

SOAR ACCESS TO JUSTICE PROGRAM: DISCIPLINARY AND APPELLATE PROCEDURAL RULES

I. LEGAL AUTHORITY

These procedural rules are established pursuant to the exclusive jurisdiction of the Supreme Court of Arizona over the regulation of the practice of law. The governing framework is rooted in the **Rules of the Supreme Court of Arizona**, specifically:

- **Rule 31:** Defines the practice of law and establishes the Court's authority over authorized and unauthorized practice of law.
- **Rule 31.1 & 31.2:** Govern authorized practice and prohibitions against unauthorized practice, respectively.
- **Rules 31-74:** Constitute the overarching framework for professional conduct and discipline, under which the SOAR Governing Board exercises delegated authority.

II. DISCIPLINARY COMMITTEE ROLES AND PROCEDURES

A. Enforcement Roles:

- **SOAR Disciplinary Enforcement Attorney:** Acts as the prosecutor in disciplinary proceedings. They are responsible for investigating allegations, bringing charges, and advocating for necessary disciplinary actions to protect the public and maintain professional standards.
- **Committee Defense Representative:** Appointed to ensure that the accused practitioner receives due process, providing defense representation throughout the disciplinary proceedings.

B. Initiation of Complaint: Any person may file a formal complaint alleging a violation of the SOAR Professional Standards by a QAR or QRP. Complaints must be submitted in writing to the Disciplinary Committee.

C. Adjudication: The Disciplinary Enforcement Attorney and the Committee Defense Representative shall present arguments and evidence before the Committee. Decisions shall be based on a preponderance of the evidence standard.

D. Sanctions: If a violation is found, the Committee may impose sanctions, including, but not limited to, permanent revocation of license, license suspension, mandatory completion of Continuing Education (CE) requirements, public reprimand, or private admonition.

III. APPELLATE REVIEW AUTHORITY PROCEDURES

A. Right to Appeal: A practitioner may appeal a decision of the Disciplinary Committee to the Appellate Review Authority within 30 days of the issuance of a written decision.

B. Scope of Review: The Appellate Review Authority shall review the record of the disciplinary proceedings to ensure procedural fairness, adherence to due process, and proper application of SOAR standards.

C. Finality: The decision of the Appellate Review Authority shall constitute the final internal administrative action of the SOAR Governing Board. Any further appeal must be directed to the Supreme Court of Arizona, consistent with the Court's ultimate supervisory jurisdiction.