

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)
)
ESTABLISHING A LAWYER) Administrative Order
APPRENTICE PROGRAM TO SERVE) No. 2024 - 148
THE PUBLIC IN RURAL ARIZONA)
AND THROUGH PUBLIC LAW FIRMS)
_____)

In furtherance of this Court’s goal of expanding access to justice, the Court is establishing an Arizona Lawyer Apprentice Program in an effort to increase the number of lawyers serving the public in rural Arizona and in public law firms.

Arizona ranks 49th of 50 states in lawyers per capita. Arizona’s need for more lawyers is felt most keenly by the many residents of the “legal deserts” in Arizona’s small towns and rural communities. In addition, the prosecutor, public defender, and legal aid offices throughout Arizona struggle to hire and retain sufficient lawyers to serve the public. The dearth of legal professionals negatively impacts not only access to justice and the effective operation of the justice system, including speedy case resolution, it also reduces economic growth. To address the paucity of lawyers in these areas, the Lawyer Apprentice Program offers an opportunity for qualified lawyers to gain admission to the practice of law in Arizona by working to represent clients in underserved communities or in public law firms.

To be fully admitted to practice law without supervision, an individual must graduate from an ABA accredited law school, score at least 270 on the Uniform Bar Exam (UBE), and satisfy other requirements in the Arizona Supreme Court Rules. Some other states, including the neighboring states of New Mexico and Utah, have a UBE passing score of 260, which may entice prospective attorneys away from Arizona. The Arizona Lawyer Apprentice Program will be open to those ABA-accredited-law-school graduates who score 260-269 on the UBE and who commit to practice under the supervision of a qualified Arizona attorney for a minimum of two years in rural Arizona or a public law practice. Providing this additional route to admission to the practice of law advances the Court’s goal of closing the access to justice gap, protects consumers of legal services, and encourages aspiring attorneys to remain in Arizona to begin their careers rather than waiting to take the bar exam again or leaving Arizona to practice law in states with a lower passing score.

Therefore, pursuant to Article 6, Section 3, Constitution of Arizona,

IT IS ORDERED that:

1. The Arizona Lawyer Apprentice Program (ALAP) is established.
2. Beginning September 1, 2024, the Administrative Office of the Courts (AOC) is authorized to issue an ALAP license to individuals meeting the ALAP qualifications

specified in this Order. Individuals receiving an ALAP license are subject to the provisions of the Supreme Court Rules governing the regulation of the practice of law except as specifically provided in this Order.

3. Candidates for ALAP licensure must meet the following minimum qualifications:
 - a. Satisfaction of the requirements and qualifications for admission to the practice of law under Supreme Court Rules 34 and 35(b)(6) and (8);
 - b. Achieving a score of 260-269 on a Uniform Bar Exam administered after July 1, 2023;
 - c. Furnishing fingerprints to the AOC Director for a criminal background investigation under A.R.S. § 12-323 and Supreme Court Rule 34;
 - d. Within the 12 months following September 1, 2024, or the notification date of their Uniform Bar Exam score, securing employment with a qualified public law employer or securing the commitment of a qualified supervising attorney in a rural area for at least 30 hours of paid work per week;
 - e. Committing to practice for a minimum of two years representing clients in rural Arizona or in a public law practice; and
 - f. Agreeing to comply with the ALAP supervision requirements.
4. Individuals meeting the above-stated minimum requirements will be deemed to have passed the UBE, with bar admission pending, and are authorized to receive an ALAP license from the AOC.
5. Once licensed, ALAP licensees are authorized to engage in the practice of law as defined in Supreme Court Rule 31(b) under the supervision of an attorney who meets the following requirements:
 - a. Is admitted to the practice of law by the Arizona Supreme Court;
 - b. Is an active member in good standing with the State Bar of Arizona under Rule 32;
 - c. Has been an active member of the bar in at least one jurisdiction in the United States for at least five years preceding the start of the supervisory period or obtains a waiver of this requirement by demonstrating to the satisfaction of the AOC Director that they have sufficient experience to supervise an ALAP licensee;
 - d. Works for the public law employer or in the rural area in which the ALAP licensee will practice;

- e. Is not related to the ALAP licensee as a spouse, child, grandchild, great-grandchild, parent, grandparent, sibling, aunt, uncle, niece, nephew, or other person with whom the ALAP licensee maintains a close familial relationship, including any person residing in the ALAP licensee's household; and
 - f. Complies with the supervision requirements of this Order.
6. Employers should provide ALAP licensees with salary and benefits similar to those provided to their first-year associates or attorney employees.
7. Supervision requirements will gradually decrease over the 24-month supervisory period as follows:
- a. Months 1 to 4: The supervising attorney must assist and counsel the ALAP licensee on the completion of professional activities and review such activities with the ALAP licensee to the extent required for training the ALAP and the protection of the client.
 - b. Months 5 to 7: The supervising attorney must provide ongoing supervision to the ALAP licensee through monthly check-ins and reviewing with the ALAP licensee a self-reflection of their work, and provide a progress report to the AOC. Additional assistance or review of professional activities may be provided to support the ALAP licensee.
 - c. Months 8 to 24: The supervising attorney must check-in with the ALAP licensee periodically and provide ongoing mentorship and guidance as needed to support the ALAP licensee, and provide a progress report to the AOC after 12 months. Additional assistance or review of professional activities may be provided to support the ALAP licensee.
 - d. Progress reports are deemed confidential records of applicants for admission under Supreme Court Rule 37(c).
 - e. If the firm employing the ALAP licensee has an established onboarding, training, and supervision program, that program may be used as long as it meets the minimum requirements of this section.
 - f. The supervised practice time of a Certified Limited Practice Graduate under Rule 39(c)(5) may be applied to satisfy the appropriate part of the two-year supervising period as determined by the AOC Director.
8. For purposes of this program, ALAP licensees are required to comply with the continuing legal education (CLE) requirements prescribed in Supreme Court Rule 45, the Arizona Rules of Professional Conduct under Supreme Court Rule 42, and the

Lawyer's and Legal Professional's Creed of Professionalism of the State Bar of Arizona under Supreme Court Rule 41(c).

9. An ALAP licensee must pay the applicable state bar membership fee required by the supreme court for active members and will have the privileges of active membership except that an ALAP licensee is not eligible to serve as a member of the board of governors in any capacity.
10. At the end of the 24-month supervisory period, the AOC Director may recommend to the Committee on Character and Fitness that an ALAP licensee be recommended for admission to the practice of law, with the same rights and privileges as any other attorney admitted to the practice of law in this state, providing:
 - a. The ALAP licensee has satisfied all requirements and conditions of this Order, including the requirements of this paragraph, and Supreme Court Rule 36;
 - b. The ALAP licensee's supervising attorney attests that the ALAP licensee "is capable of practicing law in Arizona without supervision;" and
 - c. The ALAP licensee secures a recommendation for admission from a judge before whom the ALAP licensee regularly appeared or, if in a practice that does not include regularly appearing in court, the recommendation for admission from an attorney outside the ALAP licensee's firm or employer who has knowledge of the licensee's work.
11. Unless otherwise ordered by the Court, an ALAP license expires on the occurrence of any of the following:
 - a. Termination of the ALAP.
 - b. Leaving employment in a rural or public law area for more than 60 days unless a waiver has been obtained from the AOC Director.
12. For purposes of the ALAP, a "rural area" is defined as any county with a population of fewer than 600,000 in the most recent census. For purposes of the ALAP, "public law" is defined as providing legal services for a government or non-profit public law firm.
13. An ALAP licensee is subject to the same disciplinary and disability jurisdiction of this Court and the authority delegated to the Board of Governors of the State Bar State of Arizona applicable to any lawyer admitted to practice law in this state.
14. An individual who has been disbarred by the highest court in any jurisdiction or who has been denied admission to the practice of law in Arizona under Supreme Court Rule 34, has been denied an ALAP license, or had their ALAP license revoked or suspended is not eligible to participate in this program.

15. The AOC Director may adopt forms, procedures, and practices not inconsistent with this Order as necessary to implement and administer the program.

Dated this 17th day of July, 2024.

FOR THE COURT:

ANN A. SCOTT TIMMER
Chief Justice