

IN THE SUPREME COURT OF THE STATE OF ARIZONA

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In the Matter of:	)	
	)	
ARIZONA CODE OF JUDICIAL	)	Administrative Order
ADMINISTRATION § 7-201:	)	No. 2014 - <u>74</u>
GENERAL REQUIREMENTS	)	(Affecting Administrative
	)	Order No. 2007-103)
	)	

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An amendment to the above-captioned section of the Arizona Code of Judicial Administration having come before the Arizona Judicial Council on June 23, 2014, and having been approved and recommended for adoption,

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that Arizona Code of Judicial Administration § 7-201 is amended as indicated on the attached document. All other provisions of § 7-201, as originally adopted, remain unchanged and in effect.

Dated this 9th day of July, 2014.

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SCOTT BALES  
Chief Justice

**ARIZONA CODE OF JUDICIAL ADMINISTRATION**  
**Part 7: Administrative Office of the Courts**  
**Chapter 2: Certification and Licensing Programs**  
**Section 7-201: General Requirements**

**A. through F. [No changes]**

**G. Renewal of Certification.**

1. Expiration Date. Certificates expire on the date specified by the applicable section of the ACJA except as otherwise provided in this section. All certificates shall continue in force until expired, voluntarily surrendered, placed on inactive status, suspended or revoked.
2. Application. A certificate holder is responsible for applying for a renewal certificate. The certificate holder shall apply for renewal of certification on the form provided by division staff. The board shall set a deadline renewal application date, in advance of the expiration date, to allow a reasonable time frame for processing the renewal application.
  - a. When a certificate holder has filed a timely and complete renewal application ~~for the renewal of certification~~, the existing certification does not expire until the administrative process for review of the renewal application has been completed.
  - b. When a certificate holder requests to file an untimely renewal application, the division director may process the untimely application and recommend to the applicable Board to renew a certificate if the untimely renewal applicant demonstrates to the director good cause for the untimely filing. In addition, the following shall apply:
    - (1) The applicant shall submit a complete renewal application and applicable fees, and any other documentation requested by division staff to verify the grounds for the good cause exception requested.
    - (2) The applicant shall not practice in the applicant's profession:
      - (a) until the director decides in writing based on good cause to process the application or
      - (b) if the director decides not to process the untimely application, until an initial application is processed and the applicant is granted certification pursuant to the AJCA § 7-201(E) and the applicable sections of §§ 7-202 through 7-208.
  - c. When a timely ~~If the~~ renewal application is denied, the existing certification does not expire until the last day for seeking a hearing on the denial decision ~~to deny~~, pursuant to subsection (E)(2)(c)(5); or if a hearing is requested, until the final decision is made by the board pursuant to subsection (H)(25).
  - ~~b~~d. The board may request an informal interview with the applicant for renewal, pursuant to subsection (D)(5)(c)(2)(b), to establish if additional information or an explanation of the information provided by the applicant is needed to determine if the applicant

continues to meet the qualifications for certification in this section and the applicable section of the ACJA.

~~de.~~ The certificate of a certificate holder who does not supply a complete renewal application and payment of the renewal fee in the specified time and manner to division staff shall expire as of the expiration date in the applicable section of the ACJA. Division staff shall treat any renewal application received after the expiration date as a new application, except when the certificate holder requests to file an untimely renewal application pursuant to subsection (G)(2)(b).

~~2. Application. A certificate holder is responsible for applying for a renewal certificate. The certificate holder shall apply for renewal of certification on the form provided by division staff. The board shall set a deadline renewal application date, in advance of the expiration date, to allow a reasonable time frame for processing the renewal application.~~

3. Additional Information. Before recommending renewal of certification, division staff may require additional information reasonably necessary to determine if the applicant continues to meet the qualifications specified in this section, which may include:

- a. Background information, pursuant to subsection (E)(1)(a) and the applicable section of the ACJA;
- b. A personal credit review and review of records pertaining to the applicant by division staff, pursuant to subsection (E)(1)(a)(5); and
- c. Fingerprinting pursuant to subsection (E)(1)(d);

4. Decision Regarding Renewal.

a. The board may renew a certification if the certificate holder:

- (1) Meets all requirements for renewal as specified in this section and the applicable section of the ACJA;
- (2) Submits a completed renewal application; and
- (3) Pays the renewal fees on or before the expiration date as specified by the applicable section of the ACJA.

b. Division staff shall promptly notify the applicant in writing of the board's decision to renew the applicant's certificate in accordance with this section and the applicable section of the ACJA. Each renewed applicant shall receive a document, badge or card evidencing renewal of certification, stating the applicant's name, date of certification, certification number and expiration date.

c. The board may deny renewal of certification for any of the reasons stated in subsection (E)(2)(c). Division staff shall promptly notify the applicant, in writing, within ten days of the board's decision to deny renewal of certification. The notice

shall include the board's reasons for the denial of renewal of certification and the right of the applicant to a hearing, pursuant to subsection (G)(4)(d).

- d. An applicant is entitled to a hearing, on the decision to deny renewal of certification if the disciplinary clerk receives a written request for a hearing within fifteen days after the date of the notice of denial. The applicant is the moving party at the hearing and has the burden of proof. The provisions of subsections (H)(12) through (H)(23) and (H)(25) through (H)(27) apply regarding procedures for hearing and appeal.

**H. and I. [No changes]**