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CLERK SUPREME COURT

From the Desk of

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May 18, 2006

Supreme Court of the State of Arizona  
1501 West Washington  
Phoenix, AZ 85007

Re: Proposed MCLE and Bar Dues Changes

Justices:

Recently I passed my 70<sup>th</sup> birthday and sometime back notified the State Bar of Arizona that I'd elected retired status. This seemed a "natural" thing to do even though I intended to maintain contact with the Bar and the profession despite no longer intending to make a living as a practitioner or ever to return to practice.

Several years ago I became aware of the fact that lawyers age 70 or older were exempt from the payment of annual dues or mandatory continuing legal education rules even those who had not retired. These exemptions as applied to the retired made sense to me but not as applied to those who continued in active practice who are no less potentially subject to disciplinary proceedings and to keeping abreast of the ever evolving substance and grist of the legal profession.

Had I continued to practice I would whole-heartedly support the changes that put all actively practicing lawyers (myself included) on the same footing. However, you lose me when it comes to assessing bar dues against those who are both age 70 and retired. Just what is the rationale for this? Where's the fairness?

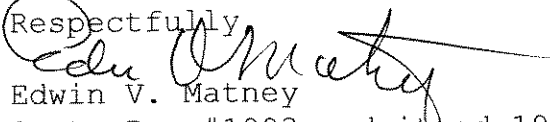
The President of the State Bar asserts that the proposal set forth in the petition to the Arizona Supreme Court is intended, *inter alia*, to "lower dues for retired members" by "[r]educing the financial burden on retired members". *Instead, for the elderly (post age 70) retired member, the proposal actually increases annual bar dues from zero to*

\$180 in 2007 (ultimately to reduce to level off at \$100 in 2009 and thereafter (or at least until its next decided to extract dues from the elderly retired)).

Many of us - if not most - among the ranks of the elderly retired when younger and active paid and paid and paid our dues, faithfully year after year after year. Now we've reached the stage where by reason of advancing age and declining health and energy we not longer can earn a living by our work, inside or outside the profession. Others of us have decided to devote our time and energy to our fellow humans through active volunteer charitable endeavors. We struggle to live on fixed incomes in the face of increasing costs for health care and gasoline prices several times what they were when we retired. We've contributed immensely to the profession! It's time in the lives of the elderly retired for relief. I urge the retention of the relief from bar dues presently accorded to elderly retired bar members. It's only fair.

Please take these views into account in your deliberations on the pending petition.

Respectfully,

  
Edwin V. Matney  
State Bar #1993, admitted 1967

cc. Helen Perry Grimwood, President of the State Bar of Arizona.