

ATTORNEY REGULATION ADVISORY COMMITTEE MINUTES

Wednesday, April 12, 2017
9:30 a.m. – 11:30 a.m.

State Courts Building, 1501 West Washington Street, Phoenix, Arizona
Conference Room 109

Present

Justice Ann Timmer
Hon. Lawrence Winthrop
Hon. William J. O'Neil
Whitney Cunningham
Elaine Sweet
Edward Novak
Lisa Panahi
George Riemer
David Lunn
Scott Rhodes
Maret Vessella
Ronald R. Watson

Telephonically Present

Ben Click
Patricia Sallen

Absent

Pamela Treadwill-Rubin

Staff

Kathleen Curry
Mark Wilson
Tara Smith

Regular Business

9: 30 a.m. Call to Order, Welcome and Introductions

Hon. Ann S. Timmer

Business Items and Potential Action Items

No. 1 Review and Approve March 2017 ARC minutes

Vote on March minutes deferred to June meeting pending revision.

No. 2 Review, Discussion and Possible Action Regarding Comments to:

- *R-16-0042 Online JD exam eligibility*

David Lunn

David Lunn presented comment drafted to submit to the Supreme Court consisting of discussion from previous meeting.

Motion: Approve comment for filing with the Supreme Court.

Moved by: Hon. Lawrence Winthrop

Second: Hon. William O'Neil

Carried: None opposed.

- *R-16-0047 Rule 38 Approved Legal Service Organizations*

Staff

Mark Wilson presented a short comment prepared by staff in support of petition. Staff recommends approval filing comment as drafted.

Motion: Approve staff recommendation.

Moved by: Whitney Cunningham

Second: Elaine Sweet

Carried: None opposed.

- *R-17-0005 Rule 50 ADPCC membership*

Staff

Mark Wilson presented Rule 50 regarding ADPCC term lengths. Work group is currently drafting the rule for future circulation to committee for comment. An electronic vote on the matter will be forthcoming.

- *R 17-0008 Rule 39 Pro Hac Vice Admission*

Staff

Mark Wilson presented summary comment in support of petition. Staff recommends approval and filing comment as drafted.

Judge Lawrence Winthrop and Judge William O'Neil provided additional suggestions.

Motion: Approve support for recommendation.

Moved by: Hon. William O'Neil

Second: Whitney Cunningham

Carried: None opposed.

- *R-17-0011 Rule 38 In-House Counsel Registration*

Staff

Mark Wilson presented comment drafted in support of petition including clarification regarding verbiage.

Motion: Approve proposed comment in support of rule and change to comment.

Moved by: Hon. Lawrence Winthrop

Second: Whitney Cunningham

Carried: None opposed.

No. 3 Review, Discussion and Possible Action Concerning Rule 38

Kathleen Curry

Kathleen Curry presented technical amendments and proposal for overall review regarding Rule 38. Rule 38 encompasses the different ways an individual can practice

law in Arizona without taking the exam or being admitted.

Maret Vessella presented additional comments on legal services organizations.

Judge Lawrence Winthrop, Judge William O'Neil, Edward Novak, Whitney Cunningham provided additional discussion.

Justice Timmer proposed a sub-committee assemble to review Rule 38. Judge Winthrop, Lisa Panahi, Edward Novak, Kathleen Curry, and Maret Vessella volunteered.

No. 4 ARC Annual Report Review and Committee Approval Justice Timmer

Justice Timmer presented the ARC Annual Report and Review.

Maret Vessella reviewed found inconsistencies and discrepancies. Committee discussed report itself and methodology of reporting statistics.

Justice Timmer proposed staff revise report to be consistent and use best judgement for organizing data uniformly. Justice Timmer recommended contingent approval of report.

Motion: Approve report pending changes discussed.

Moved by: Hon. Lawrence Winthrop

Second: Hon. William O'Neil

Carried: None opposed.

No. 5 Arizona Summit Law School/ABA Probation Decision Staff

Mark Wilson presented the A.B.A.'s notice of probation regarding Summit Law School and recommends Committee regard notice as informational at this time.

No. 6 Bar Passage Statistics Staff

Mark Wilson presented passage statistics broken down by school for the previous four exams (February 2015 through July 2016).

No. 7 Call to Public

Next meeting date: Wednesday, June 7, 2017

The Committee may meet in executive session as permitted by A.C.J.A. §1-202.