

## J. Scott Rhodes

*Chair, Legal Ethics*



### **Overview**

Mr. Rhodes has an extensive background in legal ethics. He regularly advises attorneys and law firms in matters relating to State Bar complaints, fee disputes, disciplinary matters, bar admission, and other licensing, ethics, and professional responsibility issues. In addition, Mr. Rhodes previously served as the Firm's General Counsel from May 2015 to January 2021 and held the position of Managing Attorney from December 2009 to May 2015.

### **Contact**

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- Phoenix, AZ

### **Areas of Focus**

- Lawyer Professional Responsibility
- State Bar Complaints
- Ethics
- Legal Malpractice Defense
- Bar Admission and Licensing Issues
- Commercial Litigation
- Local Government Law

## Education

J.D., Arizona State University, Sandra Day O'Connor College of Law (1995)

- *cum laude*
- Executive Managing Editor, *Arizona State Law Journal*
- Sandra Day O'Connor Award
- Alan A. Matheson Award

B.A., Yale University, English (1980)

- *cum laude*
- Distinction in the English Major

## Biography

Mr. Rhodes has an extensive background in legal ethics. He regularly advises attorneys and law firms in matters relating to State Bar complaints, fee disputes, disciplinary matters, bar admission, and other licensing, ethics, and professional responsibility issues. In addition, Mr. Rhodes previously served as the Firm's General Counsel from May 2015 to January 2021 and held the position of Managing Attorney from December 2009 to May 2015.

In 2009, the Arizona Supreme Court appointed Mr. Rhodes to serve as a Member of its Attorney Discipline Task Force, which reviewed the rules of the attorney regulation system and recommended substantial changes to the Arizona Supreme Court that were implemented in 2011.

In 2011, the Arizona Supreme Court appointed Mr. Rhodes to serve on its Attorney Regulation Advisory Committee. This Committee makes recommendations regarding attorney examination, admissions, reinstatement, disability, and the lawyer discipline process.

Mr. Rhodes was named Phoenix "Lawyer of the Year" for Litigation - Municipal in 2021, Phoenix "Lawyer of the Year" for Legal Malpractice Law - Defendants in 2019, Phoenix "Lawyer of the Year" for Ethics and Professional Responsibility Law in 2013, 2018, and 2020 and Phoenix "Lawyer of the Year" for Administrative Law in 2011 by *The Best Lawyers in America*<sup>®</sup>. The State Bar of Arizona selected Mr.

Rhodes for the 2010 Member of the Year Award. Mr. Rhodes is AV Preeminent® Peer Review Rated™ by Martindale Hubbell® and has been listed in *The Best Lawyers in America*® in the categories of Administrative/Regulatory Law, Arbitration, Ethics, and Professional Responsibility Law, Legal Malpractice Law-Defendants, Litigation-Municipal, Mediation, and Municipal Law from 2009 through 2021. He was also named in *Southwest Super Lawyers*® in the categories of Administrative Law, and Politics in 2007, and in the categories of Professional Liability: Defense; State, Local & Municipal Law; and Utilities Law in from 2011 through 2019.

Under Mr. Rhodes' leadership, Jennings Strouss ranked #1 in the United States in Ethics and Professional Responsibility Law by *The Best Lawyers in America*® 2010, and #1 in Arizona in 2011.

Mr. Rhodes also practices in the areas of commercial litigation, local government law, and professional corporate governance and structure.

Before joining the Firm, Mr. Rhodes served as Law Clerk to the Honorable Robert Corcoran and the Honorable Charles E. Jones, Arizona Supreme Court, from 1995 through 1996. Before embarking on his legal career, Mr. Rhodes operated his own business in Paris, France for nine years.

## **Admissions**

### **Admitted to Practice**

- Arizona (1995)

### **Court Admission**

- U.S. District Court, District of Arizona (2000)
- U.S. Court of Appeals, Ninth Circuit

## **Representative Experience**

### **Lawyer Professional Responsibility**

- Regularly represents public and private lawyers in defense of Bar complaints and fee arbitrations
- Regularly provides ethics counsel to lawyers and law firms
- Expert witness in legal malpractice cases

### **Published Opinions**

- [In the Matter of RICHARD B. JOHNSON](#) (2013), Arizona Supreme Court, No. SB-12-0040-R.
- Featured, "Lawyers Don't Have to 'Peel Back' Layers of 'Psychoanalysis' to Prove Rehabilitation," 29 Law. Man. Prof. Conduct 243, *ABA/BNA Lawyers' Manual on Professional Conduct*™, a publication highly regarded as an authoritative source for news and guidance on attorney conduct and legal ethics. The manual is published by the American Bar Association and the Bloomberg BNA.
- Featured, "Delving into Psyche Unnecessary for Reinstatement," *National Law Journal*, (April 30,

2013)

- [In the Matter of JANET WHITE-STEINER](#) (2009), Arizona Supreme Court, No. SB-08-0119-D.
- [In the Matter of NANCY E. DEAN](#) (2005), Arizona Supreme Court, No. SB-05-0135-D.
- [In the Matter of WALTER E. MOAK](#) (2003), Arizona Supreme Court, No. SB-03-0007-D.
- [In the Matter of WILLIAM J. WALKER](#) (2000), Arizona Supreme Court, No. SB-00-0096-D.

## Media and Presentations

### Articles

- Contributor, "Appellate Handbook 2.0," published by State Bar of Arizona (2020)
- Quoted, "[Phoenix law firm gives ASU Law grads meaningful opportunities to work where they studied](#)," Arizona State University Sandra Day O'Connor College of Law (July 27, 2020)
- Contributing Author, "Arizona Legal Ethics Handbook," Third Edition, State Bar of Arizona, *Committee on the Rules of Professional Conduct* (2015)
- Author, "[Conflicting State and Federal Marijuana Laws Create Ethical Complications for Lawyers](#)," *ABA Member E-newsletter* (2014)
- Author, "Change on the Horizon," *Attorney at Law Magazine* (2010)
- Author, "Exploring the Unthinkable in Lawyer Discipline: Disbarment, Suspension and Reinstatement," *Advocate: Arizona Trial Lawyers Association* (2008)

### Blogs

- "[Arizona Supreme Court Rules that Lawyer Seeking Reinstatement Need Not Identify 'Root Cause' of Weakness that Led to Suspension](#)," *Jennings Strouss Blog* (April 29, 2013)

### Interviews

- "[J. Scott Rhodes Discusses Arizona Town Hall's Report on Vulnerable Populations in Arizona](#)," *Arizona Horizon* (May 7, 2014)

### Videos

- "[Considerations For Lawyers Starting Careers as Sole Practitioners](#)," (September 24, 2013)
- "[Why Sole Practitioners and Small Firms Should Seek Out Ethics Counsel](#)," (September 24, 2013)
- "[Client Selection: Considerations For Identifying a Worthy Client from an Unworthy Client](#)," (September 24, 2013)

### Podcasts

- "[Before The Show #150 - Ethics Guide For Lawyers](#)," The Knowledge Group (April 23, 2020)
- "What an Arizona Attorney Should Do When They Receive a Bar Complaint," (July 2, 2012)
- "What a Law Firm Should Do When an Attorney Has a Substance Abuse Problem," (July 6, 2012)
- "What Attorneys Should Know About Having a Virtual Law Office in Arizona," (July 6, 2012)

## Presentations

- “How Not to Commit Malpractice During a Pandemic,” Arizona Association for Justice (August 6, 2020)
- “Ethics Guide for Lawyers: Significant Trends and Best Practices,” The Knowledge Group Webinar (May 20, 2020)
- “The Ethics of Legal Advertising,” C4 Luncheon Presentation, Jennings Strouss & Salmon (2019)
- “Representing an Entity in an Internal Investigation: Ethical and Practical Issues,” Arizona Society of Healthcare Attorneys (2019)
- “Regulation Year in Review,” College of Estate Planning Attorneys (2018)
- “Ethical Morning at the Movies,” State Bar of Arizona (2018)
- “Braving the Storm: Dealing with Opposing Counsel and the Court,” State Bar of Arizona (2018)
- “Lawyers and Non-Profit Boards: An Ethical Review,” Planned Giving Roundtable of Arizona (2018)
- “Twenty-First Annual Public Practice Legal Seminar/HR Summit,” Arizona Counties Insurance Pool, the Arizona State Civil Deputies and AMRRP (2018)
- “Lawyer Regulation in Arizona; A Review of Recent Trends,” West Maricopa County Bar Association (2018)
- “Intellectual Property Ethics,” Twenty-First Annual Public Practice Legal Seminar/HR Summit, State Bar of Arizona (2018)
- “2017 State Bar Convention Ethics Game Show,” State Bar of Arizona (2017)
- “Third Annual CLE in the Gardens: Practical Lessons for the Intellectual Property Practitioners,” State Bar of Arizona (2017)
- “Out of the Shadows: The Impact of Substance Abuse,” State Bar of Arizona (2016)
- “State Bar of Arizona Course on Professionalism,” ASU Sandra Day O’Connor College of Law (2016)
- “A New Lawyer’s Boot Camp Day 2,” State Bar of Arizona (2016)
- “A Lawyer’s Day in Court,” State Bar of Arizona (2016)
- “Nineteenth Annual Public Practice Legal Seminar,” ACIP & Arizona Counties Civil Deputies Association (2016)
- “Managing the Conflict of Interest Maze for Public Lawyers,” Nineteenth Annual Public Practice Legal Seminar/HR Summit (2016)
- “Managing the Conflict of Interest Maze for Public Lawyers,” Arizona Prosecuting Attorneys’ Advisory Council (2015)
- “Ethics Update,” Asimou & Associates, PLC (2015)
- Panelist, “Hypos and Hippos: Survival on the Ethical Savannah,” U.S. District of Arizona Conference (2015)
- “Ethical Considerations for Tribal Prosecutors,” Tribal Prosecutors’ Association (2015)
- “New Year, New Trends: 2014 in Arizona Lawyer Discipline and Ideas for 2015,” Asimou & Associates, PLC (2015)
- “What Hat Are You Wearing Today?” Association of Professional Responsibility Lawyers (2015)
- Panelist, “The Wild World of Cannabis: A Quick Trip Through the Civil Law Issues of Medical and Legal Marijuana,” American Bar Association (2015)
- “State Bar of Arizona Course on Professionalism,” ASU Sandra Day O’Connor College of Law (2015)

- “How to Work Effectively and Ethically with Investigators,” Maricopa County Bar Association (2014)
- “New Lawyer Boot Camp Day 1,” State Bar of Arizona, Continuing Legal Education (2014)
- “Ethics Update,” Asimou & Associates, PLC (2014)
- “I’ll take Ethics Potpourri for \$1000, Please,” Tiffany & Bosco, Continuing Legal Education (2014)
- “Challenges and Tools in Estate Planning: Ethics and Liability Concerns in Estate Planning, Elder Law and Probate,” State Bar of Arizona, Continuing Legal Education (2014)
- “Lawyer Ethics and the Business of Marijuana,” American Bar Association (2014)
- “What All Estate Planning Professionals Should Know About Legal Ethics,” Central Arizona Estate Planning Council (2014)
- “10 Ethical Concepts for Arizona Lawyers to Know in 2014,” Asimou & Associates, PLC (2014)
- “Ethical Morning at the Movies,” State Bar of Arizona, Continuing Legal Education (2012, 2014)
- Panelist, “Fee Simple,” State Bar of Arizona, Continuing Legal Education (2013)
- Panelist, “Let’s Talk Fees,” State Bar of Arizona, Continuing Legal Education (2013)
- “Sixteenth Annual Public Practice Legal Seminar,” ACIP & Arizona Counties Civil Deputies Association (2013)
- “2013 Ethics CLE,” Gurstel Chargo, PA (2013)
- “Candor, Courtesy & Confidences: Common Courtroom Conundrums,” State Bar of Arizona, Continuing Legal Education (2013)
- Ethical “Tune-Up” Seminar, City of Phoenix Law Department (2012)
- Ethical “Tune-Up” Seminar, City of Glendale City Attorney’s Office (2012)
- “Fifteenth Annual Public Practice Legal Seminar,” ACIP & Arizona Counties Civil Deputies Association (2012)
- “Ethics and Public Lawyer,” State Bar of Arizona (2012)
- “The Ethics of Ancillary Businesses,” Warner Angle Hallam Jackson & Formanek, PLC (2012)
- “The Lawyer Discipline System: How is it Working?” State Bar of Arizona (2012)
- “Dial ‘E’ for Ethics,” State Bar of Arizona (2012)
- “Conflict of Interest Restriction After Carrigan: Legislative Voting and First Amendment,” American Bar Association, Section of State and Local Government Law (2011)
- “Avoiding Ethical Pitfalls: Navigating the Ethics Rules,” State Bar of Arizona, Continuing Legal Education (2005 - 2009, 2011, 2013, 2015)
- “Moving On: Closing, Selling or Otherwise Leaving Your Practice,” State Bar of Arizona (2010)
- “Ethics Seminar,” West Maricopa Bar Association (2010)
- “Changes to Arizona’s Attorney Discipline System,” Arizona Attorney General’s Office (2010)
- “A Lawyer’s Day in Court: The Mechanics of Arizona’s Attorney Regulation System,” State Bar of Arizona’s CLE By the Sea Conference (2010)
- “Game Show Ethics!” U.S. Attorney’s Office - District of Arizona, AUSA Symposium (2010)
- Panelist, “Minding the Store: Internal Ethics and Liability Management for Law Firms of All Shapes and Sizes,” State Bar of Arizona (2010)
- “Arizona State Bar Ethics Training,” Yavapai County Public Defender’s Office, Continuing Legal Education (2009, 2010)
- “Are We All In the Same Sandbox? The Various Facets of a Multi-Jurisdictional Practice,” State Bar of Arizona, Continuing Legal Education (2009)

- Panelist, “Real World Negotiation Ethics,” State Bar of Arizona’s Alternative Dispute Resolution Section (2009)
- “2009 Course on Professionalism,” State Bar of Arizona (2009)
- Panelist, “Minding the Store: Internal Ethics and Liability Management,” State Bar of Arizona’s CLE By the Sea (2009)
- “Ethical Estate Planning and Administration: The Devil’s in the Details,” Maricopa County Bar Association (2009)
- “Lawyer Discipline – And 20 Tips on How to Avoid It,” Lorman Seminars, Legal Ethics in Arizona (2009)
- Panelist, “Balance in Life and Law Practice,” State Bar of Arizona, Minority Bar Convention (2009)
- “Changes to Ethics Rules and Trust Account Audits: Lawyers Who Represent Lawyers Explain What You Need to Know,” Maricopa County Bar Association, Continuing Legal Education (2009)
- “Ethics Café,” State Bar of Arizona, Continuing Legal Education (2008)
- “The Ethics of Dealing with Difficult People,” City of Glendale, City Attorney’s Office (2008)
- “Double Trouble: Concurrent Disciplinary Actions and Legal Malpractice Suits,” ABA (2007)
- “The Ethical Challenges and Opportunities of Public Representation,” Glendale City Attorney’s Office (2007)
- “Annual Ethics Game Show!” State Bar of Arizona (2006)
- “Twenty Ways to Avoid Discipline!” State Bar of Arizona, Continuing Legal Education (2006)
- Moderator, “Confessions for the Pocketbook as Well as the Soul?” American Bar Association Center for Professional Responsibility National Conference (2005)
- “Due Process and Ethical Considerations in Probate Litigation and Estate Planning,” Maricopa County Bar Association Estate Planning, Probate and Trust Section (2005)
- “What to Do When the Bar Comes Knocking at Your Door: What You Should Know About the Discipline Process,” Arizona Attorney General’s Office (2005)
- “How to Open and Keep Open a Profitable Law Firm,” State Bar of Arizona, Continuing Legal Education (2004)
- Guest Lecturer, “Professional Responsibility,” ASU Sandra Day O’Connor College of Law, Professional Responsibility Course (2004)
- “Ethics and Professionalism Seminar,” Salt River Project (2003)
- “2003 Amendments to Arizona Rules of Professional Conduct,” Blue Cross & Blue Shield of Arizona (2003)
- “Lawyer Discipline System: Introduction,” State Bar of Arizona (2002, 2003)
- “Fifth Annual Public Practice Legal Seminar,” ACIP & Arizona Counties Civil Deputies Association (2002)
- “Fourth Annual Public Practice Legal Seminar,” ACIP & Arizona Counties Civil Deputies Association (2001)

## **Memberships**

### **Arizona Supreme Court**

- Member, Attorney Regulation Advisory Committee (2011 – present)

- Member, Attorney Discipline Task Force (2009 – 2010)

### **American Bar Association**

- Member, Center for Professional Responsibility

### **State Bar of Arizona**

- Member, Ethics Committee (2002 – 2014)
- Chair, Rules of Professional Conduct Committee (2009 – 2011)
- Member, Rules of Professional Conduct Committee (2002 – 2014)

### **Mesa Judicial Advisory Board**

- Member (2007 – 2010)
- Chairman (2009 – 2010)

### **Law Firm Alliance**

- Member, Board of Directors (2014 – 2018)

### **Community Involvement**

#### **Arizona State University, Sandra Day O'Connor College of Law**

- Adjunct Professor, Professional Responsibility (Fall 2015, Fall 2016, Spring 2019, Spring 2020)

#### **Arizona Town Hall**

- Chair (2013 – 2015)
- Chair-Elect (2012 – 2013)

#### **Mesa 2025: Financing the Future**

- Member, Citizen Committee (2005 – 2006)

#### **Mesa Leadership Training and Development**

- Class of 2002

#### **Acting Honorary Consul for France (2001 – 2003)**

### **Honors and Awards**

- [AV Preeminent® Peer Review Rated™](#)
- Selected, *The Best Lawyers in America*® Phoenix “Lawyer of the Year” for Litigation – Municipal



(2021)

- Listed, *The Best Lawyers in America*® in the categories of Administrative/Regulatory Law, Arbitration, Ethics and Professional Responsibility Law, Legal Malpractice Law – Defendants, Litigation – Municipal, Mediation, Municipal Law, and Professional Malpractice Law – Defendants (2009 – 2021)
- Selected, *The Best Lawyers in America*® Phoenix “Lawyer of the Year” for Ethics and Professional Responsibility Law (2013, 2018, 2020)
- Selected, Volunteer of the Month, State Bar of Arizona CLE Department (February 2019)
- Listed, *Southwest Super Lawyers*® in the categories of Administrative Law, and Politics (2007), Professional Liability: Defense; State, Local & Municipal Law; and Utilities Law (2011 – 2019)
- Selected, *The Best Lawyers in America*® Phoenix “Lawyer of the Year” for Legal Malpractice Law – Defendants (2019)
- *Arizona State Law Journal*, John S. Lancy Distinguished Alumni Award (2018)
- Selected, *The Best Lawyers in America*® Phoenix “Lawyer of the Year” for Administrative/Regulatory Law (2011)
- Co-recipient, Member of the Year Award, State Bar of Arizona (2010)
- Chevalier de l’Ordre du Mérite National (Knight of the Order of National Merit, Republic of France)

### **Foreign Languages**

- French (Fluent)