

Hon. Lawrence F. Winthrop, Chair Attorney Regulation Advisory Committee
1501 W. Washington, Phoenix, AZ 85007
602-542-1430

**IN THE SUPREME COURT
STATE OF ARIZONA**

In the Matter of:)
PETITION TO AMEND RULE) Supreme Court No. R-16-0029
31, RULES OF)
THE SUPREME COURT)

Pursuant to Administrative Order 2011-44, the Attorney Regulation Advisory Committee (ARC) was established in part to assist the Court’s oversight of attorney regulation and discipline systems. As part of its charge, ARC proposes and reviews rule petitions that are related to or affect the practice of law. Based upon the discussion and vote at its September, 2016 meeting, ARC respectfully submits this comment regarding R-16-0029 Oath of Admission- Lawyer’s Creed:

ARC has a significant concern relative to the use of the phrase, “appears to me” in proposed paragraph three of the Oath. The proposed language converts what should be an objectively measurable judgment into what is arguably an entirely subjective one based upon that lawyer’s personal perspective. That type of standard would be difficult (and perhaps impossible) to evaluate and/or uniformly enforce through our disciplinary system.

ARC recommends deleting this type of phrase from the oath or the Lawyer's Creed.

RESPECTFULLY SUBMITTED this 21 day of November 2016.

By Lawrence F. Winthrop
Hon. Lawrence F. Winthrop, Chair
Attorney Regulation Advisory Committee
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