

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-25-0033
RULE 42 (ER 4.2), RULES OF)
SUPREME COURT)
) **FILED 08/26/2025**
)
)
)
_____)

**ORDER AMENDING ETHICAL RULE 4.2, RULE 42 OF
THE RULES OF THE SUPREME COURT OF ARIZONA**

A petition having been filed proposing to amend Comment [1] to Ethical Rule 4.2, Rule 42 of the Rules of the Supreme Court of Arizona, and comments having been received, upon consideration,

IT IS ORDERED that Comment [1] to Ethical Rule 4.2, Rule 42 of the Rules of the Supreme Court of Arizona, is amended in accordance with the attachment to this order, effective January 1, 2026.

DATED this 26th day of August, 2025.

_____/s/
ANN A. SCOTT TIMMER
Chief Justice

TO:

Rule 28 Distribution

Lisa M Panahi

Patricia A Sallen

Hon Christopher P Staring

ATTACHMENT¹

RULES OF THE SUPREME COURT OF ARIZONA

Rule 42. Rules of Professional Conduct

* * *

ER 4.2. Communication with Person Represented by Counsel

(a) – (b) [No change]

Comment [2003 amendment][amended 2026]

[1] This Rule does not prohibit communication with a party, or an employee or agent of a party, concerning matters outside the representation. For example, the existence of a controversy between a government agency and a private party, or between two organizations, does not prohibit a lawyer for either from communicating with nonlawyer representatives of the other regarding a separate matter. Also, parties to a matter may communicate directly with each other, and a lawyer having independent justification for communicating with the other party is permitted to do so; a lawyer is not prohibited from advising a client concerning a communication that the client is legally entitled to make, but a lawyer may not make a communication prohibited by this Rule through the acts of another, see Rule 8.4(a).

[2] – [7] [No change]

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