

FILED

DEC - 7 2007

DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA

**BEFORE THE DISCIPLINARY COMMISSION
OF THE SUPREME COURT OF ARIZONA**

1
2
3 IN THE MATTER OF A MEMBER)
4 OF THE STATE BAR OF ARIZONA,)

No. 05-2134

5 **JERRY L. COCHRAN,**)
6 **Bar No. 004539**)

**DISCIPLINARY COMMISSION
REPORT**

7 RESPONDENT.)
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9 This matter came before the Disciplinary Commission of the Supreme Court of
10 Arizona on November 17, 2007, pursuant to Rule 58, Ariz.R.Sup.Ct., for consideration of
11 the Hearing Officer's Report filed September 7, 2007, recommending acceptance of the
12 Tender of Admissions and the Agreement for Discipline by Consent (Tender) and the Joint
13 Memorandum (Joint Memorandum) in Support of Agreement for Discipline by Consent
14 providing for censure, two years of probation with the State Bar's Law Office Management
15 Assistance Program (LOMAP) and Trust Account Ethics Program (TAEEP), restitution
16 and costs.

17
18 **Decision**

19 Having found no facts clearly erroneous, the eight members¹ of the
20 Disciplinary Commission unanimously recommend accepting and incorporating the
21 Hearing Officer's findings of fact, conclusions of law, and recommendation for censure,
22 two years of probation (LOMAP) and (TAEEP), payment of any restitution not covered by
23 insurance or otherwise satisfied that results from any civil judgment personally assessed
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26 ¹ Commissioner Katzenberg did not participate in these proceedings.

1 against Respondent, and costs of these disciplinary proceedings.² The terms of probation
2 are as follows:

3 **Terms of Probation**

4 1. Respondent shall be placed on two years of probation effective upon the
5 issuance of the final Judgment and Order and will continue for two years from the date
6 Respondent signs the probation contract.

7 2. Within 30-days from the date of the final Judgment and Order, Respondent
8 shall contact the LOMAP director to schedule an audit. Respondent shall comply with any
9 and all recommendations made by the LOMAP director or designee.

10 3. Respondent shall complete TAEEP within six-months of the final
11 Judgment and Order and thereafter, shall submit to periodic review of his trust account
12 management procedures by LOMAP staff or the trust account examiner, as may be
13 determined at the conclusion of the LOMAP audit, which shall include a review of
14 Respondent's monthly three-way reconciliation of the general ledger, client ledgers and
15 bank statements, and any other supporting documentation deemed reasonably necessary.
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17 4. Respondent shall pay all costs associated with these proceedings within 30-
18 days of the date of the final Judgment and Order.

19 5. In the event that Respondent fails to comply with any of the foregoing
20 conditions, and the State Bar receives information, bar counsel shall file with the imposing
21 entity a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz.R.Sup.Ct. The
22 Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to
23 determine whether the terms of probation have been violated and if an additional sanction
24 should be imposed. In the event there is an allegation that any of these terms have been
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² A copy of the Hearing Officer's Report is attached as Exhibit A.

violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing evidence.

RESPECTFULLY SUBMITTED this 7th day of December, 2007.



J. Conrad Baran, Chair
Disciplinary Commission

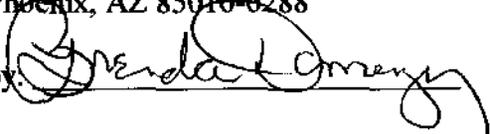
Original filed with the Disciplinary Clerk
this 7th day of December, 2007.

Copy of the foregoing mailed
this 7th day of December, 2007, to:

Honorable H. Jeffrey Coker
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by 

/mps