

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER)	Supreme Court
OF THE STATE BAR OF ARIZONA,)	No. SB-07-0080-D
)	
)	Disciplinary Commission
)	Nos. 04-0685, 04-1439,
TIMOTHY A. FORSHEY,)	05-0211, 05-1141
Bar No. 013003)	
)	
)	
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 there having been no discretionary review,

IT IS ORDERED, ADJUDGED AND DECREED that **TIMOTHY A. FORSHEY**, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **TIMOTHY A. FORSHEY** shall be placed on probation for a period of two (2) years. Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins. The terms of probation are as follows:

- 1) Within 30-days of the date of the final Judgment and Order, Respondent shall contact the Law Office Management Assistance Program (LOMAP) director and submit to an assessment. Thereafter, Respondent shall enter into a probation contract based on the recommendations of the LOMAP director or designee. The term of probation is effective upon the signing of the probation contract.
- 2) Respondent shall obtain continuing legal education by viewing the course entitled "*The Ten Deadly Sins of Conflict*."
- 3) Respondent shall complete Ethic Enhancement Program during the period of probation.
- 4) Respondent shall pay restitution to Colleen Robin in the amount of \$500.00.
- 5) Respondent shall pay the costs incurred in these disciplinary proceedings.

- 6) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information to that effect, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz. R. Sup. 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 **TIMOTHY A. FORSHEY** shall pay restitution in the following amounts to the following individual:

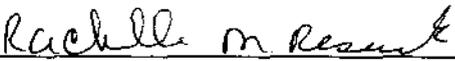
Colleen Robin \$500.00

IT IS FURTHER ORDERED that Respondent shall be assessed costs and expenses of the disciplinary proceedings as provided in Rule 60(b).

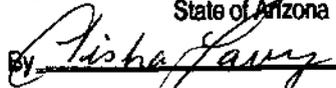
DATED this 9th day of May, 2007.

The foregoing instrument is a full, true and correct copy of the original on file in this office.

ATTEST
Rachelle M. Resnick, Clerk of the Supreme Court
State of Arizona


RACHELLE M. RESNICK
Clerk of the Court

TO:

By  Deputy

Timothy A. Forshey, Respondent (Certified Mail, Return Receipt and Regular Mail)
David D. Dodge and Kevin D. Neal, Respondent's Counsel
Angela B. Napper, Bar Counsel
John Pressley Todd, Hearing Officer 7X
Lauren E. Eiler, 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)
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