



## 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 2017 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 2016-2017 and 2017-2018 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) completed [application](#), (2) [internship interest request form](#), (3) cover letter, (4) resume, (5) writing sample, and (6) references. To apply, please visit <https://www.azag.gov/volunteer-internships> and click the "2017 Summer Law Internship" link and follow the instructions.

For more information, please contact Human Resources at [humanresources@azag.gov](mailto: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 (9<sup>th</sup> 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 (9<sup>th</sup> Cir.). In a pair of cases related to abortion, SGO attorneys have defended state laws from "undue burden" constitutional challenges. *Isacson 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**

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**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 filed 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.

**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**

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**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 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 (Tort and Civil Liability Litigation):** 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.

**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.

## **Criminal Division**

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**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**

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**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.