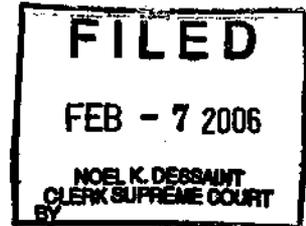


SUPREME COURT OF ARIZONA



IN THE MATTER OF A MEMBER)
OF THE STATE BAR OF ARIZONA,)
)
)
)
JAMES J. EVERETT,)
Bar No. 011205)
)
RESPONDENT.)

Supreme Court
No. SB-05-0166-D

Disciplinary Commission
No. 02-1133

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 this Court having considered Respondent's Petition for Review, accordingly

IT IS ORDERED that the Petition for Review is denied.

IT IS ORDERED, ADJUDGED AND DECREED that JAMES J. EVERETT, a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of thirty (30), effective thirty (30) days from the date of this order, for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

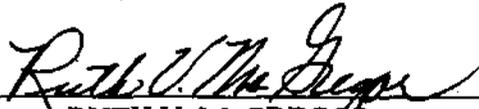
IT IS FURTHER ORDERED that JAMES J. EVERETT shall be placed on probation for a period of one (1) year effective upon the signing of the probation contract. Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins. The terms of probation are as follows:

- 1) Respondent shall discontinue the use in the practice of law, any address that is not clearly designated as his law firm's address.
- 2) Respondent shall correct all pending bankruptcy petitions in which he designated his address as the address of the petitioner, without identifying the address clearly.
- 3) Respondent shall complete no less than nine hours of continuing legal education in the area of ethics during the probation period.
- 4) Pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against JAMES J. EVERETT for costs and expenses of these proceedings.
- 5) 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 Respondent shall comply with all the provisions of Rule 72, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 72(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 72(e).

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

DATED this 7th day of February, 2006.


RUTH V. MCGREGOR
Chief Justice

TO:

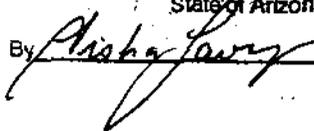
James J. Everett, Respondent (Certified Mail, Return Receipt and Regular Mail)
Ralph W. Adams, Respondent's Counsel
Patricia A Sallen, Senior Bar Counsel
Thomas M. Quigley, Hearing Officer 8W
Patricia Seguin, Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar 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

tel

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