational businesses enhances our ability to provide innovative legal services that benefit Arizona.

Developing and deploying cutting-edge technology requires significant investment. A broad client base—across Arizona, the nation, and the world—is essential to sustain the investment needed to explore, test, and scale these innovative solutions.

Our model delivers a direct 'innovation dividend' to Arizona clients. While local businesses get immediate access to our services, the technology and process innovations we develop on a national scale directly benefit our Arizona clients. This gives Arizona businesses access to efficiencies that would otherwise be out of reach.

The current ABS rules support these kinds of investments by permitting ABS firms and KPMG Law the ability to serve business clients in Arizona, in the region, and across the country. In so doing, the current ABS program's structure is central to its mission to promote innovation and to KPMG Law's business model.

A narrower scope for ABS firms risks undermining the ABS program's objective of promoting innovation.

Requiring ABS firms to limit their business activities to meet certain geographic metrics or primarily serve certain types of clients would undermine the program's objective of promoting innovation.

First, there is clear demand by US businesses in and outside Arizona for innovation in legal services. Any rule that limits the access of ABS firms such as KPMG Law to those businesses hurts them now and in the future, particularly if the competitors of those businesses have access to ABS firms offering integrated and tech-enabled professional services, as many outside the United States already do.

Second, prioritizing geographic metrics would drastically shrink the client base that funds innovation. That innovation benefits Arizona-based businesses and companies with operations in the state. Conversely, when the investment necessary to fund innovation disappears, all businesses suffer, including those Arizona-based businesses and other companies that operate in Arizona.

Third, we believe that if an ABS firm needs to demonstrate compliance with a specific geographic metric to avoid an existential threat, it may be incentivized to pursue or accept clients, practice areas, and engagements that may not be appropriate or align with its qualifications. Under even the best market conditions, growing a durable Arizona client base takes time and requires opportunity. ABS firms should be incentivized to grow their client base the right way.

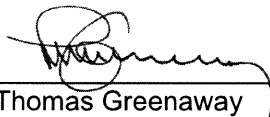
A better way forward

We believe a forward-thinking framework should continue to measure an ABS firm's impact on Arizona, especially in relation to that firm's commitment to innovation, its compliance track record, its community contributions, its role as a provider of jobs and in advancing the state's reputation as a legal innovator. It should recognize and directly support the interconnectedness of the Arizona economy with that of the region and nation. That interconnectedness directly benefits Arizonans.

We believe a healthy, well-functioning ABS ecosystem should be diverse, featuring firms with different business models serving a wide range of clients. This diversity is a feature, not a flaw. It fosters competition, expands choice, and ultimately generates benefits that validate the Supreme Court's wisdom—creating a boon for the entire program and all its participants, including those focused exclusively on local, underserved clients.

Thank you for allowing KPMG Law to share its perspective. We are grateful to the Committee for its work in improving Arizona's ABS program and ensuring that it is designed to meet its objectives.

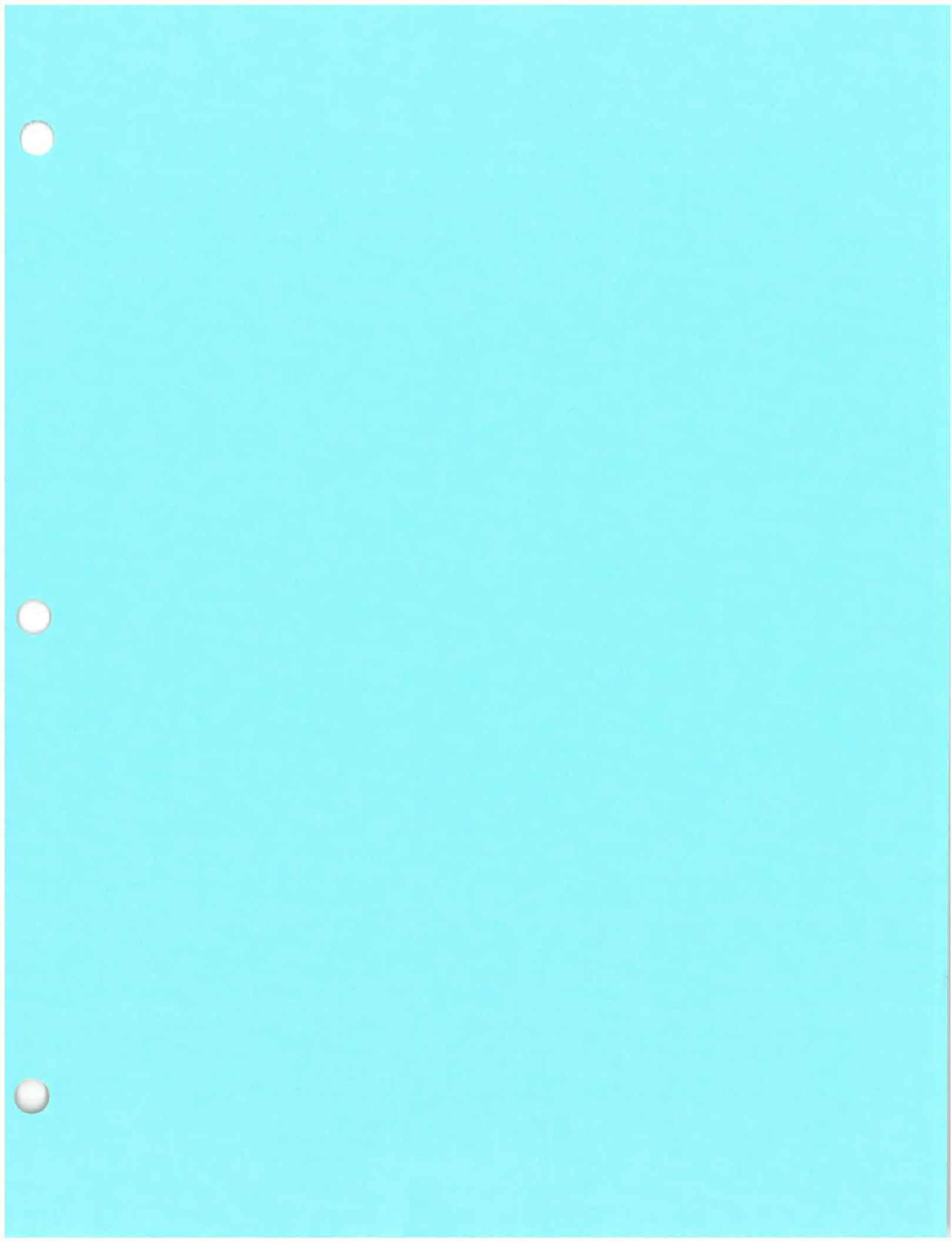
Sincerely,



Thomas Greenaway
President & Designated Principal
KPMG Law US LLC



David Rizzo
Vice-President & Compliance Lawyer
KPMG Law US LLC



March 2, 2026

ACJA Forum Comment — Proposed Amendments to ACJA § 7-209

I submit this comment in support of the proposed amendments to the Arizona Code of Judicial Administration (ACJA) § 7-209 governing Alternative Business Structure (ABS) licensure, and in response to the February 17, 2026 comment filed by the State Bar of Arizona opposing those amendments. I am a licensed Arizona attorney with a law firm whose primary focus is ethics and legal compliance. In addition, I serve in an individual capacity as a member of the Committee on Alternative Business Structures. I am not submitting this comment in any official capacity, and nothing here represents the position of the Committee, the Arizona Supreme Court, or any other body. My service on the Committee has informed my thinking on these issues, and I believe that perspective is worth sharing with the Court.

The core argument is this: the proposed amendments, including the “at least in part” language in § 7-209(E)(2)(a)(2), correctly balance the goal of meaningful Arizona connection with the practical realities of building innovative legal services at scale. The State Bar’s comment, if adopted, would undo that balance in ways unsupported by the evidence and would move Arizona from a national leader in legal services innovation toward the same dead-end Utah reached when it over-tightened its own program. I urge the Court to adopt the proposed amendments as drafted.

Arizona’s Opportunity: Leading, Not Retreating

Before addressing the State Bar’s specific objections, it is worth stepping back to name what is actually at stake. Arizona did something rare and important when it launched the ABS program in January 2021.¹ It chose to lead. At a time when most states were holding to the traditional law firm model, one that has, by most measures, failed to reach the majority of Americans who need legal help, Arizona decided to try something different.

That decision has consequences worth embracing, not limiting. National ABS firms that seek licensure in Arizona do not merely use Arizona as a backdrop. They come within Arizona’s regulatory jurisdiction. The firms become subject to the Arizona Supreme Court’s rules, their attorneys to the State Bar’s oversight authority, all under the compliance requirements that Arizona has built. Every innovative legal services company that files an ABS application here is a company that Arizona gets to shape, supervise, and set standards for. That is a policy asset, not a liability.

¹Ariz. Code of Judicial Admin. § 7-209 (eff. Jan. 1, 2021).

Arizona has a genuine opportunity to define how the legal profession integrates technology, artificial intelligence, and new business models in the years ahead. The Court's decisions in this space will be studied and cited by other states, bar associations, and legal reform advocates nationally. The question of what it means for an ABS to have a meaningful Arizona connection is not a narrow administrative question. It is a foundational policy question whose answer will either position Arizona as the jurisdiction that got legal innovation right, or as the one that retreated when the program started to work.

The proposed amendments represent the former. The State Bar's comment, if adopted, would push toward the latter.

On the Claim That ABS Firms Pose Greater Risk to Consumers

The State Bar's comment suggests that ABS structures carry "inherent risks not present in a traditional law firm." This claim has been repeated often enough in ABS debates to feel like established fact. The evidence for it is thin, and whatever evidence that does exist points in the opposite direction.

A review of the Arizona State Bar's publicly available complaint and disciplinary data tells a story the State Bar's comment does not address. Bar complaints filed against ABS-licensed firms (or lawyers who work for them), measured on a per-attorney basis, are markedly lower than the aggregate complaint and disciplinary rates for traditional law firms.² These are not marginal differences. They are the kind of differences that should reframe this conversation.

The most comprehensive independent study of the Arizona program to date reaches the same conclusion. A June 2025 report from the Deborah L. Rhode Center on the Legal Profession at Stanford Law School, reviewing five years of data from Arizona's and Utah's reformed legal services programs, found "remarkably little evidence of consumer harm" in Arizona. In the entire history of the program, only two ABS entities and their compliance lawyers faced formal disciplinary action, and those cases involved procedural and oversight issues rather than systematic consumer harm.³ Over the same period, the program grew from 19 authorized ABS entities in 2022 to 136 as of April

²Bar complaint and discipline rate data for ABS licensees and traditional law firms is available through the State Bar of Arizona's Lawyer Regulation Annual Reports, accessible at <https://www.azbar.org/for-legal-professionals/lawyer-regulation/records/lawyer-regulation-annual-reports>.

³David Freeman Engstrom, Natalie Knowlton & Lucy Ricca, Legal Innovation After Reform: Five Years of Data on Regulatory Change (Stanford Law School, Deborah L. Rhode Center on the Legal Profession, June 2025), available at <https://law.stanford.edu/publications/legal-innovation-after-reform-five-years-of-data-on-regulatory-change-3/>.

2025, more than a six-fold increase, without a corresponding surge in complaints or disciplinary actions.

It is worth acknowledging that investigative reporting has identified instances of ABS licensees accused of harming clients or violating consumer protection laws. Those cases matter. But isolated misconduct is not evidence of systemic program failure. It is evidence that the oversight mechanisms are functioning. Every legal services ecosystem, traditional or reformed, includes bad actors. What distinguishes a well-designed program is the capacity to detect misconduct, respond to it, and remove the offending entity. The ABS framework, with its mandatory compliance lawyers, biannual audits, and active regulatory oversight, is specifically structured to do that. Enforcement action is the program working as designed. The appropriate response to identified misconduct is enforcement, not restriction of the entire framework.

The additional oversight requirements imposed on ABS licensees, including mandatory compliance lawyers, biannual audits, renewal certifications, and individually vetted ownership, exist precisely to address the theoretical concerns the State Bar raises. They appear to be working. The State Bar's concern about consumer harm is legitimate in principle, but it needs to be grounded in evidence, and the available evidence does not support treating ABS structures as categorically more dangerous than traditional firms.

On Multi-State Practice and Regulatory Burden

The State Bar raises the concern that licensing ABS firms with national reach would impose an outsized regulatory burden on the Lawyer Regulation Office, responsible for investigating misconduct across multiple jurisdictions.

This argument proves too much. Arizona has always licensed lawyers who maintain multi-state practices, have clients and matters in other states, and maintain referral relationships and co-counsel arrangements with firms elsewhere. None of that has been treated as a categorical basis for restricting practice, because the Bar's disciplinary jurisdiction runs to Arizona lawyers and their conduct, not to the geography of their clients. It is not the duty of the Arizona State Bar to police lawyers in other states, and the presence of a multi-state ABS firm in Arizona's licensure ecosystem does not change that.

An ABS firm with Arizona licensure and a national client base is not meaningfully different from a traditional Arizona firm in the same position. The State Bar regulates the lawyers. If an Arizona-licensed lawyer at an ABS firm commits misconduct, whether the client was in Phoenix or Philadelphia, the State Bar has jurisdiction. The same argument about overwhelmed regulatory capacity could be made about any large

traditional firm with a national footprint. We do not limit the geographic reach of traditional firms on those grounds. There is no principled reason to apply that limitation selectively to ABS firms.

“At Least in Part”: The Case for Flexibility, and a Path to Common Ground

The State Bar’s most specific objection is to the phrase “at least in part” in the proposed amendment, which would require ABS licensure to, at least in part, further regulatory objectives for persons or entities in Arizona. The State Bar argues this language is too permissive and would allow firms to obtain licensure based on merely incidental Arizona contacts.

That reading is not correct, and the disagreement reflects a fundamental difference of view about what the ABS program is for. But there is room for common ground, and I want to offer a constructive proposal.

Arizona’s ABS program exists, at its core, to encourage innovation in the delivery of legal services. The regulatory objectives in Rule 33.1(b) include expanding access to legal services, improving affordability and efficiency, and promoting technological and structural innovation in legal practice. These are not Arizona-local goals. They are national challenges and meeting them requires the kind of scale that a strictly Arizona-limited market cannot provide. Arizona is home to approximately 7.6 million people.⁴ That is a meaningful population, but a fraction of the national market for legal services. Building an innovative legal service model, one that genuinely improves access and affordability, requires substantial capital investment, operational infrastructure, and enough clients to sustain and refine the model over time. If ABS licensure requires that the primary or exclusive benefit flow to Arizona consumers, the economics of legal innovation become far more difficult to justify. The firms capable of truly transformational work will go elsewhere.

The access to justice crisis is national in scale. According to the Legal Services Corporation’s 2022 Justice Gap Report, low-income Americans do not receive any or sufficient legal help for 92 percent of their substantial civil legal problems.⁵ Solving that problem requires innovations that can reach people at scale, across state lines, using models the traditional law firm structure was never designed to support. A rising tide lifts all boats. An ABS firm that builds a platform serving consumers in Arizona, New Mexico, Colorado, and beyond is *still* serving Arizona consumers, and it was able to do so because the scale of its operations made the investment viable. Restricting the benefit

⁴U.S. Census Bureau, QuickFacts: Arizona, <https://www.census.gov/quickfacts/AZ>.

⁵Legal Services Corporation, The Justice Gap: The Unmet Civil Legal Needs of Low-Income Americans (2022), available at <https://justicegap.lsc.gov/resource/2022-justice-gap-report/>.

to Arizona-only does not protect Arizona consumers. It shrinks the universe of innovation they can access.

That said, I share the underlying concern that licensure should require a genuine, demonstrable connection to Arizona, not a nominal one. The question is how to define that connection in a way that is meaningful without being prohibitive.

On that question, I offer the following for the Court's consideration. Rather than replacing "at least in part" with a stricter primary-benefit standard, the Court could adopt clarifying criteria that define what a meaningful Arizona connection looks like in practice. A non-exhaustive suggested set of such criteria might include: maintaining a registered office or designated physical presence in Arizona; employing or contracting Arizona-licensed attorneys as primary service providers; generating revenue from Arizona-based legal services; committing to pro bono or access-to-justice contributions within Arizona; or actively participating in Arizona legal community initiatives. Any one or combination of these could provide the Committee with concrete factors to evaluate without collapsing the program into a purely parochial exercise.

This approach would give the "at least in part" standard meaningful content, preserve the Committee's discretion to weigh competing factors, and respond directly to the State Bar's concern that licensure require more than a nominal Arizona connection. It would also give applicants clearer guidance on what is expected. That is a better outcome than replacing flexible language with a rigid primary-benefit test that the evidence suggests would hollow out the program.

On Burden of Proof and the Committee's Role

The State Bar argues that applicants should bear a stronger burden to demonstrate Arizona benefit, with failure to do so serving as an independent ground for denial. Applicants should, without question, be able to articulate how their model serves the regulatory objectives.

The proposed amendments do not eliminate that burden. They give the Committee the tools to evaluate applications holistically, weighing Arizona connections, the population served, and the innovation potential of the model. That is how a well-functioning regulatory body should operate: with standards clear enough to be consistent and flexible enough to permit judgment.

Stricter, more prescriptive language eliminates that judgment. A rule requiring primary benefit to Arizona consumers leaves no room to consider a firm that genuinely serves Arizonans as part of a broader model, or to ask whether the innovation itself is valuable to Arizona's legal ecosystem even if the immediate client base is not exclusively local.

The result is a rule that is easy to apply mechanically and poorly suited to achieving its purpose. The “at least in part” language, paired with the clarifying criteria proposed above and meaningful application requirements, gives the Committee the latitude it needs.

On Utah: A Cautionary Tale, Not a Model

The State Bar cites Utah’s Regulatory Reform Sandbox Project as support for a more restrictive Arizona approach, noting that Utah concluded “bare” referral-fee structures pose ethical risks and that applicants must demonstrate meaningful in-state consumer benefit.

The Utah comparison cuts the other way. After Utah tightened its requirements and limited eligibility criteria for authorized entities, participation dropped from 39 sandbox entrants in 2022 to just 11 as of April 2025.⁶ The Utah Supreme Court ultimately closed the ABS-only portion of the Sandbox entirely, effective December 31, 2024. At least 27 participants left or were terminated as a result of the changes. Meanwhile, Arizona, which maintained its flexible framework, grew from 19 authorized ABS entities in 2022 to 136 as of April 2025.

The question is not whether bad actors should be excluded from ABS licensure. Of course they should be. The question is whether the standards adopted to exclude bad actors also exclude the good-faith innovators the program was designed to welcome. Utah’s experience answers that question: overly restrictive standards do not just screen out bad actors. They hollow out the program.

The Broader Context

Arizona’s ABS program reflects a considered judgment that the status quo in legal services delivery is not acceptable. The traditional law firm model has not solved the access to justice problem and is not structured to do so. The ABS program rests on a straightforward premise: that structural innovation, properly regulated, produces better outcomes for consumers. Five years of data confirms it.

The State Bar’s comment raises legitimate concerns about the scope and accountability of ABS licensure. Those concerns deserve serious engagement, and I have tried to address them directly here, including by proposing concrete criteria that would give the “at least in part” standard meaningful content without undermining the program’s utility.

⁶Debra Cassens Weiss, Nearly 30 Legal Entities May Leave Utah’s Regulatory Sandbox After State Tightens Rules, ABA Journal, available at <https://www.abajournal.com/news/article/nearly-30-legal-entities-may-leave-utahs-regulatory-sandbox-after-state-tightens-rules>; see also Engstrom et al., supra note 3.

But the broader trajectory of opposition to ABS from within the legal establishment raises a question worth naming plainly: are the arguments being made about consumer protection, or about market protection? The legal profession has a history of erecting barriers, in the name of quality and consumer safety, that also happen to limit competition and preserve incumbents. The institutional incentives are not neutral, and the arguments deserve to be examined with that in mind.

Arizona can lead on this. It has already started to. The “at least in part” language should be retained, ideally with the clarifying criteria proposed above. The burden framework should preserve Committee discretion. The alternative, a program restricted to only those firms whose benefit to Arizona consumers is primary and exclusive, is not a reformed ABS program. It is the end of one.

For these reasons, I respectfully urge the Court to adopt the proposed amendments as drafted, retaining the “at least in part” language in § 7-209(E)(2)(a)(2), and to consider whether additional clarifying criteria defining meaningful Arizona connection might be incorporated to address the legitimate concerns raised in the comment process.

Respectfully submitted,

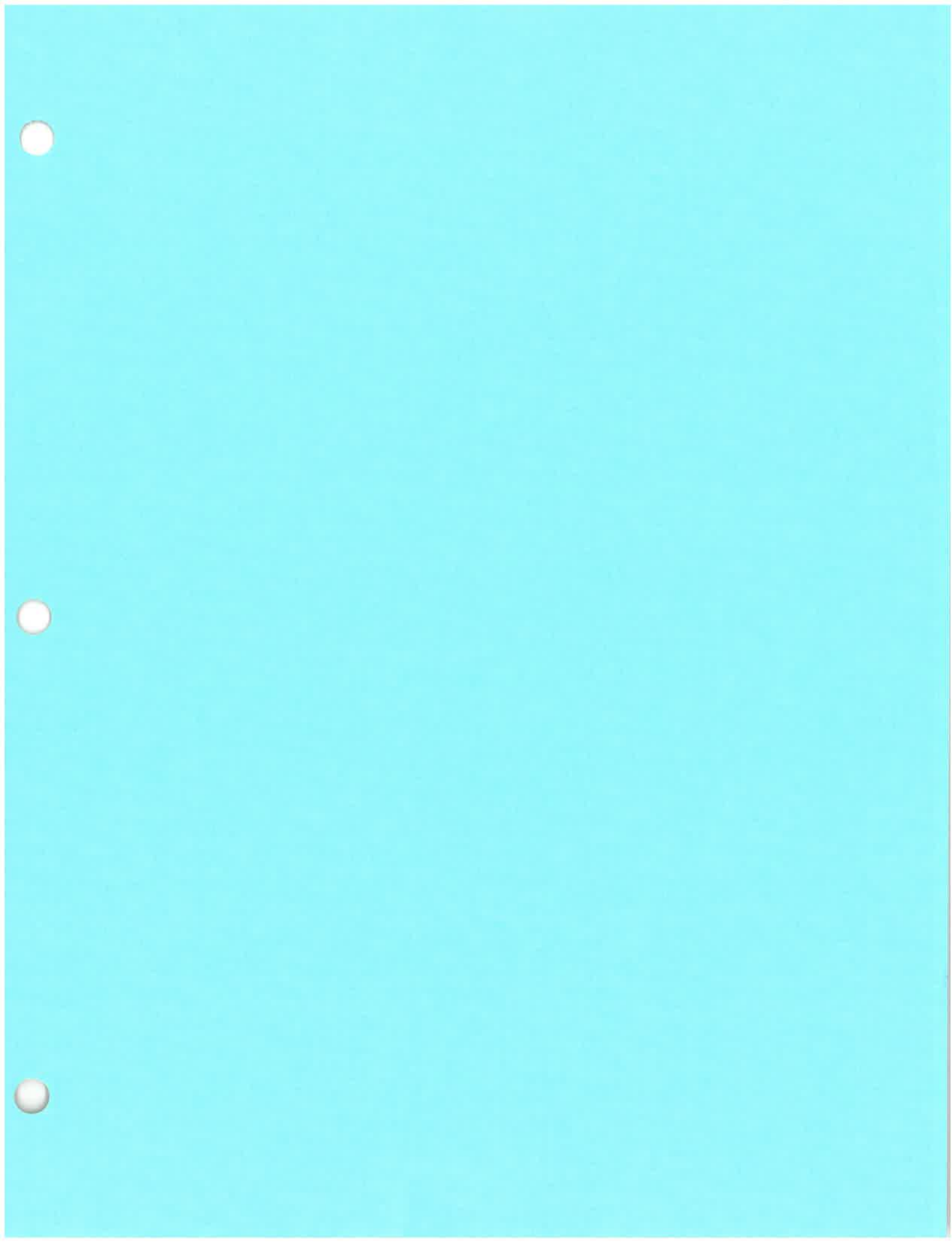


Taylor Bell

Arizona Attorney (Bar No. 029621)

March 2, 2026

The views expressed in this comment are personal and do not represent the position of the Committee on Alternative Business Structures, the Arizona Supreme Court, or any organization with which the author is affiliated.



3/6/2026

Sent by Email

mbrazil@courts.az.gov

Marquita Brazil
Manager, ABS Program
Arizona Supreme Court
Office of Court Administrator
1501 W. Washington, Suite 104
Phoenix, AZ 85007

Re: Objection to proposal limiting ABS firms to providing legal services only to Arizona clients

Dear Ms. Brazil and Members of the Court:

I write to respectfully object to the State Bar’s request that the Court limit Arizona’s Alternative Business Structures (“ABS”) program to law firms that provide legal services only to Arizona clients. This amendment would operate as a scale-killing constraint that would materially undermine—and in practice, may effectively end—the ABS program’s ability to attract investment and deliver meaningful innovation for Arizona consumers.

Who we are

I founded JusticeDirect Law Firm LLC as an Arizona ABS law firm and legal-technology team focused on making routine legal services simpler, faster, and more affordable for everyday people and small businesses. We primarily serve clients with “street law” needs—small claims disputes, landlord-tenant issues, and pre-suit support like demand letters—matters that are critically important to families and small businesses but often too small to justify traditional hourly legal fees. We build plain-language, step-by-step guided interviews and streamlined workflows that help clients understand their options, gather the right facts, and generate court-ready paperwork aligned with Arizona law and local procedure. By reducing the time and cost required to deliver competent help in these high-volume, high-need areas, we help close the access-to-justice gap for people who do not qualify for legal aid but cannot afford full traditional representation.

Why scale matters for ABS innovation

Arizona’s ABS reforms have worked for us because they provide what legal innovation requires: **clear permission and predictable rules.**

Innovators—especially those building technology-enabled delivery models—must make substantial up-front investments in software, compliance, workflows, training, marketing, and

consumer education. Those are largely fixed costs, and investors assess them through the lens of **scale and risk-adjusted return**: the addressable market must be large enough not only to spread costs, but to support a credible return on investment (ROI). Limiting ABS firms to *only* Arizona clients would sharply reduce the addressable market and make those investments far harder to justify. The predictable result is that fewer serious innovators will form or meaningfully invest in ABS entities under such constraints, and those already operating will reduce investment, slow development, or discontinue ABS-enabled initiatives.

Just as importantly, allowing ABS firms to serve clients in multiple jurisdictions benefits Arizona consumers directly: firms that invest in scalable operations and standardized service offerings typically offer those same improvements to Arizona clients as well. A multi-jurisdiction provider would have no incentive to build a platform and then deliberately exclude Arizona customers.

Investment reality: regulatory uncertainty deters capital before innovation can reach consumers

From my own experience building in this space, regulatory uncertainty is a principal driver of investment decisions. Our investors have been conservative about funding the ABS side of our business specifically because of perceived regulatory risk and the possibility of policy retrenchment. Adopting an “Arizona-clients-only” limitation would reinforce those concerns—not only for our company, but for other current and prospective entrants—and would signal that even Arizona’s permanent reform framework can be narrowed in ways that make the necessary investments too risky to make. The predictable outcome is substantially reduced investment, slower experimentation, and fewer cost-reducing innovations reaching Arizona consumers. Consequently, the important advances many ABS law firms have made in closing the access to justice gap, will be lost.

Utah’s sandbox retrenchment is a cautionary example

In September 2024, Utah tightened its legal-services sandbox rules, including rejecting for-profit entities offering *only* immigration-related services and adopting an “impact relative to reach” requirement that penalizes models designed to scale beyond Utah.

Following these Phase 2 changes, the Stanford Rhode Center report documents that only 11 entities remained authorized as of April 30, 2025, and 33 prior entrants were no longer authorized by the end of April 2025; termination orders for 18 of those indicate an **entity-initiated request** to withdraw. The report also notes that Rocket Lawyer withdrew in the lead-up to Phase 2 and—just a few months earlier—had secured an Arizona ABS license, and that Esquire Law likewise became active as an Arizona ABS. Utah’s experience illustrates how narrowing eligibility and limiting scalability can shrink participation and innovation—exactly the risk created by an Arizona-clients-only restriction.[1]

Arizona’s ABS framework already provides robust consumer safeguards

Arizona’s ABS program already operates under Court-approved authorization and ongoing compliance obligations designed to protect clients. The proposed “Arizona-clients-only” restriction does not materially improve consumer protection; instead, it functions primarily as a cap on scale—deterring investment and slowing the very innovations the ABS program was created to encourage, to the detriment of Arizona consumers.

For these reasons, I respectfully urge the Court to **reject** the proposed limitation. The ABS program’s promise is not simply that some firms can reorganize ownership; it is that Arizona can enable sustainable, scalable models that improve quality and reduce costs through innovation. A rule that confines ABS firms to serving only Arizona clients would substantially diminish that promise and, in practice, would likely freeze the program into a small, non-scalable niche—the opposite of what durable regulatory reform is meant to accomplish.

Thank you for your consideration.

Respectfully submitted,

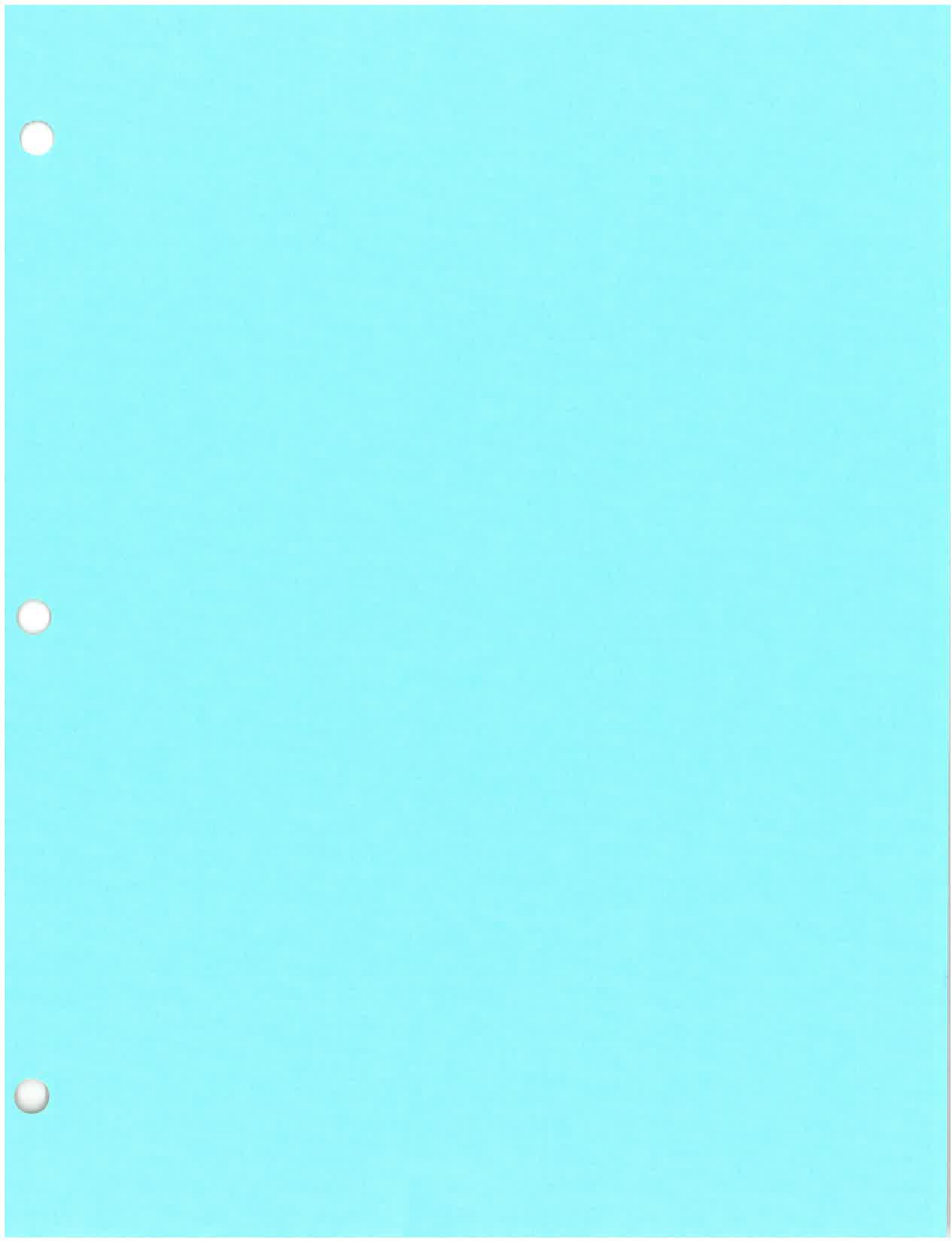


Patrick N. Forrest, J.D., LL.M.
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cc: [Chief Justice / ABS Committee / relevant recipients]

Footnote

[1] David Freeman Engstrom, Natalie A. Knowlton & Lucy Ricca, *Legal Innovation After Reform: Five Years of Data on Regulatory Change* 17–18 (Stanford Law School, Deborah L. Rhode Center on the Legal Profession, June 2025) (reporting Utah’s authorized sandbox entities fell from 39 in 2022 to 11 as of Apr. 30, 2025 following a narrowing of eligibility criteria), available at https://law.stanford.edu/wp-content/uploads/2025/06/SLS_CLP_LegalInnovation_REPORT_v5.pdf.





March 9, 2026

180E 2100 S, #206
South Salt Lake, UT 84115

Arizona Judicial Council
% Marquita Brazil
Manager, ABS Program
Arizona Supreme Court
Office of Court Administrator
1501 W. Washington, Suite 104
Phoenix, AZ 85007

Re: Proposed Amendments to ACJA § 7-209 - Alternative Business Structures

Dear Members of the Arizona Judicial Council:

We write on behalf of Rasa Legal, a licensed Alternative Business Structure ("ABS") law firm and subsidiary of a public benefit corporation, to respectfully oppose any amendment to ACJA § 7-209 that would require ABS-employed attorneys to primarily serve Arizona consumers. We share the Council's commitment to program integrity and consumer protection. It is because of that commitment, not despite it, that we urge the Council to reject this approach. The proposed restrictions would reduce access to legal help for the people who need it most, impose professional constraints on ABS attorneys that no other Arizona-licensed lawyer is subject to, and contradict the foundational purpose for which the Arizona Supreme Court created this program.

The People This Program Was Built to Serve Would Lose the Most

The access to justice crisis in this country is not a background fact. It is the reason the ABS program exists. According to the Legal Services Corporation, low-income Americans receive no legal help for 92 percent of their substantial civil legal problems. The traditional law firm model has not solved that problem. It was not designed to solve that problem. The ABS program rests on the straightforward premise that capital is the fuel of innovation and that regulatory changes that allow outside capital into law practice will help lawyers meet the public's unmet legal needs.

That premise has proven out in our practice. Today our firm's work solely focuses on record clearance, expungement, and rights restoration. These are services that carry enormous practical consequences for the people who need them.

(385) 376-4701

info@rasa-legal.com
www.rasa-legal.com

180 E 2100 S, Ste 206
Salt Lake City, UT 84115



An uncleared record forecloses employment opportunities, limits housing access, and prevents people from moving forward from mistakes that may be years or decades in the past. We provide these services for \$250 because the ABS model gives us the ability to raise capital for the technological infrastructure and scale to make the economics work. However, our success depends on volume, and this requires us to serve people both in and outside of Arizona to succeed and keep our prices affordable. The proposed requirement to focus primarily on Arizona will hurt our ability to scale and result in a need to increase our prices. It will also force many of the people we serve to go without the legal help they desperately need and discourage other innovative access to justice organizations from becoming an Arizona ABS.

ABS Attorneys Are Being Held to a Standard That Applies to No One Else

Every ABS employed attorney is bound by the Arizona Rules of Professional Conduct. Those Rules define what it means to be a lawyer in this state, establishing the duties owed to clients, the standards of competence, and the ethical obligations that govern every representation. Nowhere in those Rules is there a geographic limitation on whom a licensed attorney may serve. A solo practitioner in Tucson, a partner at a Phoenix regional firm, and a lawyer in a global law firm are each free to represent clients wherever their license is recognized, without restriction based on where the client lives.

The proposed amendments would create an exception to that principle for attorneys employed by an ABS law firm. Under some of the proposed restrictions, two lawyers with identical Arizona bar licenses, identical ethical obligations, and identical professional qualifications would have different rights. The difference would arise not from anything about the attorneys themselves, but solely from the organizational structure of their employer. That is inequitable. Licensure confers the right to practice law. The organizational form of a law firm does not diminish or condition that right, and there is no principled basis for treating it as though it does.

This inequity is compounded by the fact that ABS firms already operate under a more demanding oversight regime than any traditional law firm in Arizona. We disclose ownership structures and operational details to the Supreme Court. We maintain Compliance Lawyers dedicated to regulatory adherence. We are subject to review by the ABS Committee and the Court. No traditional firm, regardless of size, capitalization, or national reach, faces these requirements. To impose geographic restrictions on top of this already heightened burden, while applying no comparable constraint to any other segment of the bar, is not fair and proportionate.



Restricting ABS Attorneys Will Jeopardize Affordability of Services and Discourage Innovation

The Arizona Supreme Court did not create the ABS program to build a smaller, more tightly confined version of the traditional legal market. It created the program because the traditional legal market was failing people, and structural innovation offered a path to something better. ABS firms were authorized to receive outside investment and incorporate non-lawyer ownership specifically because those mechanisms would enable new models of legal service delivery: models defined by scale, technology, and the ability to reach clients the traditional bar had not reached.

A restriction that confines ABS attorneys to Arizona consumers does not support that vision. It reverses it. Scale is what makes the ABS model work. A program that authorizes structural innovation in how legal services are delivered, then prohibits the delivery model from operating at the scale that makes it viable, has not reformed legal services. It has created a regulatory structure that looks like reform while ensuring the economics of reform cannot function.


Arizona's program has been studied and cited as a national model for legal services innovation. The Court's deliberate, evidence-based approach to ABS regulation has positioned this state as a leader in an area where most jurisdictions have not yet acted. The proposed restrictions would trade that position for a rule that inequitably regulates Arizona lawyers and is antithetical to the ABS program's purpose.

Conclusion

The Council should decline to adopt a rule that punishes the ABS program's success by restricting the attorneys it has produced and brought into the Arizona legal market. The ABS program works. The people it was built to serve depend on it working. The proposed restrictions would severely damage access to justice organizations like Rasa that depend on scale *in and outside of Arizona* to keep our practice viable, our prices low, and to meet the unmet legal services needs of low-income people across America.

We urge the Council to decline adopting amendments to ACJA § 7-209 that would restrict the clients ABS attorneys may serve.

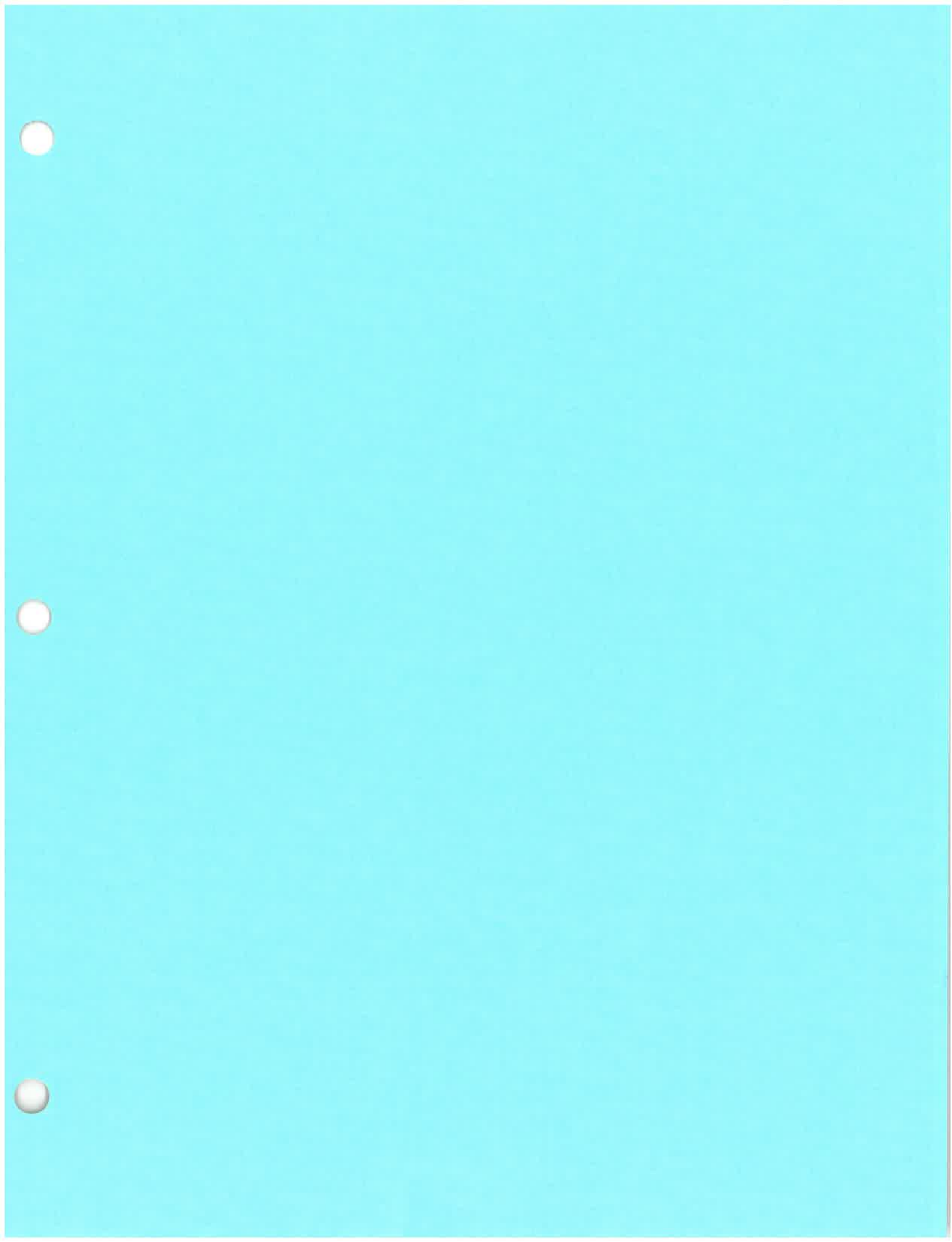
Respectfully submitted,

Noella Sudbury

Chief Executive Officer
Rasa Legal

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March 9, 2026

Marquita Brazil, Manager ABS Program
Arizona Supreme Court
Office of Court Administrator
1501 W. Washington
Suite 104
Phoenix, AZ 85007

EMAILED: mbrazil@courts.az.gov

RE: ACJA §7-201 & 209

Dear Ms. Brazil:

I am writing to comment on the recent State Bar's suggestion that ABS law firms (and the Arizona lawyers who work for them) must only represent Arizona clients. I can think of no real explanation or justification for such an arbitrary requirement. To apply such a harmful restriction on ABS law firms is to undermine the foundation of ABS firms.

I am the compliance attorney for an ABS. This firm handles, among other cases, hundreds of sex trafficking victims. Some are Arizona residents, and many are not. I am deeply concerned that the firm would not be able to represent Arizona victims if not for the out-of-state clients. The economies of scale that are critical in such cases would be lost.

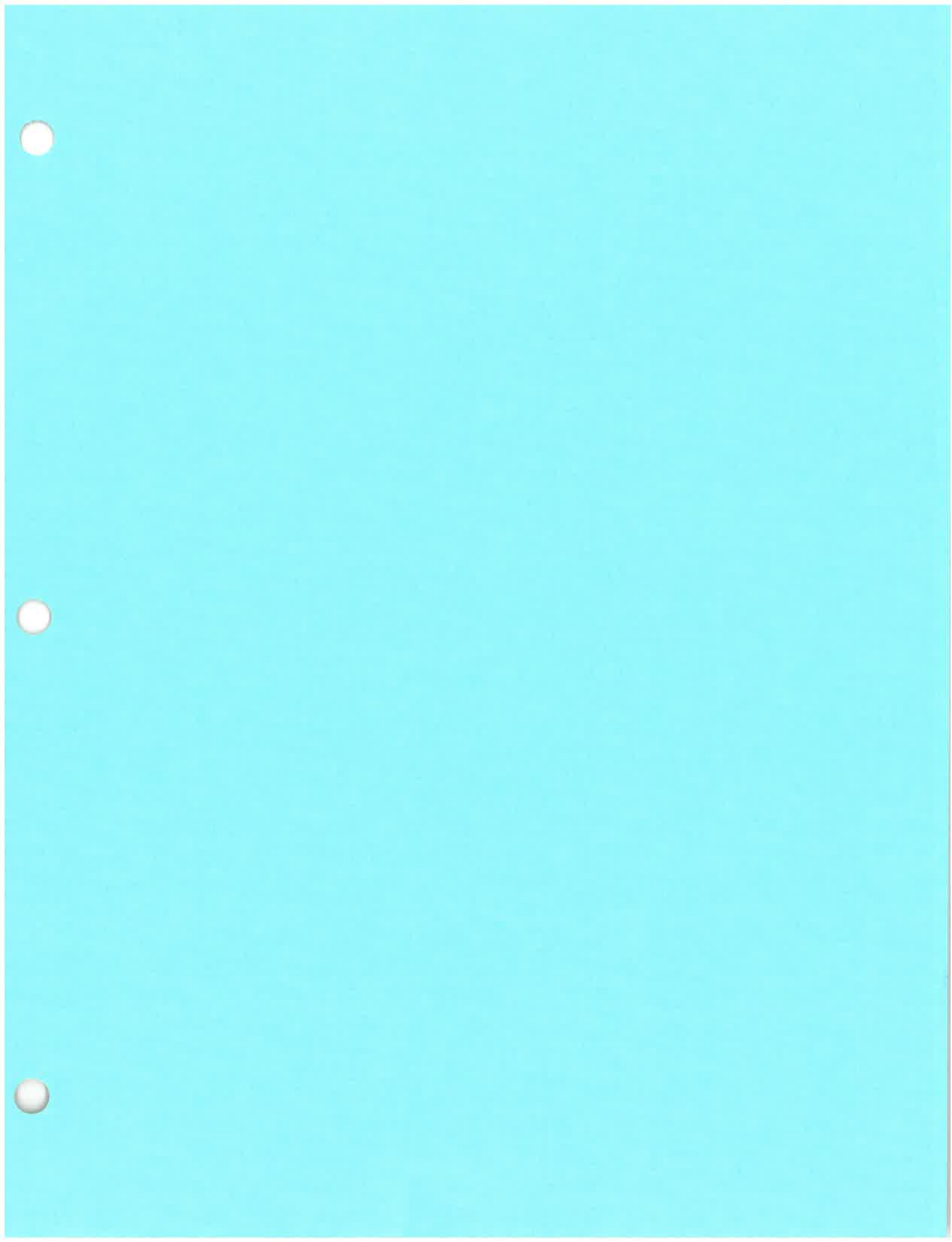
I believe that any artificial restriction on ABS law firms is not in the interest of Arizona clients, and not in keeping with the sound reasons behind approving ABS firms.

Thank you for your consideration.

Respectfully,



C. Randall Stone, Esq.
STONE LAW, PLLC



Anudeep Sethee
Managing Director, LZ Legal Services
2828 N. Central Ave. PMB #1510
Phoenix, AZ 85004

March 9, 2026

Arizona Judicial Council
c/o Arizona Supreme Court
1501 W. Washington Street
Phoenix, Arizona 85007

Re: Proposed Amendments to ACJA § 7-209

Dear Members of the Judicial Council:

I write in support of the proposed amendment to ACJA § 7-209 requiring that licensure of an Alternative Business Structure (“ABS”) must, “at least in part, further the regulatory objectives for persons or entities located in Arizona”. I believe this clarification is appropriate and consistent with the Arizona Supreme Court’s stated goals for the program.

However, I respectfully oppose the State Bar of Arizona’s request to further restrict ABS licensure beyond the proposed language, particularly its request to remove the “at least in part” qualifier or to impose a requirement that ABS entities primarily serve Arizona consumers. Such additional limitations would create a new, bespoke restriction applicable only to ABS entities that does not apply to any other Arizona law firm or Arizona-licensed attorney.

Imposing a “Primary” or Exclusive Arizona-Focus Requirement Would Create a Unique and Unwarranted Restriction on ABS Law Firms

No other Arizona law firm is required to demonstrate that it primarily serves Arizona clients as a condition of operating under Arizona licensure. Arizona-licensed attorneys routinely provide legal services in matters involving federal law, multistate issues, and clients located across the country, consistent with applicable ethics rules and jurisdictional requirements.

ABS entities are law firms. The legal advice and services provided through ABS structures are delivered by licensed attorneys, subject to the same ethical obligations, disciplinary authority, and Rules of Professional Conduct as any other Arizona lawyer. The ABS structure does not alter the fact that legal work is performed by attorneys bound by the Rules of Professional Conduct and the Court’s regulatory authority.

To single out ABS entities for a heightened, geography-based service requirement would create a structural disadvantage not imposed on traditional firms. It would effectively condition business model approval on a limitation that no other Arizona-regulated law practice must satisfy.

Such a distinction also raises competitive and policy concerns. Imposing a geographic requirement unique to ABS entities would regulate firms differently based solely on ownership structure rather than consumer protection or attorney conduct. Even if unintended, this asymmetry could reduce competition, deter innovation, and limit consumer choice by creating barriers for ABS firms that traditional firms do not face.

Moreover, much of the work performed by ABS entities, including ours, involves federal law and federally governed processes. A rule that constrains ABS firms in ways not applicable to traditional firms would distort competition and undermine the policy rationale that originally motivated Arizona's ABS reforms: fostering innovation, improving access to justice, and modernizing the delivery of legal services - while maintaining robust regulatory oversight.

The ABS Program Was Not Intended as a Sandbox, but as a Deliberate, Permanent Regulatory Reform

Arizona's ABS framework was not conceived as a temporary experiment or "sandbox." Unlike Utah's Regulatory Reform Sandbox, Arizona made a deliberate, well-reasoned policy decision to permanently amend its rules to allow alternative business structures under the Court's supervision.

The regulatory objectives set forth in Supreme Court Rule 33.1 and ACJA § 7-209 were the product of substantial study, stakeholder input, and careful judicial consideration. Businesses, including ours, relied on that stable regulatory framework when making significant, long-term investments in infrastructure, technology, personnel, and compliance systems designed to operate under Arizona's rules.

The proposed "at least in part" language appropriately recognizes that ABS licensure must meaningfully relate to Arizona and its residents. But to now retroactively narrow eligibility or impose a de facto "primarily Arizona" requirement would fundamentally alter the framework under which existing ABS entities were approved and are currently operating.

For firms that have already been licensed, built compliance programs, hired Arizona attorneys, and structured operations around the current framework, a substantial narrowing of the standard could be deeply disruptive and economically harmful. It would undermine regulatory predictability and create substantial uncertainty for existing licensees.

ABS Entities Are Already Subject to Enhanced Oversight and Should Not Be Singled Out for Additional Geographic Restrictions

ABS entities already operate under requirements that exceed those imposed on traditional law firms. They must undergo a formal application and character-and-fitness-style review, submit detailed disclosures, and comply with ongoing reporting and oversight by the Committee on Alternative Business Structures.

The suggestion that ABS entities require further geographic limitations because of their structure overlooks the reality that the legal services themselves are delivered by attorneys who remain individually accountable to the Arizona Supreme Court and subject to discipline.

If the concern is consumer protection, the appropriate focus should remain on compliance, transparency, and ethical oversight, not on imposing a novel requirement that the majority of services be delivered to Arizona residents.

Demonstrated and Ongoing Benefit to Arizona Residents

Since our launch as an ABS entity, we have meaningfully served Arizona residents and contributed to the state's legal ecosystem. For example:

We have helped over 1,500+ Arizona residents with filing for federal trademark protections with the USPTO. We have serviced clients in all but 2 counties in Arizona. We have an Arizona learning lab that helps provide start-up business services to Arizona residents, and we have helped over 300 new Arizona businesses with their legal needs as they form and manage their businesses.

Additionally, we are active participants in the legal communities in Arizona. We sponsored legal ethics and CLE events at the State Bar of Arizona's Annual Convention as well as the State Bar of Arizona's CLE in the Garden event. We maintain a physical office in Phoenix that serves as our firm's headquarters, and we host multiple events and conferences in Arizona every year.

These are not incidental or pretextual connections. They reflect concrete engagement with Arizona consumers and the state's legal market—precisely the kind of activity the ABS framework was designed to encourage.

At the same time, our broader operations, including federal matters, help sustain the scale, technology, and operational efficiencies that enable us to serve Arizona clients effectively and affordably. A rigid "primary Arizona" requirement would undermine that model without a corresponding regulatory benefit.

Preserving the Integrity and Predictability of Arizona's Regulatory Framework

Arizona has been recognized nationally as a leader in legal regulatory reform. The ABS program signaled that the Court was willing to thoughtfully modernize legal services delivery while maintaining strong oversight. A shift as suggested by the State Bar would not only affect current licensees but could also chill innovation and investment in Arizona going forward.

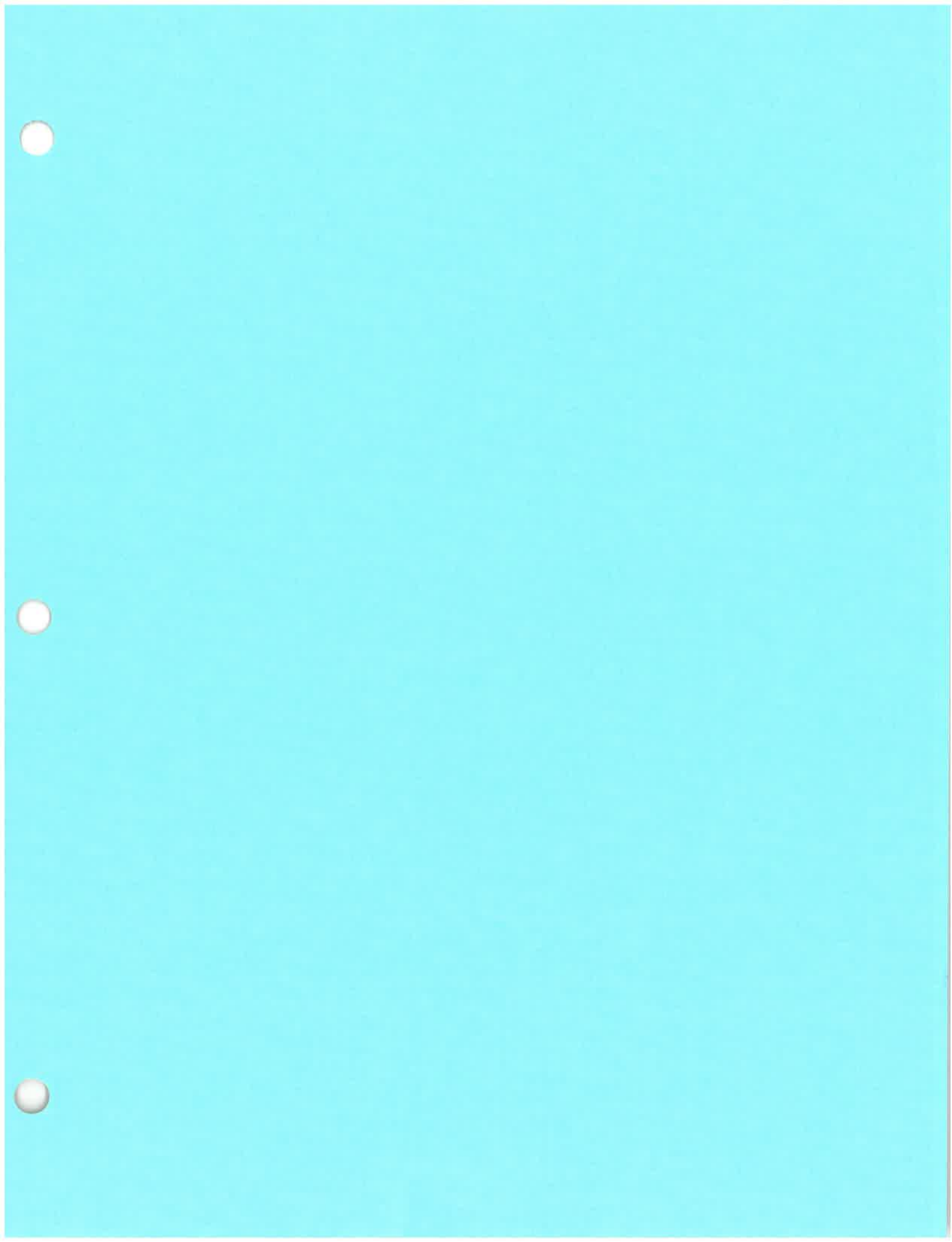
Arizona's ABS framework was intentionally designed as a permanent, forward-looking reform, not a provisional experiment. It should remain balanced, principled, and even-handed in its treatment of law firms operating under the Court's authority.

Thank you for your consideration of these comments and for your continued stewardship of Arizona's legal regulatory system.

Respectfully submitted,



Anudeep Sethee
Managing Director, LZ Legal Services



March 10, 2026

Via Email: mbrazil@courts.az.gov

Arizona Judicial Council
c/o Marquita Brazil
Manager ABS Program
Arizona Supreme Court
Office of Court Administrator
1501 W Washington, Suite 104
Phoenix, AZ 85007

Re: Proposed Modifications to ACJA Part 7 Section 7-209

Members of the Arizona Judicial Council:

I am the Compliance Lawyer for Ryan legal Services and have been actively involved with the Arizona ABS program for three years. I have reviewed the comments submitted in the letter from the State Bar of Arizona and I would like to respond with three concerns.

I. The State Bar May be Suggesting that ABS Firms Should be Required to Benefit Arizona Consumers

The State Bar letter concludes by saying, changes to ACJA § 7-209 should clearly reflect the court's direction that ABS licensure is jurisdiction-specific and contingent on advancing the **regulatory objectives** of Rule 33.1 and ACJA § 7-209 within Arizona and to the benefit of **Arizona consumers.**" (emphasis added).

While I do not disagree with rules that benefit Arizona consumers, nowhere does Rule 33.1 specifically mention benefitting **Arizona consumers** as a regulatory objective. There is no definition of who is a "consumer." For the reasons discussed below, the Judicial Council should be careful not to disenfranchise ABS firms by constructing new rules to "benefit Arizona consumers."

II. Concerns About ABS Advertising Should Not be Addressed with Wholesale Changes

My impression is the primary complaint raised in the State Bar letter concerns ABS advertising. Care should be taken not to make wholesale changes to regulate private party investment in law firm advertising. If the Judicial Council finds it necessary to reign in these campaigns, then it should pass rules directly addressing advertising and not handicap the entire ABS program as may have been proposed in the State Bar letter.

III. Tax Firms May be Unable to Practice If ABS Law Firms Are Required to Benefit Arizona Consumers

My firm practices tax law and does not advertise. A regulation requiring an ABS law firm to benefit Arizona consumers could have the unintended consequence of severely limiting a tax lawyer's

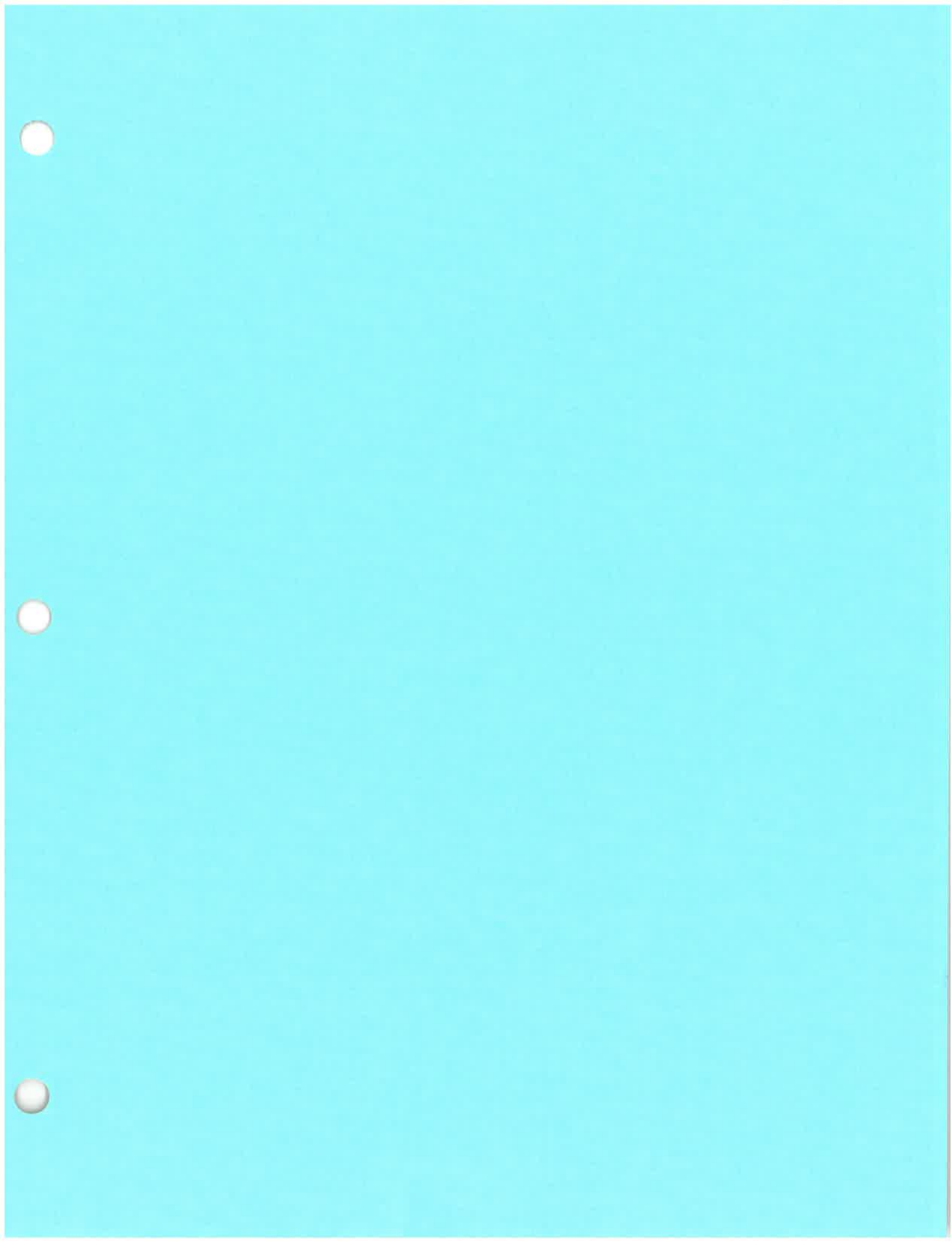
ability to service their client. Business taxpayers have multistate tax problems and tax attorneys address multistate issues through referral networks and co-counsel arrangements. A rule change that limits access to federal courts or multistate referrals will inhibit our ability to represent taxpayers. Please keep in mind that business taxpayers are experienced purchasers of legal services and may not be considered Arizona consumers.

Please let me know if you have any questions. Thank you for your time.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Nearhood". The signature is written in a cursive, flowing style.

Richard Nearhood
President, Ryan Legal Services, PLLC



MANIFEST



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help@manifestlaw.com

March 11, 2026

Arizona Judicial Council
Arizona Supreme Court
1501 W. Washington Street
Phoenix, Arizona 85007

***Re: Comment in Support of the ABS Committee's Proposed
Amendments to ACJA § 7-209***

Dear Members of the Arizona Judicial Council:

I submit this comment as a licensed Alternative Business Structure law firm operating under Arizona's ABS program. Since Manifest Legal Services LLC's application was approved in November 2024, our immigration law firm has invested significantly in legal technology and innovative service delivery models that have expanded access to legal services for Arizona consumers.

We write this letter in support of the proposed amendments submitted by the ABS Committee, including the "at least in part" language in § 7-209(E)(2)(a)(2). In addition, we write in opposition to the State Bar of Arizona's proposed standard, included in its February 17, 2026 comment, which would require that licensure benefit persons or entities in Arizona without qualification. **We oppose the State Bar's standard because we believe that not only would adopting this standard not protect Arizona consumers, it would end the program that currently serves them.**

We oppose the State Bar's proposed standards because implementing it would put ABS law firms at a disadvantage to all other Arizona law firms and would neuter one of the fundamental principles of the program, which is to empower consumers with increased and more affordable access to justice by enabling economical investment into scalable legal technology platforms. Building legal technology requires substantial upfront capital investment in infrastructure, compliance systems, and legal talent, which works best when those costs are spread across a broad client base. Permitting ABS law firms to serve clients wherever they are physically located (subject to the Arizona Rules of Professional Conduct) enables them to spread the upfront investments across all clients, and Arizona clients benefit from improved processes and pricing: high quality legal services can be delivered to Arizona consumers at a lower cost. This is simply how all businesses work: by spreading upfront investment across a diverse array of customers, thereby benefiting all customers. ABS law firms handle all kinds of legal services –

expungement, small claims court matters, criminal defense, immigration, intellectual property, landlord/tenant and more – and are just getting started in growing their practices and implementing technology and other business practices that will enable realization of the access to justice goals originally imagined by the Supreme Court in its championing the ABS Program.

Every other law firm in Arizona, traditional or otherwise, serves clients wherever they are located. No restriction prevents a traditional Phoenix firm from representing a client in Flagstaff and also one in Denver, nor does the State Bar request that firms limit or restrict their client mix. ABS law firms should be treated no differently. When the State Bar insists that licensure benefits persons or entities in Arizona, it is imposing a geographic nexus requirement that doesn't exist for other law firms, and expecting ABS law firms to build and sustain costly legal technology platforms on a fraction of the client volume needed to make that investment viable. Firms capable of improving access to legal services will not do it on those terms. They will go elsewhere, and Arizona consumers will lose the benefit of what they built.

Utah's experience is not, as the State Bar suggests, a positive model for Arizona; it is a cautionary tale if Arizona wants to have a functioning and useful ABS program. When Utah tightened its eligibility criteria and imposed a more restrictive in-state benefit requirement, its regulatory sandbox collapsed and the program has almost completely disappeared. Arizona, which maintained a flexible framework over the same period, grew from 19 authorized ABS entities to more than 150. What benefits a broader client base ultimately benefits Arizona consumers too, but only if the program remains viable enough to attract the firms doing that work.

We urge the Arizona Judicial Council to adopt the ABS Committee's proposed amendments as drafted. The "at least in part" standard requires a genuine Arizona connection without strangling the economic model that makes innovation possible. The State Bar's comment, if adopted, trades Arizona's national leadership for the same outcome Utah reached: a program that technically exists and practically does not. We are proof that the current program works. We ask the Council to preserve it.

Respectfully submitted,



Dan Mishin

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