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

9 In the Matter of:

Supreme Court No. _____

10
11 **PETITION TO AMEND RULE 36(e)**
12 **and (f), ARIZONA RULES OF THE**
13 **SUPREME COURT**
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PETITION

15 Pursuant to Rule 28, Arizona Rules of the Supreme Court, undersigned
16 counsel petitions the Supreme Court to amend Rule 36(e) and (f), Ariz. R. Sup. Ct.,
17 to include a deadline for the Character and Fitness Committee (“Committee”) to
18 notify applicants of its decision after a formal hearing or an informal inquiry.
19 Currently there is no timeframe included, and applicants sometimes wait months to
20 learn the result. This can be very prejudicial to an applicant, as described in more
21 detail below. While we understand that the Committee is made up of volunteers, the
22 inclusion of a due date is not unduly burdensome to the Committee and would
23 greatly improve the process for applicants.
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28 The text of the proposed amendments is set forth in Appendix A (attached).

1 **DISCUSSION**

2 To understand the position of an applicant, it might help to start at the
3 beginning of the process. While applicants typically file their character and fitness
4 applications early in the admission process, the Committee does not approve those
5 applications until after the applicant has passed the Bar exam. The Committee also
6 does not set hearings/inquiries for applicants until after the applicant has passed the
7 Bar exam. In other words, while applicants with no “red flags” on their application
8 can be quickly admitted once the Bar exam results are out, applicants with a “red
9 flag” or a question/concern of any sort on their application must wait. Those files
10 are sent by staff to an assigned member of the Committee—who is internally referred
11 to as the “Investigating Member.”

12 The wait for an applicant in that situation can be fairly short—if for example,
13 the Investigating Member assigned to the file determines that it can be approved
14 despite the question. The wait can also be long—if the Investigating Member
15 determines that an informal inquiry or a formal hearing is warranted. The timeframe
16 for those to be set varies. It seems to depend on the availability of the Committee
17 members. In my experience, informal inquiry scheduling can range from a month
18 out to several months out, while formal hearing scheduling typically takes longer.¹

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¹ I have represented approximately 300 applicants since 2007.

1 So, if the applicant with any type of question on their application has applied
2 the traditional way (by Bar exam), they are starting the process well behind other
3 applicants. This matters in the job market. It has a financial impact. People have
4 lost jobs and/or missed out on jobs because they did not have their license. It can
5 also cause tremendous embarrassment and stress for the applicant, when the majority
6 of their classmates are starting their careers while they are in limbo. Admission on
7 motion (“AOM”) applicants do not typically have that burden of comparison to
8 classmates but delay on their files still has a financial impact (which can also lead to
9 stress).

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14 Consequently, a quick decision is extremely beneficial. Applicants always
15 appreciate that tremendously. Importantly, however, if a written decision is required
16 after the informal inquiry or the formal hearing, there may be a significant additional
17 delay for the applicant to be admitted. While many are issued promptly, it often
18 takes a month or more. In a recent case, the decision was not issued for 96 days after
19 an informal hearing. This was extremely stressful for the applicant. This was an
20 outlier, but it was not the only time I have seen months go by with no decision.
21 Applicants in that position have no recourse.

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25 It should also be pointed out that often the written decision is still not the end
26 of the matter. For example, sometimes Supreme Court approval is still required, and
27 that adds another month to three months to the process, depending on the timing of
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1 when the file is sent to the Court. In sum, we are talking about a process that is 6
2 months in a best-case scenario but can be a year or even longer for some applicants.
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4 It is possible that some readers who lack familiarity with this process may
5 think that applicants with “red flags” on their applications deserve this. They do
6 not—or at least, it is a very rare case where they do. It should be noted that many of
7 the issues happened long ago and were the result of youthful mistakes – the
8 consequences of which have long since been paid. Many licensed attorneys made
9 some of these same mistakes in their past but were simply not caught. There are also
10 situations that just need to be explained and there was no actual problematic issue.
11 Perhaps most importantly, some of these applicants have disabilities. It is truly
12 unfortunate to add delay to the hurdles an applicant with a disability is already facing.
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15 In sum, I propose that a deadline of 30 days be included in the rules, for the
16 situations in which the Committee must issue a written decision following an inquiry
17 or hearing. This is the time limit for a hearing panel in the disciplinary system to
18 issue its decision. *See* Rule 58(k), Ariz. R. Sup. Ct. Individuals who apply to the
19 Committee should be alerted that they need to have the time to prepare such reports
20 in that timeframe, barring emergencies. If one Committee member has an
21 emergency situation, presumably another of members present could prepare the
22 written findings. At least this would provide applicants with grounds to reasonably
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1 expect the Committee staff to provide an update when they have not received a
2 decision for a month after their inquiry/hearing.
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4 Alternatively, if the Court believes more time is needed due to the volunteers
5 on the Committee, I propose a 45-day deadline. While I have not had time to do a
6 full state survey, I am aware that Illinois has a 45-day timeframe included in its rules:
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8 *9.11. Preparation of Findings and Conclusions. Within 45 days of the*
9 *vote of a Hearing Panel, or, in the event of special circumstances,*
10 *within such additional period of time as may be approved by the full*
11 *Committee, the Chairperson of the Hearing Panel shall cause to be*
12 *prepared and submitted to the Director the Findings and Conclusions*
13 *of the Committee together with a recommendation for or against the*
14 *certification of the applicant. The Findings and Conclusions shall*
15 *contain a synopsis of the contents of the application, a full and fair*
16 *explication of each of the matters of concern, and, with regard to each*
17 *such matter, the basis for the recommendation of certification or*
declination of certification. If the vote of the panel is less than
unanimous, the Findings and Conclusions shall include a clear and
concise statement of the concern(s) and conclusion(s) of the minority.

18 See: <https://www.ilbaradmissions.org/getpdfform.action?id=1100>

19 CONCLUSION

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21 Petitioner respectfully requests amendment of Rule 36(e) and (f), Ariz. R.
22 Sup. Ct., for the reasons stated above and as proposed in Appendix A (proposed new
23 text underlined).
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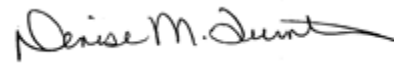
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1 Respectfully submitted this ____ day of January, 2026.
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 Denise M. Quinterri

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8 **ELECTRONICALLY** filed
9 on the Court Rules Forum of the Arizona Supreme Court
10 this ____ day of January, 2026.
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APPENDIX A

ARIZONA RULES OF THE SUPREME COURT

Rule 36. Procedure Before the Committee on Character and Fitness

[. . .]

(e) Informal Inquiries.

1. *Notice.* Oral or written notice must be provided to the applicant, which notice must advise the applicant generally of the subject, or subjects, of the informal inquiry and the time and place thereof.

[. . .]

5. *Decision.* The inquiry panel's decision must be in writing.

A. Recommendation to admit. The inquiry panel's recommendation to admit an applicant will be deemed final action by the Committee and transmitted to the Court, subject to the issuance of the certification by the clerk of this Court.

[. . .]

E. In situations where written findings of fact are required by these rules, the Committee shall notify the applicant and transmit those findings to the clerk of this Court within 30 days of the informal inquiry.

(f) Hearings. The Committee will hold a hearing, as may be reasonably required and as required pursuant to this rule, to enable the Committee to determine the applicant's qualifications for admission.

1. *Notice.* Written notice of such hearing must be given to the applicant, specifying:

[. . .]

1 5. *Decision.* The hearing panel's recommendation requires the concurrence of a
2 majority of the panel members. The panel's final decision must be in writing.

3 A. Recommendation against admission. If the hearing panel recommends
4 against admission, it must make separate findings of fact.

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6 [. . .]

7 D. In situations where written findings of fact are required by these rules,
8 the Committee shall notify the applicant and transmit those findings to the
9 clerk of this Court within 30 days of the hearing.

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