

**FILED**

APR 09 2007

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

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

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

No. 06-0120

**GENE R. STRATFORD,** )  
**Bar No. 004621** )

**DISCIPLINARY COMMISSION  
REPORT**

RESPONDENT. )  
\_\_\_\_\_ )

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on March 10, 2007, pursuant to Rule 58, Ariz.R.Sup.Ct., for consideration of the Hearing Officer's Report filed January 23, 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, one year of probation with the State Bar's Law Office Management Assistance Program (LOMAP), the Trust Account Program (TAP), Trust Account Ethics Enhancement Program (TAEEP), and costs.

**Decision**

The nine members of the Disciplinary Commission unanimously recommend accepting and adopting the Hearing Officer's findings of fact, conclusions of law, and recommendation for censure, one year of probation (LOMAP, TAP and TAEEP) to commence upon the signing of the probation contract, and costs of these disciplinary proceedings.<sup>1</sup> The terms of probation are as follows:

<sup>1</sup> A copy of the Hearing Officer's Report is attached as Exhibit A.

**Terms of Probation**

1           1.       Within 30-days of the date of the final Judgment and Order, Respondent  
2 shall contact the LOMAP director and submit to a LOMAP audit of his trust account  
3 procedures. Respondent thereafter, shall comply with the probation contract created by the  
4 LOMAP director. The probation period will begin to run at the time of the final Judgment  
5 and Order and will conclude one-year from the date Respondent signs the probation  
6 contract.  
7

8           2.       Respondent shall complete TAEEP within six-months of the final Judgment  
9 and Order. To schedule his attendance, Respondent shall contact Barbara Chandler at  
10 (602) 340-3278.

11           3.       Respondent shall participate in TAP for a period of at least one-year, unless  
12 the TAP administrator deems that his participation for one-year is unnecessary. To  
13 schedule his participation, Respondent shall contact Barbara Chandler at (602) 340-3278.  
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15           4.       Respondent shall pay all costs incurred in these disciplinary proceedings.

16           5.       In the event that Respondent fails to comply with any of the foregoing  
17 conditions, and the State Bar receives information, bar counsel shall file with the Hearing  
18 Officer a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz.R.Sup.Ct. The  
19 Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to  
20 determine whether the terms of probation have been violated and if an additional sanction  
21 should be imposed. In the event there is an allegation that any of these terms have been  
22 violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by  
23  
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