

**MEETING OF THE BOARD OF GOVERNORS  
OF THE STATE BAR OF ARIZONA**

**April 17, 2026**

BOARD MEMBERS PRESENT: Samuel J. Saks, President, Tempe; Doreen N. McPaul, President-Elect, Gilbert; Kelsi Lane, Vice President, Tempe; Heather Baker-Mushkatel, Sun City; Cedric Dave, Public Member, Chandler; Jena Decker-Xu, Phoenix; Russell Duerksen, Chino Valley; Louis S. Fidel, Tucson; Amy P. Hernandez, Tucson; Mignonne Hollis, Public Member, Sierra Vista; Jack Lunsford, Phoenix; David J. Johns, Flagstaff; Robert J. McWhirter, Phoenix; Preston L. Pollock, Globe; David B. Rosenbaum, Phoenix; Thomas Ryan, Chandler; Cortez W. Smith, Public Member, Casa Grande; Chloé R. Woods, Phoenix; Dean Jason Kreag, Ex-Officio Member, UofA.

BOARD MEMBERS ON ZOOM: Rebecca Baker, Phoenix; Denis M. Fitzgibbons, Casa Grande; Mary Helen Maley Maynard, Santa Cruz; D. Christopher Russell, Secretary-Treasurer, Sierra Vista; Ted Schmidt, Tucson; Jimmie Dee Smith, Yuma.

EXCUSED ABSENCES: J. Damon Ashcraft, Phoenix; David K. Byers, At-Large Member, Scottsdale; Justice Kathryn King, Supreme Court Liaison, Phoenix; Rachel Romaniuk, YLD President, Chandler.

ABSENT: John W. Graham, Scottsdale; Dean Stacy Leeds, Ex-Officio Member, ASU.

STAFF: Joel England, Chief Executive Officer; Genna Barela, Manager of Board Operations; Noah Coakley, Chief of Staff & Director of Community Impact; Deanna Commack, Executive Assistant; Maggie Duran, Legal Administrative Assistant; Tim Eigo, Chief Communications Officer; Jessica Fotinos, General Counsel; Jessica Iennarella, Chief Financial Officer; Caitlin Kelly, Program Coordinator; Trish McCarty, HR Director; Lori Maxwell, Chief Information Officer; Karen Oschmann, Client Protection Fund Administrator; Richard Palmatier Jr., Assistant General Counsel; Amy Rehm, Deputy Chief Bar Counsel; Patricia Seguin, Legal Services Manager; Roberta Tepper, Chief Member Services Officer; Maret Vessella, Chief Bar Counsel; Chris Wyatt, Information Technology Lead.

GUESTS: John Ager; George King; Trevor Laky; Jennifer Rebholz; Gregg Woodnick.

**1. Call to Order** - Sam Saks

President Sam Saks called the Board meeting to order at 9:00 a.m.

**2. Call to the Public** - Sam Saks

President Saks made a Call to the Public and hearing nothing, moved on to the next item on the agenda.

**3. CEO's Report** – Joel England

- SB1148 (supreme court; attorney licensing)
  - Governor vetoed SB1148, which would have changed the State Bar's structure, and transfer all regulatory functions to the Arizona Supreme Court.
  - Publicly thanked the Supreme Court and Justice Timmer for writing a letter in support of the State Bar.
- Department of Justice Proposed Rule

- The Executive Council approved the State Bar’s recommendation to file a comment in opposition to the Department of Justice’s proposed rule to restructure how disciplinary complaints against its attorneys are handled. Other state bar associations, the Arizona Supreme Court, and the National Conference of Chief Justices opposed it as well.
- Legal Professional Wellness Program
  - The Legal Professional Wellness Program will kick off the first week of May. The State Bar is expecting a report on how the program is working for lawyers, judges, and law students in Arizona. The Board may have an option to fund a third year.
- Events
  - Attended the Western States Bar Conference.
- Organization
  - Hired Affinity Consulting to train the State Bar staff on Artificial Intelligence use. Kick off was April 17, 2026. The Consulting Group will meet with different staff members across the organization in order to make recommendations on how to integrate generative AI into the organization’s routines and procedures.

**4. Nominating Committee** – Ted Schmidt

- Spoke on the schedule and deadlines for open Board officer positions.

**5. Board of Governors Election Results** – Sam Saks

- All incumbent board members were reelected with one new member entering the Board of Governors. Healthy discussion was held on how to increase participation.

**MOTION** to certify the election results made by Cedric Dave  
 Seconded by Chloe Woods  
 Motion passed

**6. Rules Review Committee** – David Johns

- a) Proposed Comment to R-26-0003, Petition to Amend Rules 122 and 122.1, Ariz. R. Sup. Ct.  
 Healthy discussion was held on the use of recording devices in court and the purposes for them. The current rule is outdated because technological access has advanced and the use of it has expanded and changed.

**MOTION** to approve the Proposed Comment to R-26-0003 made by Chloe Woods  
 Seconded by Thomas Ryan  
 Motion passed

- b) Proposed Comment to R-26-0020, Petition to Amend Ariz. R. Sup. Ct. and Adopt New Rule 135

George King spoke on behalf of the Civil Practice and Procedure Committee and its support for the new rule. There is belief that judges should be limited and restricted on their use of artificial intelligence for core judicial work. The Board had healthy discussion in opposition to restricting judges on their use of artificial intelligence. Judges are to remain responsible for ethical processes. The consensus was to create guidelines for the tool rather than restrict or ban artificial intelligence use.

**MOTION** to allow the Civil Practice and Procedure Committee and State Bar staff to revise the Proposed Comment to R-26-0020 to include arguments both in support of and in opposition to the new rule but ask for additional guidelines on the judiciary's use of artificial intelligence, and take no formal position made by Chloe Woods

Seconded by David Johns

Motion passed

- c) Proposed Comment to R-26-0006, Petition to Amend Rule 34(e), Ariz. R. Sup. Ct.

State Bar Staff proposed taking no position on three of the four proposed amendments but object to the elimination of the active practice requirement. The Board had healthy discussion, primarily surrounded by the fact that Petitioners provided no evidence that any of the proposed amendments would increase access to justice.

**MOTION** to oppose the Proposed Comment to R-26-0006 and allow the Executive Council to approve a new draft written by State Bar staff (because of the approaching deadline to file the comment) to oppose the Petition in its entirety made by Jack Lunsford

Seconded by Mignonne Hollis

Fourteen Board members voted in favor of motion, and four Board members voted in opposition to motion.

Motion passed

## **7. Consent Agenda** – Sam Saks

- President Saks asked if there were any matters that needed to be removed from the Consent Agenda.
  - a) Approval of Resignations in Good Standing
  - b) Approval of Resignations in Lieu of Reinstatement
  - c) Approval of Reinstatement of Member(s) suspended for Non-Compliance with Annual Membership Fees and/or Rule 43, Ariz. R. Sup. Ct.)
  - d) Approval of Reinstatement of Member(s) suspended for Non-Compliance with MCLE Requirements (Rule 45, Ariz. R. Sup. Ct.)
  - e) January and February 2026 Board Meeting Minutes
  - f) Proposed Comment to R-26-0022, Petition to Amend Superior Court Rules of Appellate Procedure - Criminal
  - g) Proposed Comment to R-26-0024, Petition to Amend Rules 1.9, 15.1, 32.6 and 33.6, Ariz. R. Crim. P.
  - h) Proposed Comment to R-25-0050, Petition to Amend Rule 17.1(f), Ariz. R. Crim. P.
  - i) Proposed Comment to R-26-0007, Petition to Amend Rule 6.3, Ariz. R. Crim. P.
  - j) Proposed Comment to R-26-0027, Petition to Abrogate Rule 28.1(b)(2)(A), Ariz. R. Crim. P.
  - k) Proposed Comment to R-26-0009, Petition to Amend Rules 47, 47.1, 47.2, 48 and 91.5, Ariz. R. Fam. L. P.
  - l) Proposed Comment to R-26-0021, Petition to Amend Superior Court Rules of Appellate Procedure

- m) Proposed Notice of Errata to R-26-0017, Petition to Amend Various R. Civ. P. and Adopt New Rule 7.5
- n) Proposed Comment to R-25-0048, Petition to Amend Rules 4.1, 4.2 and 5, Ariz. R. Civ. P. and Adopt New Rule 4.3
- o) Proposed Comment to R-25-0060, Petition to Amend Rule 111, Ariz. R. Sup. Ct.
- p) Proposed Comment to R-26-0011, Petition to Amend Rule 3, Ariz. R. P. Special Actions
- q) Proposed Comment to R-26-0012, Petition to Amend Rule 25, Ariz. R. Civ. P.
- r) Proposed Comment to R-26-0020, Petition to Amend Ariz. R. Sup. Ct. and Adopt New Rule 135
- s) Proposed Comment to R-26-0009, Petition to Amend Rules 47, 47.1, 47.2, 48 and 91.5, Ariz. R. Fam. L. P.

**MOTION** to approve the Consent Agenda made by Russell Duerksen  
 Seconded by Louis Fidel  
 Motion passed

#### **8. Policy Manual Working Group** – Doreen McPaul

- Presented on the amendments to the following policies:
  - State Bar Selection of Delegates to the ABA; Mutual Procedures and Obligations; Travel Reimbursements

**MOTION** to approve and adopt the revised policy now entitled “State Bar Selection of Delegates to the ABA; Mutual Procedure and Obligations; Travel Reimbursements” with a revision to state “a hotel associated with convention” made by Russell Duerksen  
 Seconded by Chloe Woods  
 Motion passed

- State Bar Selection of Delegates to the ABA; Mutual Procedures and Obligations; Travel Reimbursements

**MOTION** to approve and adopt the revised policy now entitled “The State Bar of Arizona Board of Governors’ Anti-Discrimination, Harassment and Retaliation Policy” made by Russell Duerksen  
 Seconded by Thomas Ryan  
 Motion passed

#### **9. Client Protection Fund** – Gregg Woodnick

- Gave resounding thanks to Karen Oschmann, Patricia Seguin, Jessica Fotinos, and Noah Coakley for their service to the program.
  - a) 2024 Annual Report
    - Client Protection Fund received sixty-five (65) claims. Consistent with eligibility requirements and procedural timelines set forth in the Declaration of Trust, not all claims received during the year were eligible for payment in 2024.
    - Thirty (30) claims were approved and paid during 2024 - nine received in 2023, and 21

- received in 2024.
- The Trustees denied nineteen (19) claims in 2024, representing eighteen (18) fewer denials than in 2023.
- Eight (8) claims filed in 2024 remained pending at the end of 2024. All of those claims were completed by June 30, 2025, which is within the standard average processing time of six months. As of June 30, 2025, 22 claims have been filed, seeking a total of \$646,400 from the Fund.
- As of December 31, 2024, the Fund had a balance of \$2,706,898 in total net assets. Revenues from these sources totaled \$549,457 in 2024.
- Fund earned \$69,141 in interest and dividend income from its investments, an increase from 2023.
- Fund received a total of \$24,605 in restitution from lawyers whose conduct resulted in claims paid by the Fund.
- As of December 31, 2024, the fair value of the Fund's investments was \$2,496,402.
- The Fund incurred \$144,184 in operating expenses in 2024.
- The Fund maintains a commercial crime insurance policy of \$1,000,000.
- The 2025 Client Protection Fund Report is being prepared.

**BREAK: 10:20 a.m. to 10:31 a.m.**

**10. Public Services Division Update** – Noah Coakley

- There was a division restructuring at the beginning of January 2026 at the State Bar to better serve the public.
  - a) 2025 Annual Report
    - Mission: Protecting the public, ensuring accountability, and expanding access to justice.
    - \$2.06 Million: Total public value delivered through restitution and service.
    - 5,969 Arizonans directly assisted across all division programs.
    - 1,630 Professional hours donated by volunteer attorney force.
    - Over 52,000 monthly media impressions through television broadcast of legal education on ABC15 and KGUN.
    - Are bringing back an in-person, statewide Law Day for the first time in 7 years.
    - Law Day event is May 2, 2026.
    - Asked for volunteers and to help spread the word about the event.

**11. Finance and Audit Committee** - Jessica Iennarella

- Presented on the year-end December 31, 2025 financial statements.
  - a) Year-end December 31, 2025, Financial Statements
    - Final operating surplus of \$606K. Annual audit will begin in May.

**12. Legislative Update** – Trevor Laky

- In session for 95 days. Will probably last until June.
- 2,124 bills posted this year.
- Governor Hobbs has signed 64 bills and vetoed 45 bills.
- Governor Hobbs issued a moratorium stating she will not sign or veto any bills until the Republican Party releases their budget.

- SB1148, Supreme Court attorney licensing bill to not allow the Supreme Court to delegate its authority to the State Bar was vetoed by the governor.
- Monitoring SB1039, attorney discipline and investigation cost that would allow attorneys who are investigated to recoup their funds and funds for reputational damages pending. Will probably be vetoed by the governor as she has vetoed a similar bill in the past.

[Out of agenda order – Genna Barela gave an overview of the upcoming events.]

### **13. Board of Legal Specialization Working Group Update** – Jennifer Rebholz

- Presented on the Board of Legal Specialization Working Group's changes to their qualification requirements and application processes. The Board of Legal Specialization Working Group would like to have these items voted on at the next Board of Governor's meeting.
- **Administrative Law (ALAC):**
  - Proposed revisions to align with BLS regulations: Adjust practice years (3 to 2) and substantial involvement years (3 to 4).
  - Proposing new peer review flexibility (accepting letters of recommendation).
  - Flexibility to establish its own testing schedules, including coordinating with Bar staff to proctor exams, in whole or in part, based on the needs and availability of each Commission and its applicants.
  - Commission recommends allowing an applicant to retake any portion of the exam that the applicant did not pass within 2 years of the date the applicant initially filed the applications for certification without additional examination or application fees based on BLS regulations Section VI.C.
- **Estate and Trust (ETAC):**
  - Simplify initial application case examples.
  - Replace case identification with affidavits for substantial involvement (initial and recertification).
  - Publicize exam study guides.
  - Implement mentorship program and promotional campaigns ("Certified Specialist of the Month").
- **Workers' Compensation (WCAC):**
  - Case Documentation: Submitting case summaries instead of full, unredacted decisions.
  - Flexibility: Removed strict 15-decision requirement; now allows alternative demonstrations of "substantial involvement."
  - Rationale: These adjustments aim to accommodate well-qualified applicants facing extenuating circumstances (such as illness or practice transitions) and to prevent specialists from dropping certification due to technicalities.
- **Spending Funds Update:**
  - Technological aspect will cost more than the \$55,000 they originally asked for.
  - Working with State Bar Information Technology staff.
  - Spec sheets were sent out for bidding to get a cost estimate amount.

- Fund increment will be needed to cover the ten different areas of legal specialization.
- Holding off on spending the advertising fund until the technology cost is known.
  
- **Certified Specialist Viability:**
  - Web change shows how to find a specialist.
  - No cost for this update.
  - Updating the site is a working progress.

**14. ADJOURNED** at 11:18 a.m.