

# Supreme Court

STATE OF ARIZONA

402 ARIZONA STATE COURTS BUILDING  
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RACHELLE M. RESNICK  
CLERK OF THE COURT

KATHLEEN E. KEMPLEY  
CHIEF DEPUTY CLERK

September 6, 2007

**RE: RULES 53, 31(a)(2) & 41(g), RULES OF SUPREME CT**  
Arizona Supreme Court No. R-05-0021

GREETINGS:

The following action was taken by the Supreme Court of the State of Arizona on August 27, 2007, in regard to the above-referenced cause:

**ORDERED: [Amended Petition to Amend Rules 53, 31(a)(2) and 41(g), Arizona Rules of the Supreme Court] = Alternative # 1 ADOPTED as modified, effective January 1, 2008.**

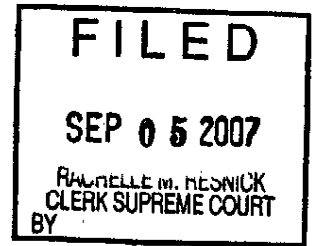
Rachelle M Resnick, Clerk

TO:

Robert B Van Wyck, Chief Counsel, State Bar of Arizona  
Hon James A Soto, Santa Cruz County Superior Court  
Gerald F Giordano, Snell & Wilmer LLP  
Richard A Alcorn, Feola & Traica PC  
Philip J MacDonnell, Maricopa County Attorney's Office  
Robert A Kerry  
Final Rule Distribution List  
cf

**IN THE SUPREME COURT OF THE STATE OF ARIZONA**

Supreme Court No. R-05-0021



**ORDER AMENDING  
RULES 31(a)(2), 41(g), and 53, RULES OF THE SUPREME COURT**

IT IS ORDERED that Rules 31(a)(2), 41(g), and 53, Rules of the Supreme Court, be amended in accordance with the attachment hereto,\* effective as of January 1, 2008.

DATED in the City of Phoenix, Arizona at the Arizona Courts Building, this 5<sup>th</sup> day of September, 2007.

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 SUPREME COURT

\* \* \*

## Rule 31. Regulation of the Practice of Law

### (a) Supreme Court Jurisdiction Over the Practice of Law

1. [No change in text.]

2. *Definitions.*

A.-D. [No change in text.]

E. “Unprofessional conduct” means substantial or repeated violations of the Oath of Admission to the Bar or the Lawyer’s Creed of Professionalism of the State Bar of Arizona.

\* \* \*

## Rule 41. Duties and Obligations of Members

The duties and obligations of members shall be:

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

(g) ~~To abstain from all offensive personality~~ avoid engaging in unprofessional conduct and to advance no fact prejudicial to the honor or reputation of a party or a witness unless required by the justice of the cause with which ~~he~~ the member is charged.

(h) [No change in text.]

### Comment [2007 Amendment]

Lawyers, whether or not engaged in the practice of law, should act honorably and treat others with courtesy and respect. Unprofessional conduct, as defined by Rule 31(a)(2)(E), during the practice of law may result in discipline pursuant to Rules 41(g) and 53(j). Specified conduct outside the practice of law, such as conviction of a felony, Rule 53(h), or engaging in conduct involving dishonesty,

fraud, deceit, or misrepresentation, Rule 42, ER 8.4(c), and Rule 53(a), may also be grounds for discipline.

\* \* \*

**Rule 53. Grounds for Discipline**

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

(j) Unprofessional conduct as defined in Rule 31(a)(2)(E).

\* \* \*