



BOARD OF LEGAL SPECIALIZATION

State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016

Wednesday, January 12, 2022 - 4:00 p.m.
via Zoom on-line meeting

MINUTES

Approved February 9, 2022

MEMBER ATTENDANCE:

P = Present; Z = Present via Zoom; T = Present Telephonically; A = Absent

Wendi Sorensen - Z

M. Maureen Anders - Z

James Anderson - Z

James Cross - Z

Robert Denison - Z

Michael Goldberg - Z

Georgette Hasiotis - Z

Kimberly Heldt - Z

Abe Lai - Z

Phoebe Moffatt - Z

Blake Moscatello - Z

Jeffrey Neff - Z

Elizabeth Ortiz - Z

OTHER ATTENDEES:

State Bar Staff: Sarah Corpening, Connie Hay

Minutes taken by: Connie Hay

1. Call to Order

Meeting was called to order by James Cross

4:00 p.m.

2. Call to the Public –

Immigration attorney, Colleen DiSanto

Members of the Administrative Law Advisory Commission: Camila Alarcon; Jodi Bain; Lisa Gervase; Gregory Harris; Mike Saltz; Teressa Sanzio; Jessica Thomas, Chair

3. Approval of minutes.

The minutes of the December 8, 2021 General Session meeting were reviewed.

Motion for approval by: Bob Denison

Second by: Abe Lai

Chair call for Vote: Unanimous; Motion Passes

The minutes of the December 8, 2021 Executive Session meeting were reviewed.

Motion for approval by: Jeffrey Neff

Second by: Bob Denison

Chair call for Vote: Unanimous; Motion Passes

- 4. Immigration Law Specialty.** Colleen DiSanto presents on behalf of Mac Nayeri and herself. They propose an Immigration Law specialty with two separate tracks: 1) Attorneys who mainly practice before the EOIR court (Asylum, Deportation & Removal cases) and, 2) Attorneys who practice before USCIS that are administrative in nature and require appearing before USCIS (mainly administrative cases that are family or business-based petitions). There would be certain Standards to be met by both, plus certain Standards that would be unique to each track. The same would hold for the exams (core questions for both tracks, and a set of unique questions depending on the track.)

Further, Immigration Law is the only area of law with unlicensed practitioners, 'Notarios', who can have devastating ramifications for the public. James Cross states the Specialization mission is to protect the public, and an immigration law specialty could protect against notarios.

The next steps are to put together Standards and submit them to the BLS for further vetting. Sarah Corpening suggests exploring the commonalities, which could be the initial base for the Standards, and then separate the tracks. The exam must test those items identified in the Standards. She suggests contacting other State Bars with immigration specialties to see how they handle the different areas of immigration law in both their Standards and their testing.

Ms. DiSanto is concerned that the fees could mean the best of the best would not be able to become specialists, and a specialty would become a 'pay for play'.

- 5. Criminal Law Standards.** Elizabeth Ortiz and Michael Goldberg reporting. Current Standards require a number of jury trials plus a number of hearings plus a required number of post-conviction matters. As a reminder, Sarah Corpening states that the issue the BLS was originally trying to address was that the Standards were created at a time when there were a lot of jury trials. This is no longer the case. Additionally, most criminal law attorneys work in pre-conviction or post-conviction matters, but not both. She is concerned with carving Criminal Law into multiple sub-specialties from an administration side, however. Jim Anderson asks, how do you meet the Legal Specialization mission of protecting the public if the specialty is so broad and not consistent with how the criminal law practice area operates today? Elizabeth and Michael will circle back to the Criminal Law Advisory Commission to try to schedule them to meet with the BLS in the next couple of months.
- 6. Specialization Exams.** James Cross states that due to subsection 5.c. of the Public Meeting Policy, we are moving into Executive Session for this because a question has risen regarding a specialization exam, results are being challenged, and examinations are exempt from the Public Records Policy.

- 7. Executive Session.**

Motion to move into Executive Session by: Michael Goldberg

Second by: Jeffrey Neff

Chair call for Vote: Unanimous; Motion Passes

Convene into Executive Session
4:33 p.m.

Reconvene into General Session
5:10 p.m.

The Board decided that no action will be taken on any Administrative Law matter at this time.

Motion to allow approve recertification recommendations of the following from Workers' Compensation Advisory Commission:

Sharon Hensley
Joseph Lodge
Ronald Wills
Eric Awerkamp

By: Jeffrey Neff
Second by: Wendi Sorensen
Chair call for discussion or objection: None
Chair call for Vote: Unanimous; Motion Passes

8. **Administrator updates.** Connie Hay reporting. The Real Estate Advisory Commission (REAC) has taken up the question of how to better publicize specialists who work in Water, Mineral and Environmental law – which have always been included within the Real Estate Standards and Specialty. The REAC asked Michael Foy, the Water Law attorney who originally brought up the question, if for example, adding “focusing on Water Law” beneath the Real Estate Certified Specialist seal would suffice, but he did not believe that idea solves the issue. The REAC does not have a proposed solution ready for the BLS to consider at this time.
9. **Date of next meeting:**
February 9, 2022 – 4 p.m.
9. **Adjourn – 5:15 p.m.**