



# NEWS RELEASE

**Arizona House of Representatives**

**Office of Representative Anthony Kern, R-20**

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**FOR IMMEDIATE RELEASE**

## **Rep. Kern Calls for Separating State Bar's Regulatory and Trade Association Functions**

**STATE CAPITOL, PHOENIX** – Representative Anthony Kern (R-20) last week introduced HB 2295 and HB 2300 in an effort to improve regulatory layers over the State Bar of Arizona. These bills come as a reaction to concern over the quasi-government agency, the State Bar of Arizona, acting in two conflicting capacities: protecting the public from its lawyers, while simultaneously promoting the interests of those lawyers.

**“These bills resolve the longstanding conflict of interest of the quasi-government organization, the State Bar of Arizona, which licenses lawyers, but also advocates on behalf of lawyer interests,”** says Kern. **“Neither the public nor lawyers are well served by such a conflict.”**

HB 2295 and HB 2300, if enacted, would not dismantle the State Bar of Arizona, but would provide a separation between the Bar's conflicting functions. The Bar would continue to perform current lawyer trade association functions on behalf of Arizona lawyers, but would be limited to collecting only voluntary membership dues for non-regulatory programs and activities. Also, the Bar would be required to file annual independently-audited public accountings to increase regulatory oversight.

In addition, HB 2295 would subject the Bar to open records requests and public meeting laws if the Arizona Supreme Court were to collect a mandatory assessment of monies for regulatory functions performed by the Bar.

**“Improving the practice of law and protecting the public through lawyer regulation are important functions, however, I fail to see why doing so requires lawyers give up their First Amendment freedoms by forcing them to pay for the Bar's ideological or political viewpoints they may not agree with,”** says Kern.

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