

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER)
OF THE STATE BAR OF ARIZONA,)
J. DOUGLAS MCVAY,)
Attorney No. 001777)
RESPONDENT.)

Supreme Court
No. SB-03-0018-D
Disciplinary Commission
Nos. 01-0764, 01-1017, 02-0302
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 review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that J. DOUGLAS MCVAY, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the commission report attached hereto as Exhibit A.

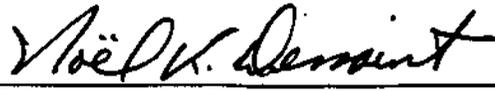
IT IS FURTHER ORDERED that J. DOUGLAS MCVAY be placed on probation for a period of two (2) years, under the following terms and conditions:

- 1. Respondent will participate in the Law Office Management Assistance Program (LOMAP). Respondent will meet with the LOMAP Director who will determine the appropriate terms of LOMAP and Respondent will enter into a Memorandum of Understanding (MOU) with the State Bar of Arizona.
2. As part of the LOMAP program, Respondent shall have a Practice Monitor.
3. If the Practice Monitor determines Respondent is in complete compliance with all the terms and conditions of probation and the MOU and the Director or LOMAP concurs, Respondent's probation may be terminated early, but in any event the term of probation shall be no less than one (1) year.
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 with the Hearing Officer a Notice of Non-Compliance. The Hearing Officer shall conduct a hearing at the earliest possible date, but in no event later than thirty (30) days following receipt of notice, to determine whether a condition of probation has been breached and, if so, to recommend an appropriate sanction.

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.

IT IS FURTHER ORDERED that J. DOUGLAS MCVAY shall pay the costs and expenses of these proceedings in the amount of \$691.50, together with interest at the legal rate from the date of this judgment.

DATED this 25th day of February, 2003.



NOEL K. DESSAINT, Clerk

TO:

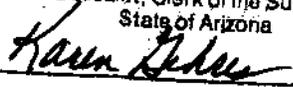
J. Douglas McVay, Respondent (Certified Mail, Return Receipt)
Jacqueline N. Schesnol, Bar Counsel, State Bar of Arizona
Daniel P. Beeks, Hearing Officer 7M
Bob Van Wyck, Chief Bar Counsel, State Bar of Arizona (Cert. Copy)
Douglas M. Brooks, Disciplinary Clerk, Disciplinary Commission (Cert. Copy)
Betty 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)
West Publishing Company (Ardis Lanz)
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/kdl

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  Deputy