

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-22-0036
RULE 60, RULES OF SUPREME COURT,)
) **FILED: 8/29/2022**
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**ORDER ADOPTING ON AN EMERGENCY BASIS
AMENDMENTS TO RULE 60 OF THE RULES OF THE SUPREME
COURT OF ARIZONA**

On July 15, 2022, Lisa M. Panahi, General Counsel for the State Bar of Arizona, filed a petition on the State Bar's behalf to amend Rule 60 of the Rules of the Supreme Court of Arizona. The petition further requested that the Court consider the petition on an expedited basis. On July 18, 2022, the Court granted the request for expedited consideration under Rule 28(h)(2), Rules of the Supreme Court of Arizona, and opened the petition for public comment under Rule 28(c) of the same rules, with comments due no later than October 3, 2022 and a reply (if any) due no later than October 17, 2022. Upon consideration,

IT IS ORDERED that, pursuant to Rule 28(h)(2) of the Rules of the Supreme Court of Arizona, Rule 60 of the Rules of the Supreme Court of Arizona is amended on an emergency basis in accordance with the attachment to this order, effective immediately.

IT IS FURTHER ORDERED that, consistent with this Court's order of July 18, 2022, the Court will consider whether to adopt these rule amendments on a permanent basis during its December 2022 Rules Agenda.

IT IS FURTHER ORDERED that the amended rule applies only to discipline complaints filed after the effective date of the amended rule.

IT IS FURTHER ORDERED that the State Bar shall file supplemental briefing addressing the constitutionality of the proposed amendments in its petition. The brief shall be filed no later than September 15, 2022.

DATED this 29th day of August, 2022.

/s/

ROBERT BRUTINEL
Chief Justice

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TO:

Rule 28 Distribution

Lisa Panahi

ATTACHMENT¹

RULES OF THE SUPREME COURT OF ARIZONA

Rule 60. Sanctions

(a)-(c) [No change]

(d) Assessment of the Costs and Expenses. An assessment of costs and expenses related to disciplinary proceedings shall be imposed upon a respondent by the committee, the presiding disciplinary judge, the hearing panel, or the court, as appropriate, in addition to any other sanction imposed. Upon a showing of good cause, all or a portion of the costs and expenses may be reduced, deferred, or waived. After final disposition of a formal complaint following a contested hearing, the presiding disciplinary judge may award attorney's fees and costs to a prevailing respondent.

1. [No change]

2. [No change]

(e) [No change]

Comment to 2012 Amendment

[No change]

¹ Additions to the text of the rule are shown by underscoring and deletions of text are shown by ~~strike through~~.