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6 **IN THE SUPREME COURT
STATE OF ARIZONA**

7 PETITION TO AMEND RULE 41, ARIZONA
8 RULES OF THE SUPREME COURT

Supreme Court No.

**Petition to Amend Rule 41, Arizona Rules
of the Supreme Court**

12 **Introduction**

13 The Supreme Court Rule 41. “Duties and Obligation of Members” requires that
14 lawyers follow the Constitution and laws of the U.S. and Arizona and maintain respect due to
15 courts and judicial officers. Promoting the rule of law and democracy and complying with
16 court orders is mandatory to fulfil these obligations.

18 Where individuals enter, as a matter of choice, into a licensed commercial activity
19 they must accept the same professional limits that serve the public welfare as every other
20 practitioner. *Scheehle v. Justices of the Supreme Court of Ariz.*, 120 P.3d 1092 (2005) (“A
21 state may engage in reasonable regulation of licensed professionals”; “An attorney’s right to
22 pursue a profession is subject to the paramount right of the state . . . to regulate . . .
23 professions . . . to protect the public . . . welfare.”) (internal quotation marks omitted). There
24 is nothing new or novel about the proposition that members of the public depend upon such
25

1 protection. In fact law is more than a profession, it is a public trust. Lawyers must represent
2 the epitome of the Rule of Law and respect for courts not the enemy.

3 Rule 41 now says in section 4: I will advise my client against pursuing litigation (or
4 any other course of action) that is without merit and I will not engage in tactics that are
5 intended to delay the resolution of a matter or to harass or drain the financial resources of the
6 opposing party;

7 And D: With Respect to the Public and Our System of Justice:

8 1. I will remember that, in addition to commitment to my client's cause, my responsibilities
9 as a [lawyer/legal paraprofessional] include a devotion to the public good;

10 5. I will be mindful that the law is a learned profession and that among its desirable goals are
11 devotion to public service, improvement or administration of justice, and the contribution of
12 uncompensated time and civic influence on behalf of those persons who cannot afford
13 adequate legal assistance.

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15 **Proposed Amendment of Rule 41:**

16 **(b) Duties and Obligations.** The duties and obligations of members, including affiliate
17 members, shall be:

18 (1) Those prescribed by the Arizona Rules of Professional Conduct adopted as Rule 42 of
19 these Rules.

20 (2) To support the constitution and the laws of the United States and the State of Arizona.

21 (3) To respect and promote the rule of law and democracy;

22 (4) To maintain the respect due to courts of justice and judicial officers and comply with
23 court orders.

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25 **Proposed Amendment of the Oath and Creed.**

1 I, (state your name), do solemnly swear (or affirm) that I will support the constitution and
2 laws of the United States and the State of Arizona;

3 I will respect and promote the rule of law and democracy;

4 I will treat the courts of justice and judicial officers with respect;

5 I will comply with court orders;

6 I will not counsel or maintain an action, proceeding, or defense that lacks a reasonable basis
7 in fact or law;

8 I will be honest in my dealings with others and not make false or misleading statements of
9 fact or law;

10 I will fulfill my duty of confidentiality to my client; I will not accept compensation for
11 representing my client from anyone other than my client without my client's knowledge and
12 approval;

13 I will avoid engaging in unprofessional conduct; I will not advance any fact prejudicial to the
14 honor or reputation of a party or witness, unless required by my duties to my client or the
15 tribunal;

16 I will at all times faithfully and diligently adhere to the rules of professional responsibility
17 and A Lawyer's Creed of Professionalism of the State Bar of Arizona.

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20 **Conclusion**

21 The existing rule itself mandates that lawyers adhere to the administration of
22 justice. The administration of justice includes respecting the Rule of Law and democracy and
23 following court orders. The proposed rule amendment is consistent with these principles
24 which are becoming muddied in the current politicized legal atmosphere and should be
25 reinforced as a singular duty of lawyers.
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1 The interest in justice and adherence to the rule of law and democracy by the State
2 Bar is a compelling one. It is the bedrock of the law and a principle that all lawyers must
3 adhere to. The below signed attorneys ask that the Court adopt the proposed rule.

4 Respectfully submitted this date: 18 December 2025

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9 Dianne Post, Bar # 006141

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11 ___/s/ Amelia Craig Cramer/dp___

12 Amelia Craig Cramer, Bar #018297, Past President, State Bar of Arizona
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15 ___/s/ Roxana Bacon/dp_____

16 Roxana Bacon, Past President, State Bar of Arizona
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