Lawyer Mobility

Admission on Motion Arrives

BY J. JAMES CHRISTIAN

Thanks in large part to Phoenix attorney Timothy Burr, on Jan. 1, 2010, Arizona's new reciprocity rule permitting admission on motion will go into effect. Tim petitioned the Arizona Supreme Court for this rule change all the way back in October 2006. Following the filing of the petition, the Supreme Court appointed a committee to review the petition and recommend changes to the existing admission rules. Eventually, the committee's recommendations were adopted in large part by the Supreme Court.[1]

The rule changes that will go into effect in January will permit out-of-state attorneys to be admitted to practice law in Arizona without having to pass the Arizona admissions exam. At the same time, Arizona lawyers will have the opportunity to be admitted to the bars of other jurisdictions that have adopted similar reciprocity rules.

The list of reciprocal jurisdictions is maintained on the Arizona Supreme Court's Web site (www.supreme.state.az.us/admis). As of early December, the list includes the following jurisdictions:

Alaska, Colorado, District of Columbia, Georgia, Idaho, Iowa, Illinois, Indiana, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, North Dakota, Oklahoma, Pennsylvania, South Dakota, Tennessee, Texas, Utah, West Virginia, Washington and Wisconsin

The Process

The admission on motion process will be governed by new Supreme Court Rule 38(h) and Administrative Order No. 2009-102. The application fee will be $1,800, which will cover the certification investigation, the moral fitness investigation, the required course on Arizona law and administrative costs. State Bar membership dues will be assessed separately.

In abbreviated form, the new rule requires the applicant to:

- be admitted to practice law by bar exam in another jurisdiction that allows for reciprocal admission of Arizona-licensed attorneys;
- hold a juris doctor degree from an ABA-accredited law school;
- have been primarily engaged in the practice of law for at least five of the past seven years;
- submit evidence of a passing score on the MPRE, which is 85 in Arizona;
- be in good standing in all jurisdictions in which the applicant is admitted to practice law;
- prove that the applicant is not currently subject to lawyer discipline or disciplinary proceedings in any other jurisdiction;
- establish their character and fitness to practice law in Arizona; and
- complete a course on Arizona law approved by the Arizona Supreme Court.

The first required course on Arizona law will be offered just over two months into the new year. The course will be an all-day

event. It is important to keep in mind that no test will be administered following the course. And no studying will be required before the start of the class. Rather, attendance at one of the courses is all that is required.

Four courses are currently scheduled:

- Saturday, Mar. 6, 2010, at the Supreme Court Building, 1501 W. Washington, Phoenix;
- Friday, June 18, 2010, at the Judicial Education Center, 541 E. Van Buren, Phoenix;
- Monday, Sept. 27, 2010, at the Judicial Education Center; and
- Friday, Dec. 3, 2010, at the Judicial Education Center.

Because proof of course completion is a prerequisite to admission on motion, the soonest that an applicant would be eligible for admission would be during the first week of March 2010. Admission within this time frame also would depend on the satisfaction of all other prerequisites. For example, the Committee on Character & Fitness must have completed its evaluation of the applicant. And candidates must have submitted all of the required documentation.

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Finally, like all other applicants, the final prerequisite to admission will be taking the Oath of Admission to the Practice of Law in Arizona, required of all attorneys.

New Online Application

The Admissions Unit of the Arizona Supreme Court will be launching a new online application system in January 2010. All applications for admission on motion must be submitted online through the new system.

The Supreme Court plans to have additional admission details available on the Court's Web site in the beginning of December. And application materials will be able to be submitted through the Arizona Supreme Court's site starting on Jan. 4, 2009. (The lag time between the effective date of the rule—January 1—and January 4 is simply due to the Supreme Court's need to have all available technical assistants on hand for the launch of the program following the New Year holiday.)

The new online application program will have significant advantages over the old paper-application process. New streamlined forms will be available. And applicants will be able to store and later access partially completed applications to update them and prepare them for their ultimate submission. Because only completed applications will be accepted by the system, the need for the Admissions Unit to contact applicants regarding incomplete submissions will be largely eliminated. In short, the online application process will provide advantages for both applicants and the Admissions Unit.

A Move Toward Lawyer Mobility

In addition to easing the process for out-of-state lawyers to practice law in Arizona, Arizona lawyers soon will have the flexibility to practice in other states after satisfying requirements similar to those listed above. Arizona lawyers are encouraged to contact the licensing divisions of jurisdictions in which they would like to practice law for additional information.

1. For more information, *see Sea to Sea: Admission on Motion Comes to Arizona*, ARIZ. ATT'Y, December 2008, at 14 (available at www.myazbar.org/AZAttorney/PDF_Articles/1208mjp2.pdf).

For more information on Admission on Motion:
www.supreme.state.az.us/admis