

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-23-0046
RULE 36(g)(6), RULES OF THE)
SUPREME COURT)
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) FILED:08/22/2024

**ORDER AMENDING RULE 36(g)(6) OF
THE RULES OF THE SUPREME COURT OF ARIZONA**

A petition having been filed proposing to amend Rule 36(g)(6) of the Rules of the Supreme Court of Arizona, and a comment having been received, upon consideration,

IT IS ORDERED that Rule 36(g)(6) of the Rules of the Supreme Court of Arizona is amended in accordance with the attachment to this order, effective January 1, 2025.

DATED this 22nd day of August, 2024.

/s/
ANN A. SCOTT TIMMER
Chief Justice

TO:

Rule 28 Distribution
Denise M Quinterri
John R Lopez IV

ATTACHMENT¹

RULES OF THE SUPREME COURT OF ARIZONA

Rule 36. Procedure Before the Committee on Character and Fitness

(a)-(f) [No change]

(g) **Conditional Admission.**

1.-5. [No change]

6. *Violation of Order of Conditional Admission.*

A. Notice of Violation. Upon determining that the conditional admittee has materially violated the terms of the conditional admission, bar counsel must file a notice of violation with the Committee and serve a copy on the conditional admittee. The filing of a notice of violation will automatically extend the conditional admission until the matter is resolved by the Committee, by way of hearing, an accepted consent agreement, or other means.

B. Consent Agreement. Within 30 days of the filing of the notice of violation, the conditional admittee and the State Bar may submit a proposed consent agreement to the Committee. The Committee may accept, reject, or recommend modification of the proposed agreement.

C. Hearing. If the notice of violation is not resolved by a consent agreement or by other means, ~~As soon as practicable,~~ the Committee must hold a hearing as soon as practicable to determine if the order has been violated. The Committee chair, by order, shall establish the procedures associated with such hearing. The hearing panel for the violation hearing ~~will consist of at least a majority of the current members of the Committee.~~ must consist of seven members, including the Committee chair or his or her designee, at least two attorney members of the Committee, and at least one public member of the Committee. The Chair or his or her designee will preside over the hearing. Bar counsel must prove a material violation by a preponderance of the evidence.

D. Decision. The Committee's decision will require a concurrence of a majority of the panel members. If the Committee determines that a material violation has been proved, the Committee may revoke, extend, or modify the Order of Conditional Admission. The Committee's decision is final subject to the filing of a petition for review pursuant to paragraph (h).

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

E. Referral for Discipline. If the Committee determines that there was a material violation of the terms based on a violation of the ethical rules but did not revoke the Order of Conditional Admission, the Committee may refer the matter to the State Bar for discipline proceedings pursuant to Rule 55.