



Welcome to the online source for the Arizona Court Rules

17A A.R.S. Sup.Ct.Rules, Rule 50

Rule 50. Attorney Discipline Probable Cause Committee

17A A.R.S. Sup.Ct.Rules, Rule 50

Arizona Revised Statutes Annotated [Currentness](#)
Rules of the Supreme Court of Arizona ([Refs & Annos](#))

▣ V. Regulation of the Practice of Law

▣ F. Participants

➔ **Rule 50. Attorney Discipline Probable Cause Committee**

(a) Appointment of Members. The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona (hereinafter committee) is established as a permanent committee of the supreme court. The committee shall consist of nine members, including six active members of the state bar and three public, nonlawyer members. Nonlawyer members shall have all the powers and duties of lawyer members, as provided in these rules. The chief justice shall appoint the members of the committee considering geographical, gender and ethnic diversity. The members of the committee shall serve at the pleasure of the court and may be removed from the committee at any time by order of the court. A member of the committee may resign at any time. A member shall continue to serve until the member's term expires and a replacement is appointed.

(b) Terms of Office. The volunteer members shall be appointed for fixed, staggered terms. One third of the members shall be appointed for an initial term of one (1) year, one third for an initial term of two (2) years, and one third for an initial term of three (3) years. After the initial appointments, regular terms shall be three (3) years, except that a member shall continue to serve until the member's successor is duly appointed. Members of the committee shall be eligible to serve no more than two (2) consecutive three-year terms. Appointments to fill a vacancy shall be for the unexpired portion of the term and will be filled in the same manner as the original appointment.

(c) Chair and Vice-Chair. The chief justice shall appoint lawyer members as chair and vice chair of the committee for a term to be determined by the chief justice. The chair shall exercise overall supervisory control of the committee and may rule on procedural motions. The vice-chair shall assist the chair and shall serve as chair in the chair's absence and on any matters in which the chair is unavailable.

(d) Reimbursement of Committee Members. Committee members shall receive no compensation for their services but may be entitled to reimbursement for travel and other expenses incurred in the performance of their official duties, as permitted by law.

(e) Powers and Duties of the Committee. Unless otherwise provided in these rules, the committee shall be authorized and empowered to act in accordance with Rule 55 and as otherwise provided in these rules, and to:

1. meet and take action, as deemed appropriate by the chair, in no less than three-person panels, each of which shall include a public member and a lawyer member (all members of the panel must participate in the vote and a majority of the votes shall decide the matter, a member of the panel may participate by remote access, and the quorum requirements of paragraph (f) do not apply to panels under this paragraph);
2. periodically report to the court on the operation of the committee;
3. recommend to the court proposed changes or additions to the rules of procedure for attorney discipline and disability proceedings; and

4. adopt such procedures as may from time to time become necessary to govern the internal operation of the committee, as approved by the court.

(f) Meetings, Quorum, and Voting. The meetings of the committee are not open to respondent, respondent's counsel, or the public. The committee shall have a quorum to conduct business and for all official actions. A quorum consists of a majority of the committee. A majority of the votes of the members present and participating in the vote shall decide matters arising at any meeting of the committee, provided that at least one public member and one lawyer member participate in the matter. A member may participate in the meetings by remote access.

(g) Change of Committee Member for Cause. Upon motion and affidavit of a party and for good cause shown, the chair of the committee may order the removal of a committee member from consideration of a particular matter pending before the committee. If the party seeks removal of the chair, the vice-chair shall consider the request. Absent extraordinary circumstances, a request to remove a committee member shall be filed as soon as the grounds for removal are discovered and prior to the commencement of the committee meeting at which the matter is scheduled for consideration.

(h) Alternate Members. If it appears that a significant number of members who may properly render a decision may not be present at the meeting, or may not be able to act in a particular case, the committee chair, or vice-chair if the chair has been recused, may appoint, for that member or for that case only, the number of alternate members necessary to restore the committee to full membership or at least achieve a quorum of the committee. Alternate members shall be appointed based on the same criteria as committee members.

CREDIT(S)

Added June 30, 2010, effective Jan. 1, 2011. Amended Aug. 30, 2012, effective Jan. 1, 2013.

17A A. R. S. Sup. Ct. Rules, Rule 50, AZ ST S CT Rule 50

Current with amendments received through 1/1/14

(C) 2013 Thomson Reuters. No Claim to Orig. US Gov. Works.

END OF DOCUMENT

© 2014 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

[Docs In Sequence](#)