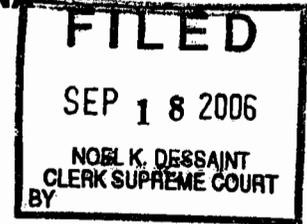


IN THE SUPREME COURT OF THE STATE OF ARIZONA

Supreme Court No. R-05-0026

**ORDER AMENDING THE RULES OF
THE COMMISSION ON JUDICIAL CONDUCT**



The Court adopted amendments to the Rules of the Commission on Judicial Conduct on an emergency basis, effective January 20, 2006, and ordered the matter opened for comment. Upon consideration,

IT IS ORDERED approving in final form the amendments previously adopted, and adopting further amendments to Rule 23, Rules of the Commission on Judicial Conduct, in accordance with the attachment hereto,* effective as of the date of signing.

As a point of clarification, it should be noted that the attachment to the Court's previous order dated January 20, 2006 inadvertently omitted paragraph (f)(10) of Rule 27. That provision is amended as set forth in the attachment, in accordance with the Court's order in R-05-0037.

DATED in the City of Phoenix, Arizona at the Arizona Courts Building, this 18th day of September, 2006.

For the Court:



RUTH V. MCGREGOR
Chief Justice

* Changes or additions in text are indicated by underscoring and deletions from text are indicated by ~~strikeouts~~.

RULES OF THE COMMISSION ON JUDICIAL CONDUCT

* * *

Rule 23. Commission Review

(a) **Disposition.** After reviewing a complaint, the report of the executive director or disciplinary counsel, or the recommendation of an investigative panel, the commission may issue an order dismissing the complaint or imposing an informal sanction consistent with these rules.

(b) **Motion for reconsideration.** [No change in text.]

(c) **Request for formal hearing.** ~~In addition or as~~ As an alternative to filing a motion for reconsideration, the judge may, within fifteen days of the mailing of an order, file a request for a hearing conducted pursuant to Rule 27(f), providing, however, that the hearing shall be conducted before the commission rather than a hearing panel or hearing officer, that the duties of the presiding member described in the rule shall be performed by the chairperson of the commission or the chairperson's designee, and that all other subsections of the rule shall be interpreted in accordance with these provisions.

* * *

Rule 27. Hearings

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

(f) **Conduct of hearing.** The following rules shall apply to hearings:

(1)-(9) [No change in text.]

(10) Where a member of a hearing panel has not heard the evidence, that member shall not participate in any deliberations or decisions unless he or she has personally considered the whole record, including any recording or certified transcript from portions of the hearing from which that member was absent.

(g)-(h) [No change in text.]