

SUPREME COURT OF ARIZONA

In the Matter of the Application) Arizona Supreme Court
for Reinstatement of a Suspended) No. SB-18-0018-R
Member of the State Bar of)
Arizona) Office of the Presiding
) Disciplinary Judge
KATHRYNE L. WARD,) No. PDJ20179101-R
Attorney No. 21382)
)
Applicant.) **FILED 5/31/2018**
_____)

O R D E R

Applicant **KATHRYNE L. WARD** has established to the satisfaction of the hearing panel and this Court that her application for reinstatement should be granted. Pursuant to Rule 65 of the Rules of the Supreme Court,

IT IS ORDERED that Ward is reinstated as an active member of the State Bar of Arizona effective as of the date of this order.

IT IS FURTHER ORDERED that upon the effective date of reinstatement Ward will be placed on probation for a period of two years, under the following terms and conditions:

1. Within thirty days of reinstatement, Ward will contract with the Member Assistance Program of the State Bar of Arizona ("MAP") and enter into a MAP agreement. The MAP agreement may, at the discretion of the Compliance Monitor, include a MAP or practice monitor. Ward will comply with the MAP agreement which will be incorporated herein by reference. The MAP contract will require:

a. Ward will continue treatment by a qualified mental health professional as recommended by the testifying medical experts. In addition, she will continue treatment with a treating physician for her chronic pain, (collectively the "Treating Professionals"). Any replacement of a Treating Professional will be approved in advance by the Compliance Monitor of the State Bar of Arizona ("Compliance Monitor") or as soon thereafter as reasonably practical. Any replacement Treating Professional will be similarly licensed and credentialed.

b. Ward will direct the Treating Professionals to report to the Compliance Monitor their recommendations for a medically-reasonable frequency of counseling sessions and the appropriate pharmacological regime, if any, which may be modified periodically as the Treating Professionals deem appropriate.

c. Ward will direct the Treating Professionals to prepare quarterly monitoring reports to the Compliance Monitor.

d. Ward will execute releases and waivers that will allow the Treating Professionals to fulfill their reporting commitments to the Compliance Monitor. Ward need not waive the entire doctor-patient privilege for monitoring purposes. Individually, the reports of the mental health treating professional will be limited to the number and frequency of counseling sessions and a statement of whether Ward complies with the mental health treating professional's prescribed therapy. The reports of the treating physician will be limited to

reporting on her chronic pain management, what medications are prescribed, and a statement whether Ward is compliant with the prescribed therapy.

e. The Compliance Monitor may require random drug testing.

f. Ward will be responsible for any costs associated with the Treating Professionals, reports, testing and the MAP contract.

2. Within thirty days of reinstatement, Ward will contact the State Bar's Compliance Monitor and schedule a Law Office Management Assistance Program ("LOMAP") assessment and enter into a LOMAP agreement. The LOMAP agreement may, at the discretion of the Compliance Monitor, include a practice monitor and may require quarterly reports to the Compliance Monitor. Ward will comply with the LOMAP agreement which will be incorporated herein by reference. Ward will be responsible for any costs associated with LOMAP.

3. Ward's law practice will be restricted to tax and corporate consulting and planning, and business organization formation and transactional matters. Ward will not represent clients in litigation matters and will not prepare or respond to pre-litigation demands on behalf of clients.

4. Ward will prepare quarterly reports to the Compliance Monitor describing the status of all pending litigation and all litigation to which she is a party or may become a party while on probation.

5. Ward will resolve any outstanding judgments that are enforceable in the State of Arizona and will submit quarterly reports to the Compliance Monitor regarding the judgments.

6. Ward will pay all fees and costs associated with her probation.

7. The State Bar must report material violations of the terms of probation pursuant to Rule 60(a)(5)(C). A hearing may be held within thirty days to determine if the terms of probation have been violated and if any additional conditions should be imposed. The burden of proof will be on the State Bar to prove non-compliance by a preponderance of the evidence.

DATED this 31st day of May, 2018.

_____/s/_____
SCOTT BALES
Chief Justice

TO:

Nancy A Greenlee
David L Sandweiss
Amanda McQueen
Sandra Montoya
Maret Vessella
Don Lewis
Beth Stephenson
Mary Pieper
Raziel Atienza
Lexis Nexis