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Respondent's Counsel

BEFORE THE PRESIDING DISCIPLINARY JUDGE

**IN THE MATTER OF A MEMBER
OF THE STATE BAR OF
ARIZONA,**

**ISRAEL S. HERNANDEZ,
Bar No. 023682,**

Respondent.

PDJ 2020-9045

**AGREEMENT FOR DISCIPLINE
BY CONSENT**

State Bar File No. 20-0564, 20-0631
20-0643, 20-0918

The State Bar of Arizona, and Respondent Israel S. Hernandez who has chosen not to seek the assistance of counsel, hereby submit their Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct.

No Probable Cause Order has been entered in this matter.

Respondent voluntarily waives the right to an adjudicatory hearing, unless otherwise ordered, and waives all motions, defenses, objections or requests which have been made or raised, or could be asserted thereafter, if the conditional admission and proposed form of discipline is approved.

Pursuant to Rule 53(b)(3), Ariz. R. Sup. Ct., notice of this agreement was provided to the complainant(s) by letter on June 11, 2020. Complainant(s) have been notified of the opportunity to file a written objection to the agreement with the State Bar within five (5) business days of bar counsel's notice. Copies of Complainants' objections, if any, have been or will be provided to the presiding disciplinary judge.

Respondent conditionally admits that his conduct, as set forth below, violated Rule 42, Ariz. R. Sup. Ct., ERs 1.3, 1.4, 1.5(d)(3), 3.2, 5.1 and 8.4(d).

Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline: **Reprimand with Probation**, the terms of which are set in Sanctions below.

Respondent also agrees to pay the costs and expenses of the disciplinary proceeding, within 30 days from the date of this order. If costs are not paid within

the 30 days interest will begin to accrue at the legal rate.¹ The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit A.

FACTS

GENERAL ALLEGATIONS

1. Respondent was licensed to practice law in Arizona on January 24, 2006.

COUNT ONE (File No. 20-0564/ Lizarraga)

2. At all times pertinent, Respondent was the attorney of record in the United States Immigration case of *In re: Raul Alfredo Lizarraga Palomera*, A 036-616-604.

3. Respondent indicates that he had just hired associate Erick Templeton and assigned the matter to him.

4. On July 11, 2017, Templeton appeared with Complainant at the initial master calendar hearing.

¹ Respondent understands that the costs and expenses of the disciplinary proceeding include the costs and expenses of the State Bar of Arizona, the Disciplinary Clerk, the Probable Cause Committee, the Presiding Disciplinary Judge and the Supreme Court of Arizona.

5. While the Immigration Judge ordered a pre-trial brief to be filed on or before January 30, 2018, neither Templeton nor the law firm staff documented the briefing due date.

6. Templeton left the firm shortly after the initial master calendar hearing.

7. Respondent explains that he did not efficiently document his meetings or appointment with clients during this time.

8. Respondent failed to obtain or file the necessary brief and documents on or before January 30, 2018.

9. Respondent did not provide any evidence regarding the law firms efforts to request the necessary documents from Complainant.

10. On March 23, 2018, Respondent appeared with Complainant at the removal hearing and explained that Complainant recently provided some supporting documents, including non-specific newspaper articles documenting violence in Mexico, well after the January 30, 2018 deadline.

11. As Complainant was unable to provide documents specific to his fears of harm, the immigration court rejected the Complainant's claim.

12. In his submissions to the State Bar, which is incorporated by reference in all four counts *infra*, Respondent states that he is no longer employing associate attorneys and the sentiments in his response to the *Lizarraga* representation is equally applicable in all four counts. Specifically:

That being said, it is not Mr. Lizarraga's fault and it is not Mr. Templeton's fault. I should have done better in memorializing case notes. I should have filed the pre-trial brief on time. It was my responsibility to do so. Not that it matters, but filing a pre-trial brief would not have changed the outcome of his case. Mr. Lizarraga was only eligible for Convention Against Torture which is extremely difficult to win and requires much more evidence other than newspaper articles that he provided.

I am frustrated and embarrassed in receiving this letter, but I will do better. I apologize to Mr. Lizarraga for not filing the pre-trial brief. I am embarrassed because I expect more from myself. I should have done better and I will continue to improve to not continue to commit the same errors. I wish Mr. Lizarraga well.

COUNT TWO (File No. 20-0631/Covarrubias-Martinez)

13. At all times pertinent, Respondent was the listed attorney of record in the United States Immigration case of *In re: Narciso Covarrubias-Martinez*, A 209-809-005.

14. Shortly after October 2017, the Law Office of Israel S. Hernandez hired Salvador De La Torre Jr. as an associate attorney. De La Torre was the assigned attorney to the case.

15. In early 2018, the law firm failed to file necessary documentation timely and indicated that he had not filed the application paperwork or evidence by the scheduled deadlines. As a result, the judge found that the late submission was fatal to Complainant's immigration claim and stated that Complainant could request a voluntary departure.

16. When De La Torre stated that his client wanted to seek a bond pending voluntary departure, the judge asked Complainant if he understood and agreed to the voluntary departure (similar to a *Boykinization* in criminal cases). Complainant responded to all of the questions in the affirmative.

17. In response to the State Bar investigation, Hernandez explains that one of his legal assistants unexpectedly quit during this time due to marital problems and that:

She was the person designated to schedule office meetings to obtain supporting documents, to complete work authorization applications, and to provide clients with regular updates regarding their case. During this time, I did not efficiently document notes regarding each appointment with my clients.

COUNT THREE (File No. 20-0634/Juarez-Clemente)

18. At all times pertinent, Respondent was the listed attorney of record in the United States Immigration case of *In re: Inez Juarez-Clemente*, A 205-673-211.

19. Shortly after October 2017, the Law Office of Israel S. Hernandez hired Salvador De La Torre Jr. as an associate attorney. De La Torre was assigned Complainants' case approximately two weeks before a scheduled May 22, 2018 individual hearing.

20. By this date, all of the applicable disclosure and submission deadlines in the case had passed.

21. In their subsequently filed *Lozada* brief, Complainants alleges that he provided the law office certain requested documents regarding his wife's health condition in or around March or April 2018.

22. On May 14, 2018, De La Torre attempted to file the documents related to Complainant's wife's health condition. The Court rejected the submission as untimely.

23. When the judge took the bench at the next hearing, De La Torre orally moved for a reconsideration of the Court's rejection of the documents explaining

that some of the medical records were only recently received due to Complainant's wife's recent health issues.

24. The judge denied the motion and De La Torre explained that he would not be able to meet his burden without the documents and explained that the only remaining options would be to withdraw the application with prejudice or request a voluntary departure.

25. When De La Torre agreed, the judge asked Complainant if he understood and agreed to the voluntary departure (similar to a *Boykinization* in criminal cases). Complainant responded to all of the questions in the affirmative.

COUNT FOUR (File No. 20-0918/Lopez)

26. At all times pertinent, Respondent was the listed attorney of record in the United States Immigration case of *In re: Ruben Lopez-Lopez*, A 209-800-497.

27. Shortly after October 2017, the Law Office of Israel S. Hernandez hired Salvador De La Torre Jr. as an associate attorney.

28. De La Torre was assigned Complainants' case shortly before a scheduled May 25, 2018 hearing. By this date, all of the applicable disclosure and submission deadlines in the case had passed.

29. In his response to the State Bar investigation, Respondent indicates that the office appears to have received the necessary documents timely, but the office did not file them prior to the hearing.

30. Respondent also explains that during this time, one of his legal assistants unexpectedly quit due to marital problems and that:

She was the person designated to schedule office meetings to obtain supporting documents, to complete work authorization applications, and to provide clients with regular updates regarding their case. During this time, I did not efficiently document notes regarding each appointment with my clients.

31. On May 25, 2018, De La Torre appeared at the individual hearing.

32. When the judge took the bench, De La Torre orally moved for the submission of the documents.

33. The judge denied the motion and De La Torre explained that he would not be able to meet his burden without the documents. The judge then explained that the only remaining options would be to withdraw the application with prejudice or request a voluntary departure.

34. When De La Torre stated that his client wanted to withdraw the application and seek a bond pending voluntary departure, the judge asked Complainant if he understood and agreed to the voluntary departure (similar to a

Boykinization in criminal cases). Complainant responded to all of the questions in the affirmative.

CONDITIONAL ADMISSIONS

Respondent's admissions are being tendered in exchange for the form of discipline stated below and are submitted freely and voluntarily and not as a result of coercion or intimidation. Respondent conditionally admits that he violated Rule 42, Ariz. R. Sup. Ct., ERs 1.3, 1.4, 1.5(d)(3), 3.2, 5.1 and 8.4(d).

CONDITIONAL DISMISSALS

There are no conditional dismissals.

RESTITUTION

Restitution is not an issue in this matter.

SANCTION

Respondent and the State Bar of Arizona agree that based on the facts and circumstances of this matter, as set forth above, the following sanctions are appropriate: Reprimand with Probation for two (2) years, the terms of probation which will consist of:

1. **LOMAP**: Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within 10 days from the date of service of this Order.

Respondent shall submit to a LOMAP examination of their office procedures, if necessary, and continue participating in the LOMAP program concurrently with his participation in SB19-2289 but for a period of two years from the date of this agreement. Respondent shall sign terms and conditions of participation, including reporting requirements, which shall be incorporated herein. Respondent will be responsible for any costs associated with LOMAP.

2. **CLE**: Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within 10 days from the date of service of this Order. Respondent shall complete no less than nine (9) hours of Continuing Legal Education (CLE) in addition to his annual requirement addressing diligence, communication, expediting litigation, supervision and/or the administration of justice. Respondent shall sign terms and conditions of probation, which shall be incorporated herein. Respondent will be responsible for any costs associated with the required CLE.

Respondent shall commit no further violations of the Rules of Professional Conduct.

NON-COMPLIANCE WITH PROBATION

If Respondent fails to comply with any of the foregoing probation terms and the State Bar of Arizona receives information thereof, Bar Counsel shall file a notice of noncompliance with the Presiding Disciplinary Judge, pursuant to Rule 60(a)(5), Ariz. R. Sup. Ct. The Presiding Disciplinary Judge may conduct a hearing within 30 days to determine whether Respondent breached a term of probation and, if so, to recommend an appropriate sanction. If the State Bar alleges that Respondent failed to comply with any of the foregoing terms the burden of proof shall be on the State Bar of Arizona to prove noncompliance by a preponderance of the evidence.

If Respondent violates any of the terms of this agreement, the State Bar may bring further discipline proceedings.

LEGAL GROUNDS IN SUPPORT OF SANCTION

In determining an appropriate sanction, the parties consulted the American Bar Association's *Standards for Imposing Lawyer Sanctions (Standards)* pursuant to Rule 57(a)(2)(E). The *Standards* are designed to promote consistency in the imposition of sanctions by identifying relevant factors that courts should consider and then applying those factors to situations where lawyers have engaged in

various types of misconduct. *Standards* 1.3, Commentary. The *Standards* provide guidance with respect to an appropriate sanction in this matter.

In determining an appropriate sanction the Court considers the duty violated, the lawyer's mental state, the actual or potential injury caused by the misconduct and the existence of aggravating and mitigating factors. *Standard* 3.0.

The parties agree that the following *Standards* are the appropriate *Standards* given the facts and circumstances of this matter:

- *Standard* 4.43 [ER 1.3 and 1.4]
Reprimand is generally appropriate when a lawyer is negligent and does not act with reasonable diligence in representing a client, and causes injury or potential injury to a client;
- *Standard* 7.3 [ER 1.5 and 5.1]
Reprimand is generally appropriate when a lawyer negligently engages in conduct that is a violation of a duty owed as a professional, and causes injury or potential injury to a client, the public or the legal system;
- *Standard* 6.23 [ER 3.2 and 8.4(d)]
Reprimand is generally appropriate when a lawyer negligently fails to comply with a court order or rule, and causes injury or potential injury to a client or other party, or causes interference or potential interference with a legal proceeding.

The duty violated

Respondent's conduct violated his duty to the client, the profession, the legal system and the public.

The lawyer's mental state

Respondent negligently violated the following Rules of Professional Conduct:

1. Rule 42, Ariz. R. Sup. Ct., ER 1.3 by failing to act diligently by, among other things, failing to timely file documents in the respective cases;
2. Rule 42, Ariz. R. Sup. Ct., ER 1.4 by failing to reasonably communicate with his client regarding the status of the representation;
3. Rule 42, Ariz. R. Sup. Ct., ER 3.2 by failing to expedite the litigation by, among other things, failing to timely file documents in the respective cases;
4. Rule 42, Ariz. R. Sup. Ct., ER 5.1 by failing to make reasonable efforts to ensure that the firm had in effect measures giving reasonable assurance that all lawyers in the firm conform to the Rules of Professional Conduct;
5. Rule 42, Ariz. R. Sup. Ct., ER 8.4(d) by engaging in conduct prejudicial to the administration of justice by, among other things, failing to timely file documents in the respective cases.

The extent of the actual or potential injury

There was actual harm to the client, the profession, the legal system and the public.

Aggravating and mitigating circumstances

The presumptive sanction is Reprimand. The parties conditionally agree that the following aggravating and mitigating factors should be considered:

In aggravation:

- a) 9.22(c) a pattern of misconduct; and
- b) 9.22(d) multiple offenses.

In mitigation:

- a) 9.32(a) absence of a prior disciplinary history;
- b) 9.32(b) absence of a dishonest or selfish motive
- c) 9.32(e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings;
- d) 9.32(l) remorse.

Discussion

The presumptive sanction of Reprimand with Probation is appropriate.

Based on the *Standards* and in light of the facts and circumstances of this matter, the parties conditionally agree that the sanction set forth above is within the range of appropriate sanction and will serve the purposes of lawyer discipline.

CONCLUSION

The object of lawyer discipline is not to punish the lawyer, but to protect the public, the profession and the administration of justice. In re *Peasley*, 208 Ariz. 27 (2004). Recognizing that determination of the appropriate sanction is the prerogative of the Presiding Disciplinary Judge, the State Bar and Respondent believe that the objectives of discipline will be met by the imposition of the proposed sanction of Reprimand with Probation and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit B.

DATED this 11th day of June 2020.

STATE BAR OF ARIZONA

/s/ Craig D. Henley
Craig D. Henley
Senior Bar Counsel

This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation.

DATED this _____ day of June, 2020.

Israel S. Hernandez
Respondent

CONCLUSION

The object of lawyer discipline is not to punish the lawyer, but to protect the public, the profession and the administration of justice. In re *Peasley*, 208 Ariz. 27 (2004). Recognizing that determination of the appropriate sanction is the prerogative of the Presiding Disciplinary Judge, the State Bar and Respondent believe that the objectives of discipline will be met by the imposition of the proposed sanction of Reprimand with Probation and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit B.

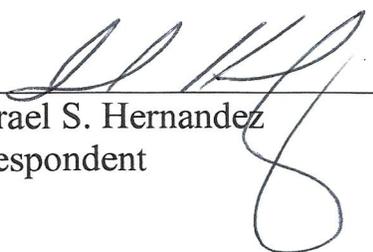
DATED this _____ day of June 2020.

STATE BAR OF ARIZONA

Craig D. Henley
Senior Bar Counsel

This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation.

DATED this 10 day of June, 2020.



Israel S. Hernandez
Respondent

DATED this 11th day of June, 2020.



Donald Wilson, Jr.
Jessica J. Kokal
Attorneys for Respondent

Approved as to form and content

Maret Vessella
Chief Bar Counsel

Original filed with the Disciplinary Clerk of
the Office of the Presiding Disciplinary Judge
of the Supreme Court of Arizona
this ___ day of June, 2020.

Copy of the foregoing emailed
this ____ day of June, 2020, to:

The Honorable William J. O'Neil
Presiding Disciplinary Judge
Supreme Court of Arizona
1501 West Washington Street, Suite 102
Phoenix, Arizona 85007
E-mail: officepdj@courts.az.gov

DATED this _____ day of June, 2020.

Donald Wilson, Jr.
Jessica J. Kokal
Attorneys for Respondent

Approved as to form and content

/s/ Maret Vessella

Maret Vessella
Chief Bar Counsel

Original filed with the Disciplinary Clerk of
the Office of the Presiding Disciplinary Judge
of the Supreme Court of Arizona
this 11th day of June, 2020.

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The Honorable William J. O'Neil
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Supreme Court of Arizona
1501 West Washington Street, Suite 102
Phoenix, Arizona 85007
E-mail: officepdj@courts.az.gov

Copy of the foregoing mailed/mailed
this 11th day of June, 2020, to:

Donald Wilson, Jr.
Jessica J. Kokal
Broening Oberg Woods & Wilson
2800 N. Central Avenue, Suite 1600
Phoenix, Arizona 85004
Email: dwj@bowlaw.com
Respondent's Counsel

Copy of the foregoing hand-delivered
this 11th day of June, 2020, to:

Lawyer Regulation Records Manager
State Bar of Arizona
4201 N. 24th St., Suite 100
Phoenix, Arizona 85016-6266

by: /s/ Karen E. Calcagno
CDH/kec

EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona
Israel S. Hernandez, Bar No. 023682, Respondent

File No(s). 20-0564, 20-0631, 20-0643, and 20-0918

Administrative Expenses

The Supreme Court of Arizona has adopted a schedule of administrative expenses to be assessed in lawyer discipline. If the number of charges/complainants exceeds five, the assessment for the general administrative expenses shall increase by 20% for each additional charge/complainant where a violation is admitted or proven.

Factors considered in the administrative expense are time expended by staff bar counsel, paralegal, secretaries, typists, file clerks and messenger; and normal postage charges, telephone costs, office supplies and all similar factors generally attributed to office overhead. As a matter of course, administrative costs will increase based on the length of time it takes a matter to proceed through the adjudication process.

General Administrative Expenses for above-numbered proceedings

\$1,200.00

Additional costs incurred by the State Bar of Arizona in the processing of this disciplinary matter, and not included in administrative expenses, are itemized below.

Staff Investigator/Miscellaneous Charges

Total for staff investigator charges \$ 0.00

TOTAL COSTS AND EXPENSES INCURRED **\$ 1,200.00**

EXHIBIT B

BEFORE THE PRESIDING DISCIPLINARY JUDGE

**IN THE MATTER OF A MEMBER
OF THE STATE BAR OF
ARIZONA,**

**ISRAEL S. HERNANDEZ,
Bar No. 023682,**

PDJ

**FINAL JUDGMENT AND
ORDER**

State Bar No. 20-0564

The Presiding Disciplinary Judge of the Supreme Court of Arizona, having reviewed the Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed agreement.

Accordingly:

IT IS ORDERED that Respondent, Israel S. Hernandez, is Reprimanded for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents.

IT IS FURTHER ORDERED that Respondent is also placed on probation for a period of two (2) years. The terms of probation are:

- a) **LOMAP**: Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within 10 days from the date of service of this Order.

Respondent shall submit to a LOMAP examination of their office procedures. Respondent shall sign terms and conditions of participation, including reporting requirements, which shall be incorporated herein. Respondent will be responsible for any costs associated with LOMAP.

- b) **CLE:** Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within 10 days from the date of service of this Order. Respondent shall complete no less than nine (9) hours of Continuing Legal Education (CLE) in addition to his annual requirement addressing diligence, communication, expediting litigation, supervision and/or the administration of justice. Respondent shall sign terms and conditions of probation, which shall be incorporated herein. Respondent will be responsible for any costs associated with the required CLE.

Respondent shall commit no further violations of the Rules of Professional Conduct.

IT IS FURTHER ORDERED that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$, within 30 days from the date of service of this Order.

IT IS FURTHER ORDERED that Respondent shall pay the costs and expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office in connection with these disciplinary proceedings in the amount of _____, within 30 days from the date of service of this Order.

DATED this _____ day of June, 2020.

William J. O'Neil, Presiding Disciplinary Judge

Original filed with the Disciplinary Clerk of
the Office of the Presiding Disciplinary Judge
of the Supreme Court of Arizona
this _____ day of June, 2020.

Copies of the foregoing mailed/mailed
this _____ day of June, 2020, to:

Donald Wilson, Jr.
Jessica J. Kokal
Broening Oberg Woods & Wilson
2800 N. Central Avenue, Suite 1600
Phoenix, Arizona 85004
Email: dwj@bowwlaw.com
Respondent's Counsel

Copy of the foregoing emailed/hand-delivered
this ____ day of June, 2020, to:

Craig D. Henley
Senior Bar Counsel
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

Copy of the foregoing hand-delivered
this ____ day of June, 2020 to:

Lawyer Regulation Records Manager
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266

by:_____

BEFORE THE PRESIDING DISCIPLINARY JUDGE

IN THE MATTER OF A MEMBER OF
THE STATE BAR OF ARIZONA,

ISRAEL S. HERNANDEZ,

Bar No. 023682

Respondent.

PDJ 2020-9045

**DECISION ACCEPTING
DISCIPLINE BY CONSENT**

[State Bar Nos. 20-0564, 20-0631, 20-0643, 20-0918]

FILED JULY 1, 2020

Under Rule 57(a), Ariz. R. Sup. Ct.,¹ a direct Agreement for Discipline by Consent (“Agreement”), This is a pre-complaint matter involving four separate clients. No probable cause order has issued. The State Bar of Arizona is represented by Senior Bar Counsel Craig D. Henley and Mr. Hernandez is represented by Donald Wilson, Jr. and Jessica J. Kokal of *Broening, Oberg, Woods & Wilson*.

Rule 57 requires admissions be tendered solely “...in exchange for the stated form of discipline...” Under that rule, the right to an adjudicatory hearing is waived only if the “...conditional admission and proposed form of discipline is approved....” If the agreement is not accepted, those conditional admissions are automatically withdrawn and shall not be used against the parties in any subsequent proceeding. Mr. Hernandez has voluntarily waived the right to an adjudicatory hearing, and waived all

¹ Unless otherwise stated all rule references are to the Ariz. R. Sup. Ct.

motions, defenses, objections or requests that could be asserted upon approval of the proposed form of discipline. Notice of the Agreement and an opportunity to object within five (5) days pursuant to Rule 53(b)(3), was sent to the complainants by letter on June 11, 2020. No objection has been filed.

The Agreement details a factual basis to support the conditional admissions. It is incorporated by this reference. Mr. Hernandez admits he violated Rule 42, ERs 1.3 (diligence), 1.4 (communication), 1.5(d)(3) (fees), 3.2 (expediting litigation), 5.1 (responsibilities of partners, managers, and supervising lawyers), and 8.4(d) (conduct prejudicial to the administration of justice). The parties stipulate to a reprimand, two years of probation (LOMAP and CLE), and payment of costs of \$1,200.00 within thirty (30) days from this order.

The parties stipulate that Mr. Hernandez failed to adequately communicate and diligently represent multiple immigration clients. In Count One, he failed to file required documents resulting in the rejection of the client's claim. In Count Two, he filed late submissions that were fatal to his client's immigration claim. In Counts Three and Four, Mr. Hernandez failed to supervise the assigned attorney who failed to meet disclosure and submission deadlines.

The parties agree Mr. Hernandez violated his duties to multiple clients, the profession, the legal system, and the public. His conduct caused actual harm to the clients, the profession, the legal system and the public. The presumptive sanction is

reprimand under ABA *Standards* 4.43 *Lack of Diligence*, 6.23, *Abuse of the Legal Process* and 7.3 *Violations of Duties Owed as a Professional*.

The parties further agree that aggravating factors 9.22(c) pattern of misconduct and (d) multiple offenses are present. In mitigation are factors 9.32(a) absence of prior disciplinary offenses, (b) absence of selfish or dishonest motive, (e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings, and (l) remorse.

IT IS ORDERED accepting the Agreement and incorporating it with any supporting documents by reference. A final judgment and order is signed this date.

DATED this 1st day of July 2020.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

COPY of the foregoing e-mailed/mailed
on this 1st day of July 2020 to:

Craig D. Henley
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

Donald Wilson, Jr.
Jessica J. Kokal
Broening, Oberg, Woods & Wilson
2800 N. Central Avenue, Suite 1600 Phoenix, AZ 85004
Email: dwj@bowlaw.com

by: BEnsign

BEFORE THE PRESIDING DISCIPLINARY JUDGE

**IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,**

**ISRAEL S. HERNANDEZ,
Bar No. 023682**

Respondent.

PDJ 2020-9045

**FINAL JUDGMENT AND
ORDER**

State Bar Nos. 20-0564, 20-0631,
20-0643, 20-0918

FILED JULY 1, 2020

The Presiding Disciplinary Judge accepted the parties' Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct.

Accordingly:

IT IS ORDERED Respondent, **ISRAEL S. HERNANDEZ, Bar No. 023682**, is reprimanded for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents.

IT IS FURTHER ORDERED placing Mr. Hernandez on probation for two (2) years. The terms of probation are:

- a) Law Office Management Assistance Program (LOMAP): Mr. Hernandez shall contact the State Bar Compliance Monitor at (602) 340-7258, within ten (10) days from this Order. Mr. Hernandez shall submit to a LOMAP examination of their office procedures. Mr. Hernandez shall sign terms and

conditions of participation, including reporting requirements, which are incorporated by reference. Mr. Hernandez shall be responsible for any costs associated with LOMAP.

- b) Continuing Legal Education (CLE): Mr. Hernandez shall contact the State Bar Compliance Monitor at (602) 340-7258, within ten (10) days from this Order. Mr. Hernandez shall complete no less than nine (9) hours of CLE besides his annual requirement addressing diligence, communication, expediting litigation, supervision and/or the administration of justice. Mr. Hernandez shall sign terms and conditions of probation, which are incorporated by reference. Mr. Hernandez shall be responsible for any costs associated with the required CLE.

Mr. Hernandez shall commit no further violations of the Rules of Professional Conduct.

IT IS FURTHER ORDERED Mr. Hernandez shall pay the costs and expenses of the State Bar of Arizona for \$ 1,200.00, within thirty (30) days from this Order. There are no costs or expenses incurred by the Office of the Presiding Disciplinary Judge in these proceedings.

DATED this 1st day of July, 2020.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing mailed/mailed
this 1st day of July, 2020, to:

Craig D. Henley
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4201 N 24th Street, Suite 100
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by: BEnsign