



Office of the Arizona Attorney General

A summer internship at the Office of the Arizona Attorney General offers an unmatched opportunity to address cutting-edge legal issues, while learning from experienced appellate advocates and trial lawyers. In addition to enforcing state law, the Attorney General fights against federal overreach and special-interest lawsuits that threaten constitutional principles of federalism and infringe upon Arizonans' right to govern themselves. For example, the Attorney General has challenged several Environmental Protection Agency regulations for exceeding the federal agency's statutory and constitutional authority. Additionally, the Attorney General has defended state laws dealing with topics such as immigration, identity theft, and the protection of unborn children.

The Attorney General is currently accepting applications for its 2018 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 2017-2018 and 2018-2019 school years.

Typical intern duties include complex legal research, drafting briefs and memoranda, participating in moot courts, and preparing for and observing depositions, hearings and trials.

Prospective interns must submit a (1) [internship interest request form](#), (2) cover letter, (3) resume, (4) writing sample, and (5) references. To apply, please email all documents to humanresources@azag.gov, Adobe PDF version preferred. **Applications will be reviewed weekly, the final deadline is Friday, March 2, 2018.**

For more information, please contact Human Resources at humanresources@azag.gov or call 602-542-8056.

Solicitor General's Office

Federalism: SGO has 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.). 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.). In a pair of cases related to abortion, SGO attorneys have defended state 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: SGO litigates and advises agency clients on federal and state election law. Currently, SGO has cases pending in the U.S. Supreme Court, the Ninth Circuit, and in state court on issues including redistricting, campaign finance, judicial campaigns, and state recognition of political parties. Election

matters regularly involve constitutional questions as well as questions of statutory interpretation and regulatory compliance.

Civil Litigation Division

Government Accountability & Special Litigation (GASL): GASL's primary responsibility is for civil enforcement of many of the key government accountability and transparency investigative functions of the Attorney General's Office. GASL's responsibilities include the following:

- Matters arising under A.R.S. § 41-194.01, which provides for withholding of state-shared revenue for violations of state law by counties, cities, and towns;
- Citizen election complaints and referrals by the Secretary of State and others for violations of state election laws under Titles 16 and 19 of the A.R.S.;
- Complaints alleging Open Meeting Law violations, A.R.S. § 38-431 et seq.; and
- Matters concerning public monies illegally paid under A.R.S. § 35-211 et seq.

Although it is new, GASL has already achieved significant results, including:

- Prevailing at the Arizona Supreme Court in *State ex rel. Brnovich v. City of Tucson*, CV-16-301-SA, which concluded that the City of Tucson's ordinance requiring the city police department to destroy firearms violated state law. This was the first case decided pursuant to a legislator complaint filed under A.R.S. § 41-194.01.
- Successfully intervening and obtaining consolidation and dismissal of over 1,000 drive-by lawsuits filed in Maricopa County under the state Arizonans with Disabilities Act and federal Americans with Disabilities Act.
- Spearheading an initiative to protect consumers from class-action settlement abuse. This includes filing briefs in federal courts across the country (including the U.S. Supreme Court) on behalf of multi-state, often-bipartisan coalitions. One example of the positive effects of these efforts occurred in *Allen v. Similasan Corp.* There, the District Court rejected the initial proposed settlement after an Arizona-led coalition filed an amicus brief citing problems with the deal, and ultimately approved a revised settlement that increased consumers' cash recovery from \$0 to approximately \$700,000.

Consumer Protection/Antitrust: Consumer Protection/Antitrust enforces Arizona's Consumer Fraud Act and Antitrust laws. These objectives are accomplished primarily through investigations and litigation into unfair and deceptive acts and practices.

Case examples include:

- In *State of Arizona v. Volkswagen, et al.*, Arizona brought a civil enforcement action against Volkswagen for their diesel engine fraud. Although this matter is ongoing, efforts already have produced several important court victories to date, including keeping the case in Arizona state court and resisting dismissal on preemption grounds. As a result, Arizona's case is well-positioned to be one of the first cases to go to trial if necessary.
- 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 riled a lawsuit in February 2013, alleging that S&P misrepresented the objectivity and independence of its structured finance ratings services. The plaintiffs ultimately reached a \$1.375 billion settlement with Standard and Poor's Financial Services, LLC ("S&P").
- 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 *FTC v. Cancer Fund of America, et al.*, the State, joined by every other state and the FTC, sued four cancer-related nonprofits alleged to be sham charities in the District of Arizona federal court. The defendants raised hundreds of millions of dollars but only a tiny fraction of the money raised was used to assist cancer victims. Two of the Defendants have agreed to be dissolved, and the remaining Defendants have currently stopped all fundraising efforts.

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 *North Dakota et. al. v. Environmental Protection Agency*, Arizona has joined a multi-state lawsuit against the EPA for adopting new federal rules expanding the jurisdiction of the Clean Water Act. The rules extend Clean Water Act jurisdiction to tributaries and other small waterbodies like ponds and ditches.

In *Sierra Club v. Environmental Protection Agency*, the State is appealing a federal court ruling that set deadlines for controlling sulfur dioxide pollutants in Arizona and other states. The new deadlines were arbitrarily arranged by the EPA in violation of the Clean Air Act.

In *Michigan et. al. v. Environmental Protection Agency*, the United States Supreme Court issued a decision remanding the EPA's rule imposing new restrictions for controlling hazardous air pollutants. The Supreme Court found the rule unreasonable because the EPA failed to consider the costs required for achieving compliance.

Division of Civil Rights Section: The Division of Civil Rights Section ensures compliance with the Arizona Civil Rights Act and seeks to make victims of discrimination whole and works to deter future discrimination with injunctive relief. The Division mediates, conciliates, investigates, and litigates cases of discrimination because of being in a protected class in the areas of employment, housing, public accommodation, and voting. 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

Agency Counsel (Administrative Law State Agency Statutory and Constitutional Advice): 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 (Public Safety and Transportation Advice): 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 state education and health related clients. Education clients include the Superintendent of Public Instruction, Arizona Department of Education, Arizona State Board of Education, Arizona School Facilities Board, State Board for Charter Schools, Arizona Schools for the Deaf and the Blind, and the Arizona Commission on Post-Secondary Education. The education unit does not represent any colleges, universities, or school districts. Typical education litigation cases involve public education and charter school funding, teacher certification, and public school tuition benefits.

Health clients include the Arizona Department of Health Services, and the Arizona Commission for the Deaf and Hard of Hearing. The health unit does not represent the Arizona Health Care Cost Containment System (AHCCCS). Typical health litigation cases involve health care institution and abortion clinic licensing, mental health care, medical marijuana, ambulance and EMT licensure, public health matters, midwives and child care 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 (Tort and Civil Liability Litigation): This section tries 10-15 civil cases to juries each year with a heavy focus on civil rights and constitutional law. It is an excellent place to gain an understanding of whether to focus your career on civil litigation. Many of its cases are venued in federal district court and the Ninth Circuit, in addition to Arizona state courts. Attorneys defend the State against claims that the State or its employees have committed civil torts, constitutional torts under 42 U.S.C. § 1983, or injunction matters in which parties allege that the State violating the constitutional rights of incarcerated persons. The legal issues frequently involve federal constitutional rights such as free speech, establishment clause (religious freedom), equal protection, due process, and the cruel and unusual punishment clause of the Eighth Amendment. Cases in state court range from property damage

claims to wrongful death actions involving law enforcement or prison staff. Typical work includes investigating claims/cases and meeting with clients and witnesses, researching and writing pleadings and motions, arguing motions, taking and defending depositions, 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 to both state and federal appellate courts.

Professional 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.

Public Law Section: provides legal advice and representation to a variety of state agencies, ranging from the Department of Financial Institutions to the Department of Veterans' Services to the Arizona Coliseum (state fair). The Public Law Section is also responsible for enforcing the Tobacco Master Settlement Agreement, which brings to Arizona approximately \$100 million each year. The Tobacco Enforcement Unit has a unique role within the Attorney General's Office and as a result, novel legal issues are often presented. An intern will have the opportunity to work on research projects with several attorneys in the Section and attend administrative hearings in order to provide maximum exposure to both litigation and advice issues that impact a broad range of state interests.

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 Special Prosecutions Section: The Fraud & Special Prosecution's Section (FSP) prosecutes white collar crime and fraud by individuals and organized criminal groups and organizations. FSP typically prosecutes criminal fraud in areas such as securities, insurance, real estate, mortgage, banking, taxes, government, telemarketing, computers, welfare and other areas of financial activity. FSP also focuses on gang related crimes, human and sex trafficking and handles conflict matters from other counties.

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.

Healthcare Fraud and Abuse: This unit prosecutes crimes stemming from abuse of Medicaid dollars by providers. These attorneys prosecute three major areas of crime: prescription drug pill mills, white collar fraud, and vulnerable adult abuse and neglect, both financial and physical. Working alongside their special agents, these attorneys have prosecuted doctor-run pill mills, vulnerable adult homicides, and thefts from the government of millions of dollars.

Criminal Division- Tucson Section: The Tucson Criminal Section is the southern Arizona component of the AGO's Criminal Division and prosecutes all cases within the AGO's statewide statutory jurisdiction. Generally, those cases are classified as:

1. White Collar: securities fraud, embezzlement, identity theft, and money laundering;
2. Organized Crime and Criminal Enterprise: international drug trafficking and Arizona-based criminal organizations;
3. Public Corruption: bribery, obstruction of justice, and misuse of public funds;
4. Elder Financial Exploitation and Abuse: AGO Special Investigations, local police department referrals, and multi-county Arizona Adult Protective Services cases;
5. Internet Crimes Against Children: internet-related and associated child abuse charges; and
6. County Attorney Conflicts and Referrals: cases the county attorneys' offices cannot prosecute because of a conflict or lack of expertise.

The Section works proactively with AGO Special Investigators, local and state police agencies, and federal law enforcement to prepare cases from investigation through sentencing. This vertical prosecution approach relies on specialized prosecutors who become experts in particular areas of law. Additionally, in partnership with the University of Arizona James E. Rogers College of Law, the Section annually enrolls into its six credit, year-long 38(d) extern program students selected from its summer intern program who want to pursue prosecution careers after graduation. Students in the intensive 38(d) program complete 300 hours in the office and in court under close supervision of the Section's experienced criminal prosecutors.

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.