SUPREME COURT OF ARIZONA

In the Matter of)	Arizona Supreme	Court
)	No. R-08-0014	
PETITION TO AMEND RULE 42,)		
ARIZONA RULES OF THE SUPREME)		
COURT)		
)		
)		
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)		

ORDER AMENDING RULE 42, RULES OF THE SUPREME COURT, ETHICAL RULE 1.6(d)

A petition having been filed proposing to allow lawyers to disclose information relating to the representation of a client to prevent reasonably certain death or substantial bodily harm, and comments having been received, upon consideration,

IT IS ORDERED that Rule 42, Rules of the Supreme Court, Ethical Rule 1.6(d), be amended in accordance with the attachment hereto, effective January 1, 2010.

DATED this day of September, 2009.

REBECCA WHITE BERCH Chief Justice

ATTACHMENT*

RULES OF THE SUPREME COURT

Rule 42. Arizona Rules of Professional Conduct

* * *

ER 1.6 Confidentiality of Information

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

(d) A lawyer may reveal such information relating to the representation of a client to the extent the lawyer reasonably believes necessary:

(1) –(5) [No change in text.]

(6) to prevent reasonably certain death or substantial bodily harm.

Comments

* * *

[16] In situations not covered by the mandatory disclosure requirements of paragraph (b), paragraph (d)(6) permits discretionary disclosure when the lawyer reasonably believes disclosure is necessary to prevent reasonably certain death or substantial bodily harm.

[16] [17] [No change in text.]

[17] [18] [No change in text.]

[18] [19] [No change in text.]

[19]-[20] [No change in text.]

[20]-[21] [No change in text.]

[21]-[22] [No change in text.]

^{*} Changes or additions in text are indicated by <u>underlining</u> and deletions from text are indicated by strikeouts.