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

10 PETITION TO AMEND RULE 42,
11 ARIZ. R. SUP. CT., ER 1.15,
12 COMMENT 4

Supreme Court No. R-11-0024

**State Bar of Arizona's Comment
on Petition to Amend Rule 42,
Ariz. R. Sup. Ct., ER 1.15,
Comment 4**

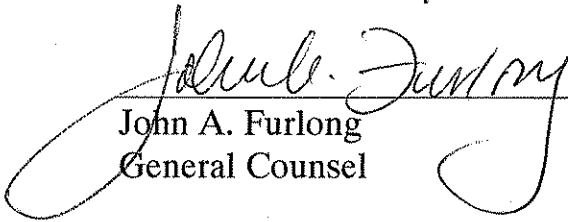
14 The State Bar of Arizona requests that the Court continue this petition to the
15 2013 rules cycle.

16 Dealing with liens and claims of third parties within the obligations of
17 Ethical Rule (ER) 1.15 and state and federal statutes is a legitimate and long-
18 standing problem that lawyers in many practice areas face. ER 1.15 is a uniform
19 Model Rule rule, however; and the State Bar is not aware of other jurisdictions that
20 have addressed the problem. Any significant change should be accomplished with
21 notice to potentially affected parties and an opportunity for meaningful discussion.
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23 If the Court continues the petition, the State Bar intends to convene a task
24 force of appropriate stakeholders to consider solutions to this long-standing
25 problem. The State Bar's task force also would consider whether changes should
26 be more appropriately made to rules other than the Ethical Rules, such as the Rules
of the Supreme Court or the Rules of Civil Procedure.

1 For the above reasons, the State Bar requests that the Court continue this
2 petition to the 2013 rules cycle. The undersigned is authorized to represent that the
3 Petitioners accede to this request.

4 RESPECTFULLY SUBMITTED this 21st day of May, 2012.

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7 
8 John A. Furlong
9 General Counsel

10 Electronic copy filed with the Clerk
11 of the Supreme Court of Arizona this
12 21st day of May, 2012,

13 By: Kathleen A. Lindgren
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