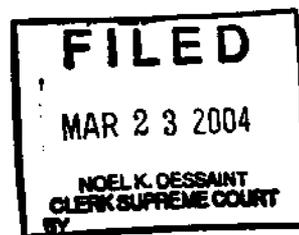


SUPREME COURT OF ARIZONA



IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,

) Supreme Court
) No. SB-04-0033-D
)
) Disciplinary Commission
) No. 02-2305

LEAH S. DAVIS,
Bar No. 013807

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 review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that LEAH S. DAVIS, a member of the State Bar of Arizona, is hereby censured for conduct in violation of her duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that LEAH S. DAVIS shall be placed on probation for a period of two (2) years. The terms of probation are as follows:

- 1) Respondent shall, within ten (10) days of this judgment and order, contact the director of the State Bar's Law Office Management Assistance Program (LOMAP) to schedule an audit of her law office. The LOMAP director or designee will conduct an audit of Respondent's law office no later than sixty (60) days thereafter. Following the audit, Respondent shall enter into a Memorandum of Understanding that will be effective for a period of two (2) years from the date upon which all parties have signed the Memorandum. Respondent shall comply with all recommendations of the LOMAP director or designee. The State Bar shall notify the Disciplinary Clerk of the effective date of the Memorandum of Understanding.
- 2) Respondent shall, within ten (10) days of this judgment and order, contact the director of the State Bar's Member Assistance Program (MAP) to schedule an evaluation. The MAP director or designee will conduct an evaluation no later than sixty (60) days thereafter. If following a MAP Assessment is determined that a therapeutic contract is necessary, the director of MAP or designee shall draft a Memorandum of Understanding requiring Respondent's participation in a course of treatment. Respondent shall comply with all recommendations of the MAP director or designee.

- 3) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz. R. S. Ct. The Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **LEAH S. DAVIS** for costs and expenses of these proceedings in the amount of \$1,011.17, together with interest at the legal rate from the date of this judgment.

DATED this 23rd day of March, 2004.



NOËL K. DESSAINT, Clerk

TO:

Leah S. Davis, Respondent (Certified Mail, Return Receipt)
Maret Vessella, Deputy Chief Bar Counsel
Christopher D. Thomas, Hearing Officer 8Z
Douglas M. Brooks, Disciplinary Clerk (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

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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 Nelson Deputy