

REFERENCE TITLE: attorney discipline investigations; costs

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1435

Introduced by
Senator Finchem

AN ACT

AMENDING SECTION 12-353, ARIZONA REVISED STATUTES; RELATING TO RECOVERY OF COSTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 12-353, Arizona Revised Statutes, is amended to
3 read:

4 12-353. Recovery of costs; attorney discipline
5 investigations; definition

6 A. In an attorney discipline matter, if an attorney who is the
7 subject of the charge prevails, **THE FOLLOWING APPLY:**

8 1. In addition to any costs that are awarded by statute, the state bar of
9 Arizona is responsible to the attorney for any attorney fees, **LOSS OF**
10 **EARNINGS** and court costs. Court costs include the cost of all stages of
11 the investigation and discipline process and, if applicable, any court
12 litigation and appeal. **LOSS OF EARNINGS ARE CALCULATED DURING THE TIME**
13 **PERIOD THAT COVERS ALL STAGES OF THE INVESTIGATION AND DISCIPLINE PROCESS**
14 **AND, IF APPLICABLE, ANY COURT LITIGATION AND APPEAL.**

15 2. **THE ATTORNEY MAY FILE A CLAIM AGAINST THE STATE BAR OF ARIZONA**
16 **IF THE ATTORNEY SUFFERS DAMAGE TO THE ATTORNEY'S REPUTATION.**

17 B. For the purposes of this section, "attorney discipline matter"
18 means any charge that is not dismissed by the state bar of Arizona before
19 final disposition of the complaint by the presiding disciplinary judge or
20 the supreme court.