Several of the bills dealing with the State Bar and Arizona’s courts were resurrected during the 1st Regular Session of the 53rd Legislature. Bar Track, the Bar’s weekly e-newsletter continued to update an average of 22,563 members on the introduction and progress of these bills, as well as many others tied to specific areas of law practice. The average weekly open rate was 9,949, representing 44.1% of members.

Here are legislative bills, memorials, or resolutions dealing with the State Bar of Arizona or the Supreme Court that we tracked:

HB 2295: ATTORNEY REGULATION; ASSESSMENTS; MEMBERSHIP
Would require attorneys to pay a mandatory assessment to the Arizona Supreme Court as a condition of practicing law in Arizona and make membership in the State Bar of Arizona voluntary. Would allow the State Bar to assist the Court in carrying out regulatory functions on the condition that all related records and expenses become subject to public record.
ARS Title Affected: 12
First sponsor: Rep. Kern
Status: The Board of Governors opposed this bill, which died in the Senate Judiciary Committee.

HB 2300: SUPREME COURT; REGULATION OF ATTORNEYS
Would eliminate the mandatory bar and transfer all regulatory functions currently administered by the State Bar to the Supreme Court, authorizing the Court to collect a mandatory assessment from each attorney as a condition of practicing law in Arizona.
ARS Title Affected: 12
First sponsor: Rep. Kern
Status: The Board of Governors opposed this bill, which was retained on the House consent calendar on February 23.

HB 2534: JUDICIAL ELECTIONS; TERM REQUIREMENTS
Would eliminate merit selection of justices and judges and provide instead for their election, would reduce the term of office of a Supreme Court Justice and a judge of the court of appeals to two years, and would repeal the Commission on Trial Court Appointments.
ARS Titles Affected: as, 16, 19, 38, and 41
First sponsor: Rep. Shooter
Status: The bill was held in House Appropriations on February 22, 2017.
HCR 2030: JUDICIAL ELECTIONS; TERM OF OFFICE
Would require that the 2018 general election ballot carry the question of whether to amend the state Constitution to eliminate the merit selection of justices and judges and provide instead for their election; would reduce the term of office to two years for justice and judges of the superior courts.
ARS Title Affected: 98
First sponsor: Rep. Shooter
Status: The resolution was held in House Appropriations on February 22, 2017.

The State Bar of Arizona participated in the 2017 ABA Day in Washington DC. Ten Arizona attorneys made up a delegation that spoke to members of congress about funding for the Legal Services Corporation. For the first time, the White House budget planned to eliminate all LSC funding. To date, no final decision has been made about what level of funding LSC will receive in the next budget. It should be noted that Arizona attorney Trish Refo was the national chair for ABA Day 2017 and will hold that same position in 2018.

The constitutional restrictions in Keller v. State Bar of California and subsequent cases state that political positions taken by the State Bar of Arizona which are funded by member dues must be narrowly limited to our core purposes or the administration of justice. Should a mandatory bar take a position that does not fit into those areas, the portion of the member dues used to promote or lobby for that position might be refunded.

Members do have the option of challenging the Bar to ensure that any position taken is within the Keller guidelines. You can read more about how to submit a challenge here.

However, as permitted by case Law, Arizona operates in a “Keller-Pure” environment. The Bar’s bylaws state our organization may not take a position on any issue that is not allowed within the Keller framework. You can read more about Keller here.