

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER OF THE STATE BAR OF ARIZONA,	)	Supreme Court No. SB-09-0090-D
	)	
	)	
	)	Disciplinary Commission
	)	No. 08-0342
DONALD W. HUDSPETH,	)	
Bar No. 012198	)	FILED 09/23/2009
	)	
RESPONDENT.	)	JUDGMENT AND ORDER
	)	

This matter having come before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision, and no discretionary or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that **DONALD W. HUDSPETH**, a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of thirty days, effective thirty days from the date of this judgment and order, for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **DONALD W. HUDSPETH** shall be placed on probation upon reinstatement for a period of one year. The terms of probation are as follows:

1. Within thirty days after reinstatement, Respondent shall contact the director of LOMAP at (602) 340-7332. Respondent shall submit to a LOMAP examination of his office's procedures, including, but not limited to, compliance with ER 1.15(a) and (b), Rules 43(a) and (d), and Rule 44(a) and (b). The director of LOMAP shall develop "Terms and Conditions of Probation," and those terms shall be incorporated herein by reference. The probation period will begin to run at the time of Respondent's reinstatement and will conclude one year from the date that Respondent has signed the "Terms and Conditions of Probation." Respondent shall be responsible for any costs associated with LOMAP.
2. Respondent shall refrain from engaging in any conduct that would violate the Rules of Professional Conduct or other rules of the Supreme Court of Arizona.
3. If Respondent fails to comply with any of the foregoing conditions and the State Bar receives information about non-compliance, bar counsel shall file with the imposing entity a Notice of Noncompliance. The imposing entity may refer the matter to a hearing officer to conduct a hearing at the earliest applicable date, but in no event later than thirty days after receipt of notice, to determine whether a term of probation has been breached and, if so, to recommend an appropriate sanction. If there is an allegation that Respondent failed to comply with any of the foregoing conditions, the burden of proof shall be on the State Bar to prove noncompliance by a preponderance of the evidence.

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 72, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 72(a), which requires that Respondent notify all of his clients, within ten days from the date hereof, of his inability to represent them and that he should promptly inform this Court of his compliance with this Order as provided in Rule 72(e).

IT IS FURTHER ORDERED that Respondent shall comply with all rule provisions regarding reinstatement proceedings.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **DONALD W. HUDSPETH** for costs and expenses of these proceedings in the amount of \$1,185.00, together with interest at the legal rate from the date of this judgment.

DATED this 23rd day of September , 2009.

Rachelle M. Resnick
Clerk of the Court

TO:

Donald Hudspeth, Respondent (Certified Mail, Return Receipt and Regular Mail)

J. Scott Rhodes, Respondent's Counsel

Edward Parker, Bar Counsel

Neal C. Taylor, Hearing Officer 8I

Leticia V. D'Amore, Disciplinary Clerk

Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona

Molly Dwyer, Clerk, United States Court of Appeals for the Ninth Circuit

Attn: Don Lewis

Richard Weare, Clerk, United States District Court, District of Arizona

Attn: Beth Stephenson

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