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DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA
BY: *[Signature]*

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

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3	IN THE MATTER OF A MEMBER)	No. 06-0923
4	OF THE STATE BAR OF ARIZONA,)	
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6	ROBERT M. FRISBEE,)	
7	Bar No. 018779)	DISCIPLINARY COMMISSION
8)	REPORT
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This matter came before the Disciplinary Commission of the Supreme Court of Arizona on October 13, 2007, pursuant to Rule 58, Ariz.R.Sup.Ct., for consideration of the Hearing Officer's Report filed August 31, 2007, recommending acceptance of the Tender of Admissions and the Agreement for Discipline by Consent (Tender) and the Joint Memorandum (Joint Memorandum) in Support of Agreement for Discipline by Consent providing for censure, probation until completion of the State Bar's Trust Account Ethics Enhancement Program (TAEEP), submit to a two hour calendar training session with the coordinator of the State Bar's Law Office Management Assistance Program (LOMAP), restitution, and costs.

Decision

The eight members¹ of the Disciplinary Commission unanimously recommend accepting and adopting the Hearing Officer's findings of fact, conclusions of law, and recommendation for censure, probation until completion of TAEEP, participation in a two hour session with the LOMAP coordinator to assist with calendaring issues, pay

¹ Commissioner Gooding did not participate in these proceedings.

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

3 **Restitution**

4 Richard W. Garcia \$6,103.10

5 **Terms of Probation**

6 1. Respondent shall be placed on probation until such time as he completes
7 TAEEP and meets with the LOMAP coordinator for up to a two hour session to assist with
8 calendaring issues. Upon completion of TAEEP and the session with the LOMAP
9 coordinator, the term of probation should be terminated.

10 2. Respondent shall pay \$6,103.10 in restitution to Robert Garcia during the
11 probation period.

12 3. Respondent shall pay all costs incurred in these disciplinary proceedings.

13 4. In the event that Respondent fails to comply with any of the foregoing
14 conditions, and the State Bar receives information, bar counsel shall file with the
15 Disciplinary Clerk a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz.R.Sup.Ct.
16 The Hearing Officer shall conduct a hearing within thirty days after receipt of said notice,
17 to determine whether the terms of probation have been violated and if an additional
18 sanction should be imposed. In the event there is an allegation that any of these terms have
19 been violated, the burden of proof shall be on the State Bar of Arizona to prove non-
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² A copy of the Hearing Officer's Report is attached as Exhibit A.

