

In the Matter of Nasser Usama Abujbarah, Bar No. 026182, File No. PDJ-2011-9024 [11-0331 et al.] effective July 7, 2011. *Attorney Suspended for Two Years retroactive to June 3, 2011 (the date of Respondent's interim suspension), fee arbitration, two years of probation upon reinstatement with the State Bar's Law Office Management Assistance Program, Member Assistance Program, and costs imposed.*

Pursuant to Rule 57(a)(4)(A), Ariz.R.Sup.Ct., the PDJ approved the direct Agreement for Discipline by Consent submitted by the parties and suspended Nasser Abujbarah.

Respondent failed to competently and diligently represent bankruptcy clients. Respondent failed to familiarize himself with the rules and procedures governing bankruptcy proceedings or the requirements for filing documents in bankruptcy court. Respondent also failed to adequately communicate with clients and failed to diligently represent them.

In one matter, Respondent filed a false petition in Bankruptcy Court which falsely indicated that it had been signed by the debtors. Respondent failed to meet and confer with the debtors before filing their petition and did not include information about a prior bankruptcy case. Respondent further included false information regarding payment for representation, filed a false disclosure statement and falsely declared that he explained to the debtors the relief available to them.

In a second matter, Respondent again failed to include a prior bankruptcy case filed by the debtor, failed to include life insurance and failed to include rental income that were required to be listed in the petition schedules and statements.

In a third matter Respondent failed to list the debtor's assets on the debtor's schedules and the debtor's income on the debtor's statement of financial affairs.

In a fourth matter Respondent failed to file appropriate documents under Bankruptcy Rules 2014 and 2016 to authorize his employment by and payment from the debtor.

Respondent's misconduct constituted grounds for the imposition of discipline pursuant to the Rules of the Supreme Court of Arizona and violated Rule 42, ERs 1.1, 1.3, 1.4, 8.4(c) and 8.4(d).

The following factors were found in aggravation: 9.22(c) pattern of misconduct and 9.22(d) multiple offenses.

In mitigation: 9.32(a) absence of prior disciplinary offenses, 9.32(c) personal or emotional problems, 9.32(i) mental disability or chemical dependency, timely good faith effort to rectify consequences of the misconduct, 9.32(e) full and free disclosure and cooperative attitude, 9.32(f) inexperience in the practice of law and 9.32(k) imposition of other penalties or sanctions. and (l) remorse.

The agreement is accepted and costs awarded in the amount of \$1,200. The proposed final judgment and order is reviewed, approved and signed by the PDJ.