

In the Matter of) Arizona Supreme Court
) No. R-24-0050
RULE 45(a), RULES OF THE)
ARIZONA SUPREME COURT)
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) **FILED 08/22/2024**

On July 10, 2024, David K. Byers, on behalf of the Administrative Office of the Courts, filed a rule petition proposing to amend, on an emergency basis, Rule 45(a) of the Rules of the Supreme Court of Arizona.

This Court is vested with exclusive authority over procedural rulemaking¹ and the regulation of the practice of law.² Although the Legislature may regulate the practice of law by statute, such regulation cannot be inconsistent with the mandates of this Court.³ The Court finds that the petition concerns matters within the Court's plenary power but that it proposes reasonable adjustments to the rules governing the practice of law.

² See, e.g., *Scheehle v. Justs. of the Supreme Ct.*, 211 Ariz. 282, 289 ¶ 22 (2005).

³ See *id.* ¶ 24.

Having considered the petition,

IT IS ORDERED, pursuant to Rule 28(h)(2) of the Rules of the Supreme Court of Arizona, that Rule 45(a) of the Rules of the Supreme Court of Arizona is amended on an emergency basis in accordance with the attachment to this order, effective on September 14, 2024.

IT IS FURTHER ORDERED, consistent with the Court's July 10, 2024 order, that the Court will consider whether to adopt the rule amendments on a permanent basis during its December 2024 Rules Agenda.

DATED this 22nd day of August, 2024.

/s/
ANN A. SCOTT TIMMER
Chief Justice

TO:

Rule 28 Distribution

David K Byers

ATTACHMENT¹

RULES OF THE SUPREME COURT OF ARIZONA

Rule 45. Mandatory Continuing Legal Education

(a) Continuing Legal Education Requirements.

1. – 6. [No change]

7. An active member of the bar, not exempted, who attends a continuing education program to satisfy a state agency license renewal requirement is eligible to claim one hour of continuing legal education credit for every qualifying hour of credit earned in satisfaction of the member's state agency license renewal requirement. To be eligible to qualify as continuing legal education credit, credit earned in satisfaction of the member's state agency license renewal requirement must derive from a continuing education program that: consists of an organized program of learning, deals with matters directly related to the law, will increase the participant's professional competence as a lawyer, follows an agenda, is accompanied by substantive or practical written materials or exercises, and substantially conforms, as far as practicable, to the regulations established by the board. Notwithstanding the foregoing, credits earned in satisfaction of a member's state agency license renewal requirement cannot be counted toward the professional responsibility activity required under section (a)(2). "State agency license renewal requirement" has the meaning provided in A.R.S. § 12-112.01.

(b)–(k) [No change]

¹ Additions to the text of the rule are shown by underscoring.