



Office of the Arizona Attorney General

The Office of the Arizona Attorney General is currently accepting applications for its 2015 Summer Law Internship Program. These internships are volunteer positions, but may be eligible for public interest stipends from certain law schools. The Office is also accepting applications for law school-funded post-graduate fellowships, as well as externships for credit during the 2015-2016 school year.

Positions are available within all five Divisions: the Solicitor General's Office, Civil Litigation, Criminal, State Government, and Child and Family Protection. Requests to rotate between Divisions will be considered. Typical duties include complex legal research, drafting briefs and memoranda, participating in moot courts, and preparing for and observing depositions, hearings and trials. The following descriptions represent the type of work conducted by each Division. For more information, please visit <https://www.azag.gov>. Please submit a cover email (indicating subject matter preference), resume, transcript, writing sample and references to Valerie Neumann at Valerie.Neumann@azag.gov.

Solicitor General's Office

The Solicitor General's Office ("SGO") serves as the state's premier appellate lawyers on both criminal and civil matters, and defends Arizona laws against constitutional challenges.

Federalism: SGO argued to the Ninth Circuit that federal immigration law does not preempt Arizona's identity theft laws. *Puente Arizona v. Arpaio*, No. 15-15211 (9th Cir. pending). Similar lawsuits have arisen under the Equal Protection Clause, challenging Arizona's refusal to issue driver's licenses to unauthorized aliens granted deferred action by executive order while continuing to provide licenses to other groups of aliens. *Arizona Dream Act Coalition v. Brewer*, No. 15-15307 (9th Cir. pending). In two cases, the SGO attorneys defended state abortion laws from "undue burden" constitutional challenges. *Isaacson v. Horne* involved a state ban on abortions performed after 20 weeks of gestation, a law passed based on the concern for fetal pain. *Planned Parenthood Arizona, Inc. v. Humble* related to a state law requiring that abortion medications be administered in compliance with FDA label requirements.

Election Law: In *Kobach, et al, v. U.S. Election Assistance*, the United States Supreme Court is currently considering a certiorari petition jointly filed by the SGO attorneys and our counterparts in Kansas appealing a ruling out of the Tenth Circuit. Issues presented for review relate to voter registration requirements for documentary proof of citizenship.

Criminal Appeals and Capital Litigation: In *State v. Jonathan Ian Burns*, the Arizona Supreme Court recently upheld a capital conviction despite 26 different claims for relief on appeal. The defendant kidnapped and sexually assaulted a Phoenix-area woman in 2007 before shooting her twice in the head and discarding her body. In *Holbrook v. Woods*, Arizona filed an amicus brief before the United States Supreme Court on a petition for certiorari from the State of Washington. The case involves issues related to habeas corpus petitions and ineffective assistance of counsel claims.

Civil Litigation Division

Consumer Protection/Antitrust: In *State of Arizona v. Standard & Poor's Financial Services, LLC*, Arizona, along with 18 other states attorneys general, the District of Columbia, and the U.S. Department of Justice reached a \$1.375 billion settlement with Standard and Poor's Financial Services, LLC ("S&P"). The State filed a lawsuit in February, 2013, alleging that S&P misrepresented the objectivity and independence of its structured finance ratings services.

In *State of Arizona v. General Motors, LLC*, the State filed a lawsuit against GM claiming that GM concealed known, deadly defects to avoid the cost of recall and replacement and that GM enticed Arizona consumers to purchase vehicles under the false pretense that they were safe and reliable. This lawsuit is the first action brought by a state against GM for its alleged role in suppressing knowledge of its dangerous defects and not recalling vehicles in a timely manner.

In *State of Arizona v. Chelliah, et al.*, the State sued 26 individual and corporate defendants for allegedly violating the Arizona Consumer Fraud Act and other laws in connection with their telemarketing/work at home scheme. The defendants preyed primarily on elderly consumers, falsely claiming that consumers would earn substantial commissions by selling credit card merchant and other services from personalized web sites. The State obtained summary judgment on all liability issues in 2015.

Environmental: In *Regional Haze Litigation*, the State is challenging before the Ninth Circuit the Environmental Protection Agency's determinations overturning Arizona's plans to combat regional haze air pollution. Arizona contends that EPA has failed to comply with the Clean Air Act and is imposing enormous economic burdens for virtually no environmental benefit.

In *Save the Scenic Santa Ritas v. Arizona Department of Environmental Quality*, the State successfully defended the ADEQ's decisions to issue air quality and water quality permits to a new copper mine, Rosemont Copper Mine, proposed in southern Arizona. The hearings involved several interested parties including ADEQ, an international mining company, and community and environmental organizations.

Civil Rights: In sexual harassment cases involving a copper mine and two private prisons, the State obtained, respectively, a substantial jury verdict and significant settlements for the aggrieved parties, as well as changes to the companies' policies and procedures. In a fair housing case, the State obtained a jury verdict that the Town of Colorado City, Arizona, and Hildale, Utah, engaged in a pattern or practice of refusing or denying municipal services, including culinary water connections, based on religion; a permanent injunction against such discrimination; and a mechanism for bringing suspected violations of this injunction to the Court that will be effective for a period of ten years.

State Government Division

The Agency Counsel Section: This section represents state agencies in several areas, including public monies, procurement, contracting and financial issues, probation, retirement benefits and inmate parole and clemency. Examples of legal work include negotiating multi-million dollar contracts, assisting in state bonding issues, providing procurement advice, and assisting agencies with licensing and certification issues, gaming and lottery matters, retirement eligibility issues, and advice concerning public records requests and open meetings. Other tasks include prosecuting enforcement actions and defending claims or actions against the agencies.

Transportation: This section provides a wide variety of legal services to the Arizona Department of Transportation (ADOT), including construction contracts and acquisition of real property needed for highway construction projects, such as the \$2 billion Loop 202 South Mountain Freeway. The attorneys also provide advice related to motor vehicle titles, registration, the Aeronautics Division of ADOT (which oversees the Grand Canyon Airport), procurement, intergovernmental agreements, grant agreements, and property management. The section also represents the Arizona Department of Public Safety for licensing and certification issues including concealed weapon permits, private investigators, and security guards.

Employment Law: This section defends the State of Arizona and its agencies, including the three public universities, against current and former employees' employment-related claims, such as wrongful termination, discrimination, and wage issues. Recent successful defenses have involved, for example, a university professor claiming race-based discrimination, and a government agency inspector claiming sexual harassment and discrimination.

Education and Health: This section provides legal advice and litigation services for education-related clients, including the Superintendent of Public Instruction, Arizona Department of Education, Arizona State Board of Education, Arizona Schools for the Deaf and the Blind, and State Board for Charter Schools. Typical cases relate to public education and charter school funding, teacher certification, and public school tuition benefits. The Section also represents the Arizona Department of Health Services, which includes cases relating to mental health services, abortion clinic licensure, medical marijuana, ambulance and EMT licensure, and vital records.

Tax: This section represents the Arizona Department of Revenue ("ADOR") in property tax, income tax, transaction privilege (sales tax) and use tax. It also represents ADOT in fuel tax and aircraft license matters. Pending cases include *Southpoint Energy v. ADOR*, a case involving a challenge to the ADOR's valuation and taxation of an electric generation facility on tribal land, with the facility owner alleging that it is unlawful for the State and county government to tax any improvements on tribal land and not just those owned by the tribe.

Liability Management: This section tries 10-15 cases to juries each year and is an excellent place to gain an understanding of whether to focus your career on civil litigation. Attorneys defend the State, its agencies/boards/commissions, and its employees in liability claims and cases in which money damages are sought. Typical work includes investigating claims/cases and meeting with clients and witnesses, researching and writing pleadings and motions, arguing motions, taking and defending depositions, retaining and working with expert witnesses in many different fields, filing and arguing motions to dismiss and for summary judgment, case research through use of focus groups and mock juries, mediations, jury trials, and appeals.

The Licensing and Enforcement: This section represents over 40 Arizona boards, commissions, and agencies, providing both legal advice and representation in administrative and court proceedings. Typical issues include license denials, disciplinary matters, special actions, and appeals from administrative decisions. Attorneys also assist agencies in rule writing and legislative matters.

Criminal Division

Financial Remedies: This section's mission is the protection of legitimate commerce from the corrupting influences of criminal conduct through the application of civil remedies under Arizona's racketeering statutes. Cases focus on ongoing criminal enterprises, mostly in the areas of illegal drugs

and major fraud, but have also included other forms of organized crime, such as auto theft, prostitution, and trafficking in stolen property. Virtually all of its cases allege the conduct of a criminal enterprise (A.R.S. § 13-2312) and money laundering in addition to the underlying criminal conduct.

Fraud and Public Corruption: This unit prosecutes white collar crime and fraud by individuals and organized criminal groups and organizations. Attorneys typically prosecute criminal fraud in areas such as securities, insurance, real estate, banking, taxes, government, telemarketing, computers, AHCCCS provider fraud, and other areas of financial activity. Other areas of focus include gang related crimes.

Drug and Racketeering Enforcement: Working hand in hand with investigators, these attorneys utilize various investigative techniques including surreptitious surveillance and confidential informants. One large wiretap case being handled by this section resulted in the indictment of 73 defendants, the seizure of 500 pounds of methamphetamine and over \$5 million in drug proceeds.

Child and Family Protection Division

Protective Services: This section represents the Department of Child Safety (“DCS”) in child abuse and neglect actions. Attorneys engage in a litigation-focused practice, handling thousands of legal actions each year. Common cases involve dependency, guardianship, severance, and adoption proceedings, as well as high-profile and complex matters involving issues such as physical abuse, neglect, and criminal conduct. Attorneys work with DCS to ensure good outcomes for children who are victims of abuse and neglect, and provide permanency for children removed from parents and placed by the courts in the legal custody of DCS. They also provide advice, counsel, and training to DCS to assist in its case assessment and operations.

The Civil and Criminal Litigation and Advice: This section provides legal advice and representation to all DCS and Department of Economic Security (“DES”) programs. Attorneys advise DCS and DES on matters involving personnel issues, business operations, contracts, departmental policies, public records issues, and debt collection. Additionally, attorneys maintain a busy administrative hearing schedule appearing before the DES Office of Appeals, the State Personnel Board, and the Office of Administrative Hearings.

The Child Support Service: This section assists DES’s Division of Child Support Services (“DCSS”) through providing comprehensive legal representation and advice. Attorneys assist DCSS in obtaining child support orders to reimburse state and federal government expenditures for cash assistance. Attorneys attend court on a daily basis and also provide legal advice to DES staff.