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

9 In the Matter of:

Supreme Court No. R-21-0016

10 **PETITION TO AMEND RULE**
11 **45(a)(2) OF THE ARIZONA RULES**
12 **OF THE SUPREME COURT**

13 **REPLY OF THE**
14 **STATE BAR OF ARIZONA**

15 Pursuant to Rule 28(e)(5) of the Arizona Rules of the Supreme Court, the State
16 Bar of Arizona (the “State Bar”) hereby submits the following as its reply to the
17 above-captioned Petition. At the outset, the State Bar stands by its assertions that
18 the proposed MCLE would “assist Arizona lawyers’ understanding of their
19 obligations under ER 8.4(d) Arizona Rules of Professional Conduct” and comport
20 with a core value of the State Bar: diversity. *See* Petition, at 3–4.

21 In its comment supporting the petition, the Attorney Regulation Advisory
22 Committee recommended that this Court grant the Petition, but also recommended
23 that the new proposed MCLE “be included as part of the overall 15-hour requirement
24 under Rule 45(a)(1)” —rather than as part of the three-hour professional-
25 responsibility MCLE. *See* Comment. In effect, it asks this Court to approve a
change to Rule 45(a)(1), not Rule 45(a)(2). This Court may do so under Rule

1 28(g)(1) of the Supreme Court of Arizona. *See* Ariz. R. of the Sup. Ct. 28(g)(1)
2 (permitting this Court to “approve the rule changes as proposed in the petition,
3 *approve different changes*, deny the petition, or continue the petition for later
4 consideration”) (emphasis added).
5

6 The State Bar does not oppose the Committee’s proposed modification for
7 three reasons. First and foremost, the Petition’s proposed MCLE requirement would
8 remain. Second, to place the proposed MCLE as a stand-alone MCLE would stress
9 the MCLE’s importance. Third, and as the Committee stresses, the proposed
10 modification would quell any concern of “reducing members’ enrollment in CLE
11 seminars on topics related directly to the Ethical Rules or other topics that are
12 relevant to ethics and professionalism standards for State Bar members.” *See*
13 Comment.
14
15

16 **CONCLUSION**

17 The State Bar of Arizona respectfully requests that this Court approve the
18 change to Rule 45(a) either as proposed by the Petition or by the Attorney Regulation
19 Advisory Committee. *See* Ariz. R. of the Sup. Ct. 28(g)(1).
20

21 RESPECTFULLY SUBMITTED this 27th day of May, 2021.
22

23 *Lisa M. Panahi*

24 _____
25 Lisa M. Panahi
General Counsel

1 Electronic copy filed with the
2 Clerk of the Supreme Court of Arizona
3 this 27th day of May, 2021.

4 by: P Seguin
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