ANNUAL REPORT
OF THE
ATTORNEY REGULATION
ADVISORY COMMITTEE
TO THE
ARIZONA SUPREME COURT

APRIL __, 2018

ARIZONA SUPREME COURT
ATTORNEY REGULATION ADVISORY COMMITTEE (ARC)
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As of December 2017

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Attorney Member

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Attorney Member

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ATTORNEY REGULATION ADVISORY COMMITTEE
2017 ANNUAL REPORT
April ___

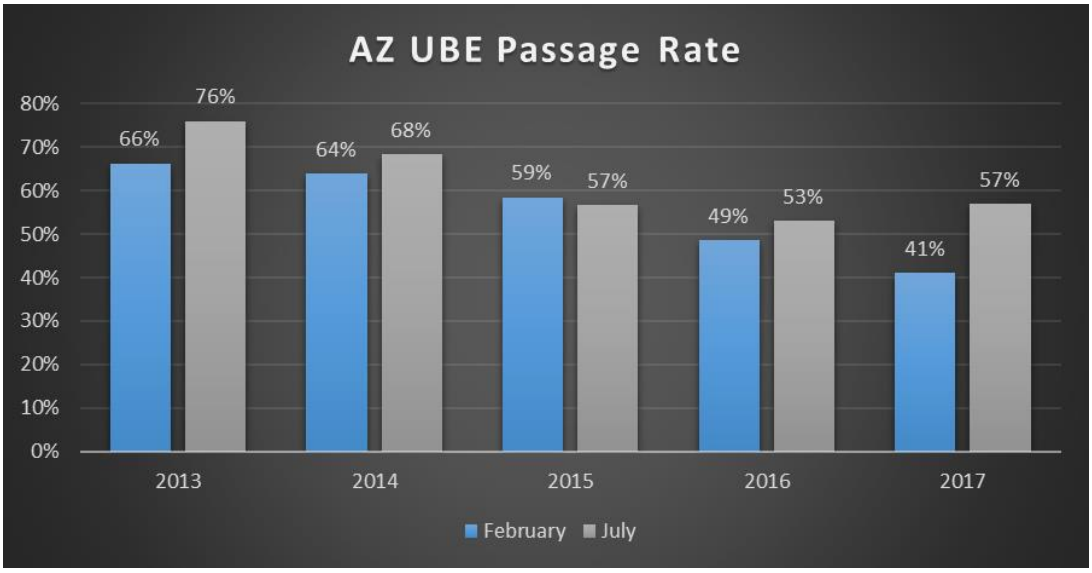
The Attorney Regulation Advisory Committee ("ARC") was established by the Supreme Court of Arizona to periodically review the entire attorney admission and discipline system for the Court and make recommendations for any further needed changes. (Administrative Order No. 2011-44). ARC's purpose is to review the rules governing attorney examination, admissions, reinstatement, and the disability and disciplinary processes and make recommendations regarding these rules "to reinforce lawyer competency and professionalism and strengthen the Supreme Court's oversight of the regulation and practice of law in this state." The Court directed ARC to submit an annual report each year by April 30. That report "shall contain case statistics on the processing of attorney admission and discipline cases and recommendations on specific issues addressed by the Committee. This report is respectfully submitted for the 2017 calendar year.

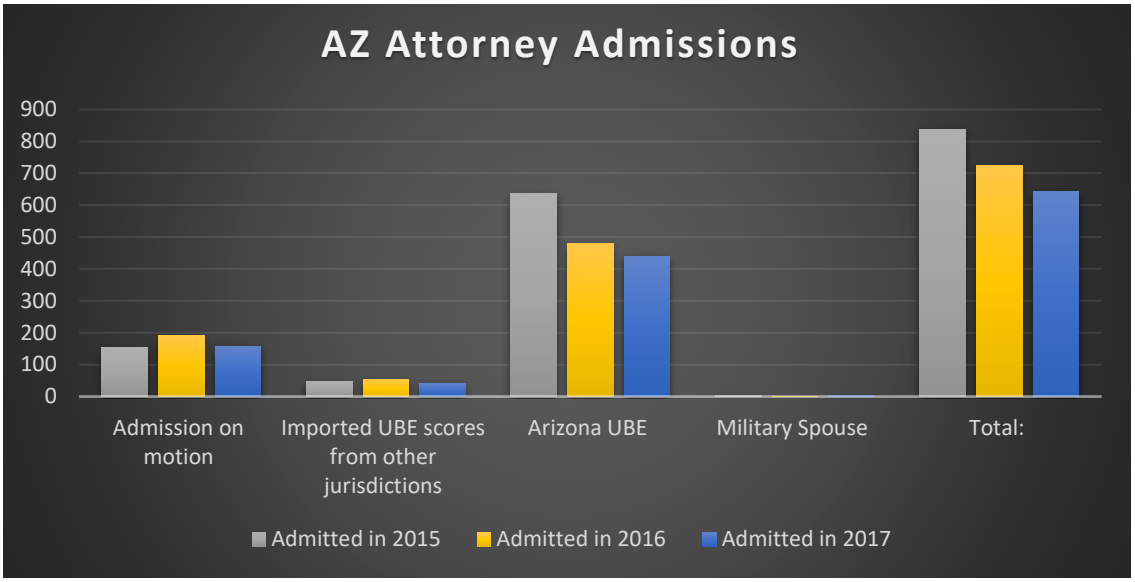
Comparative Number of Attorneys Licensed in Arizona

1990	2000	2010	2015	2017
7,579	12,991	21,374	23,794	24,261

I. The Examination/ Admission Process and Statistics Update

Arizona adopted the Uniform Bar Examination ("UBE") in 2012 and has testing opportunities twice a year in February and July. A total of 484 applicants passed the Arizona Uniform Bar Examination in 2017, yielding an overall pass rate of 50%. 642 new attorneys were admitted in 2017: 158 by admission on motion, 42 via imported UBE scores earned elsewhere, 2 military spouse admission and 440 by exam.





In 2017, a total of 249 applicants who tested in Arizona requested their UBE scores be transferred to 21 different jurisdictions, the most frequently to:

40	District of Columbia
30	Washington
37	New Mexico
35	New York

A total of 89 UBE applicants requested their scores be transferred into Arizona. Jurisdictions with the most frequently imported scores were:

19	Colorado
12	Utah
11	Washington
10	New Mexico

Character and Fitness:

Each applicant for admission must submit a detailed Character and Fitness Report. The Committee on Character and Fitness is charged with reviewing and, as necessary, investigating issues raised by these reports. As part of that process, and in compliance with the 2015 guidelines established by the Arizona Supreme Court, the Committee held a total of 40 informal proceedings in 2017, with the following results:

Informal Inquiries in 2017	
Outcomes	**Number of Inquiries**
Regular Admission	30
Conditional Admission	4
Referred for Formal Hearing	3
Withdrew Application	2
Pending	1
Deferred	0
Denied	0
Conversion	0
Total	**40**

20 investigations in 2017 resulted in formal proceedings, with the following results:

Hearings in 2017	
Outcomes	**Number of Hearings**
Regular Admission	9
Conditional Admission	3
Denied Admission	4
Withdrew Application	1
Pending	3
Total	**20**

In 2017, the Chairs of the Character and Fitness and Examinations Committees responded to petitions for review regarding the following issues:

Committee on Character and Fitness Response to Petitions for Review		
Issues	**Requests**	**Action by Supreme Court**
Waiver of ABA JD Requirement	5	5 granted
Extend Five-Year Requirement for Admission	6	6 granted
Waiver AOM Practice Requirement	4	3 granted; 1 Withdrew
AOM-Diploma Privilege	0	
Comply with MPRE	3	1 granted, 2 denied
Motion to seal	4	3 granted; 1 denied
Reconsideration	0	
Total	**22**	**19 granted/2 denied/1 Withdrew**

Committee on Examinations Response to Petitions for Review		
Issues	**Requests**	**Action by Supreme Court**
Denial of Testing Accommodations	1	1 denied
Extraordinary Circumstance, Overturn Failing Exam Score	7	7 denied
Total	**7**	**7 denied**

Other Admissions Issues

Early Examination

In 2012, the Court approved a pilot program of early testing for law students in their last semester of law school, provided the semester was structured to allow for study and student engagement. The Supreme Court officially amended Rule 34 to allow early testing as a permanent admission option effective January 1, 2017. Applicants from any law school, certifying the student qualifies as an early tester, may apply to sit as a third-year student. Of the three Arizona law schools*, the University of Arizona consistently has the highest number of applicants apply as early testers. The overall statistics for 2017 are indicated in the chart below.

EARLY EXAM	Total Participants	Passed Exam	Pass Rate
February 2017	27	18	66%
University of Arizona	19	13	68%
Arizona State University	7	5	71%
July 2017	1	0	0%
University of Arizona	1	0	0%

*There were no early testers from Arizona Summit in 2017

II. Lawyer Regulation

Administrative Order 2011-44 directs that the annual ARC report "shall contain case statistics on the processing of attorney regulation cases."

Statistical Summary

The following comparative statistics are provided by the State Bar of Arizona, the Attorney Discipline Probable Cause Committee ("ADPCC") and the Presiding Disciplinary Judge ("PDJ"). The State Bar, ADPCC and the PDJ have distinct responsibilities and capture data in slightly different ways to best reflect the performance of those responsibilities. The differences in the manner in which data has been captured is described in footnotes. The statistics provide a snapshot of the regulatory process, from intake and processing of complaints, investigation and resolution, either through closure, consent, presentation to and disposition by the ADPCC, and through the formal complaint process with orders issued by the PDJ, and review by the Arizona Supreme Court.

Number of Attorneys Licensed to Practice:		
2015	**2016**	**2017**
23,794	24,088	24,261

Summary of Regulatory Action Taken[1]			
	2015	**2016**	**2017**
Disbarred	12	12	21
Suspended	39	37	44
Reprimanded	25	24	20
Number of Informal Sanctions	80	66	85
Number of Diversions	86[2]	71[3]	93
Number of Dismissals with Comment	186	178	204

1. Intake and Investigative Process

The Intake process is designed to achieve two specific goals: (1) resolve the greatest number of inquiries/charges at the earliest stage of the process, and (2) expeditiously move the most serious charges of misconduct into the investigation phase.

Complainants are encouraged to talk with an Intake lawyer before submitting a written charge. This approach has personalized the process and has allowed for a better and timelier evaluation of the complainant's concerns. Many charges received by Lawyer Regulation represent allegations of low-level misconduct (such as lack of communication with the client) that can be appropriately resolved by means of providing instruction to the lawyer, or directing the lawyer to resources that will quickly resolve the issue.

The system provides for immediate outreach to complainants and lawyers, which provides opportunities for lawyers to resolve the issue and complainants to receive an expedient resolution.

[1] This chart represents final orders as of December 31, 2017.

[2] This number includes 5 diversions that were finalized in the Intake process rather than as a result of an ADPCC order.

[3] This number includes 3 diversions that were finalized in the Intake process rather than as a result of an ADPCC order.

In all cases where the State Bar decides not to proceed to investigation, the rules require an explanation to complainants regarding that decision.

The charges that are not resolved in Intake are moved on to investigation. The process of determining what charges are referred for investigation usually includes securing a written statement from the complainant and often includes gathering additional information.

Intake and Investigation			
	2015	**2016**	**2017**
Total charges received	3,127	3,569	3,221
Number of charges referred to investigation	664	744	609
Number of lawyers investigated relative to the charges referred	391	499	428
Percentage of complaints resolved in Intake (closed)	81%	71%	76%
Average days to resolve complaints in Intake (closed)	27	27	23
Average days to refer from Intake to Investigation	27	28	24
Average days for investigation	200	161	180

2. Attorney Discipline Probable Cause Committee

The Attorney Discipline Probable Cause Committee is a permanent committee of the Supreme Court. (*See* Rule 50.) The ADPCC has three public members and six attorney members, and it meets monthly to review the Bar's recommendations on charges. This committee is the gatekeeper for the discipline system, and it benefits from the public members' participation and their insight. After deliberation, the ADPCC may direct bar counsel to conduct further investigation, dismiss the allegations, or order one or more of the following: diversion, admonition, probation, restitution, and assessment of costs and expenses.

Additionally, if the committee believes the ethics violation(s) in question could justify the imposition of a reprimand, suspension or disbarment, it can authorize the State Bar to file a formal complaint with the Presiding Disciplinary Judge.

Before each monthly meeting, the State Bar provides each respondent with a written report of investigation that includes the Bar's recommendation on the case. Respondent may provide a written response to the ADPCC.

Pursuant to Rule 55(b)(2)(B), the State Bar also informs the complainant of the recommendation and the right to submit a written objection to that recommendation.

At each meeting, the Bar presents its cases orally and ADPCC members may ask questions, request additional facts, challenge the Bar's recommendations or offer their own recommendations. In 2017, the ADPCC rejected or modified the State Bar's recommendation in ~~30~~29 cases. In 12 cases, the ADPCC increased the severity of the recommended sanction or disposition. In ~~18~~17 cases, it decreased the State Bar's recommended sanction or disposition. The ADPCC meetings are confidential, and are not open to respondents, complainants or the public.

The ADPCC organizes its statistics in a slightly different format from that of the State Bar, tracking the number and types of orders issued:

Number of Matters[4] the ADPCC Reviewed and Number of Orders Issued			
	2015	**2016**	**2017**
Number of Matters Reviewed	413	363	~~385~~384
Number of Probable Cause Orders Authorizing a Formal Complaint	172	169	~~122~~121
Number of Orders of Admonition	62	61	62
Number of Orders of Restitution	26	4	24
Number of Orders of Diversion	81	70	90
Denial of Appeals from State Bar Orders of Dismissal	49	42	40
ADPCC increased recommended sanctions (by charge)	3	10	12
ADPCC decreased recommended sanctions (by charge)	12	12	18

[4] A "matter" is defined as a State Bar action that results in an ADPCC order, and may involve multiple charges. The statistics in this chart are calculated on a calendar year.

Contested ADPCC Orders and Disposition:

Pursuant to Rule 55(c)(4)(B), attorneys receiving an order of diversion, stay, probation, restitution, admonition or assessment of costs and expenses may contest that order by demanding formal proceedings be instituted. In that event, the ADPCC order is vacated, and the State Bar files a formal complaint with the PDJ. In 2017, the following orders were appealed and converted to formal cases, with the following results:

16-1292	contested Admonition order; **result:** Admonition
15-2696	contested Admonition order; **result:** Admonition
16-4199	contested Restitution order; **result:** Suspension
16-3097	contested Admonition order; **result:** Dismissed
16-2660	contested Admonition order; **result:** Admonition
16-2294 & 16-3000	contested Admonition order; **result:** Dismissed
16-2308	contested Admonition order; **result:** Diversion; Proceeding in abeyance
16-0083	contested Admonition order; **result:** Diversion
16-2397 & 16-2430	contested Admonition order; **result:** Formal Complaint not yet filed with PDJ

3. Formal Cases

Office of the Presiding Disciplinary Judge

The Presiding Disciplinary Judge (PDJ) presides over attorney regulation proceedings. The Chief Justice appoints a pool of volunteer attorney and public members to serve on hearing panels. Each three-member hearing panel is comprised of the Presiding Disciplinary Judge, one volunteer attorney member and one public member assigned by the disciplinary clerk. The hearing panels have statewide jurisdiction over proceedings on complaints of misconduct, applications for reinstatement, contempt and any other matters designated by the Court. In those matters, the hearing panels prepare findings of fact and conclusions of law. In discipline proceedings, the hearing panel issues a final judgment, subject to appeal to the Court. While their judgments are final they do not serve as *stare decisis* precedent for future cases nor constitute law. In reinstatement matters, the hearing panel makes a report and recommendation to the Court. The disposition of the matter by the Court establishes the finality of each report and recommendation. The Office of the Presiding Disciplinary Judge is comprised of three individuals, Judge William J. O'Neil, Paralegal, Michele Smith and Disciplinary Clerk, Amanda McQueen. The decisions of the PDJ or the hearing panels can be found online at: http://www.azcourts.gov/pdj.

Under Rule 46(f)(1), the disciplinary clerk is designated by the Court to be the custodian of the record in all discipline, disability, and reinstatement proceedings and maintains the record. Under Supreme Court Rule 51, the PDJ may impose discipline on an attorney, transfer an attorney to and from disability inactive status and serve as a member of a hearing panel in discipline, disability proceedings and reinstatement hearings.

Formal matters include complaints, direct consent agreements, petitions for reinstatement, petitions for interim suspension and petitions for transfer to disability. The PDJ also reviews and issues orders on reciprocal proceedings and affidavit- based reinstatement requests under Rule 64. Rule 64 reinstatements do not require a hearing, however they allow for State Bar objections and require the approval of the PDJ.

Pursuant to Rule 58(j), Ariz. R. Sup. Ct., all discipline hearings on the merits were completed within 150 days of the filing of the complaint, with one exception. Due to the schedules of counsel, a stipulation was entered to extend time. It was completed in 158 days.

The use of hearing panels has provided additional public insight and participation for the lawyer regulation system that protects the public and provides transparency. The PDJ has the authority to issue a final judgment or order imposing any sanction, including disbarment. Statistically, using the PDJ has streamlined the processing of formal proceedings.

"Formal matters" reflected in the chart below include both formal complaints, pre-complaint consent agreements and reciprocals. For some matters, such as agreements, it should be noted that the PDJ's Office organizes its statistics in a slightly different format from that of the State Bar.

Number of Formal Matters, Consent Agreements, Interim Suspension, and Reciprocal cases for the Past Three Years			
	2015	**2016**	**2017**
Formal Matters	97	85	88
Pre-Complaint Consent Agreements	41	26	25
Post-Complaint Consent Agreements	32	22	40~~30~~
Interim Suspension	3	6	6
Reciprocal Discipline	4	6	6

Average Time for Formal matters: These include formal complaints, pre-complaint consent agreements and reciprocals. Pre-complaint consent agreements may be filed in lieu of a formal complaint. Pre-complaint consent agreements are a subset of the numbers in the formal-matters row. The charts below describe the average time from formal complaint to decision for all cases, contested cases, consent agreements and defaults.

Average Time from Formal Complaint to Decision Order for All Types of Cases			
	2015	**2016**	**2017**[5]
Number of Days	91	108	122 (118.5[6])

Average Time from a Formal Complaint to Decision Order for Contested Cases			
	2015	**2016**	**2017**
Number of Days	131	148	164.5 (157[6])

Average Time from a Formal Complaint to Decision Order for Default Cases			
	2015	**2016**	**2017**[5]
Number of Days	89	88	97.5 (94.5[6])

Average Time from a Formal Complaint to Final Order for Consent Agreements			
	2015	**2016***	**2017**
Number of Days	52	107	116

***Consent agreements**: As in 2016, the average time entering consent agreements from the filing of the formal complaint to final order increased. While amended complaints are rare, they typically also extend the hearing date. As in 2016, many agreements were filed shortly before hearing, extending the average time for resolution.

Sanctions or Outcomes: Matters handled by the PDJ may result in various sanctions or outcomes including discipline, diversion or dismissal; protective orders; resignation orders; and reinstatements. The charts below describe the sanctions or outcomes for the last three years. ADPCC informal sanctions include Orders of Admonition, Restitution and Probation.

[5] The 2017 average time was modified to remove the Rorex matter, which was stayed for 324 days due to his transfer to inactive disability status.

[6] Three matters contained amended complaints. The average time was calculated using the start date of when the amended complaints were filed instead of the initial complaint date. The average time was primarily increased by requests by parties for written closing arguments and transcripts.

Sanctions & Outcomes[7]			
	2015	**2016**	**2017**
Disbarment	13	14	18
Suspension	39	41	44
Reprimand	25	24	21
Hearing Panel Dismissals	2	2	6
Informal Sanctions by ADPCC	80	66	86
Diversions by ADPCC	86	71	91

Protective Orders Issued by PDJ[8]			
	2015	**2016**	**2017**
Number of Protective Orders	54	69	59

Resignation Orders in Lieu of Reinstatement Issued by PDJ			
	2015	**2016**	**2017**
Number of Resignation Orders	2	7	15

Rule 64 & Rule 65 Reinstatement Applications			
	2015	**2016**	**2017**
Rule 64 (e)[9]	7	15	13
Rule 65[10]	10	6	13

[7] This chart provides statistics of decisions issued by the Presiding Disciplinary Judge as of December 31 of the corresponding year and may include orders that were on appeal to the Supreme Court.
[8] Protective Orders typically address concerns of public disclosure of confidential or personal information.
[9] Suspensions of six months or less.
[10] Suspensions of six months and one day or more.

Rule 65 Reinstatements Filed, Pending or Concluded in 2017 with Status			
Cause Number*	**Applicant**	**Recommendation by Hearing Panel**	**Status** (As of date of report)
2014-9003	Witt	Reinstate	Reinstated 11/16/17
2015-9114	Abrams	Reinstate	Reinstated 11/16/17
2016-9045-R	Reynolds	Reinstate	Reinstated 2/15/17
2016-9097-R	Torre	Reinstate	Denied 3/23/18
2016-9110-R	Abujbarah	Reinstate	Reinstated 9/11/17
2017-9013-R	Solot	Reinstate	Reinstated 12/11/17
2017-9027-R	Inserra	None	Dismissed 4/17/17
2017-9032-R	Fish (Wilson)	Reinstate	Reinstated 10/17/17
2017-9037-R	Kramer	Reinstate	Reinstated 1/10/18
2017-9046-R	Waterman	Reinstate	Reinstated 9/11/17
2017-9055-R	Vingelli	Reinstate	Reinstated 2/13/18
2017-9060-R	Bridge	Reinstate	Reinstated 11/16/17
2017-9063-R	Maldonado	Reinstate	Reinstated 10/17/17
2017-9080-R	Torres (Gonzalez)	Reinstate	*Pending with Supreme Ct*
2017-9101-R	Ward	Reinstate	*Pending with Supreme Ct*
2017-9104-R	Hensel	N/A	Withdrawn 9/27/17
2017-9111-R	Standage	Reinstate	*Pending with Supreme Ct*
2017-9121-R	Geller	Reinstate	*Pending with Supreme Ct*

* The Cause number assigned identifies the year the application was filed.

Appeals to the Supreme Court: Sanctions or outcomes of matters handled by the PDJ may be appealed to the Supreme Court. The chart below describes the notices of appeal and special actions filed with the Disciplinary Clerk in 2017.

2017 Notices of Appeal filed with the Disciplinary Clerk, with Status			
Cause Number	**Case Name**	**Action or Sanction**	**Status** (As of Date of Report)
2015-9074	Alexandrovich	Reprimand; Denying disqualification of panel member	*Pending with Supreme Ct*
2016-9077	McCulloch	60 days suspension	Appeal Withdrawn
2016-9116	Levine	90 days suspension	Decision Affirmed
2017-9015	Thomas	Rule 61 susp. (Special action)	Appeal Denied
2016-9131	Drake	~~1 year~~1-year suspension	Appeal Dismissed
2016-9127	Earle	Disbarment	Appeal Denied
~~2016-9128~~	~~Phillips~~	~~Denied Motion in Limine~~	~~Overturned/Case settled~~
2016-9114	De~~B~~brigida	Dismissed	~~Remanded for Supp FOF~~ *Pending with Supreme Ct*
2016-9089	Henderson	Reprimand	*Pending with Supreme Ct*
2017-9053	Thomas	Default (Special action)	Appeal Declined
2017-9053	Thomas	6 months, 1-day suspension	Appeal Dismissed
2017-9033	Levine	90 days suspension	Appeal Denied
2017-9035	Drake	Disbarment	Appeal Dismissed
2017-9070	Charles	Dismissed	*Pending with Supreme Ct*
2017-9071	Yosha	90 days suspension	*Pending with Supreme Ct*
2017-9044	Martinez	Dismissed	Remanded for Supp FOF

4. Independent Bar Counsel

In 2001, the State Bar Board of Governors created a volunteer Conflict Case Committee ("Committee") to timely process, investigate and prosecute all aspects of disciplinary matters that, because of the involvement (as applicants, complainants, respondents, material witnesses, or otherwise) of lawyers or others connected with the lawyer discipline system or the State Bar Board of Governors, should not be handled by counsel in the State Bar Lawyer Regulation Office due to conflict of interest concerns. Effective January 1, 2011, the Arizona Supreme Court substantially modified Arizona's lawyer discipline system, eliminating the Hearing Officer and Disciplinary Commission positions that generated much of the Committee's work, and replacing the State Bar Probable Cause Panelist with the Attorney Discipline Probable Cause Committee. The Court further determined that the timely, fair and impartial resolution of the cases previously assigned to the Committee and similar cases would be improved by devoting personnel and administrative resources in addition to those available using volunteers.

Accordingly, by Administrative Order 2014-11, the Court established the position of Independent Bar Counsel ("IBC"), and appointed a volunteer attorney panel to assist as necessary with the investigation and prosecution of matters assigned to IBC by the State Bar. The IBC reports quarterly to the chair of the ADPCC as to the status of all matters pending, and issues a report annually generally describing the nature and disposition of qualifying matters resolved during the preceding year. The annual report also allows IBC to make any recommendations for improving Arizona's lawyer admission, discipline, disability and reinstatement procedures. The following is the IBC report for 2017.

Independent Bar Counsel's Report Pursuant to Admin. Order 2016-44, 6(b)

6(b)(i) General description of the nature and disposition of Qualifying Matters resolved by Independent Bar Counsel during the preceding year.

This report includes cases for calendar year 2017. During that time, Independent Bar Counsel ("IBC") received a total of eight (8) new complaints. While this is double the amount of new complaints received in 2016, it is still fewer than those received in 2015 and 2014.[11]

Below is a breakdown showing details regarding the nature of the qualifying matter:

4(a)(i) (Board member)	4(a)(ii) (State Bar staff)	4(a)(iii) (ADPCC member)	4(a)(iv) (lawyer previously with the State Bar)	4(a)(v) (Hearing Panel member)	4(b) (Other matters assigned by Chief Justice)	4(c) (Related matter)	4(d) (Hearing Panel members)
2	1	0	0	1	1	3	0

[11] IBC received fifteen (15) complaints in 2015 and twenty-one (21) complaints in 2014.

Two (2) matters were carried over from 2016 and a total of five (5) cases were resolved in 2017 with the following breakdown:

Disbarment	Suspension	Reprimand	Admonition	Diversion or "other appropriate action" per Rule 55(a)(2)(B)	Dismissal with Comment	Dismissal by IBC
0	0	1	1	1	2	0

One matter is currently being appealed and a resolution is expected soon. Four matters remain under active investigation.

6(b)(ii) IBC's recommendations for improvements to Arizona lawyer admission, discipline, disability and reinstatement procedures.

IBC has not yet had an opportunity to become involved in matters of lawyer admission, disability or reinstatement proceedings and consequently has no recommendations other than remind those involved with lawyer admission, disability or reinstatement that she is available to assist.

Regarding the attorney discipline process, IBC suggests complaints about attorneys currently employed by the State Bar, be made to IBC's office. Currently, if a member of the public seeks to file a complaint against a State Bar attorney, he or she is instructed to file his or her complaint with the State Bar.

Although IBC believes that the State Bar promptly turns over complaints received to ADPCC for a Rule 48(m) hearing,[12] members of the public may feel more confident that their complaint will be heard by submitting it to an office other than the State Bar, even though IBC would have the same obligation to refer the matter to ADPCC under Ariz. R. Sup. Ct., Rule 48(m). This recommendation is not a substantive change, but an administrative change for the purpose of instilling more confidence in members of the public. IBC believes this would be consistent with the purpose underlying the creation of this position in Administrative Order 2016-44.

In addition to work investigating qualifying matters under Admin. Order 2016-44, IBC spent the balance of her time as acting disciplinary counsel, investigating complaints about judges made to the Commission on Judicial Conduct ("CJC"). This activity is authorized by paragraph 2 of Admin. Order 2016-44.[13] IBC also helped investigate one matter regarding a fiduciary licensee for the Certification & Licensing Division.

[12] Ariz. R. Sup. Ct. Rule 48(m) provides in part that bar counsel, "are immune from any charge or discipline complaint alleging ethical misconduct that arises out of an administrative act performed in the exercise of discretion under the authority granted under these rules. No charge or disciplinary complaint against such persons may be docketed for filing by the state bar or be part of any person's disciplinary history absent a finding by the committee that the charge or complaint alleges one or more violations of the Rules of Professional Conduct."

[13] IBC investigated and analyzed 67 of the CJC's 332 cases in 2017 or 20%. She also provided two training sessions regarding the Code of Judicial Conduct and performed other work for the CJC.

III. ARC Action on Rule-Change Petitions

During 2017, ARC participated in drafting portions of proposed rule changes or provided comments on the following rule petitions:

R-16-0042: Arizona Uniform Bar Examination eligibility as graduate of online law school
R-16-0047: Rule 38 Simplifying requirements for in-house counsel to volunteer for approved legal services organizations
R-17-0005: Rule 50 Attorney Discipline Probable Cause Committee Member Term Limit
R-17-0008: State Bar Acceptance of electronic application for Pro Hac Vice
R-17-0011: Rule 38 In-House Counsel definition clarification

IV. Potential Issues for ARC in 2018

ARC has identified the following issues in the attorney discipline and admissions areas that it intends to explore for the upcoming year:

- Review of Rule 38 and, in particular, the requirements related to the registration of and subsequent regulation of legal service organizations.
- Review of Rule 34 related to active practice and application process for Admission on Motion; the number of examination attempts prior to Committee on Examination approval and number of examination attempts of UBE Score Transfer applicant and accommodation request processing.
- Review of Rule 49 regarding disciplinary notices and publication requirements
- Consider Proactive Management Based Regulation and Foreign Lawyer Admission
- Such other matters as may be referred to the Committee by the Supreme Court.