SUPREME COURT OF ARIZONA

FILED
OCT 3 0 2003
NOEL K. DESSAINT
CLERK SUPREME COURT
BY

IN THE MATTER OF A MEMBER OF THE STATE BAR OF ARIZONA	Supreme Court No. SB-03-0125-D
	Disciplinary Commission Nos. 01-1968, 02-0441, 02-0875, 02-1588, 02-1616
RANDI S. SIRLIN, Bar No. 015303	
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 **RANDI S. SIRLIN**, a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of six (6) months, retroactive to September 18, 2002, for conduct in violation of her duties and obligations as a lawyer, as disclosed in the commission report.

IT IS FURTHER ORDERED that **RANDI S. SIRLIN** shall be placed on probation for a period of two (2) years, upon reinstatement, under the following terms and conditions:

1) Respondent will participate in fee arbitration if a satisfactory resolution regarding restitution is not reached with any of the clients listed in the Agreement for Discipline by Consent.

2) The probation shall be subject to early termination after one year based upon the recommendation of the Member Assistance Program (MAP) director or her designee.

3) Respondent has undergone a MAP assessment and shall enter into a Memorandum of Understanding to reflect the recommendations made in the assessment. The memorandum of understanding shall address the procedures to follow if it is alleged there has been a violation of the probation terms.

4) If Respondent returns to the practice of law in a capacity wherein she maintains an IOLTA she shall notify the State Bar of that occurrence and shall undergo a Law Office Membership Assistance Program (LOMAP) assessment regarding her trust account and comply with the recommendations made by the LOMAP director or her designee.

5) 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 (30) 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.

6) 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 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 her clients, within ten (10) days from the date hereof, of his inability to represent them and that she should promptly inform this Court of her 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 **RANDI S. SIRLIN** for costs and expenses of these proceedings in the amount of $1,524.02, together with interest at the legal rate from the date of this judgment.

DATED this 30th day of October, 2003.

Noël K. Dessaint

NOËL K. DESSAINT, Clerk

TO:
Randi S. Sirlin, Respondent (Certified Mail, Return Receipt)
Ralph Adams, Respondent's Counsel
Shauna R. Miller, Bar Counsel
Douglas M. Brooks, Clerk, Disciplinary Commission (Cert. Copy)
Lawyer Regulation Records Manager, State Bar of Arizona (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 (Jode Ottman)
Lexis/Nexis

/kdl

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

ATTEST:
Noël K. Dessaint, Clerk of the Supreme Court
State of Arizona
By Karen Gelen Deputy