

1 Lisa M. Panahi, Bar No. 023421
2 General Counsel
3 State Bar of Arizona
4 4201 N. 24th Street, Suite 100
5 Phoenix, AZ 85016-6288
6 (602) 340-7236

7 **IN THE SUPREME COURT**
8 **STATE OF ARIZONA**

9 In the Matter of:

10 **PETITION TO AMEND RULE**
11 **32(e) OF THE ARIZONA RULES**
12 **OF SUPREME COURT**

Supreme Court No. R-25-

PETITION

13 Pursuant to Rule 28(a) of the Arizona Rules of Supreme Court, the State Bar
14 of Arizona (the “State Bar”) hereby petitions the Court to amend Rule 32(e) of the
15 Supreme Court Rules to add the President of the Senior Lawyers Division as an
16 elected voting member of the State Bar Board of Governors. The Senior Lawyers
17 Division consists of over 5500 State Bar members. Just as the Young Lawyers
18 Division adds an important voice of the State Bar membership in its governance, the
19 Senior Lawyers Division (“Division”) brings the wisdom of the many years of
20 experience of its members to the Board of Governors. A majority of Division
21 members are actively practicing law. Additionally, Division members are active in
22 State Bar Sections and Continuing Legal Education, pro bono services, access to
23 justice initiatives, mentoring (including a formal arrangement with the Young
24
25

1 Lawyers Division), “Drop-In” Zoom presentations, and creative writing.

2
3
4 **CONCLUSION**

5 The State Bar of Arizona respectfully requests that the Court approve the
6 amendments to Rule 32(e), as provided in the Appendix, to permit the Division to
7 have a voice in State Bar governance

8
9 RESPECTFULLY SUBMITTED this 10th day of January, 2025.

10
11 

12 _____
13 Lisa M. Panahi
14 General Counsel

15 Electronic copy filed with the
16 Clerk of the Supreme Court of Arizona
17 this 10th day of January, 2025.

18 by: PSequin
19
20
21
22
23
24
25

APPENDIX

Appendix

(Please note: deletions are reflected by ~~striketthrough~~ and additions are reflected by underline.)

B. Organization of State Bar of Arizona

Rule 32. Organization of the State Bar of Arizona

(a) – (d) No changes.

(e) Composition of the Board of Governors. The board is composed of ~~sixteen~~ seventeen elected governors and ten appointed governors, as provided by this Rule. Only governors elected or appointed under this Rule are empowered to vote at board meetings.

1. *Implementation.* The State Bar shall implement this Rule in a manner that provides for the election and appointment of approximately one-third of the board each year.

2. Elected Governors.

A. Districts: Governors are elected from eight districts, as follows:

- i. Bar District One (Mohave, Navajo, Coconino and Apache counties): one governor
- ii. Bar District Two (Yavapai county): one governor
- iii. Bar District Three (Gila, Graham and Greenlee counties): one governor
- iv. Bar District Four (Cochise county): one governor
- v. Bar District Five (Pima and Santa Cruz counties): two governors
- vi. Bar District Six (Maricopa county): seven governors
- vii. Bar District Seven (La Paz and Yuma counties): one governor
- viii. Bar District Eight (Pinal county): one governor

B. Qualifications. Each elected governor must be an active member of the State Bar of Arizona throughout the elected term, except for the Senior Lawyers Division President, who may be in a retired or inactive status. For five years prior to election to the board, each elected governor must have been an active State Bar member, except for the Senior Lawyers Division President, who may be in a retired or inactive status, and have had no record of disciplinary sanctions under Rule 60.

C. Nominations. Nominations for elected governor shall be by petition signed by at least five active State Bar members. Each candidate named in a petition and all members signing a petition must have their main offices in the district in which the candidate seeks to be elected.

D. Elections. Election of governors will be by ballot. Active and judicial members are entitled to vote for the elected governor or governors in the district in which a member has his or her principal place of business, as shown in the records of the State Bar. Active out-of-state members may vote in the district of their most recent Arizona residence or place of business or, if none, in Bar District Six. The State Bar will send ballots electronically to each member entitled to vote, at the address shown in the records of the State Bar, at least two weeks prior to the date of canvassing the ballots. Members will return their ballots through electronic voting means, and the State Bar will announce the results at the ensuing annual meeting. The State Bar's bylaws will direct other details of the election process.

E. Terms of service. Each elected governor shall serve a three-year term. An elected governor will serve on the board until a successor is elected and takes office at the annual meeting. If the board receives notice that an elected governor's principal place of business has moved from the district in which the governor was elected, or that the governor has died, become disabled, or is otherwise unable to serve, that governor's seat is deemed vacant, and the other elected and appointed governors will choose a successor by a majority vote.

F. Term limits. An elected governor may serve three consecutive terms, but may not be a candidate for a fourth term until three years have passed after the person's last year of service. Election or succession to a partial term of less than three years will not be included in calculating a member's term limit.

3. *Young Lawyers Division President.* In addition to those governors elected under Rule 32(e)(2), the elected president of the Young Lawyers Division will serve as a voting member of the board of governors. The election of the Young Lawyers Division president will be conducted as provided by Rule 32(e)(2)(C), except that only members of the Young Lawyers Division are entitled to vote in that election. The Young Lawyers Division president will serve a one-year term on the board.

4. *Senior Lawyers Division President.* In addition to those governors elected under Rule 32(e)(2), the elected president of the Senior Lawyers Division will serve as a voting member of the board of governors. The election of the Senior Lawyers Division president will be conducted as provided by Rule 32(e)(2)(C) and Rule

32(e)(2)(D), except that only members of the Senior Lawyers Division are entitled to vote in that election. The Senior Lawyers Division president will serve a one-year term on the board.

45. *Appointed Governors.* The Supreme Court will appoint public, at-large, and district governors, collectively referred to as “appointed governors,” to serve on the board.

A. Public governors. Four governors of the board are designated as “public” governors. The public governors must not be members of the State Bar and must not have, other than as consumers of legal services, a financial interest in the practice of law. Public governors are nominated by the board and appointed by the Supreme Court for terms of three years and begin board service at a time designated by the Court. The Court may decline to appoint any board nominee and may appoint as a public governor a person who was not nominated by the board. No more than two public governors may be from the same district. No individual may serve more than two terms as a public governor. The Court may fill a vacancy in an uncompleted term of a public governor, but appointment of a public member to a term of less than three years will not be included in a calculation of the member's term limit.

B. At-large governors. Three governors on the board are designated as “at-large” governors. At-large governors, who may be former elected, public, or district governors, are appointed by the Supreme Court for terms of three years and begin board service at a time designated by the Court. The Supreme Court may appoint at-large governors to successive terms. The Court may fill a vacancy in an uncompleted term of an at-large governor.

C. District governors. Three governors on the board are designated as “district” governors. District governors must be members of the State Bar, have their main office in the district of appointment, and meet the qualifications set out in Rule 32(e)(2)(B). District governors are appointed by the Supreme Court for terms of three years and begin board service at a time designated by the Court. The Court must appoint one district governor from Bar District Five and two district governors from Bar District Six. No individual may serve more than two terms as a district governor. The Court may fill a vacancy in an uncompleted term of a district governor, but appointment to a term of less than three years will not be included in a calculation of the member's term limit.

56. *Oath of Governors.* Upon commencing service, each governor, whether elected or appointed, must take an oath to faithfully and impartially discharge the duties of a governor.

67. *Removal of a Governor*. A governor of the board may be removed for good cause by a vote of two-thirds or more of the governors cast in favor of removal. Good cause may include, but is not limited to, conviction of a felony or a crime involving moral turpitude, imposition of a discipline sanction under Rule 60, repeatedly ignoring the duties of a governor, or disorderly activity during a board meeting. A board governor so removed may, within thirty days of the board's action, file a petition pursuant to Rule 23 of the Arizona Rules of Civil Appellate Procedure requesting that the Supreme Court review the board's determination of good cause. The Court will expedite consideration of the petition.

78. *Recusal of an Attorney Governor*. An attorney board member who is the subject of either a probable cause order issued pursuant to Rule 55(c)(1)(E) or an agreement for discipline by consent filed under Rule 57(a) must recuse him- or herself from serving on the board pending disposition of the matter.

89. *Board Advisor*. The immediate past president of the board will serve a one-year term as an advisor to the board. The advisor may participate in board discussions but has no vote at board meetings, except an immediate past president may continue to vote if his or her term as an elected board member has not expired. The board advisor, with the assistance of two or more governors chosen by the president, will lead a committee to recruit, recommend, and nominate candidates for the offices of president-elect, vice-president, and secretary-treasurer.

910. *Ex Officio Members*. The dean of each ABA-accredited law school in Arizona will serve as an ex officio member of the board. An ex officio member may participate in board discussions but may not vote at board meetings.

(f) – (m) No changes.