



emergency basis in accordance with the amendments shown on the attachment to this order, effective immediately upon the filing of this order.

**IT IS FURTHER ORDERED** that, during its August 2026 Rules Agenda, the Court will consider whether to adopt the rule amendments on a permanent basis.

**IT IS FURTHER ORDERED** that this petition and the amendments are opened for public comment under Rule 28(c), Rules of the Supreme Court of Arizona, as to whether the amendments should be adopted on a permanent basis, with all comments due no later than May 1, 2026, and any reply due no later than June 1, 2026.

The petition may be viewed by going to: <http://www.azcourts.gov/Rules-Forum>. This opens the "Welcome" page. Petitions are posted under the appropriate body of rules. For example, the Rules of the Supreme Court of Arizona can be found by scrolling down the page.

For instructions on how to post comments electronically, click on <https://www.azcourts.gov/rules/Forum-FAQ> at the top of the "Forum FAQ" page and then "How do I file a comment on a Rule 28 petition?"

Alternatively, commenters may submit comments by filing an original and one paper copy of the comment with the Clerk of the

Supreme Court, 1501 West Washington St., Room 402, Phoenix, AZ  
85007 in an envelope marked "Rule Comment."

Any person filing a comment must send a copy of the comment  
to the Petitioner electronically or by ordinary mail.

DATED this 28th day of January, 2026.

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/s/  
ANN A. SCOTT TIMMER  
Chief Justice

Arizona Supreme Court No. R-26-0010

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TO:

Rule 28 Distribution

Michael J Donovan

## ATTACHMENT<sup>1</sup>

### RULES OF THE SUPREME COURT OF ARIZONA

#### Rule 35. Bar Examination

##### (a) Definitions.

1. – 2. [No change]

3. *Attempt.* An “Attempt” means any bar examination, from any jurisdiction, in which the applicant has ~~sat for~~ viewed, accessed, or otherwise observed any portion of the exam content.

(b) – (e) [No change]

##### (f) Bar Exam Grading.

1. – 3. [No change]

4. An applicant’s Bar Exam scores will not be disclosed to the public. The Court is authorized to:

A. – C. [No change]

D. report to the applicant’s law school detailed information about the applicant’s performance on each section of the Bar Exam, including each section’s median and standard deviation, provided the applicant consents to its release; this information will be kept confidential and may be used solely for scholarly research by the applicant’s law school and for monitoring and improving the school’s educational and student support programs; and

E. [No change]

(g) [No change]

##### (h) Bar Exam Accommodations.

1. *Disability Accommodation.* An applicant may apply for Bar Exam disability accommodation within the deadlines established by the Court and published on its website. Failure to timely provide all required or requested information by the deadlines established by the Court may result in the request being rejected as incomplete.

A. – C. [No change]

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<sup>1</sup>Additions to the text of the rule are shown by underscoring and deletions of text are shown by ~~strike through~~.

D. The Committee on Examinations may grant, deny, reject as incomplete, or modify the requested accommodation. Upon approval of the Committee chair, a three-person panel appointed from the Committee membership may make accommodation decisions.

E. [No change]

2. ~~Permission to Bring a Prohibited Item-Non-Disability Medical Accommodation.~~ Within the deadlines established by the Court and published on its website, ~~An~~ applicant may apply for ~~Bar Exam accommodation for other health needs within the deadlines established by the Court and published on its website~~ a waiver to allow one or more prohibited items into the room or facility in which the Bar Exam is administered. Failure to timely provide all required or requested information by the deadlines established by the Court may result in the request being rejected as incomplete.

A. An application for ~~non-disability accommodation~~ a waiver under this Rule 35(h)(2) must include all forms and supporting documents as required and published by the Court on its website.

B. The Committee on Examinations or its designee may request additional information or supporting documentation. Failure to timely provide this additional information may result in the denial of ~~an accommodation~~ a waiver request.

C. The Committee on Examinations or its designee may grant, deny, reject as incomplete, or modify the requested ~~accommodation~~ waiver.

D. ~~Non-disability accommodation~~ A waiver under this rule will generally be granted only for a single administration of the Bar Exam unless otherwise determined by the Committee on Examinations or its designee.

**(i) Bar Exam Conduct.**

1. *Code of Conduct.*

A. – I. [No change]

J. An applicant must follow all written and spoken instructions provided before or during the Bar Exam.

2. – 4. [No change]

**(j) [No change]**

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**Rule 38. Certifications and Limited Admissions to Practice Law**

**(a) In-house Counsel.**

(1) – (2) [No change]

(3) *Filing Requirements.* Any attorney who commences employment by an eligible organization as in-house counsel shall apply for a Registration Certificate within ninety (90) days of the date of commencement of employment.

(A) An applicant for a Registration Certificate shall:

(i) – (iv) **[No change]**

(v) submit evidence that the applicant has successfully completed the course on Arizona law described in Rule 34(ji).

(B) – (C) **[No change]**

(4) – (10) **[No change]**

**(b) [No change]**

**(c) Law Professor Certification.**

(1) **[No change]**

(2) *Filing Requirements.* An applicant must submit an application for law professor certification with the Committee on Character and Fitness on a form supplied by the Committee. The application must include all of the following:

(A) – (D) **[No change]**

(E) evidence that the applicant has successfully completed the course on Arizona law described in Rule 34(ji).

(3) – (10) **[No change]**

**(d) Approved Legal Services Organizations and Certifications of Pro Bono Counsel.**

(1) **[No change]**

(2) *Certification of Pro Bono Counsel.*

(A) **[No change]**

(B) Eligibility. The be certified, the attorney must be one of the following:

(i) **[No change]**

(ii) *An out of state attorney domiciled in Arizona but not admitted to practice law in Arizona, who:*

(a) – (c) **[No change]**

(d) Has successfully completed the course on Arizona law described in Rule 34(ji);

(e) – (f) **[No change]**

(iii) *An attorney, either domiciled in Arizona or outside Arizona, who is employed part-time or full-time by an approved legal services organization in this state, and who:*

(a) – (b) [No change]

(c) Has successfully completed the course on Arizona law described in Rule 34(ji);

(d) – (e) [No change]

(iv) [No change]

(C) – (K) [No change]

### **Rule 39. Temporary Authorizations to Practice Law**

#### **(a) Pro Hac Vice.**

(1) – (4) [No change]

(5) *Disciplinary Jurisdiction of the State Bar of Arizona.* As provided in Rule 46(bd), Rules of the Supreme Court, a non-member attorney admitted pro hac vice pursuant to these rules shall be subject to the jurisdiction of the courts and agencies of the State of Arizona and to the State Bar of Arizona with respect to the laws and rules of this state governing the conduct and discipline of attorneys to the same extent as an active member of the State Bar of Arizona.

(6) – (13) [No change]

#### **(b) Practice Pending Admission.**

(1) *General Statement and Eligibility.* An applicant who currently holds an active license to practice law in another jurisdiction in the United States, and who has been primarily engaged in the active practice of law for three of the last five years immediately preceding the date upon which the application for admission is filed, may provide legal services in Arizona through an office or other place for the regular practice of law in Arizona for no more than 365 days, provided that the applicant:

(A) – (C) [No change]

(D) has first submitted an application deemed complete by the Committee on Character and Fitness for admission on motion (Rule 34(fe)), admission by transfer of uniform bar examination score (Rule 34(hg)), or admission by Arizona bar examination (Rule 3435), and has complied with the requirements of Rule 34 ~~(f)(1)(B), (D) and (H)(e)(1)(B), (C), and (D);~~

(E) – (J) [No change]

(2) – (8) [No change]

#### **(c) [No change]**

**(d) Military Spouse Certification.**

(1) *General Statement and Eligibility.* Due to the unique mobility requirements of military families who support the defense of our nation, the Court may certify an attorney who is a spouse of a member of the United States Uniformed Services (“service member”) stationed within Arizona to practice law under the terms of this rule. An attorney (“applicant”) who is not a member of the State Bar of Arizona who meets the requirements of (A) through (J) of this paragraph (d)(1) may, upon verified application, be admitted to the temporary practice of law in this jurisdiction. The applicant must:

(A) – (F) [No change]

(G) submit evidence that the applicant has successfully completed the course on Arizona law described in Rule 34(ji);

(H) – (J) [No change]

(2) – (8) [No change]