

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-17-0008
RULE 39, ARIZONA RULES OF)
THE SUPREME COURT) **FILED 08/31/2017**
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_____)

**ORDER
AMENDING RULE 39, RULES OF THE ARIZONA SUPREME COURT**

A petition having been filed proposing to amend Rule 39, Rules of the Arizona Supreme Court, and a comment having been received, upon consideration,

IT IS ORDERED that Rule 39, Rules of the Arizona Supreme Court, be amended in accordance with the attachment hereto, effective January 1, 2018.

DATED this 31st day of August, 2017.

_____/S/_____
SCOTT BALES
Chief Justice

TO:

Lisa M Panahi

Rule 28 Distribution List

ATTACHMENT*

Rule 39. Admission Pro Hac Vice

(a)-(b) [No change in text.]

(c) **Procedure for Applying.** Appearance pro hac vice in a cause is subject to the discretion and approval of the court, board, or administrative agency where such cause is pending. A non-member attorney desiring to appear pro hac vice under this rule shall comply with the procedures set forth herein for each matter where pro hac vice status is requested. For good cause shown, a court, board, or administrative agency may permit a non-member attorney to appear pro hac vice on a temporary basis prior to the completion by the non-member attorney of the application procedures set forth herein. At the time such temporary admission is granted, the court, board, or administrative agency shall specify a time period for the non-member attorney to complete the application procedures, and any temporary pro hac vice admission shall be revoked in the event of subsequent failure by the non-member attorney to so complete the application procedures.

1. *Verified Application to State Bar of Arizona.* In order to appear as counsel in any matter pending before a court, board, or administrative agency in the State of Arizona, a non-member attorney shall:

A. File with the State Bar of Arizona ~~an original and one copy of a~~ the non-member attorney's verified application together with a certificate from the state bar or from the clerk of the highest admitting court of each state, territory or insular possession of the United States in which the non-member attorney has been admitted to practice law certifying the non-member attorney's date of admission to such jurisdiction and the current status of the non-member attorney's membership or eligibility to practice law therein; and

B. [No change in text.]

2. *Notice of Receipt by State Bar of Complete Application.* Upon receipt of the verified application and fee from the non-member attorney as described above, the State Bar of Arizona shall issue to local counsel a Notice of Receipt of Complete Application that states: (1) whether the non-member attorney has previously made any application or motion pursuant to this rule within the preceding three years; (2) the date of any such application or motion; and (3) whether the application or motion was granted or denied by the court or administrative agency. The State Bar of Arizona Notice shall include as exhibits: (1) the ~~original~~ verified application and (2) the ~~original~~ certificate(s) of good standing. The State Bar shall retain copies of verified applications, certificates of good standing and orders

* Additions to text are indicated by underscoring and deletions by ~~strikeouts~~.

granting, denying or revoking applications to appear pro hac vice for three (3) years.

3.-4. [No change in text.]

d. Verified Application. The verified application required by this rule shall be on a form approved by the Arizona Supreme Court and available from the State Bar of Arizona and at the clerk of the court, board, or administrative agency where such cause is pending and shall state:

1.-13. [No change in text.]

e.-1. [No change in text.]