

Hon. Ann A. Scott Timmer, Chair
Attorney Regulation Advisory Committee
Arizona Supreme Court
1501 W. Washington St.
Phoenix, AZ 85007

**IN THE SUPREME COURT
STATE OF ARIZONA**

In the Matter of:)
) Supreme Court No. R-20-0007
)
PETITION TO AMEND RULE 38,) Comment of the Attorney Regulation
RULES OF THE SUPREME COURT) Advisory Committee in Support of
OF ARIZONA) Proposed Rule Change
)
)
_____)

Pursuant to Rule 28, Rules of the Supreme Court of Arizona, the Attorney Regulation Advisory Committee submits the following comment in support of Rule Petition R-20-0007.

I. INTRODUCTION

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). In that regard, ARC is often involved in reviewing current and proposed rules governing attorney regulation, including examination, admissions, reinstatement, and the

disability and disciplinary processes and making 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 Attorney Regulation Advisory Committee consists of 15 members, including lawyers, judges and members of the public. At its regularly scheduled meeting on March 10, 2020, the Committee met to consider a number of pending rule change petitions, including R-20-007, and to determine whether a formal comment concerning such petition was appropriate.

II. RULE CHANGE PETITION R-20-0007

The stated purpose of this proposed rule change is to more clearly allow recent law school graduates to engage in the limited practice of law, under appropriate supervision by an Arizona licensed attorney, for a discrete period of time following graduation from an accredited law school. That certification is dependent upon a number of conditions, as identified in the proposed rule, and requires the law graduate so certified to take the next available uniform bar examination.

The certification and authorization to engage in the limited practice of law terminates (1) 30 days after the law graduate is informed he/she has successfully passed that bar examination, and has been advised by the Arizona Supreme Court of approval for admission to practice and eligibility to take the oath of admission;

or (2) immediately upon being informed that the certified law graduate has been unsuccessful in passing the uniform bar examination; (3) upon failing to meet the requirements for established by the Committee on Character and Fitness, or (4) is otherwise denied admission to the practice of law.

The Attorney Regulation Advisory Committee supports this rule change petition for the following reasons. First, as noted in the petition, the proposed rule changes more clearly sets out the program requirements and practice restrictions for both certified law students and certified law graduates in a consistent and complete manner, and clarifies the responsibilities of the Arizona lawyers who are supervising certified law students and certified law graduates.

Second, this limited practice experience can constitute an effective transition from law school to practice, providing the qualifying law graduate with valuable training and experience pending the taking and successful completion of the uniform bar examination and admission process.

Third, the proposed rule clearly prohibits charging any client for work done by the certified law graduate, and ARC believes this provides an incentive for the delivery of supervised *pro bono* legal services to Arizona's vulnerable populations who cannot afford the cost of same.

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The Attorney Regulation Advisory Committee recommends that the Arizona Supreme Court approve Rule Change Petition R-20-0007.

RESPECTFULLY SUBMITTED this ____ day of March, 2020.

Hon. Ann A. Scott Timmer, Chair
Attorney Regulation Advisory Committee

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