

ARIZONA STATE SENATE

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TO: MEMBERS OF THE SENATE
JUDICIARY COMMITTEE

DATE: February 13, 2024

SUBJECT: Strike everything amendment to S.B. 1471, relating to complaints against state bar members; dismissal

Purpose

Requires the Arizona State Bar (Bar) and Arizona Supreme Court (Supreme Court) to dismiss without comment or investigation all complaints made against an attorney who is a member of the Bar if: 1) the complainant alleges that the attorney has violated a rule of professional conduct or has engaged in other conduct warranting discipline; and 2) the complaint does not have an attorney-client relationship with the attorney or another substantial nexus to the attorney's alleged violation or conduct.

Background

The Supreme Court classifies violations of a Rule of Professional Conduct as grounds for discipline ([A.R.S. Sup. Ct. Rules, Rule 54](#)). The Supreme Court maintains under its direction and control a corporate organization known as the Bar. Every person licensed by the Supreme Court to engage in the practice of law must be a member of the Bar in accordance with the Supreme Court Rules. The Supreme Court empowers the Bar, under the Supreme Court's supervision, to assist the Supreme Court with the regulation and discipline of persons engaged in the practice of law and assist the Supreme Court with the regulation and discipline of alternative business structures and legal paraprofessionals ([A.R.S. Sup. Ct. Rules, Rule 32](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the Bar and Supreme Court to dismiss, without comment or investigation, all complaints made against an attorney who is a member of the Bar if:
 - a) the complainant alleges that the attorney has violated a rule of professional conduct or has engaged in other conduct warranting discipline; and
 - b) the complainant does not have an attorney-client relationship with the attorney or another substantial nexus to the attorney's alleged violation or conduct.
2. Becomes effective on the general effective date.