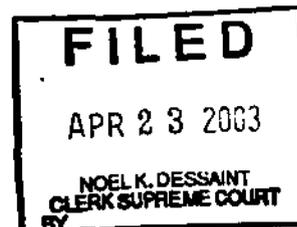


SUPREME COURT OF ARIZONA



IN THE MATTER OF A SUSPENDED MEMBER)
 OF THE STATE BAR OF ARIZONA)

Supreme Court
 No. SB-03-0024-D

JAMES E. BERTZ,
Bar No. 015631

Disciplinary Commission
 Nos. 00-0117, 00-0181, 00-0235,
 00-0520, 00-0830, 00-1051,
 00-1084, 00-1313, 00-1369,
 00-1426, 00-1059, 00-1522,
 00-1637, 00-1697, 00-1934,
 00-1960, 00-2406, 00-2478,
 01-0490, 01-0696

RESPONDENT.

JUDGMENT AND ORDER

This matter having come on for hearing 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 **JAMES E. BERTZ**, a suspended member of the State Bar of Arizona, is hereby disbarred from the practice of law effective the date of this order, for conduct in violation of his duties and obligations as a lawyer, as disclosed in the commission report.

IT IS FURTHER ORDERED that **JAMES E. BERTZ** shall pay restitution in the following amounts to the following individuals:

| | |
|--|-------------------|
| Ric Biddlecome/File No. 00-0117 | \$ 81.00 |
| Patricia Cooper/File No. 00-0235 | \$6,400.00 |
| Dorothy Weeks/File No. 00-1051 | \$1,500.00 |
| Shirley Roselli/File No. 00-1084 | \$3,656.00 |
| William Cusak/File No. 00-1522 | \$2,132.50 |
| James Wisher/File No. 00-1697 | \$2,560.00 |
| Arthur M. Benton/File No. 01-1934 | \$2,200.00 |
| Terry Shores/File No. 00-1960 | \$ 600.00 |
| Albert Liapis/File No. 01-2406 | \$9,500.00 |
| Larry and Stephanie Achzige/File No. 00-1426 | \$ 500.00 |
| <u>David Matice/File No. 00-1637</u> | <u>\$5,847.00</u> |
| Total | \$34,976.50 |

IT IS FURTHER ORDERED that Respondent shall pay in full any and all claims paid by the Client Protection Fund, not to exceed the maximum permissible payment of \$100,000.00.

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 63, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 63(a), which requires that Respondent notify all of his clients, within ten (10) 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 63(d).

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

IT IS FURTHER ORDERED that pursuant to Rule 52(a)8, the State Bar of Arizona is granted judgment against **JAMES E. BERTZ** for costs and expenses of these proceedings in the amount of \$5,147.70, together with interest at the legal rate from the date of this judgment.

DATED this 23rd day of April, 2003.



NOEL K. DESSAINT, Clerk

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST
Noel K. Dessaint, Clerk of the Supreme Court
State of Arizona

By Karen Gehres Deputy

TO:

James E. Bertz, Respondent (Certified Mail, Return Receipt)
Jacqueline N. Schesnol, Bar Counsel
Michael L. Rubin, Hearing Officer 7K
Bob Van Wyck, Chief Bar Counsel, State Bar of Arizona (Cert. Copy)
Douglas M. Brooks, Clerk, Disciplinary Commission (Cert. Copy)
Betty Flores, Director, Membership Records, State Bar of Arizona (Cert. Copy)
Marnie Leinberger, MCLE/BLS Administrator, State Bar of Arizona
Cynthia Zwick, Executive Director, State Bar of Arizona
Dee Steadman, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)
William Suter, Clerk, United States Supreme Court (Cert. Copy)
Cathy Catterson, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)
Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)
Edward C. Voss, Chief Judge, Court of Appeals, Division One, Phoenix, Arizona
Philip G. Espinoza, Chief Judge, Court of Appeals, Division Two, Tucson, Arizona
Michael C. Nelson, Presiding Judge, Apache County, Arizona
Thomas Collins, Presiding Judge, Cochise County, Arizona
A. Fred Newton, Presiding Judge, Coconino County, Arizona
Robert Duber, II, Presiding Judge, Div. II, Gila County, Arizona
R. Douglas Holt, Presiding Judge, Graham County, Arizona
Monica L. Stauffer, Presiding Judge, Greenlee County, Arizona
Michael J. Burke, Presiding Judge, La Paz County, Arizona
Colin F. Campbell, Presiding Judge, Maricopa County, Arizona
Robert R. Moon, Presiding Judge, Mohave County, Arizona
Gloria J. Kindig, Presiding Judge, Navajo County, Arizona
John S. Leonardo, Presiding Judge, Pima County, Arizona
William J. O'Neil, Presiding Judge, Pinal County, Arizona
James A. Soto, Presiding Judge, Santa Cruz County, Arizona
Raymond W. Weaver, Jr., Presiding Judge, Yavapai County, Arizona
Tom C. Cole, Presiding Judge, Yuma County, Arizona
West Publishing Company (Ardis Lanz)
Lexis/Nexis

/kdl