

Alternative # 1

Note: Changes or additions in text are indicated by underscoring and deletions from text are indicated by ~~strikeouts~~.

RULES OF THE SUPREME COURT

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Rule 31. Regulation of the Practice of Law

(a) Supreme Court Jurisdiction Over the Practice of Law

1. [No change in text.]

2. *Definitions.*

A.-D. [No change in text.]

E. “Unprofessional conduct” means substantial or repeated violations of the Oath of Admission to the Bar or the Lawyer’s Creed of Professionalism of the State Bar of Arizona.

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Rule 41. Duties and Obligations of Members

The duties and obligations of members shall be:

(a)-(f) [No change in text.]

(g) To ~~abstain from all offensive personality~~ avoid engaging in unprofessional conduct and to advance no fact prejudicial to the honor or reputation of a party or a witness unless required by the justice of the cause with which ~~he~~ the member is charged.

(h) [No change in text.]

Comment [2006 Amendment]

[1] Professionalism requires lawyers to act at all times with honesty and integrity, to conduct business with courtesy and respect, and to render excellent service to their clients and communities. Discipline will be imposed under Rules 41(g) and 53(i) only for unprofessional conduct as defined in Rule 31(a)(2)(E) – substantial or repeated violations of the Oath of Admission to the Bar or the Lawyer’s Creed of Professionalism of the State Bar of Arizona. Nevertheless, lawyers should aspire to treat others with courtesy and respect whether or not engaged in the practice of law, recognizing that such conduct may generally reflect on the profession. Moreover, although a lawyer who engages in unprofessional conduct outside the practice of law may not be subject to discipline under Rules 41(g) and 53(i), not all such conduct is beyond the purview of the disciplinary process. Conduct outside the practice of law may be grounds for discipline under other rules, as when a member of the bar is convicted of a felony, Rule 53(h), or commits a criminal act that reflects adversely on the lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects. Rule 42, ER 8.4, and Rule 53(a).

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Rule 53. Grounds for Discipline

(a)-(i) [No change in text.]

(j) Unprofessional conduct as defined in Rule 31(a)(2)(E).

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