

DRAFT MINUTES

FOR THE

ATTORNEY REGULATION ADVISORY COMMITTEE

Wednesday, June 12, 2019 9:30 a.m. – 11:30 a.m.
State Courts Building, 1501 West Washington Street, Phoenix, Arizona
Conference Room 109

Present

Justice Ann A. Scott Timmer, Chair
Hon. William J. O'Neil, Vice Chair
Hon. Lawrence Winthrop
Hon. Margaret Downie
J. Scott Rhodes
Maret Vessella

Telephonically Present

Maria Hubbard
Lisa Panahi
George Riemer
Elaine Sweet

Absent

Ben Click
Whitney Cunningham
David Lunn
Edward Novak

Staff

Mark Wilson
Kathy Curry
Kate Novak

Regular Business

9: 32 a.m. Call to Order

Justice Ann A. Scott Timmer, Chair

Business Items and Potential Action Items

No. 1 Review and Approve April 10, 2019 and April 24, 2019 Committee Minutes

Kathy Curry noted that the spelling of Judge Winthrop's name needs to be corrected in the April 10, 2019 minutes.

Motion: Approve April 10, 2019 and April 24, 2019 Committee Minutes with typographical error corrected.
Moved by: J. Scott Rhodes
Second: Hon. Margaret Downie
Carried: Passed 10-0-4

No. 2 Discussion and Possible Action re R-19-0011 Supplement to Petition

Kathy Curry presented. A Supplement to the Petition to Amend Rules 38, 39 and abrogation of Rule 40 (R-19-0011) has been drafted for Committee discussion and vote. The supplement is intended to correct cross references in Supreme Court Rules 38 and 39. It also has an amendment to the definition of “inactive member” that allows certification to provide pro bono legal services in keeping with proposed Rule 38(d).

Motion: Approve and file Supplement to Petition
Moved by: Scott J. Rhodes
Second: Hon. Lawrence Winthrop
Carried: Passed 10-0-4

No. 3 Subcommittee Updates

o Amendments to Rules 7.1-7.5 of the ABA Model Rules of Professional Conduct

Maret Vessella informed the Committee that a meeting is scheduled for June 13, which Lynda Shely, the former president of the Association of Professional Responsibility Lawyers, is attending to provide insight.

The subcommittee believes it will have a recommendation to present to the full Committee at the September meeting.

o Proactive Management Based Regulation (PMBR)

Maret Vessella presented. The subcommittee is meeting directly after this meeting to review PMBR materials, data, and history of implementation and use in other jurisdictions.

The subcommittee will have an update for the September committee.

No. 4 New Business

Mark Wilson presented.

The February 2019 Bar Exam results were officially released in May. The overall Arizona passage rate was 45%, and both in-state law schools fell within the 70% passage rate.

Additional information regarding Bar Exam scores is planned to be released to law schools without any identifying information.

No. 5 Call to Public

None.

Next Meeting: September 11, 2019
Adjourned: 9:42 a.m.