

SUPREME COURT OF ARIZONA

In the Matter of) Arizona Supreme Court
) No. R-16-0012
RULES 32 and 44, RULES OF THE)
SUPREME COURT)
)
) **FILED: 09/02/2016**
)
)
_____)

**ORDER
AMENDING RULE 32 AND PROMULGATING RULE 44, RULES OF THE ARIZONA
SUPREME COURT**

A petition having been filed proposing to amend Rule 32 and promulgate Rule 44, Rules of the Arizona Supreme Court, and no comments having been received, upon consideration,

IT IS ORDERED that Rule 32, Rules of the Arizona Supreme Court, be amended in accordance with the amendments to Rule 32 shown in the attachment to this Court's order regarding Rule Petition R-16-0013, and Rule 44, Rules of the Arizona Supreme Court, be promulgated, in accordance with the attachment hereto, effective January 1, 2017.

IT IS FURTHER ORDERED that these rules shall apply to any attorney applying for initial certification on or after January 1, 2017, and to any attorney applying for recertification on or after January 1, 2017. Attorneys who are currently certified as specialists may maintain the certification for the remainder of the

term.

DATED this 2nd day of September, 2016.

_____/s/_____
SCOTT BALES
Chief Justice

TO:

Rule 28 Distribution

Mark E Meltzer

Hon. Rebecca White Berch (Ret.)

ATTACHMENT*

Rule 44. Legal Specialization

(a) Purpose. By identifying attorneys who have a high degree of experience in certain fields of law, a legal specialization program will improve the quality of legal services and provide useful information for those seeking legal services.

(b) Board. The State Bar of Arizona will administer the program through a Board of Legal Specialization (“BLS”) under the supervision of this Court.

(c) BLS Members. The BLS will consist of thirteen members, as follows: eight practicing attorneys, four of whom are not specialists and four of whom are certified specialists; one representative from an ABA-accredited law school in Arizona; and four members of the public. Members of the BLS will be nominated by the Board of Governors and appointed by this Court. BLS members will serve four-year terms, with a limit of two terms. The BLS chair will be nominated by the Board of Governors and appointed by this Court from among the BLS members. The BLS chair will be a voting member of the board. The BLS chair will serve a two-year term and may be appointed to a second term.

(d) BLS Rules. The BLS will be governed by rules approved by this Court. Such rules will designate, among other things, recognized areas of specialization, objective criteria for qualifying as a certified specialist, and the procedures for attorneys to obtain certification. The rules shall assure due process to all applicants. The BLS will grant certification to those applicants who meet the objective criteria designated in the rules.

(e) Limitations. The BLS may not require an attorney to be a certified specialist in order to practice in a particular area, nor may the BLS limit the right of a certified specialist to practice in other fields of law or to associate with attorneys who are not specialists.

(f) Discretionary Review. An attorney aggrieved by a decision of the BLS may file a verified petition for review with this Court within 20 days after the decision becomes final. The attorney must succinctly state the facts that form the basis of the petition and the attorney’s reasons for seeking review. The attorney must promptly serve the BLS with a copy of the petition. The BLS will have 30 days after service to file a response and to transmit the attorney’s file to this Court. The Court will then decide whether to grant review.

* Additions to text are indicated by underscoring and deletions by ~~strikeout~~.