

IN THE SUPREME COURT OF THE STATE OF ARIZONA
PETITION REGARDING QUALIFIED ADMINISTRATIVE REPRESENTATIVES
(QAR)
AND QUALIFIED REGULATORY PROSECUTORS (QRP)

STATEMENT OF COMPETENCY, ETHICAL COMPLIANCE, AND
ADMINISTRATIVE ADVOCACY STANDARDS

I. DEFINITION AND SCOPE OF ROLES

The Petitioner proposes the formal recognition of two distinct, specialized non-lawyer roles within the administrative framework of the State of Arizona:

A. Qualified Administrative Representative (QAR): A non-lawyer professional authorized to provide defense and advocacy for individuals navigating administrative systems, ensuring their rights and interests are protected.

B. Qualified Regulatory Prosecutor (QRP): A non-lawyer professional who serves in a prosecutorial capacity on behalf of state agencies, administrative boards, or authorized regulatory bodies. The QRP is responsible for initiating enforcement actions, issuing administrative notices, and representing the state in adjudicative hearings.

II. EQUIVALENCY OF EXPERIENCE AND SPECIALIZED TRAINING

Competency in administrative representation is not derived solely from a Juris Doctor degree, but from demonstrated expertise and regulatory immersion. Both QARs and QRPs must meet rigorous competency benchmarks, including a minimum of two (2) years of professional experience within an administrative or regulatory agency pursuant to A.R.S. § 41-1081, and one (1) year of specialized training tailored to the evidentiary and procedural requirements of the Arizona Office of Administrative Hearings (OAH).

III. PROSECUTORIAL DUTIES AND ETHICAL OBLIGATIONS

QRPs, serving in a prosecutorial capacity, bear a profound responsibility to the public and the tribunal. They are mandated to adhere to ethical obligations equivalent to the Arizona Rules of Professional Conduct, with specific emphasis on:

A. Duty of Candor and Justice: The QRP's primary objective is the pursuit of justice, including maintaining absolute candor toward the tribunal (ER 3.3) and ensuring fairness to all opposing parties (ER 3.4).

B. Brady Obligations: QRPs are strictly bound by the constitutional mandates set forth in *Brady v. Maryland*, 373 U.S. 83 (1963). A QRP must proactively disclose all material exculpatory evidence, ensuring procedural due process is upheld.

IV. OVERSIGHT AND ACCOUNTABILITY

To ensure public protection, both QARs and QRPs shall operate under:

A. Supervisory Attorney Oversight: While empowered to perform their respective duties, they shall remain under the overarching authority and review of a licensed Arizona attorney.

B. Arizona Supreme Court Registry: The Court shall issue a unique Agency Identification Number to each authorized practitioner, enabling the Supreme Court to monitor, audit, and discipline or revoke privileges for any failure to uphold professional and ethical standards.

Respectfully submitted,



Petitioner