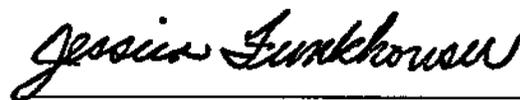


for a censure, two years of probation,³ and costs. The terms of probation⁴ are as follows:

- 1) Respondent shall submit to a law office audit by the Law Office Management Assistance Program (LOMAP) director or designee, and shall comply with all recommendations thereof.
- 2) Respondent shall submit to an assessment by the Member Assistance Program (MAP) director or designee and shall comply with all recommendations thereof. Respondent's MAP agreement shall include a term requiring Respondent to abstain from the use of alcohol for the term of his probation.
- 3) Respondent shall be responsible for the costs and expenses associated with his participation in the LOMAP and MAP programs.
- 4) In the event Respondent fails to comply with any of the foregoing terms and information thereof is received by the State Bar, bar counsel shall file a Notice of Non-Compliance with the Disciplinary Commission. The Disciplinary Commission may refer the matter to a hearing officer to conduct a hearing at the earliest possible date, but in no event later than thirty days following receipt of said notice. If the matter is referred to a hearing officer, the hearing officer shall determine whether the terms of probation have been breached, and if so, to recommend appropriate action and response to such breach.
- 5) If there is an allegation that Respondent failed to comply with any of the foregoing terms, the burden of proof shall be on the State Bar to prove non-compliance by a preponderance of the evidence.

RESPECTFULLY SUBMITTED this 6th day of November 2003.



Jessica G. Funkhouser, Chair
Disciplinary Commission

³ The Parties stipulated at oral argument to the additional year of probation and abstention from alcohol. See Commission transcript, pp. 21:25-22:5.

⁴ The Commission notes that the standard compliance language contained in the Agreement inadvertently states that a hearing will be conducted "in no event less than thirty (30) days" and should read "in no event later than thirty (30) days." See Agreement, p.9 item c.

Original filed with the Disciplinary Clerk
this 6th day of November 2003.

Copy of the foregoing mailed
this 6th day of November 2003 to:

Pamela M. Katzenberg
Hearing Officer 7T
177 North Church, Suite 815
Tucson, AZ 85701-1131

Randall M. Sammons
Respondent
2941 N. Swan Road, Suite 1
Tucson, AZ 85712-0001

Copy of the foregoing hand-delivered
this 6th day of November 2003 to:

Lauren J. Braud
Deputy Chief Bar Counsel
State Bar of Arizona
111 West Monroe, Suite 1800
Phoenix, AZ 85003-1742

By K Weigand

/kdl