SUPREME COURT OF ARIZONA

In the Matter of	)	Arizona Supreme Court
	)	No. R-20-0007
RULE 38, ARIZONA RULES OF SUPREME COURT	)	

FILED 04/06/2020

ORDER AMENDING RULE 39 OF THE ARIZONA RULES OF THE SUPREME COURT ON AN EMERGENCY BASIS

On March 31, 2020, the Task Force on the Delivery of Legal Services filed a Supplemental Petition proposing to amend Rule 39(c), Arizona Rules of the Supreme Court. The Court has decided that the amendments should be adopted on an emergency basis. Accordingly,

IT IS ORDERED that pursuant to Rule 28(h)(2), Arizona Rules of the Supreme Court, Rule 39(c) of the Rules of the Arizona Supreme Court is hereby amended as modified on an emergency basis in accordance with the amendments shown on the attachment to this order, effective May 1, 2020.

IT IS FURTHER ORDERED that regarding the duration and termination of certification as a certified limited practice graduate, the second clause of Rule 39(c)(5)(G)(vi) ("or the first uniform bar examination offered in another jurisdiction for which the law graduate is eligible") is suspended and will not be applicable until further order of the Court due to the public health emergency.

IT IS FURTHER ORDERED that, consistent with Rule 28(h)(2), this matter shall be open for public comment as to whether these amendments should be adopted permanently, with comments due May 29, 2020.

DATED this 6th day of April, 2020.

/s/
ROBERT BRUTINEL
Chief Justice

TO:
Rule 28 Distribution
David K Byers

ATTACHMENT[1]

Arizona Rules of the Supreme Court

Rule 39. Temporary Authorizations to Practice Law

(a) – (b) [No change in text.]

(c) Law Students ~~Practice~~ and Law Graduates

(1) Purpose. The purpose of this rule is to provide law students and recent law school graduates with supervised instruction and training in the practice of law for a limited time, and to facilitate volunteer opportunities for those individuals in pro bono contexts.

(2) Definitions:

"Law school" means a law school either provisionally or fully accredited by the American Bar Association.

"Certified limited practice student" is a law student ~~or a graduate~~ of an accredited ~~a~~ law school ~~approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association~~ who holds a ~~current~~ currently effective Arizona Supreme Court ~~certification~~ Certification as a certified limited practice student.

"Certified limited practice graduate" is a law graduate of an accredited law school who holds a currently effective Arizona Supreme Court Certification as a certified limited practice graduate.

"Dean" means the dean, the academic associate dean, or the dean's designee of the accredited law school where the law student is enrolled or the law graduate was enrolled on graduation.

"Period of supervision" means the dates for which the supervising attorney has declared, on the application for certification or recertification, that he or she will be responsible for any work performed by the certified limited practice student or the certified limited practice graduate under his or her supervision.

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[1] Additions are shown by underscoring and deletions are shown by ~~strike-through~~.

"Supervising attorney" is an attorney authorized to practice law in Arizona who has practiced law or taught law in an accredited law school as a full-time occupation for at least two years, and agrees in writing to supervise the certified limited practice student or certified limited practice graduate pursuant to ~~under~~ these rules, and is identified as the supervising attorney ~~whose name appears on~~ in the application for certification or recertification. The supervising attorney may designate a deputy or other staff attorney to supervise the certified limited practice student or certified limited practice graduate when permitted by these rules.

~~"Designated attorney" is, exclusively in the case of government agencies, any deputy assistant or other staff attorney authorized and selected by a supervising attorney to supervise the certified limited practice student where permitted by these rules.~~

(~~2~~3) General Provisions.

(A) Limited Bar Membership. To the extent a law student or law graduate is engaged in the practice of law under this rule, the law student or law graduate shall, for the limited purpose of performing professional services authorized by this rule, be deemed an active member of the State Bar (but not required to pay fees). The provisions of this rule shall govern rather than the provisions of other rules relating to admission and discipline.

(B) Nonapplicability of Attorney Discipline Rules to Terms of the Certification. The procedures otherwise provided by law or court rule governing the discipline of lawyers shall not be applicable to the termination of the certification of a certified limited practice student or certified limited practice graduate pursuant to these rules. Termination of certification shall be without prejudice to the privilege of the law student or law graduate to apply for admission to practice law if the law student or law graduate is in other respects qualified for such admission.

(C) Effect of Certification on Application for Admission to Bar. The certification of a law student or law graduate shall not be considered as an advantage or a disadvantage to the law student or law graduate in an application for admission to the State Bar.

(D) Privileged Communications. The rules of law and of evidence relating to

privileged communications between attorney and client shall govern communications made or received by and among supervising and designated attorneys, certified limited practice students, and certified limited practice graduates.

(~~2~~ 4) Law Students

(A) ~~*General Statement and Eligibility*~~ Law Student Eligibility for Limited Practice Certification. ~~A student enrolled in an approved law school, or a recent graduate of such a school who has applied to take the bar examination, may apply to be certified as a limited practice student under this rule.~~ To be eligible to become a certified limited practice student, ~~the student~~ an applicant must:

(~~A~~i) have successfully completed ~~a minimum of two semesters of~~ legal studies~~, or the equivalent academic hour credits;~~ amounting to at least two semesters, or the equivalent academic hour credits if the law school or the student is on some basis other than a semester, at an accredited law school;

(~~B~~ii) neither ask for nor receive any compensation or remuneration of any kind for services rendered by the certified limited practice student from the person on whose behalf the services are rendered; ~~however,~~ this requirement does not prevent a supervising lawyer, legal services organization, law school, public defender agency, or the state or any political subdivision thereof from paying compensation to the eligible law student, ~~nor shall it~~ or prevent ~~the~~ any such lawyer or agency from ~~making such charges for its services as it may properly require~~ requesting compensation or remuneration for legal services as otherwise authorized;

(~~C~~iii) certify in writing that the student has read~~,~~ and is familiar with~~, and will be governed by~~ the Arizona Rules of Professional Conduct, the rules of the Supreme Court of Arizona, and the statutes of the State of Arizona ~~statutes~~ relating to the conduct of attorneys; and

(~~D~~iv) be certified by the dean of the ~~accredited~~ law school where the student is enrolled~~, or was enrolled upon graduation,~~ as being in good academic standing, ~~or~~ of good character, and as having either successfully completed or being currently enrolled in and attending academic courses in civil procedure, criminal law, evidence, and professional responsibility~~;~~.

~~*(3) Filing Requirements.*~~ **(**B) Application to become a Certified Limited Practice Student or Extend the Certification Period.

(~~A~~i) All applications to become a certified limited practice student or to extend the period of ~~for~~ certification ~~as a limited practice student~~ must be submitted ~~to the clerk of the Court~~ on a form provided by the clerk of the Court, to the clerk, with~~. All~~ all the information requested on the form, together with any designated fee ~~must be provided~~.

(~~B~~ii) The application for certification or extension must ~~include the signature of the student~~ be signed by the applicant, the dean ~~or the dean's designee~~ of the law school in which the ~~student~~ applicant is enrolled ~~or was a recent graduate~~, and the supervising attorney.

(~~C~~iii) The ~~student~~ applicant must attest that he or she meets all the requirements of ~~the~~ this rules; ~~agrees to and shall~~ will immediately notify the clerk of the Court ~~in the event~~ if he or she no longer meets the requirements of the rules; and ~~that he or she~~ has read~~, is familiar with,~~ and will ~~be governed~~ abide by the Arizona Rules of Professional Conduct and these rules.

(~~D~~iv) The dean ~~or dean's designee~~ of the ~~accredited~~ law school in which the applicant is enrolled ~~or was a recent graduate~~ must attest that the applicant meets the requirements of these rules~~;~~, and, to the best of the dean's knowledge, is ~~that he or she will immediately notify the clerk of the Court if the student no longer meets the requirements of these rules; and that he or she has no knowledge of facts or information that would indicate that the applicant is not~~ qualified by ability, training, or character to participate in the activities permitted by these rules. The dean must immediately notify the clerk of the Court if the certified limited practice student no longer meets the requirements of these rules.

(~~E~~v) The supervising attorney must specify the period of time during which he or she will be responsible for ~~supervise~~ supervising the ~~student~~ applicant and attest that he or she has read and will abide by the Arizona Rules of Professional Conduct, these rules, and will assume responsibility under the requirements of these rules.

~~(F) Requests to change or add a supervising attorney or to extend the period of certification must be submitted on a form provided by the clerk.~~

(~~G~~vi) The clerk of the Court will issue the notice of certification and send a copy of the certification to the law school and the State Bar.

~~*(4)*~~ (C) ~~*Scope of Authority*~~ Permitted Activities and Requirements of a Certified Limited Practice Student; Presence of Supervising or Designated Attorney.

(~~A~~i) Court and Administrative Tribunal Appearances. A certified limited practice student may appear in any court or before any administrative tribunal in this state on behalf of any person ~~if the person on whose behalf the student is appearing~~ who has consented in writing to that appearance ~~and~~ if the supervising attorney has ~~also indicated in writing~~ provided written approval of that appearance. ~~In each case, the~~ The written consent and approval shall be filed in the record of the case and shall be brought to the attention of the judge ~~of the court~~ or ~~the~~ presiding officer ~~of the administrative tribunal. In addition,~~ and the certified limited practice student ~~shall orally~~ must advise the court on the occasion of the student's initial appearance in the case of the certification to appear as a law student pursuant to these rules. ~~Notwithstanding anything set forth below, the court may at any time and in any proceeding require the supervising attorney (or designated attorney) to be personally present for such period and under such circumstances as the court may direct. A certified limited practice student may appear in the following matters:~~

(ii) Presence of Supervising Attorney or Designated Attorney. The supervising attorney or designated attorney must physically appear with the certified limited practice student in the following circumstances:

(~~i~~a) ~~Civil Matters.~~ In any civil case~~s~~ in justice, municipal, and magistrate court~~s~~, ~~the supervising lawyer (or designated lawyer) is not required to be personally present in court if~~ unless the person on whose behalf an appearance is being made consents to the absence of the supervising ~~lawyer's~~ attorney ~~absence~~ or designated attorney;

(b) In any civil case in superior court or before any administrative tribunal;

(~~ii~~c) ~~Criminal Matters on Behalf of the State~~. In any criminal ~~matter~~ case on behalf of the state or any political subdivision ~~thereof with the written approval of the supervising attorney (or designated attorney), the supervising attorney (or designated~~

~~attorney) must be personally present except when such appearance is in justice, municipal, or magistrate courts~~ of the state if the case is in the superior court or any appellate court;

(~~iii~~d) ~~Felony Criminal Defense Matters.~~ In any felony criminal defense ~~matter~~ case in justice, municipal, and magistrate court~~s~~, and any criminal ~~matter~~ case in superior court~~,~~; ~~the supervising attorney (or designated attorney) must be personally present throughout the proceedings.~~

(~~iv~~e) ~~Misdemeanor Criminal Defense Matters.~~ In any misdemeanor criminal defense ~~matter~~ case ~~in justice, municipal, and magistrate courts, the supervising attorney (or designated attorney) is not required to be personally present in court, so long as~~ unless the person on whose behalf ~~an~~ the appearance is being made consents to the absence of the supervising attorney~~'s~~ ~~absence~~ or designated attorney; however, the supervising attorney or designated attorney must be ~~physically~~ present during trial~~.~~; and

(~~v~~f) ~~Appellate Oral Argument. A certified limited practice student may participate in~~ In oral argument in the Arizona Supreme Court and the Arizona Court of Appeals, but the student may appear only ~~in the physical presence of the supervising attorney (or designated attorney) and~~ with the specific approval of the court for that case.

(g) Notwithstanding anything in this section, the court may at any time and in any proceeding require the supervising attorney or designated attorney to be physically present.

(~~B~~iii) Other Client Representation Activities. Under the ~~general~~ supervision of the supervising attorney ~~(or designated attorney)~~ but outside the supervisor's physical presence, a certified limited practice student may:

(~~i~~a) prepare pleadings and other documents to be filed in any matter in which the certified limited practice student is eligible to appear, but such pleadings or documents must be signed by the supervising attorney ~~(~~or designated attorney~~)~~;

(~~ii~~b) prepare briefs, motions, ~~abstracts~~ and other documents to be filed in appellate courts of this state, but such documents must be signed by the supervising attorney ~~(~~or designated attorney~~)~~;

(~~iii~~c) ~~provide~~ assist~~ance to~~ indigent inmates of correctional institutions or other persons who request such assistance in preparing applications and supporting documents for post-conviction relief, except when the assignment of counsel in the matter is required by any constitutional provision, statute, or rule of this Court. If there is a lawyer of record in the matter, all ~~such~~ assistance must be supervised by the lawyer of record, and all documents submitted to the court on behalf of such a client must be signed by the lawyer of record and the supervising attorney ~~(~~or designated attorney~~)~~;

(~~iv~~d) ~~render~~ give legal advice and perform other appropriate legal services, but only ~~after prior consultation~~ with ~~and upon~~ the ~~express~~ consent of the supervising attorney ~~(~~or designated attorney~~)~~.

(~~C~~iv) Other Non-Representation Activities. ~~A certified limited practice student may perform any advisory or non-representational activity which could be performed by a person who is not a member of the State Bar, subject to the approval by the supervising attorney (or designated attorney).~~ In connection with a volunteer legal services program and at the invitation ~~and~~ or request of a court or tribunal, a certified limited practice student may appear as a law student volunteer to assist the proceeding in any civil matter, provided:

(~~i~~a) the assistance is given to an otherwise unrepresented individual in an uncontested proceeding without entering an appearance as counsel;

(~~ii~~b) the student's supervising attorney is associated with the particular volunteer legal services program;

(~~iii~~c) the certified limited practice student has received the written consent and acknowledgment of non-representation by the unrepresented person, which written consent shall be obtained by the volunteer legal services program and brought to the attention of the court.

(D) Use of the Title "Certified Limited Practice Student."

(i) A certified limited practice student may use the title "Certified Limited Practice Student" only in connection with activities performed pursuant to these rules.

(ii) When a certified limited practice student's name is printed or signature is included on written materials prepared pursuant to these rules, the written material must also state that the student is a certified limited practice student pursuant to these rules; state the name of the supervising attorney; be signed by the supervising attorney or designated attorney; and otherwise comply with these rules.

(iii) A certified limited practice student shall not hold himself or herself out as an active member of the State Bar.

(iv) Nothing in these rules prohibits a certified limited practice student from describing his or her participation in this program on a resume or letter seeking employment as long as the description is not false, deceptive, or misleading.

~~(5)~~ (E) ~~Requirements and~~ Duties of the Supervising Attorney. The supervising attorney must:

~~(A) be an attorney authorized to practice law in Arizona and have practiced law or taught law in an accredited law school as a full-time occupation for at least two years;~~

(~~B~~)~~supervise no more than five (5) certified limited practice students concurrently; provided, however, that a supervising attorney who is employed full-time to supervise law students as part of an organized law school or government agency training program may supervise up to, but in no case more than, fifty (50) certified students~~

(~~C~~i) supervise and assume ~~personal~~ professional responsibility for any work performed by the certified limited practice student while under his or her supervision;

(~~D~~ii) assist and counsel the certified limited practice student in the activities authorized by these rules and review such activities with the certified limited practice student, all to the extent required for the proper ~~practical~~

training of the certified limited practice student and the protection of the client;

(~~E~~iii) read, approve, and ~~personally~~ sign any pleadings, briefs or other ~~similar~~ documents prepared by the certified limited practice student ~~prior to~~ before the filing thereof, and read and approve any documents ~~which shall be~~ prepared by the certified limited practice student for execution by any person ~~(exclusively in the case of government agencies,~~ If a designated attorney ~~may, in the place of the supervising attorney,~~ performs ~~the obligation set forth in this subparagraph, but~~ this duty in place of the supervising attorney, the supervising attorney shall still provide general supervision~~)~~;

~~(F) provide the level of supervision to the certified limited practice student required by these rules (exclusively in the case of government agencies, a designated attorney may, in the place of the supervising attorney, perform the obligation set forth in this subparagraph, but the Supervising Attorney shall still provide general supervision); and~~

~~(G) in the case of a certified student who is participating in the clinical program post-graduation pending the taking of the bar examination, report to the clinical law professor and the dean of the law school, as the law school shall require, on a monthly basis regarding the supervising attorney's supervision and guidance of the certified student.~~

(~~H~~iv) promptly notify the clerk of the Court in writing if his or her supervision of the certified limited practice student has or will cease ~~prior to~~ before the date indicated on the ~~application form~~ certification.

~~*(5) Discipline Jurisdiction.* The procedures otherwise provided by law or court rule governing the discipline of lawyers shall not be applicable to the termination of the certification of a limited practice student pursuant to this rule.~~

(F) Substitution of the Supervising Attorney. If the supervising attorney becomes unable to supervise the certified limited practice student during the period of certification, the certified limited practice student must designate a substitute

supervising attorney by submitting a form provided by the clerk of the Court, to the clerk, together with any designated fee. The substitute supervising attorney must sign the form and specify the period during which he or she will be responsible for supervising the certified limited practice student. The substitute supervising attorney must also attest that he or she has read and will abide by the Arizona Rules of Professional Conduct and will comply with the requirements of these rules.

(~~7~~G) Duration and Termination of Certification**.** Certification of a certified limited practice student will ~~commence~~ begin on the date ~~indicated on a notice of~~ specified in the certification and remain in effect for the period specified ~~on~~ in the ~~notice of~~ certification unless sooner terminated ~~pursuant to~~ by the earliest of the following occurrences:

(~~A~~i) ~~Termination by the Student.~~ The certified limited practice student ~~may~~ requests termination of the certification in writing or ~~notify~~ notifies the clerk of the Court that he or she no longer meets the requirements of ~~this~~ these rules~~,~~ . ~~and~~ ~~in~~ In such event the clerk shall send written notice to the student, the student's supervising attorney, the dean, and the State Bar.

(~~B~~ii) ~~Termination by the Supervising Attorney.~~ The supervising attorney ~~may~~ ~~notify~~ notifies the clerk of the Court in writing that his or her supervision of the certified limited practice student will cease ~~prior to~~ before the date specified in the notice of certification. In such event, the clerk shall send written notice to the student, the student's supervising attorney, the dean, and the State Bar~~,~~. ~~and~~ ~~t~~The dean may issue a modified certification reflecting the substitution of a new supervising attorney~~, as necessary~~.

(~~C~~iii) ~~Termination by the Dean. A certification of student limited practice may be terminated by~~ ~~t~~The dean any time, with or without cause and ~~without~~ notice or hearing, ~~by filing~~ files notice of the termination with the clerk of the Court. ~~A certification of student limited practice shall be terminated if one or more of the requirements for the certification no longer exists or the certified limited practice student, supervising attorney or designated attorney fails to comply fully with any provision of these rules or any other pertinent statute, rule or regulation. In the event of termination, the clerk of the Court shall send written notice to the student, the student's supervising attorney, the dean, and the State Bar.~~

~~(D) Failure to Take or Pass the Bar Examination. A certification of student limited practice shall be terminated if the certified student fails to take or pass the first general bar examination for which the student is eligible.~~

(~~E~~iv) ~~Termination by the Arizona Supreme Court. A certification of student limited practice may be terminated by the Arizona Supreme~~ The Court at any time, with~~out~~ or without cause and ~~without~~ notice or hearing, by filing notice of the termination with the clerk of the Court.

(v) ~~A certification of student limited practice shall be terminated if o~~One or more of the requirements for ~~the~~ certification no longer exists or the certified limited practice student~~,~~ or supervising attorney ~~or designated attorney~~ fails to comply fully with any provision of these rules or any other pertinent statute, rule or regulation. In the event of termination, the clerk of the Court shall send written notice to the student, the student's supervising attorney, the dean, and the State Bar.

~~*(8) Subsequent Attorney Admission.* If a student certified under this rule is subsequently admitted to the practice of law in Arizona, that student's certification of student limited practice will be superseded by the Arizona license to practice law.~~

(5) Law Graduates

(A) Law Graduate Eligibility for Limited Practice Certificate. To be eligible to become a certified limited practice graduate, an applicant must:

(i) have graduated from an accredited law school;

(ii) neither ask for nor receive any compensation or remuneration of any kind for services rendered by the certified limited practice graduate from the person on whose behalf the services are rendered; this requirement does not prevent a supervising lawyer, legal services organization, law school, public defender agency, or the state or any political subdivision thereof from paying compensation to the eligible law graduate, or prevent any such lawyer or agency from requesting compensation or remuneration for legal services as otherwise authorized;

(iii) certify in writing that the law graduate has read and is familiar with the

Arizona Rules of Professional Conduct, the rules of the Supreme Court of Arizona, and the statutes of the State of Arizona relating to the conduct of attorneys;

(iv) be certified by the dean of the accredited law school where the law graduate was enrolled on graduation as having graduated in good academic standing and being of good character;

(v) not been convicted of a serious offense as defined in A.R.S. § 13-706; and

(vi) submit to the Committee on Character and Fitness an application in the form supplied by the Committee within 90 days of the issuance of a juris doctor degree to the applicant.

(B) Application to Become a Certified Limited Practice Graduate

(i) All applications to become a certified limited practice graduate must be submitted on a form provided by the clerk of the Court, to the clerk, with all the information requested on the form, together with any designated fee.

(ii) The application for certification must be signed by the applicant, the dean of the law school where the applicant was enrolled on graduation, and the supervising attorney.

(iii) The applicant must attest that he or she meets all of the requirements of this rule, will immediately notify the clerk of the Court if he or she no longer meets the requirements of the rules, and has read and will abide by the Arizona Rules of Professional Conduct and these rules.

(iv) The dean of the law school where the applicant was enrolled on graduation must attest that the applicant meets the requirements of these rules, and, to the best of the dean's knowledge, is qualified by ability, training, or character to participate in the activities permitted by these rules. The dean must immediately notify the clerk of the Court if the certified limited practice graduate no longer meets the requirements of these rules.

(v) The supervising attorney must specify the period during which he or she will be responsible for and will supervise the applicant and attest that he or she has read and will abide by, the Arizona Rules of Professional Conduct, these rules, and will assume responsibility under the

requirements of these rules.

(vi) The clerk of the Court will issue the notice of certification and send a copy of the certification to the law school and the State Bar.

(C) Permitted Activities and Requirements of a Certified Limited Practice Graduate; Presence of Supervising Attorney or Designated Attorney

(i) Court and Administrative Tribunal Appearances. A certified limited practice graduate may appear in any court or before any administrative tribunal in this state on behalf of any person who has consented in writing to that appearance if the supervising attorney has also provided written approval of that appearance. In each case, the written consent and approval must be filed in the case and be brought to the attention of the judge or the presiding officer. In addition, the certified limited practice graduate must advise the court at the law graduate's first appearance in the case of the certification to appear as a law graduate pursuant to these rules.

(ii) Presence of Supervising Attorney or Designated Attorney. The supervising attorney or designated attorney must physically appear with the certified limited practice graduate in the following circumstances:

(a) In any civil case in justice, municipal, and magistrate court unless the person on whose behalf the appearance is being made consents to the absence of the supervising attorney or designated attorney;

(b) In any civil case in superior court or before any administrative tribunal;

(c) In any criminal case on behalf of the state or any political subdivision of the state if the case is in the superior court or any appellate court;

(d) In any felony criminal defense case in justice, municipal, and magistrate court, and in any criminal case in superior court;

(e) In any misdemeanor criminal defense case unless the person on whose behalf the appearance is being made consents to the absence of the supervising attorney or designated attorney; however, the supervising attorney or designated attorney must be present during trial; and

(f) In oral argument in the Arizona Supreme Court and the Arizona Court

of Appeals, but the graduate may appear only with the specific approval of the court for that case.

(g) Notwithstanding anything in this section, the court may at any time and in any proceeding require the supervising attorney or designated attorney to be present.

(iii) Other Client Representation Activities. Under the general supervision of the supervising attorney or designated attorney, but outside his or her presence, a certified limited practice graduate may:

(a) prepare pleadings and other documents to be filed in any matter in which the certified limited practice graduate is eligible to appear, but such pleadings or documents must be signed by the supervising attorney or designated attorney if filed in the superior court, Arizona Court of Appeals, Arizona Supreme Court, or with an administrative tribunal;

(b) prepare briefs, motions, and other documents to be filed in appellate courts of this state, but such documents must be signed by the supervising attorney or designated attorney;

(c) assist indigent inmates of correctional institutions or other persons who request assistance in preparing applications and supporting documents for post-conviction relief, except when the assignment of counsel in the matter is required by any constitutional provision, statute, or rule of this Court. If there is a lawyer of record in the matter, all assistance must be supervised by the lawyer of record, and all documents submitted to the court on behalf of such a client must be signed by the lawyer of record and the supervising attorney or designated attorney;

(d) give legal advice and perform other appropriate legal services, but only after consultation with and consent of the supervising attorney or designated attorney.

(iv) Other Non-Representation Activities. In connection with a volunteer legal services program and at the invitation and request of a court or tribunal, a certified limited practice graduate may appear as a law graduate volunteer to assist the proceeding in any civil matter, provided:

(a) the assistance is given to an otherwise unrepresented individual in an uncontested proceeding without entering an appearance as counsel;

(b) the certified limited practice graduate's supervising attorney is associated with the particular volunteer legal services program;

(c) the certified limited practice graduate has received the written consent and acknowledgment of non-representation by the unrepresented person, which written consent shall be obtained by the volunteer legal services program and brought to the attention of the court.

(D) Use of the Title "Certified Limited Practice Graduate."

(i) A certified limited practice graduate may use the title "Certified Limited Practice Graduate" only in connection with activities performed pursuant to these rules.

(ii) When a certified limited practice graduate's name is printed or signature is included on written materials prepared pursuant to these rules, the written material must also state that the law graduate is a certified limited practice graduate pursuant to these rules, state the name of the supervising attorney, be signed by the supervising attorney or designated attorney if required by these rules, and otherwise comply with these rules.

(iii) A certified limited practice graduate shall not hold himself or herself out as an active member of the State Bar.

(iv) Nothing in these rules prohibits a certified limited practice graduate from describing his or her participation in this program on a resume or letter seeking employment as long as the description is not false, deceptive, or misleading.

(E) Duties of the Supervising Attorney. The supervising attorney must:

(i) supervise and assume professional responsibility for any work performed by the certified limited practice graduate while under his or her supervision;

(ii) assist and counsel the certified limited practice graduate in the activities authorized by these rules and review such activities with the certified

limited practice graduate, all to the extent required for the proper training of the certified limited practice graduate and the protection of the client;

(iii) read and approve all pleadings, briefs, or other documents prepared by the certified limited practice graduate as required by these rules; sign any pleading, brief, or other document if required by these rules, and read and approve any document prepared by the certified limited practice graduate for execution by any person. If a designated attorney performs this duty in place of the supervising attorney, the supervising attorney must still provide general supervision;

(iv) assume professional responsibility for all pleadings, briefs, or other documents filed in any court or with an administrative tribunal by the certified limited practice graduate under his or her supervision;

(v) promptly notify the clerk of the Court in writing if his or her supervision of the certified limited graduate has or will cease before the date indicated on the certification.

(F) Substitution of the Supervising Attorney. If the supervising attorney becomes unable to supervise the certified limited practice graduate during the period of certification, the certified limited practice graduate must designate a substitute supervising attorney by submitting a form provided by the clerk of the Court, to the clerk, together with any designated fee. The substitute supervising attorney must sign the form and specify the period during which he or she will be responsible for supervising the certified limited practice graduate. The substitute supervising attorney must also attest that he or she has read and will abide by the Arizona Rules of Professional Conduct and will comply with the requirements of these rules.

(G) Duration and Termination of Certification. Certification of a certified limited practice graduate shall begin on the date specified in the certification and shall remain in effect for the period specified in the certification unless sooner terminated by the earliest of the following occurrences:

(i) The certified limited practice graduate requests termination of the certification in writing or notifies the clerk of the Court that he or she no longer meets the requirements of these rules. In such event, the clerk shall send written notice to the law graduate, the law graduate's supervising attorney, the dean, and the State Bar.

(ii) The supervising attorney notifies the clerk of the Court in writing that his or her supervision of the certified limited practice graduate will cease before the date specified in the certification. In such event, the clerk shall send written notice to the law graduate, the law graduate's supervising attorney, the dean, and the State Bar.

(iii) The dean at any time, with or without cause and notice or hearing, files notice of the termination with the clerk of the Court.

(iv) The Court at any time, with or without cause or notice or hearing, files notice of the termination with the clerk of the Court.

(v) One or more of the requirements for certification no longer exists or the certified limited practice graduate or supervising attorney fails to comply fully with any provision of these rules or any other pertinent statute, rule or regulation. In the event of termination, the clerk of the Court shall send written notice to the law graduate, the law graduate's supervising attorney, the dean, and the State Bar.

(vi) The law graduate fails to take the first Arizona uniform bar examination or the first uniform bar examination offered in another jurisdiction for which the law graduate is eligible.

(vii) The law graduate fails to pass the first Arizona uniform bar examination for which the law graduate is eligible or fails to obtain a score equal to or greater than the acceptable score established by the Committee on Examinations on the first uniform bar examination offered in another jurisdiction for which the law graduate is eligible.

(viii) Thirty days after the Court notifies the law graduate that he or she has been approved for admission to practice law and is eligible to take the oath of admission.

(ix) The Committee on Character and Fitness does not recommend to the Court that the law graduate be admitted to practice law.

(x) The law graduate is denied admission to practice law by the Court.

(xi). The law graduate is admitted to practice law.

(xii) Expiration of 12 months from the date of the law graduate's graduation

from law school unless, before expiration of the 12-month period and for good cause shown by the law graduate, the Court extends the 12-month period.

(d) [No change in text.]