

Amelia Craig Cramer
1 W. Broadway Blvd., Apt. 504
Tucson, AZ 85701
aamcramer@gmail.com
(520) 401-6314

Comment re:

R-24-0046 PETITION TO AMEND RULE 53, RULES OF THE AZ SUPREME COURT

I concur with the comment submitted by Dianne Post and add the following:

More transparency, not less, regarding Bar discipline is warranted in these times of distrust of government institutions and misuse of the justice system for political purposes. Those who submit Bar charges deserve to know ultimately what happened with respect to those charges.

To the extent that confidentiality is necessary regarding a disciplinary investigation or disciplinary action to avoid media coverage or otherwise - because a pending lawsuit or election might be affected - there already is a mechanism for the respondent or the Bar to obtain a protective order on a case-by-case basis under Rules 54(d)(2) and 70(g) of the Rules of the Arizona Supreme Court. If there is a concern that illegitimate Bar charges are being submitted for political purposes during election seasons, it may be appropriate for the Bar to seek a protective order during the pendency of the election season for charges by or against candidates for election, or elected or appointed officials involved in administering elections. However, there is no need for blanket secrecy in all Bar discipline cases; the rule proposed in the Petition goes too far.

Petitioner suggests that the volume of work associated with numerous Bar charges requiring Independent Bar Counsel justifies the change in Rule 53. However, this is the wrong approach. To the extent current resources are insufficient, Petitioner should be seeking the necessary additional resources to accomplish the work, not closing off the discipline process to complaints.

I submitted numerous Bar charges in December, 2020 against lawyers who appeared to have abused the courts for political purposes. It took more than three years for the investigations of those charges to be completed by Independent Bar Counsel. It is obvious that insufficient resources were allocated by the Administrative Office of the Courts to Independent Bar Counsel to complete those investigations in a timely manner. The solution is to increase resources, not to block the filing of legitimate charges.

Thank you for your consideration.