

Volunteer Lawyers Program Thanks Attorneys

The Volunteer Lawyers Program thanks the following attorneys and firms for agreeing to provide pro bono representation on cases referred by VLP to help people with low incomes. VLP supports pro bono services of attorneys by screening for financial need and legal merit and provides primary malpractice coverage, verification of pro bono hours for CLE self-study credit, donated services from professionals, training, materials, mentors and consultants. Attorneys who accept cases receive a certificate from MCBA for a CLE discount. For information on rewarding pro bono opportunities, please contact Roni Tropper, VLP Director, at 602-258-3434 x 2660 or Rtropper@clsaz.org or enroll with us at <https://clsaz.org/volunteer-lawyers-program/>. ■

VLP THANKS THE FOLLOWING ATTORNEYS AND FIRMS FOR ACCEPTING CASES FOR REPRESENTATION:

<p>ADOPTION Shawna R. Riggers Arizona Family Law Attorneys</p> <p>ADULT GUARDIANSHIP/ CONSERVATORSHIP Lisa M. Castillo Dominguez Law Firm PC</p> <p>Charles F. Hauff Bailey Hopkins Snell & Wilmer LLP</p> <p>F. Javier Sobampo The Sobampo Law Firm PLLC</p>	<p>BANKRUPTCY/ DEBTOR RELIEF Diane Drain Law Office of D L Drain PA</p> <p>Liz Nguyen – Two Cases Law Office of Mark J Giunta</p> <p>CONTRACTS/WARRANTIES Richard K. Mahrle Gammage & Burnham PLC</p> <p>LANDLORD/TENANT Diane L. Mihalsky CLS/VLP Certified Pro Bono Counsel</p>	<p>MOBILE HOMES Lindsay Prosky Esther Suh Littler Mendelson PC</p> <p>UNFAIR AND DECEPTIVE SALES PRACTICES Paloma Maria Scheiferstein John Urbanic Snell & Wilmer LLP</p>
---	--	---

VLP THANKS THESE VOLUNTEERS WHO PROVIDED OTHER LEGAL ASSISTANCE DURING THE MONTH:

<p>ALLEN JONES & GILES CLINIC Brian Deagle Ryan Deutsch Michael Jones</p> <p>ATTORNEY OF THE DAY Nancy Anger Andrew Jacobs</p> <p>CHILDREN'S LAW CENTER Edwin Ramos Shawna Riggers Brad TenBrook</p> <p>EMPLOYMENT Morgan Bigelow Denise Blommel Clara Bustamante Michelle Hogan Krista Robinson Alden Thomas Necole Walloch</p> <p>FAMILY LAWYERS ASSISTANCE PROJECT Steve Cole Greg Davis Charles Feldman Jeanne Garcia Stuart Gerrich</p>	<p>Robert Hahn Christina Hamilton Kina Harding Lowen Jones Katherine Kraus Elizabeth Langford Christopher Lazenby Susan McGinnis Heather Stewart Lisa Stone Aurora Walker Marie Zawtocky</p> <p>FEDERAL COURT ADVICE CLINIC Timothy Eckstein Makenzi Galvan Gabriel Hartsell Andrew Jacob</p> <p>FINANCIAL DISTRESS CLINIC Ryan Deutsch Michael A. Jones Donald Powell</p> <p>INTEL Romy T. Drysdale</p>	<p>PROBATE LAWYERS ASSISTANCE PROJECT Alexus Anderson Kent Berk Emily Burns Lauren Garner Thomas Hickey Kelly L. Kral Michelle Lauer Tracy M. Marsh James Rayburn Ryan Talamante</p> <p>Avery Hampton – ASU Extern Monique McClung – ASU Extern</p> <p>SNELL & WILMER Haley Breedlove Ian Joyce Anthony Marino Trish Refo David Rogers Bryon Sarhangian Diamond Zambrano</p> <p>TENANTS' RIGHTS CLINIC David Engelman John Gordon Diane Mihalsky Judy O'Neill</p>
---	---	--

VLP THANKS THE FOLLOWING INDIVIDUALS WHO RECENTLY HELPED OR ENCOURAGED COLLEAGUES TO VOLUNTEER WITH VLP:

James C. Abood Diane Drain

PRO BONO SPOTLIGHT ON CURRENT NEED FOR REPRESENTATION

Attorneys are needed to help consumers with contract matters. Attorneys' fees can be claimed if litigation is required.

The Volunteer Lawyers Program provided \$2,034,915 in measurable economic benefit to families in 2022, in addition to improving safety and well-being for children and adults.

The Volunteer Lawyers Program is a joint venture of Community Legal Services and the Maricopa County Bar Association

Q&A



LAWYER LIABILITY AND ETHICS

California Supreme Court Rejects Bar Exam Alternative



Joseph Brophy

It has become fashionable in recent years to question the utility of the bar exam. The exam topics largely overlap with what is already taught in law school. The exam tests general legal knowledge when attorney specialization is the rule, not the exception. Oral communication, counseling, and negotiations are irrelevant to the exam, but central to the practice of law. And bar exams are extremely difficult with no obvious connection to ensuring applicants are capable of or prepared to represent actual clients, which suggests that the exam's real purpose is to limit competition for lawyers' jobs.

In recent years, state bars and supreme courts have considered various potential changes and alternatives to the bar exam. In October 2024, the Supreme Court of California rejected the recommendation of a commission that alternative methods for assessing minimum competence for entry into the profession. Because this is California – the source of the cause and solution to so many our nation's problems – attention should be paid.

In October 2020, the California Supreme Court established the Joint Supreme Court/State Bar Blue Ribbon Commission on the Future of the California Bar Exam. After 17 months of work, the commission recommended the development of a new California bar exam but could not achieve consensus regarding an alternative pathway to licensure. The Board of Trustees for the California bar seemed disappointed in this result and invited the commission members who supported a bar exam alternative to submit a proposal for consideration.

What that commission working group came up with was a Portfolio Bar Examination (PBE) as an alternative pathway to licensure. Candidates who choose this option would be required to complete law school courses in specified doctrinal subjects. Then they would obtain provisional licenses and work under the supervision of licensed California lawyers for four to six months. During that time, they would assemble portfolios of work product that would be assessed by independent graders trained by the California bar. Candidates who achieved passing scores on their portfolios would not take the two-day bar exam but would have to fulfill all other requirements for admission to the bar. A pilot program was proposed.

Supporters said the alternative path to licensure would help graduates who do not have the time or money to afford pricey bar exam study courses – a burden that they say falls disproportionately on historically disadvantaged groups – while adding to the pool of attorneys

who work with underserved clients. To those who view California from afar as a bastion of liberalism, this proposal might sound like a slam dunk – helping the poor and historically disadvantaged groups gain access to legal services and jobs sure sounds Californian. However, when it comes to lowering barriers to entry to the profession (read: more competition), the members of the California bar as ridged of an interested group as you are apt to find.

The PBE proposal was circulated for a 30-day public comment period, during which 2,814 public comments were received. Only 24% of the comments agreed with the proposal; 4% agreed if the proposal was modified; and just over 70% disagreed. Just under 1% of commenters took the time to comment that they had no position, just in case silence (taking no position) did not express clearly enough that they had no position.

The theme that ran through the opposing comments was that the PBE was insufficient to assess minimum competence. The PBE does not require the same broad subject matter knowledge as the bar exam; there are insufficient protections against fraud in producing candidate work product for review; there is no guarantee that PBE candidates would work in areas of the law where legal services are needed; and the consistency and quality of supervision would vary from candidate to candidate, leading to varying outcomes and a lack of standardization.

The hostility of the California bar to the PBE proposal was reminiscent of 2022, when California's legislature and governor blocked the California bar's attempt to implement Arizona-style reforms that would have allowed non-lawyers to either participate in law firm ownership or to perform legal services normally reserved to lawyers with the goal of increasing the availability and decreasing the cost of legal services. The effort to kill those reforms was spearheaded by politically powerful California law firms and legal interest groups (read: donors) using the same justification that killed the PBE – protection of the public.

On October 10, 2024, the California Supreme Court rejected the PBE proposal. In a nod to the PBE's goals, the court said that the California bar exam should have "a significantly increased focus on assessment of skills along with the application of knowledge and performance of associated skills for entry-level practice, deemphasizing the need for memorization of doctrinal law."

How one could construct an intense, two-day, 19-subject, pass fail test to assess minimal competence in knowledge of the law while simultaneously "deemphasizing the need for memorization of doctrinal law" is a fascinating philosophical question that the California

THE BULLETIN BOARD

News from the legal community

The Maricopa Lawyer invites members to send news of moves, promotions, honors and special events to post in this space. Photos are welcome. Send your news to maricopalawyer@maricopabar.org.

GALLAGHER & KENNEDY



Sarah M. Clifford

Gallagher & Kennedy is pleased to welcome **Sarah M. Clifford** as a lateral attorney in its Phoenix office.

Joining G&K as a lateral shareholder, Sarah develops estate plans and trusts to help manage and preserve wealth and assets for individuals, families, and business owners.

Her experience includes probate and trust administration, including representation of high-net-worth clients with trusts and estates valued in excess of \$20 million. As part of her corporate practice, Sarah advises micro to large businesses on commercial transactions, entity formation, contract review, and dispute resolution.

An East Valley resident, Sarah served on the Board of Directors and the Economic Development Committee of the Tempe Chamber of Commerce from July 2020 to July 2023.

Sarah earned her law degree cum laude from Brigham Young University. She was an active member of the J. Reuben Clark Law Society, published a story in *The BYU Advocate*, and worked at the International Center for Law and Religious Studies, which hosts the Annual International Law and Religion Symposium. Sarah gained legal experience as a judicial extern at the Utah Supreme Court, as a law clerk at a Utah-based bankruptcy and litigation firm, and through a summer fellowship in New Zealand.

While earning her undergraduate degree in Interdisciplinary Humanities from BYU, Sarah volunteered in the South African bush to fight against rhino poaching. She also had an essay chosen for publication in *BYU's Alumni Magazine*, *The Y*.

ADULT PROBATION'S TURKEY FEAST BRINGS HOLIDAY JOY TO THOSE IN NEED

Attendees received holiday meals, gift bags for children



In the heart of a community they serve, volunteers from the Adult Probation Department, hosted the 29th annual Turkey Feast celebration distributing 400 holiday meals and over 200 gift bags for children.

One of the dedicated volunteers, Letty Martinez, has been spreading holiday cheer at the event for several years, dressed as an elf.

"It's always nice to have an opportunity to help others, especially around the holidays. It's nice that so many kids get at least one gift and a special memory," said Letty Martinez, Adult Probation's reachout clinical supervisor. "It was important to me as a child and to pay it forward. It's always so gratifying to give and share, but it's extra with the Turkey Feast. You see the

impact on hundreds of people. My hope is that they carry that joy with them for a while or have a forever memory to look back on that warms their heart, even in tough times."

The Maricopa County Adult Probation Department, part of the Judicial Branch of Arizona in Maricopa County, coordinates the Turkey Feast event every year, partnering with the Phoenix Police and Fire Departments, Terros Health, Arizona Probation Officers Association, Dress for Success, Smart Justice and St. Mary's Community Kitchen.

"Our annual Turkey Feast is a celebration of community, kindness, and connection," said Tiffany Grissom, Adult Probation division director for community transition and support. "By sharing food, toys, and resources with families in need, we bring joy and hope to those we serve while staying true to our mission of enhancing safety and creating positive change. This event shines a light on the values we hold close—fairness, respect, and the power of coming together to make a difference."

At the event, the Terros Mobile Unit provided free vaccinations, as well as blood pressure and glucose screenings for attendees. Representatives from the BTG Reentry team and Maverick House shared information about their services with the community. Dress For Success provided free clothing to those in need, while Maricopa County's Smart Justice program representatives offered details on workforce and training opportunities.

"I know the focus is on the kids, but seeing adults become so excited to take a picture with the Clauses is endearing," said Martinez. "When I offered to take photos so the adults would be part of the pictures with Santa, they were so excited. Many adults came solo to take a picture. I don't have memories or pictures of myself as a child with Santa. Most people tap into their inner child, just for a moment at the event. Christmas JOY is magical! I love spreading cheer year-round and I'm so grateful to be part of it all."

ARIZONA MEDIATION INSTITUTE



Bruce R. Cohen

Judith Wolf, Andi Paus, Aris Gallios, Steve Serrano and Jared Sandler welcome our newest member, **Judge (ret.) Bruce R. Cohen**, to Arizona Mediation Institute. Judge Cohen will be continuing his focus on family law and civil litigation, providing mediation, special master work and arbitration to our clients.

Bruce was appointed as a Superior Court Judge to the Maricopa County Superior Court in May 2005. He served a family court assignment for six years and from June 2019 through June 2023 as Presiding Judge of the Family Department of the Court. He officially retired from the court, effective December 31, 2024, after 19+ years as a Superior Court Judge.

Prior to his appointment to the bench, Bruce was in private practice for 24 years. He was a certified specialist in Family Law, served on the Family Law Board of Legal Specialization for the State Bar of Arizona and was a Fellow in the American Academy of Matrimonial Lawyers. Bruce earned his J.D. from the Sandra Day O'Connor College of Law in 1981. ■

NEED A NEUTRAL THIRD PARTY?



TRUST R.O.I. TO MAKE THE RIGHT CALL IN REAL ESTATE DISPUTES

Special Real Estate Commissioner
Neutral Real Estate Broker

Receiver | Commercial & Residential Broker
Valuation | Management & Maintenance

AzBusiness
Magazine
50 MOST INFLUENTIAL WOMEN

Business Journal
TOP 10 IN
COMMERCIAL SERVICES

**THE ARIZONA
REPUBLIC**
TOP 10 RESIDENTIAL BROKER

REPUBLIC MEDIA
WHO'S WHO IN BUSINESS



Beth Jo Zeitzer, Esq.
President, Designated Broker

602.319.1326 | WWW.ROIProperties.COM | [in](#) [f](#) [@](#)

California Supreme Court

Ethics, continued from page 11

Supreme Court did not attempt to answer in its eight-page order. However, the National Conference of Bar Examiners has been working on just such a test since 2021 — the Next Gen bar exam.

The Next Gen bar exam is not just a fancy sounding title. The test claims to emphasize "legal skills," rely less on memorization of laws, and will be at 9 hours shorter than the current 12-hour exam. The test debuts in 2026, with Arizona due to administer the

new exam starting in 2027.

For now, applicants to the California bar will continue to endure two days of torture aimed largely at eliminating competition for existing lawyers, all in the name of protection of the California public, while that same legal profession continues to bemoan the public difficulty in obtaining legal services. ■

Joseph Brophy is a partner with Jennings Haug Keleher McLeod in Phoenix. His practice focuses on professional responsibility, lawyer discipline and complex civil litigation. He can be reached at JAB@jhbklaw.com.

ADVERTISE WITH US

Advertise in the Maricopa Lawyer and reach more than 3,500 attorneys and other legal professionals. Call (602) 257-4200.

TRUST for a LIFETIME

TRUST & ESTATE SERVICES | ASSET MANAGEMENT

- ONE OF ARIZONA'S MOST EXPERIENCED TRUST TEAMS
- EXPERTISE IN NON-TRADITIONAL FIDUCIARY SERVICES, INCLUDING SPECIAL NEEDS TRUSTS AND CONSERVATORSHIPS
- OFFERING DELEGATED AND DIRECTED TRUST SERVICES WORKING WITH OUTSIDE FINANCIAL ADVISORS

MISSION
MANAGEMENT & TRUST CO.

CALL 800-547-1174 OR VISIT MISSIONTRUST.COM



SUBMISSIONS POLICY

Members and non-members are encouraged to submit articles for publication. The editorial deadline for each issue is generally the 8th of the month preceding the month of issue.