

# bar community

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## state bar of arizona award nominations

The **State Bar of Arizona** is soliciting nominations for awards to be given at the Annual Convention. Nominations for all categories should be submitted to: State Bar Awards, 111 West Monroe, Suite 1800, Phoenix, AZ 85003-1742. The deadline for nominations is Friday, April 11, 2003.

### **James A. Walsh Outstanding Jurist Award**

Awarded to that judge whose career exemplifies the highest standards of judicial conduct for integrity and independence; who is knowledgeable of the law and faithful to it; who is unswayed by partisan interests, public clamor or fear of criticism; who is patient, dignified and courteous to all who appear before him; and who endeavors to improve the administration of justice and public understanding of, and respect for, the role of law in our society. Last year's recipient was the Hon. Edward L. Dawson.

### **Award of Special Merit**

Awarded to that member or members of the State Bar who have made significant contributions to the furtherance of public understanding of the legal system, the administration of justice and confidence in the legal profession. In 2002, Daniel Cracchiolo was honored.

### **Sharon A. Fullmer Legal Aid Attorney of the Year Award**

Awarded to that legal services lawyer in Arizona whose service to low-income people encompasses aggressive advocacy on behalf of individuals in extreme need and addresses systemic issues affecting significant numbers of low-income people. Last year's recipient was Sylvia J. Struss.

### **Award of Appreciation**

Awarded to that individual or those individuals who are not members of the Bar in recognition of outstanding service toward the creation of a better public understanding of the legal profession and the administration of justice, the judiciary or the legislative process. Bill Scott was honored last year.

## Member of the Year Award

Awarded to that attorney or those attorneys who have rendered extraordinary contributions to the programs and activities of the State Bar in the prior year. Hundreds, even thousands, of the Bar's members contribute their time and talent to the work of the Bar, but this award is limited to those whose contributions are exceptional. In 2002, the award was given to Craig Mehrens and Ted A. Schmidt.



Craig Mehrens (above) and Ted A. Schmidt (below) receive their awards from former Bar President Nick Wallwork.

**"My selection as Member of the Year was an accolade that I will always cherish. Although there were (and are) others who deserve it as well as I, or more so, I was honored to be selected."**

—Craig Mehrens

**"When I look at the list of prior recipients of this award I am truly humbled. These folks have always been my role models in the practice and I am deeply honored to be among them."**

—Ted A. Schmidt



## STATE BAR BOARD OF GOVERNORS

### February Meeting Review

**Below are highlights from the Feb. 21, 2003, State Bar Board of Governors meeting. Meetings are held monthly at the Arizona Bar Center in Phoenix.**

- ▶ Multijurisdictional Practice Task Force Co-Chairs Steve Hirsch and Myles Lynk summarized proposed amendments to ER 5.5 and ER 8.5 and a proposal that would allow admission on motion. Following the Board's input, the Task Force was directed to redraft the proposed amendments as discussed for consideration at the March Board meeting.
- ▶ Greg Fairbourn, Chair of the Lawyers Professional Liability Insurance Committee, reported that ANLIR, the Bar's previously sponsored malpractice insurance carrier, had gone into receivership. The Board authorized the committee to notify by letter the 700+ known Bar members who were insured under this program of the current circumstance, which could affect those who purchased tail coverage.
- ▶ Greg Fairbourn further reported that Kemper Insurance, the current Bar-sponsored malpractice insurance program, had been downgraded from an A to a B+ rating. The Board authorized the committee to (1) request Kemper and Ahern Insurance Brokerage to notify all current insureds of this change in rating as soon as possible and to provide verification to the Bar of said notification and (2) advise new and prospective insureds of this change in status.
- ▶ Dean Patricia White of ASU's College of Law provided an update on the university's activities, including the growth and development of the Native American and Science & Technology programs, and the need for the law school to increase tuition due to state budget cuts.
- ▶ The Board:
  - approved the Consent Agenda;
  - voted to reconsider its October vote to reject the Ethical Rules Review Group's (ERRG) proposal for mandatory disclosure of malpractice insurance. The Board requested ERRG to draft alternative language for consideration at the March Board meeting; voted to nominate Deborah Oseran for reappointment to the Commission

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## TRANSFER TO DISABILITY INACTIVE STATUS

### LAMONTE L. HANSEN

Bar No. 005220; File No. 02-5001

By Supreme Court Judgment and Order dated Nov. 22, 2002, Lamonte L. Hansen, 107 S. Third Street, Williams, AZ, pursuant to Rule 59(b), was transferred to disability inactive status for an indefinite period and until further order of the Disciplinary Commission.

## SANCTIONED ATTORNEYS

### RICHARD A. ALCORN

Bar No. 006657; File No. 99-2503

By Supreme Court Judgment and Order dated Oct. 3, 2002, Richard A. Alcorn, 2800 N. Central, Suite 1400, Phoenix, AZ 85004, was suspended for 30 days for violation of his duties and obligations as a lawyer. Upon reinstatement, Mr. Alcorn will be placed on one year's probation and ordered to participate in the LOMAP program. Mr. Alcorn was ordered to pay costs and expenses incurred by the State Bar in the amount of \$4,061.16, together with interest at the legal rate.

Mr. Alcorn represented a client in a personal injury action. Mr. Alcorn agreed to handle the case on a contingency basis; however, no written fee agreement was prepared for approximately a year and a half. After Mr. Alcorn filed the lawsuit, he failed to serve a Rule 26.1 disclosure statement and failed to answer discovery requests from the defendants. Mr. Alcorn had until Feb. 17, 1998, to file a motion to set or the case would be placed on the inactive calendar. Mr. Alcorn filed a list of witnesses and exhibits on Feb. 25, 1998. Defendants filed a controverting certificate and a motion to strike the untimely list of witnesses and exhibits, which the court granted. In September 1998, Mr. Alcorn agreed to submit the overdue discovery responses, but failed to do so. In April 1999, defendants filed a motion for judgment of dismissal that was granted on June 7, 1999. Mr. Alcorn did not timely inform his client about the dismissal and misled the client about filing a motion for reinstatement. The client subsequently obtained new counsel; however, the court denied the motion for reinstatement.

There were three aggravating factors found pursuant to the *ABA Standards for Imposing Lawyer Sanctions*, Section 9.22: (a) prior discipline, (h) vulnerability of the victim, (i) substantial experience in the practice

of law and (j) indifference to making restitution. There were five mitigating factors found pursuant to Section 9.22 of the *ABA Standards*: (b) absence of dishonest or selfish motive, (d) timely good faith effort to make restitution or rectify the consequences of the misconduct, (e) full and free disclosure to the disciplinary agencies and a cooperative attitude towards the proceedings, (l) remorse and (m) remoteness of prior offense. Mr. Alcorn's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ERs 1.3, 1.4, 1.5(c), 3.2 and 3.4(c).

### CAL BASKERVILLE

Bar No. 009014; File No. 01-1511

By Supreme Court Judgment and Order dated Jan. 23, 2003, Cal Baskerville, 616 E. Southern, Suite 103, Mesa, AZ 85204, was censured by consent for violation of his duties and obligations as a lawyer. Mr. Baskerville was placed on one year's probation and ordered to participate in the LOMAP program and attend the Trust Account Ethics Enhancement Program. Mr. Baskerville was ordered to pay costs and expenses incurred by the State Bar in the amount of \$836.68, together with interest at the legal rate.

The State Bar received a notice from Mr. Baskerville's bank advising that his trust account was overdrawn in July 2001 when a check for \$19,843.40 attempted to pay against a balance in the trust account of \$16,857.60. Mr. Baskerville supplied the requested documents concerning his trust account, and a review of the documents revealed that Mr. Baskerville failed to properly safeguard client funds; that Mr. Baskerville failed to conduct a monthly reconciliation of the trust account; and that Mr. Baskerville failed to maintain proper internal controls to adequately safeguard funds on deposit in his trust account.

As part of the settlement, the parties agreed two aggravating factors were present pursuant to the *ABA Standards for Imposing Lawyer Sanctions*, Section 9.22: (c) pattern of misconduct and (i) substantial experience in the practice of law. The parties also agreed there were four mitigating factors pursuant to Section 9.32 of the *ABA Standards*: (b) absence of dishonest or selfish motive, (d) timely good faith effort to rectify consequences, (e) full and free disclosure to the disciplinary agencies and a cooperative attitude towards the proceedings and (g) character and reputation.

Mr. Baskerville's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ER 1.15 and

Rules 43(d), Guidelines 1(c) and 2(e) and 44(b), ARIZ.R.S.C.T.

### DENNIS P. BAYLESS

Bar No. 012052; File No. 98-2254

By Supreme Court Judgment and Order dated May 1, 2002, Dennis P. Bayless, 820 Cove Parkway, Suite 102, Cottonwood, AZ 86326, was suspended for 30 days for violation of his duties and obligations as a lawyer. Upon reinstatement, Mr. Bayless was also placed on two years' probation including participation in the LOMAP program. Mr. Bayless was ordered to pay restitution to a client and the Pinal County Superior Court in the sum of \$35,383.16. Mr. Bayless was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$3,069.41, together with interest at the legal rate, in this matter by separate Order dated May 21, 2002.

Mr. Bayless represented a client against a business in a breach of contract and misrepresentation action. Mr. Bayless failed to designate an expert witness in his disclosure statement, failed to file timely and sufficient responses to discovery, failed to communicate settlement offers from opposing party to his client and failed to appear at settlement conferences. Mr. Bayless' failure to answer discovery or properly disclose witnesses and exhibits led to motions *in limine* that were granted preventing his client from using evidence and witnesses at a trial. Mr. Bayless then failed to answer a motion for summary judgment and then failed to inform his client of the failure to respond to the summary judgment motion. As a result, the motion was granted. Mr. Bayless then failed to inform the client of an offer to settle the attorney's fees and costs issue that resulted in costs and fees of \$33,684.81 being assessed in a judgment. When Mr. Bayless finally told his client about the judgment, the client hired a new attorney to attempt to set aside the judgment.

The Hearing Officer found one aggravating factor found pursuant to the *ABA Standards for Imposing Lawyer Sanctions*, Section 9.22: (a) prior disciplinary offenses. In addition, the Commission found *de novo* two other aggravating factors: (i) substantial experience in the practice of law and (j) indifference to making restitution. The Hearing Officer found three mitigating factors found pursuant to Section 9.32 of the *ABA Standards*: (b) absence of dishonest or selfish motive, (e) cooperative attitude toward proceedings and (l) remorse. In addition, the Commission found *de novo* 9.32(k) imposition of other penalties or sanctions, even though Mr. Bayless had not paid them.

Mr. Bayless' conduct violated Rule 42, ARIZ.R.S.Ct., particularly ERs 1.1, 1.2, 1.3, 1.4 and 8.4(a).

### **STEVEN D. BLAINE**

Bar No. 014123; File Nos. 99-0368 and 99-1938

By Supreme Court Judgment and Order dated May 24, 2002, Steven D. Blaine, P.O. Box 1660, Lakeside, AZ 85929, was suspended for six months and one day for violation of his duties and obligations as a lawyer. Upon reinstatement, Mr. Blaine will be placed on two years' probation including participation in the LOMAP program and have a practice monitor. Mr. Blaine was ordered to reimburse the Client Protection Fund for any monies paid by the Fund to the amount of \$100,000. Mr. Blaine was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$1,637.74, together with interest at the legal rate.

Mr. Blaine failed to properly communicate with his clients; continued hearings without consulting the client; filed unnecessary motions for issues that were not at issue; failed to abide by the client's directions concerning the case; failed to diligently and competently handle cases for his clients and failed to respond to the State Bar inquiries concerning the allegations. Mr. Blaine did appear and participate at the aggravation and mitigation hearing held in this matter.

There were three aggravating factors found pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (a) prior disciplinary offenses, (c) pattern of misconduct and (d) multiple offenses. There were two mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (b) absence of a dishonest or selfish motive and (c) personal or emotional problems.

Mr. Blaine's conduct violated Rule 42, ARIZ.R.S.Ct., particularly ERs 1.2(a), 1.3, 1.4(a) and (b), 8.1(a) and 8.4(d) and Rules 51(h) and (i), ARIZ.R.S.Ct.

### **ROBERT CIMINO**

Bar No. 007134; File Nos. 99-1738, 00-0317, 00-0699, 00-1441, 00-2350, 00-2452 and 01-0112

By Supreme Court Judgment and Order dated July 3, 2002, Robert Cimino, 15712 E. Chandler Heights Road, Chandler, AZ 85249, was suspended for one year retroactive to July 5, 2001, for violation of his duties and obligations as a lawyer. Upon reinstatement, Mr. Cimino will be placed on probation for two years, including participating in the LOMAP and MAP programs and will work with a practice monitor. Mr. Cimino was ordered to pay restitution to one client in the

amount of \$1,000.00 and was ordered to reimburse the Client Protection Fund for any claims paid by the Fund up to the maximum amount of \$100,000. Mr. Cimino was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$3,811.68, together with interest at the legal rate.

In these matters, Mr. Cimino failed to adequately communicate with his clients concerning the status of their cases; failed to advise the clients about hearings; failed to provide copies of documents he filed for clients with the courts; failed to adequately advise clients so that the clients could make informed decisions concerning the representation; failed to show for a criminal jury trial or for the witness statements; and in most of the cases took retainers and then failed to perform the work requested. In all of the matters, Mr. Cimino failed to fully cooperate with the State Bar in its investigations.

The Hearing Officer found one aggravating factor pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (a) prior disciplinary offenses. The Disciplinary Commission found an additional three factors *de novo*: (c) pattern of misconduct, (d) multiple offenses and (i) substantial experience in the practice of law. There were four mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (b) absence of a dishonest or selfish motive, (c) personal or emotional problems, (d) timely good faith effort to make restitution or to rectify the consequences of misconduct and (e) cooperative attitude toward proceedings.

Mr. Cimino's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ERs 1.3, 1.4, 1.15, 1.16(d), 3.3, 8.1(b) and 8.4 and Rules 43, 44 and 51(h) and (i), ARIZ.R.S.C.T.

**J. MICHAEL DONAHOE**

Bar No. 003212; File No. 02-1864

By Supreme Court Judgment and Order dated Oct. 31, 2002, J. Michael Donahoe, 6801 E. Evans Road, Scottsdale, AZ 85260, was placed on interim suspension pursuant to Rule 52(c), ARIZ.R.S.C.T., until the final disposition of all pending proceedings.

**DANIEL J. GATTI**

Bar No. 013228; File No. 02-4002

By Supreme Court Judgment and Order dated Sept. 12, 2002, Daniel J. Gatti, 1781 Liberty SE, Salem, OR 97302, was censured pursuant to Rule 58(c), ARIZ.R.S.C.T., for violation of his duties and obligations as a lawyer. Mr. Gatti was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$600, together with interest at the legal rate.

On Aug. 17, 2000, Mr. Gatti was reprimanded by the Oregon Supreme Court. Mr. Gatti falsely held himself out as a chiropractor to a California company that was looking for medical reviewers to work for them to review medical claims that insurance companies received from claimants. Mr. Gatti was informed about the company by a chiropractor, who believed that the company was using nonmedical personnel to make the evaluations. Mr. Gatti then called the company and misrepresented who he was to a doctor used by the company, a vice-president of the company and then to their Washington office for possible employment. As a result of his investigation, Mr. Gatti filed a lawsuit against the company and one of the insurance companies for fraud and intentional interference with contractual relations. This action was then commenced as a Reciprocal Discipline matter under Rule 58, ARIZ.R.S.C.T.

The Oregon Supreme Court found two aggravating factors pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (d) multiple offenses and (i) substantial experience in the practice of law. Two mitigating factors were found pursuant to Section 9.32 of the ABA *Standards*: (b) absence of selfish motive and (g) character or reputation.

Mr. Gatti's conduct violated Oregon's DR 1-102(A)(3) (ER 8.4(c)) and DR 7-102(A)(5) (ER 4.1), as well as ORE. REV. STAT. 9.527(4).

**DENNIS L. HALL**

Bar No. 013547; File No. 00-0610

By Supreme Court Judgment and Order dated Sept. 12, 2002, Dennis L. Hall, 2702 N. 3rd Street, Suite 3000, Phoenix, AZ 85004, was censured and placed on one year's probation, including attending and completing the Trust Account Ethics Enhancement Program, for violation of his duties and obligations as a lawyer. Mr. Hall was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$3,081.77, together with interest at the legal rate.

Mr. Hall's trust account procedure was to pay all client costs from the trust account. In order to do so, Mr. Hall requested his clients pay their fees and costs by separate checks. In some instances, clients did not provide separate checks and did not always make payment for their costs in a timely manner. When clients did not have sufficient funds in the trust account, Mr. Hall would advance funds from his firm's operating account, thereby commingling his funds with his clients' funds. The State Bar received four trust account overdraft notices from Mr. Hall's bank between October 1999 and February 2000. Mr. Hall failed to establish sufficient internal

controls so that he could adequately monitor client funds, thereby causing the overdrafts.

The Disciplinary Commission found two aggravating factors pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (c) pattern of misconduct and (i) substantial experience in the practice of law. There were six mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (a) absence of prior disciplinary history, (b) absence of selfish or dishonest motive, (d) timely good faith effort to make restitution or to rectify consequences of misconduct, (e) full and free disclosure to disciplinary board or cooperative attitude towards proceedings, (h) physical disability and (l) remorse.

Mr. Hall's conduct violated Rule 42, ARIZ.R.S.C.T., specifically ER 1.15 and Rule 43, Guidelines 1(a), 1(c), 1(e), 2(c) and 2(e) and Rule 44(a), ARIZ.R.S.C.T.

**JEFFREY J. HEGBERG**

Bar No. 018394; File Nos. 00-1626, 00-1665, 00-1784 and 00-2306

By Supreme Court Judgment and Order dated July 3, 2002, Jeffrey J. Hegberg, 213 Hobson Way, Blythe, CA 92225, was disbarred for violation of his duties and obligations as a lawyer. Mr. Hegberg was ordered to pay restitution to three clients in the total amount of \$95,193.40. Mr. Hegberg was ordered to reimburse the Client Protection Fund for any claims paid by the Fund up to the maximum amount of \$100,000. Mr. Hegberg was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$1,154.50, together with interest at the legal rate.

Mr. Hegberg's misconduct arose from his arrest by the Blythe Police Department on suspicion of stealing client funds totaling approximately \$300,000. At the time of his arrest, Mr. Hegberg admitted misappropriating the client funds in order to use them for gambling. On Jan. 24, 2001, Mr. Hegberg was charged with two felony counts. Mr. Hegberg failed to cooperate with the State Bar in its investigation of the allegations.

There were six aggravating factors found pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (b) dishonest or selfish motive, (c) pattern of misconduct, (d) multiple offenses, (e) bad faith obstruction of the disciplinary proceedings by intentionally failing to comply with rules and orders of the disciplinary agency, (g) refusal to acknowledge wrongful nature of conduct and (k) illegal conduct. There were two mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (a) absence of a prior disciplinary record and (f) inexperience in the practice of law.

## lawyer regulation

Mr. Hegberg's conduct violated Rule 42, ARIZ.R.S.Ct., particularly ERs 1.4, 1.15, 1.16, 8.1(b), and 8.4 and Rules 51(h) and (i), ARIZ.R.S.Ct.

### **LAWRENCE MAGID**

Bar No. 017348; File No. 02-4001

By Supreme Court Judgment and Order dated Sept. 12, 2002, Lawrence Magid, 3030 N. 3rd Street, Suite 1100, Phoenix, AZ 85012, was censured pursuant to Rule 58(c), ARIZ.R.S.Ct., for reciprocal discipline, for violation of his duties and obligations as a lawyer. Mr. Magid was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$600, together with interest at the legal rate.

Mr. Magid was reprimanded by the New Jersey Supreme Court on June 7, 2001. Mr. Magid represented a client in an administrative personnel matter. After the personnel matter went against the client, the decision was appealed to an Administrative Law Judge. However, the client was unable to participate in the hearing process and the case was placed on the inactive calendar. During the time the case was on the inactive calendar, Mr. Magid moved to Arizona and ceased practicing in New Jersey. After Mr. Magid informed the Administrative Law Judge and the deputy attorney general handling the matter that he would file a motion to withdraw, Mr. Magid failed to file the motion within the allotted 30 days and the case was dismissed without prejudice. In the second matter, Mr. Magid represented a criminal client in a parole violation matter. After moving to Arizona, Mr. Magid had the client file an appeal pro se and then failed to file a promised emergency writ of habeas corpus. As a result, the client was found to have to serve a five-year period of parole ineligibility. Mr. Magid then assured the client that he had prepared an appeal notice, request for emergency relief, writ of habeas corpus and a request of stay of the Parole Board's order but failed to file same. Mr. Magid then ceased all communications with the clients in November 1996.

Mr. Magid's conduct violated Rule 42, ARIZ.R.S.Ct., specifically ERs 1.3, 1.4(a) and 1.16(d).

### **WILLIAM R. METTLER**

Bar No. 003438; File Nos. 99-2390 and 00-1400

By Supreme Court Judgment and Order dated June 14, 2002, William R. Mettler, 2810 N. Third Street, Phoenix, AZ 85004, was censured by consent for violation of his duties and obligations as a lawyer. Mr. Mettler was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$1,211.89, together with interest at the legal rate.

In Count One Mr. Mettler was the attorney for plaintiffs in a matter in the Navajo County Superior Court. Respondent did not file a joint pretrial statement timely as ordered; and failed to timely respond to discovery requests, claiming that his client failed to provide him with the requested discovery. Based on the failure to timely supply adequate responses to discovery, defense counsel filed a motion to compel and the court rescheduled the trial once to accommodate that issue. The court granted the defense motion for sanctions and awarded taxable costs against Mr. Mettler's clients in the amount of \$6,445.45. Although the court entered judgment on October 21, 1999, by April 4, 2000, Mr. Mettler had failed to inform his clients of the dismissal and award of judgment against them.

In Count Two, a client retained Mr. Mettler, to advise the client in a dissolution proceeding, and paid Mr. Mettler \$500 for time spent meeting with him and \$121 for costs to file the answer. The client had been served with a petition for dissolution. During the period of representation, the client claimed to have had extreme difficulty in communicating with Mr. Mettler. Mr. Mettler failed to file a notice of appearance; failed to advise the adverse party of the representation; failed to file the answer on behalf of the client; failed to inform the client of the default hearing; and failed to appear for the hearing. As a result, default was entered against the client and the client's wife obtained titled to unique property in New Mexico, including government built missile silos. Mr. Mettler failed to refund the client the \$121 filing fee until late 2000.

There were three aggravating factors found pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (a) prior disciplinary offenses, (c) pattern of misconduct and (i) substantial experience in the practice of law. There was one mitigating factor found pursuant to Section 9.32 of the ABA *Standards*: (e) cooperative attitude toward proceedings.

Mr. Mettler's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ERs 1.3, 1.4, 1.16(d), 3.2, and 8.4(d) and Rule 51(e), ARIZ.R.S.C.T.

**VICTORIA R. MIRANDA**

Bar No. 018511; File No. 00-0474

By Supreme Court Judgment and Order dated June 10, 2002, Victoria R. Miranda, 2600 N. Central Ave., Suite 850, Phoenix, AZ 85004, was censured for violation of her duties and obligations as a lawyer. Ms. Miranda was also placed on six months' probation including participation in the LOMAP program. Ms. Miranda was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$2,779.90, together with inter-

est at the legal rate.

Ms. Miranda was hired to represent a client in a domestic relations case. Ms. Miranda filed a motion to dismiss for lack of jurisdiction on Dec. 30, 1999, that contained a verification page with her client's supposed signature notarized by Ms. Miranda on Dec. 27, 1999. Ms. Miranda filed an amended motion to dismiss for lack of jurisdiction on Jan. 2, 2000, that also contained a verification page with the client's supposed signature notarized by Ms. Miranda on Dec. 30, 1999. Ms. Miranda then filed a response to the petition for dissolution on her client's behalf on Feb. 24, 2000. The response contained a verification page with the client's supposed signature notarized by Ms. Miranda on Feb. 22, 2000. Ms. Miranda actually signed the client's signature to each of the three verifications. On Feb. 25, 2000 the client faxed a letter to Ms. Miranda stating that the client wished Ms. Miranda to withdraw. On Mar. 6, 2000, Ms. Miranda faxed a letter and verification to the client asking the client to sign the verification and fax it back to Ms. Miranda. The verification stated that the client caused the response to be prepared, and that the client signed the verification for the response on Dec. 10, 1999. The client refused to sign the verification because it was false. In her response to the State Bar complaint filed by the client, Ms. Miranda provided inaccurate information.

There were two aggravating factors found pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (c) pattern of misconduct and (f) submission of false evidence, false statements or other deceptive practices during the disciplinary process. There were six mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (a) absence of a prior disciplinary record, (b) absence of a dishonest or selfish motive, (e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings, (f) inexperience in the practice of law, (g) character or reputation and (l) remorse.

Ms. Miranda's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ERs 3.3, 8.1 and 8.4(c) and (d) and Rules 51(h) and (i), ARIZ.R.S.C.T.

**MICHAEL B. MORRISON**

Bar No. 007650; File No. 01-1134

By Supreme Court Judgment and Order dated Sept. 12, 2002, Michael B. Morrison, 1801 E. Hatcher Road, Phoenix, AZ 85020, was censured by consent for violation of his duties and obligations as a lawyer. Mr. Morrison was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$658.70, together with interest at the legal rate.

Mr. Morrison was required to submit his MCLE Affidavit of Compliance for the educational year 1998-99 by Sept. 15, 1999, pursuant to Rule 45(c), ARIZ.R.S.C.T. Mr. Morrison requested, and was granted, several extensions to complete the required number of MCLE hours. The final extension Mr. Morrison received set Nov. 7, 2000, as the final deadline for the submission of his MCLE Affidavit. Mr. Morrison did not file his MCLE Affidavit by Nov. 7, 2000 and he was summarily suspended by the Board of Governors effective Jan. 19, 2001. Mr. Morrison was aware that his summary suspension would remain in effect until the Arizona Supreme Court issued an order of reinstatement pursuant to Rule 71(b), ARIZ.R.S.C.T. The order was not entered until Mar. 6, 2001. On Feb. 22, 2001, Mr. Morrison filed a Notice of Appearance of Counsel for Respondent and a Motion to Stay Effective Date of Order of Protection in a dissolution matter.

There was one aggravating factor found pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (i) substantial experience in the practice of law. There were three mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (a) absence of prior disciplinary history, (b) absence of a dishonest or selfish motive and (l) remorse.

Mr. Morrison's conduct violated Rule 42, ARIZ.R.S.C.T., specifically ER 5.5.

**JAMES R. PHILLIPS**

Bar No. 001903; File Nos. 00-0919, 00-1235, 00-1255, 00-1299, 00-1941, 00-2198, 00-2201, 00-2206, 00-2457, 01-0012, 01-0038, 01-0091 and 01-0252

By Supreme Court Judgment and Order dated May 24, 2002, James R. Phillips, 402 E. La Jolla Drive, Tempe, AZ 85282, was disbarred for violation of his duties and obligations as a lawyer. Mr. Phillips was ordered to pay restitution to eight clients totaling \$6,700 and was ordered to reimburse the Client Protection Fund for any monies paid by the Fund to the amount of \$100,000. Mr. Phillips was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$2,780.10, together with interest at the legal rate.

These proceedings consist of two separate complaints and Hearing Officer reports that were consolidated by the Disciplinary Commission. The consolidated Complaints contain 15 counts alleging multiple instances of misconduct including abandonment of clients, failure to provide clients with competent and diligent representation, failure to maintain communication with clients and respond to their requests for information, failure to appear at scheduled court hearings on

behalf of clients, making misstatements to the court, failure to respond to an order from the court and failure to return client files and/or the unearned portion of fees advanced. In addition, Mr. Phillips failed to respond to a number of the charges and in other cases failed to cooperate with the State Bar's investigation of these matters.

There were nine aggravating factors found pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (a) prior disciplinary offenses, (b) dishonest or selfish motive, (c) pattern of misconduct, (d) multiple offenses, (e) bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency, (g) refusal to acknowledge wrongful nature of conduct, (h) vulnerability of victim, (i) substantial experience in the practice of law and (j) indifference to making restitution. There were no mitigating factors found pursuant to Section 9.32 of the ABA *Standards*.

Mr. Phillip's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ERs 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 1.16(d), 3.1, 3.2, 3.3, 3.4(a) and (c), 4.1, 8.1, 8.1(b) and 8.4(b), (c) and (d) and Rules 43, 44 and 51(e), (f), (g), (h) and (i), ARIZ.R.S.C.T.

### **JEFFREY L. PHILLIPS**

Bar No. 013362; File Nos. 98-2204, 99-0389, 99-0455, 99-0571, 99-0610, 99-0983, 99-1208, 99-2151, 99-2084, 99-2233, 99-2291, 00-0005, 00-0024, 00-0041, 00-0045, 00-0098, 00-0110, 00-0348, 00-2560 and 01-0574

By Supreme Court Judgment and Order dated Sept. 13, 2002, Jeffrey L. Phillips, 3030 N. 3rd Street, Suite 1100, Phoenix, AZ 85012, was censured and placed on two years of intensive probation, including LOMAP, by consent, for violation of his duties and obligations as a lawyer. Mr. Phillips was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$12,710.38, together with interest at the legal rate.

Mr. Phillips failed to adequately supervise subordinate attorneys and non-lawyer specialists. Specifically, intake personnel failed to affirmatively identify themselves as non-attorneys and failed to affirmatively offer or provide adequate information concerning limitations on the applicability of Mr. Phillips' firm's advertised "little or no money down" payment plans.

The Disciplinary Commission found two aggravating factors pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (c) pattern of misconduct and (d) multiple offenses. The Disciplinary Commission found five mitigating factors pursuant to Section 9.32 of the ABA *Standards*:



(a) absence of prior disciplinary history, (b) absence of selfish or dishonest motive, (d) timely good faith effort to make restitution or to rectify consequences of misconduct, (e) full and free disclosure to disciplinary board or cooperative attitude towards proceedings and (l) remorse.

Mr. Phillips' conduct violated Rule 42, ARIZ.R.S.C.T., specifically ERs 5.1, 5.3 and 7.1.

**WILLIAM M. PIATT, IV**

Bar No. 003836; File Nos. 95-0031, 95-0563, 95-0891, 96-1785, 98-0201, 98-1752, 99-1796 and 99-2405

By Supreme Court Judgment and Order dated Aug. 12, 2002, William M. Piatt, IV, One E. Camelback Road, Suite 650, Phoenix, AZ 85012, was placed on interim suspension pursuant to Rule 53(d)(5), ARIZ.R.S.C.T., until the final disposition of all pending proceedings.

**WILLIAM M. PIATT, IV**

Bar No. 003836; File Nos. 95-0031, 95-0563, 95-0891, 96-1785, 98-0201, 98-1752, 99-1796 and 99-2405

By Supreme Court Judgment and Order dated Oct. 31, 2002, William M. Piatt, IV, One E. Camelback Road, Suite 650, Phoenix, AZ 85012, was disbarred, effective the date of the Judgment and Order, for violation of his duties and obligations as a lawyer. Mr. Piatt was ordered to pay restitution to one client in the amount of \$4,521.94. Mr. Piatt was ordered to pay costs and expenses incurred by the State Bar, together with interest at the legal rate.

Mr. Piatt failed to abide by a client's decisions regarding the scope of the representation, failed to diligently pursue cases, failed to adequately and properly communicate with clients, charged an unreasonable fee, violated the client's confidentiality in three instances, engaged in a conflict of interest by taking advantage of a vulnerable client by having sex with that client thereby putting his own interests first (a violation of the same rule for which he had previously been censured), failed to safeguard property, failed to properly protect the interests of clients when he withdrew and failed to return client property, brought unmeritorious claims and contentions, failed to expedite litigation, knowingly made false statements of material fact or law to a tribunal, knowingly disobeyed an obligation under the rules of a tribunal, communicated *ex parte* with a judge, knowingly made false statements of material fact or law to a third person, made false statements in disciplinary proceedings, engaged in conduct involving dishonesty, fraud, deceit or misrepresentation and engaged in conduct prejudi-

cial to the administration of justice. Mr. Piatt argued that he should only receive another censure and probation but the Disciplinary Commission disagreed, pointing out: "It is clear that Mr. Piatt has undoubtedly demonstrated that the public cannot be adequately protected from his repeated misconduct by a sanction of censure and probation."

All 10 of the aggravating factors pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22, were found to be present. There were two mitigating factors pursuant to Section 9.32 of the ABA *Standards*: (d) timely good faith effort to rectify consequences of misconduct (to a limited extent) and (i) delay in disciplinary proceedings.

Mr. Piatt's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ERs 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.15, 1.16(d), 3.1, 3.2, 3.3, 3.4(c), 3.5(b), 4.1, 8.1, 8.2 and 8.4(c) and (d) and Rule 51(e), ARIZ.R.S.C.T.

**RICHARD D. RANDALL**

Bar No. 014011; File No. 00-1861

By Supreme Court Judgment and Order dated Nov. 14, 2002, Richard D. Randall, P.O. Box 81106, Phoenix, AZ 85069, was censured for violation of his duties and obligations as a lawyer. Mr. Randall was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$2,952.16, together with interest at the legal rate.

Mr. Randall failed to perform monthly reconciliations of his trust account records and bank statements; failed to make all trust account disbursements by pre-numbered checks; failed to safeguard client funds by not depositing funds into his trust account intact; commingled personal funds with client funds in the trust account; failed to maintain adequate funds in the trust account resulting in the account being overdrawn on two occa-

sions; and failed to establish adequate internal controls to safeguard client funds.

There was one aggravating factor found pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (i) substantial experience in the practice of law. There were five mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (a) absence of prior disciplinary record, (d) timely good faith effort to rectify the consequences of misconduct, (e) full and free disclosure to the disciplinary board, (g) character and reputation and (l) remorse.

Mr. Randall's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ER 1.15 and Rules 43 and 44, ARIZ.R.S.C.T.

**PETER R. RUIZ, JR.**

Bar No. 005834; File No. 00-2239

By Supreme Court Judgment and Order dated May 24, 2002, Peter R. Ruiz, Jr., 2423 S. 17th Place, Phoenix, AZ 85034, was suspended for six months retroactive to May 15, 1997, by consent, for violation of his duties and obligations as a lawyer. Mr. Ruiz was ordered to pay \$750 restitution to a client. Mr. Ruiz was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$687.40, together with interest at the legal rate.

Mr. Ruiz agreed to represent a client in a bankruptcy matter. The client initially paid \$150 to Mr. Ruiz and provided him with a copy of his bills and credit report. The client subsequently paid Mr. Ruiz an additional \$600. Mr. Ruiz never completed or filed the bankruptcy petition on the client's behalf and, as a result, one of the client's creditors garnished the client's wages for a total of \$8,894.19 in 2000. Mr. Ruiz failed to communicate with the client; failed to advise the client that he had not filed the bankruptcy petition; failed to inform the client of his new

**ETHICS OPINIONS**

**Opinion No. 2003-01 (January 2003)**

The Arizona Rules of Professional Conduct do not prohibit a lawyer from verifying a pleading on behalf of a client so long as the lawyer otherwise complies with the Rules of Professional Conduct in doing so. This opinion does not address whether other substantive or procedural law would permit a lawyer to verify a pleading in any particular proceeding. Should the lawyer become a "necessary witness" in a proceeding, the lawyer may be subject to a motion for disqualification. [ERs 3.3, 3.7]

**WITHDRAWAL Opinion No. 2002-03 (Withdrawn-December 2002)**

The Committee on the Rules of Professional Conduct has withdrawn this Opinion.

**Need an Opinion?**

Check out the State Bar Web site at [www.azbar.org/EthicsOpinions/](http://www.azbar.org/EthicsOpinions/) for a listing of the ethics opinions issued between 1985 and 2003. If you are an Arizona attorney and have an ethics question, contact Lynda Shely, Director of Ethics, at (602) 340-7284.

address and telephone number; failed to inform the client that he had been suspended from the practice of law in Arizona; and failed to return any of the client's original documents. As of June 1, 2001, Mr. Ruiz had not returned or refunded any fees or costs that the client had paid.

There were three aggravating factors found pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (a) prior disciplinary offenses, (c) pattern of misconduct and (i) substantial experience in the practice of law. There were five mitigating factors pursuant to Section 9.32 of the ABA *Standards*: (b) absence of a selfish or dishonest motive, (c) personal or emotional problems, (e) full and free disclosure to disciplinary board or cooperative attitude toward proceeding following the filing of a formal complaint, (h) physical disability and (l) remorse.

Mr. Ruiz's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ERs 1.2, 1.3, 1.4, 1.5, 1.15(b), 1.16(b) and (d), 3.2 and 8.4(d), and Rule 63(a) and (b), ARIZ.R.S.C.T.

### LAWRENCE B. SMITH

Bar No. 000968; File No. 97-2117

By Supreme Court Judgment and Order dated July 9, 2002, Lawrence B. Smith, P.O. Box 13543, Tucson, AZ 85732, was suspended for one year for violation of his duties and obligations as a lawyer. Mr. Smith was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$768.95, together with interest at the legal rate.

On Oct. 1, 1997, Senior District Court Judge Richard M. Bilby disbarred Mr. Smith from the practice of law in the federal courts of the District of Arizona after he found that Mr. Smith had filed baseless claims and made material misrepresentations to the court when he argued that the claims in one case were distinguishable from those he made in another case. On Oct. 22, 1999, the Ninth Circuit Court of Appeals upheld Judge Bilby's judgment, and on Oct. 2, 2000, the U.S. Supreme Court denied Mr. Smith's *writ of certiorari*. Reciprocal discipline proceedings were then initiated pursuant to Rule 58 of the Rules of the Supreme Court. Due to the reciprocal nature of the disciplinary proceeding, the Disciplinary Commission based its decision on the record from the U.S. District Court and argument by bar counsel. The Disciplinary Commission found that Mr. Smith had made a career of unsuccessfully suing the U.S. Department of Transportation, the Federal Aviation Administration and the National Transportation Safety Board, repeatedly rais-

ing the same unpersuasive arguments. The State Bar argued that it would have been a grave injustice to impose disbarment in Arizona as reciprocal discipline, in part because disbarment by the Supreme Court of Arizona precludes reinstatement for five years, whereas the District Court disbarment can be cured if Mr. Smith can prove rehabilitation and that his reinstatement will benefit the legal community. In addition, there was no proportional case law that supported disbarment in Arizona for similar misconduct.

The Disciplinary Commission found five aggravating factors pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (b) dishonest or selfish motive, (c) pattern of misconduct, (d) multiple offenses, (g) refusal to acknowledge wrongful nature of conduct, and (i) substantial experience in the practice of law. The Disciplinary Commission also found the presence of several non-ABA factors in aggravation. Three mitigating factors were found pursuant to Section 9.32 of the ABA *Standards*: (a) absence of prior disciplinary history, (j) delay in disciplinary proceedings, and (k) imposition of other penalties or sanctions.

Mr. Smith's conduct violated Rule 42,

ARIZ.R.S.C.T., specifically ER 3.1 and ER 3.3(a)(1).

**MARK E. TURLEY**

Bar No. 005044; File No. 00-0608

By Supreme Court Judgment and Order dated May 13, 2002, Mark E. Turley, 5320 W. Cochise Dr., Glendale, AZ 85302, was suspended for six months and one day, effective June 12, 2002, for violation of his duties and obligations as a lawyer. Mr. Turley was placed on probation that will terminate two years following his reinstatement. He was ordered to participate in the LOMAP program, have a practice monitor, and complete the State Bar's Trust Account Ethics Enhancement Program. Mr. Turley was also ordered to pay costs and expenses incurred by the State Bar in the amount of \$1,173.18, together with interest at the legal rate, by separate Order Assessing Costs dated May 21, 2002.

Mr. Turley deposited personal funds into his trust account, thereby commingling those funds with client funds. Mr. Turley withdrew funds that belonged to clients and misappropriated and converted those funds for the benefit of other clients and himself. In addition, Mr. Turley failed to properly maintain his

IOLTA account. Specifically, Mr. Turley's trust account had a negative balance on three occasions.

In addition, Mr. Turley failed to respond to the State Bar's request for additional information after complying with an initial request. Although the State Bar had obtained a subpoena and personally served it upon Mr. Turley over a week before the deposition date, Mr. Turley failed to appear.

There were five aggravating factors found pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (b) dishonest or selfish motive, (c) pattern of misconduct, (e) bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules and orders of the disciplinary agency, (g) refusal to acknowledge wrongful nature of his conduct, and (i) substantial experience in the practice of law. Based on the record, the Commission found *de novo* one mitigating factor pursuant to Section 9.32 of the ABA *Standards*: (a) absence of a prior disciplinary record.

Mr. Turley's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ERs 1.15 and 8.1(b), and Rules 43, 44 and 51(h) and (i), ARIZ.R.S.C.T. ▀

from the board

continued from p. 39

- on Appellate Court Appointments;
- authorized the law firm of Jennings, Strouss & Salmon to prepare and file a brief *amicus curiae* on behalf of the State Bar of Arizona in the *David J. Gallo v. U.S. District Court* action (challenge to local rule re admission of attorneys). The Board expressed appreciation to the firm for its *pro bono* service in this matter.
- ▶ Discipline Oversight Committee Chair Chas Wirken reported that the Bar's Lawyer Regulation Division is currently processing 95 percent of all discipline cases within the 11 month time standards, slightly below the Supreme Court's 98 percent guideline.
- ▶ Finance Committee Chair Jim Smith reported that 2002 year-end preliminary numbers indicate that the State Bar came in \$145,000 ahead of budget and commended the staff for their work. The Board voted to authorize Executive Director Cynthia Zwick to utilize the three percent merit pool for staff contained in the 2003 budget. The Board reviewed the \$100,000 reduction in non-salary expenses made by staff, as directed at the December meeting, and voted to

- amend the 2003 budget as proposed.
- ▶ The Board voted to reappoint Public Board members Emily R. Johnston of Tucson and James B. Matthews of Phoenix to a second term when their first terms conclude in June.
- ▶ Chas Wirken, chair of the Building Committee, reported that Ms. Zwick has met with several architects to define the State Bar's headquarters/space needs. The committee is also analyzing leasing versus buying options.
- ▶ Ray Hanna, chair of the Paralegal Associate Membership Task Force, reported that a process to determine affordable fees for associate membership is currently being undertaken, along with analysis of data from voluntary and mandatory bar associations that offer associate memberships.
- ▶ Government Relations Director Christine Thompson summarized proposed legislation.
- ▶ Cynthia Zwick reported that the Southern Arizona People's Law Center requested emergency funding to close its office but ensure the appropriate disposition of its cases. The Board voted to match funding from the Arizona Foundation for Legal Services &

- Education, up to \$1,000, providing appropriate safeguards are in place.
- ▶ Director of Communications Matt Silverman disseminated the March issue of *Phoenix Magazine*, which includes a Legal Resource Guide insert from the State Bar of Arizona. The magazine will reach 300,000 readers.
- ▶ Keri Silvyn, President of the Young Lawyers Division, reported that the Northern Arizona YLD Affiliate is up and running. A Yuma Affiliate is now being planned.
- ▶ José Cárdenas, one of three State Bar delegates to the ABA House of Delegates, summarized action taken by the House at the midyear meeting in Seattle.
- ▶ President-Elect Pam Treadwell-Rubin reported that a Public Lawyers Task Force has been appointed to address ways in which to better meet the needs of public lawyers and to educate the public and Bar of the value and contribution of this segment of membership.
- ▶ Ms. Treadwell-Rubin further reported that a free, drop-in Bar Leadership Institute will be held the afternoon of June 11 at the Convention for section and committee chairs, chairs-elect, budget officers and others. ▀

new people,  
new places

**Paul E. Burns** has joined **Steptoe & Johnson**. He practices in the firm's technology and intellectual property areas.



HAWS



ROSEN



SCHMALTZ

**Gust Rosenfeld** has announced that three new attorneys have joined the firm. **Robert D. Haws** will practice in the areas of education law and employment law. **David K. Rosen** joins the firm's Litigation and Dispute Resolution

Group. **Christopher A. Schmaltz** will focus his practice on municipal law.

**R. M. Joe Bushong** has joined **Bryan Cave LLP** as Counsel in the firm's Phoenix office.



BUSHONG

The **Cavanagh Law Firm** has announced that **Kerry M. Griggs** and **Mary G. Pryor** have become senior members of the firm. Griggs practices in products liability and commercial liability. Pryor practices in medical malpractice. The firm also announced that **Ginette M. Bray** and **Joel DeCiancio** have become members; they practice in insurance defense.

**Gallagher & Kennedy** announced that **Steven T. Lawrence** has been elected as a shareholder. He practices corporate law, mergers and acquisitions and intellectual property.

**Steptoe & Johnson** announced the promotion of four Arizona-based attorneys.

**Steven D. Wheelless** has been promoted to partner. **Jeffrey A. Sandquist** has been promoted to Of Counsel, and **Jon Newmann** and **Andrew J. Sweet** were named Special Counsel.

**Burton M. Bentley PC** has moved its office to Madison Square II, 5343 N. 16th Street #480, Phoenix, AZ 85016.

The law firm of **Cox Warneka Redman** has relocated its office to Suite 200, 6613 N. Scottsdale Road, Scottsdale, AZ 85250. Telephone 480-778-8778, fax 480-778-8799.

honors &  
awards

**Bill Brotherton**, a partner with Van O'Steen and Partners and State Representative from District 20, was elected **State Senator** for the new District 14 in Phoenix.

The **International Leadership Association** selected Phoenix attorney **Tim Delaney** of the Center for Leadership, Ethics and Public Service to serve as Co-Convener of its Public Service section.

**Mark Harrison**, a partner with Bryan Cave LLP, was named the 2003 recipient of the **Peggy Goldwater Award**, the highest honor bestowed by Planned Parenthood of Central and Northern Arizona.

Burch & Cracchiolo attorney **Diane Targovnik** received the scholarship award from the **Maricopa County Bar Association** for her outstanding accomplishments during her law school career.



STANTON

Phoenix City Councilman **Greg Stanton** of Gust Rosenfeld was named **Vice Mayor** by the Phoenix City Council.

**Brian Campbell**, a partner with Bonn & Wilkins, has been named a board member for the Big Brothers and Big Sisters of Central Arizona.

**Heidi Staudenmaier**, a partner with Snell &

Wilmer's Indian Law and Gaming Law practice group, was elected to serve as president of the **International Masters of Gaming Law** for a one-year term.



JONES

**Lydia A. Jones**, a partner with Jennings, Strouss & Salmon, PLC, was named to the Strategic Planning Committee of the **Desert Botanical Garden** in Phoenix.

**Anoma Phanthourath**, an associate with Jennings, Strouss & Salmon, PLC, has been elected to the board of the Arizona Fair Housing Center.



PHANTHOURATH

**Steven Weinberg**, shareholder in the Phoenix office of Greenberg Traurig LLP, has been appointed as Commissioner to the **Arizona Disease Control Research Commission**, and as the state's representative to the **TGen** Board of Governors.

volunteer lawyers  
program

**Johnny Helenbolt** has been selected as **Pima County's Outstanding Pro Bono Attorney** for February. A VLP member since 1998, Helenbolt has accepted cases for direct representation in the areas of wills and small estates.



HELENBOLT

The **Maricopa County Volunteer Lawyers Program** honored the following as attorney of the month in 2002: **Brooks J. Holcomb**, November, **Jeffrey A. Rueter** and **Rachel C. Hernandez**, December.