

Arizona Supreme Court
State Bar Petition for Review - Committee on C&F

SB-24-0042-PR

In the Matter of JUDSON CHARLES BALL

Appellate Case Information

Case Filed: 9-Aug-2024
Case Closed:

Dept/Composition

Side 1. In the Matter of JUDSON CHARLES BALL, Other
(Litigant Group) In the Matter of JUDSON CHARLES BALL

• Judson C Ball, Applicant

PRO SE

(Litigant Group) COMMITTEE ON CHARACTER AND FITNESS

• Committee on Character and Fitness

Attorneys for: Committee on Character and Fitness

James B Morse, Jr., Esq. (AZ Bar No. 19915)

CASE STATUS

Aug 9, 2024.....Pending

5 PROCEEDING ENTRIES

1. 9-Aug-2024 FILED: MPRE Score required by Rule 36(f)(1)(c) in Application for Admission on Motion("Petition) on Motion filed by Judson Charles Ball (Applicant Ball)
2. 12-Aug-2024 FILED: Certificate of Service (Applicant Ball)
3. 28-Aug-2024 FILED: Response to Petition for Waiver of Rule 34(f)(1)(C); Certificate of Service (Committee on Character and Fitness)
4. 9-Sep-2024 The Court en banc has considered Applicant Judson Charles Ball's MPRE Score required by Rule 36(f)(1)(C)[sic] in Application for Admission on Motion ("Petition") on Motion filed by Judson Charles Ball ("Applicant"). Applicant asks the Court to grant him admission to the bar and waive the requirement in Rule 34(f)(1)(C), Arizona Rules of the Supreme Court, that an applicant for admission on motion to the Bar "submit evidence of a passing score on the Multistate Professional Responsibility Examination as it is established in this jurisdiction." A passing score for the MPRE is 85. See Administrative Order 2023-159. Applicant argues that under precedent established by this Court in the Matter of the Application of David Alperstein, SB-23-0060-PR, the waiver should be granted.

The Committee on Character and Fitness filed a response to the Petition noting that "Applicant has not provided any information to show that his situation is analogous" to the circumstances presented in the Alperstein application. Also, the Committee advises, "Applicant has not provided any suggestion that he has represented clients or that his work experience is sufficient to demonstrate that Applicant possesses a current understanding of the rules of professional ethics. Applicant has not recently been subject to a state bar's character and fitness evaluation as part of the admission process. Thus, unlike Alperstein, Applicant has not provided information from which the court could determine that Applicant's test history, work history, and history with bar associations could together suffice to demonstrate the 'knowledge and understanding of established standards related to the professional conduct of lawyers.' About the Multistate Professional Responsibility Examination, (<https://www.ncbex.org/exams/mpre/about-mpre>, accessed Aug. 22, 2024)." The Committee also notes that Applicant must also meet other requirements for admission, and therefore the Court should not, as he requests, grant him admission to the Arizona Bar without meeting those other requirements.

To the extent Applicant believes that the Court should waive the requirement because it has done so once in the past, we disagree. Any waiver of any of the requirements for admission is based on the specific circumstances and facts of the applicant, and here Applicant has not established good cause for a waiver. Therefore,

IT IS ORDERED denying the request for waiver without prejudice to Applicant submitting relevant information to establish that Applicant possesses a current understanding of the rules of professional ethics. Any such supplemental information may be filed under this case number no later than 30 days from the date of this Order.

IT IS FURTHER ORDERED that any supplemental petition must be filed in this Court and must comply with Rule 36(h). (Hon. Ann A. Scott Timmer)

5. 16-Sep-2024 FILED: Untitled Document (Treated as Petition for Review) (Applicant Ball)