

FILED
JUN 22 2007
 RACHELLE M. RESNICK
 CLERK SUPREME COURT
 BY

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER)	Supreme Court
OF THE STATE BAR OF ARIZONA,)	No. SB-07-0123-D
)	
)	Disciplinary Commission
)	No. 06-0466
DEAN J. WERNER,)	
Bar No. 002004)	
)	
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 **DEAN J. WERNER**, 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.

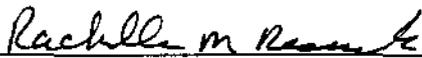
IT IS FURTHER ORDERED that **DEAN J. WERNER** shall be placed on probation for a period of one year. Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins. The terms of probation are as follows:

- 1) Respondent shall be placed on probation effective upon the entry of a final judgment and order and ending one year after entry into a Trust Account Program (TAP) contract.
- 2) Respondent shall complete Trust Account Ethics Enhancement Program during probation. To schedule his attendance, Respondent shall contact Barbara Chandler at (602) 340-3278 within 20 days of judgment herein.
- 3) Respondent shall participate in TAP for the period of probation. To schedule his attendance, Respondent shall contact Gloria Barr at (602) 340-7242 within 20 days of judgment herein.
- 4) Respondent shall refrain from engaging in any conduct that would violate the Rules of Professional Conduct or other rules of the Supreme Court of Arizona.

- 5) 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 pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **DEAN J. WERNER** for costs and expenses of these proceedings in the amount of \$880.00, together with interest at the legal rate from the date of this judgment.

DATED this 22nd day of June, 2007.


RACHELLE M. RESNICK
Clerk of the Court

TO:

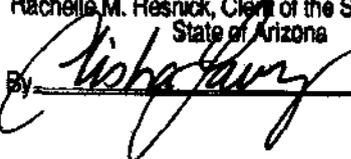
Dean J. Werner, Respondent (Certified Mail, Return Receipt and Regular Mail)
Amy K. Rehm, Bar Counsel
Robert J. Stephan, Jr., Hearing Officer 9R
Lauren E. Eiler, Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)
Cathy Catterson, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)
Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)
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

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

By  Deputy