



**BEFORE A HEARING OFFICER
OF THE SUPREME COURT OF ARIZONA**

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

SARA JANE ODNEAL,
Bar No. 009230

RESPONDENT.

) File No. 06-1979
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) **HEARING OFFICER'S REPORT**
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PROCEDURAL HISTORY

1. Probable cause was found in this matter on July 17, 2007. The State Bar filed a Complaint in this matter on October 3, 2007. Notice was sent to the Respondent on October 4, 2007, pursuant to Rule 47(c). The case was assigned to the undersigned Hearing Officer on October 15, 2007. The time to respond or otherwise appear expired, and Respondent's default was entered on November 13, 2007. An Aggravation/Mitigation Hearing was held on November 19, 2007, and Respondent did not appear. The State Bar presented evidence regarding the issues of aggravating and mitigating factors and was heard on the issue of sanction.

FINDINGS OF FACT

- 2 Respondent was a lawyer licensed to practice law in the State of Arizona, having first been admitted to the practice in Arizona on October 15, 1983.
3. Respondent was suspended from the practice of law for 30 days effective November 29, 2006, in SB-06-0146-D.

4. Respondent has not applied for reinstatement.

COUNT ONE (File No. 06-1979)

5. Respondent was hired by Candice Pride (“Ms. Pride”) to help her recover overdue child support and address other parental rights issues arising out of her Maricopa County domestic relations matter, DR1999-097133. Ms. Pride testified at the aggravation mitigation hearing that she paid Respondent a \$1,000 retainer.
6. Ms. Pride further testified that, prior to retaining Respondent, she had another lawyer working for her in the same case, specifically, Bill Spence. Ms. Pride paid Mr Spence \$1,500 for his services, but he was no longer Ms Pride’s attorney at the time Respondent was retained.
7. On or about August 12, 2005, Respondent and Ms. Pride attended an Evidentiary Hearing in which Ms. Pride was awarded a reasonable portion of her attorney's fees and costs. Respondent was ordered to provide the Court with an Affidavit of Attorneys’ Fees and Costs, and Form of Order.
8. Ms. Pride provided Respondent with receipts of the attorneys’ fees and costs she had paid to date. Ms. Pride expected Respondent to present this information to the Court and Respondent failed to do so. Respondent also failed to provide the Court with the Affidavit.
9. After Ms. Pride provided Respondent with her receipts, Ms. Pride did not see or hear from Respondent again. Ms. Pride attempted to call Respondent, but Respondent's telephone number had been disconnected. Ms. Pride also called the law firm from which Respondent rented office space, but was told that Respondent no longer worked out of that office and had moved six months prior.

10. For approximately one year Ms Pride attempted to find Respondent without success.
11. Respondent failed to provide Ms Pride with an accounting of the legal work performed in her case; specifically, Respondent failed to send Ms Pride an invoice or any form of billing.
12. On December 7, 2006, Ms. Pride filed a Complaint with the Arizona State Bar ("State Bar") outlining the conduct alleged in the above paragraphs.
13. By letter dated January 25, 2007, the State Bar requested a written response from Respondent to Ms. Pride's allegations. The State Bar's letter was sent to Respondent's address as maintained by membership records.
14. The State Bar's letter was returned to the State Bar, marked as undeliverable.
15. On or about February 2, 2007, the State Bar began an investigation to find a current address for Respondent. The State Bar's investigator, Mike Fusselman, discovered a new address: 11612 South Papago Circle, Phoenix, Arizona ("Papago Circle").
16. By letter dated February 6, 2007, the State Bar requested a written response from Respondent to Ms. Pride's allegations. The State Bar's letter was sent to Respondent's Papago Circle address
17. Respondent failed to respond to the State Bar's letter
18. By letter dated April 2, 2007, the State Bar again requested a written response from Respondent to Ms. Pride's allegations. Respondent was reminded of her obligation to cooperate with the State Bar's investigation and warned of possible consequences of a non-response pursuant to Ariz.R.Sup.Ct., 53(d) and (f). The State Bar's letter was sent to Respondent's Papago Circle address

19. On or about May 11, 2007, the State Bar's January 6, 2007, letter was returned marked as "return to sender attempted -- unknown."
20. On or about May 18, 2007, the State Bar began a second investigation to locate a current address for Respondent. On or about May 23, 2007, Respondent contacted Mr. Fusselman by telephone and provided a new address: 4747 East Elliot # 29-551, Phoenix, Arizona ("Elliot")
21. By letter dated May 25, 2007, the State Bar re-mailed its prior letters, including the April 2, 2007 letter, requesting a response from Respondent to Ms. Pride's allegations. The State Bar's letter was sent to Respondent's Elliot address Respondent failed to respond to the State Bar's letter.
22. Respondent failed to update her address of record within 30 days of her change of address
23. Respondent violated one or more of the Rules of Professional Conduct as follows: Respondent failed to consult with her client and abide by her decision concerning the objectives of representation; failed to act with reasonable diligence and promptness; failed to promptly inform her client of decisions or circumstances as required to; failed to keep her client reasonably informed about the status of her matters, failed to make *reasonable efforts to expedite litigation*; failed to *safeguard her client's property*; failed to surrender documents and property to which her client was entitled; engaged in conduct prejudicial to the administration of justice; failed to cooperate with the State Bar and Bar Counsel in its investigation; and failed to furnish information or respond promptly to inquiries from the State Bar.

CONCLUSIONS OF LAW

24. Respondent violated ER 1.2, Rule 42, Ariz.R.Sup.Ct., in failing to abide by her client's direction with regard to her legal matter. Ms. Pride provided Respondent with the receipts for attorneys' fees so the appropriate affidavit could be filed, and Respondent failed to act by presenting those receipts or affidavit to the Maricopa County Superior Court. As a result, Ms. Pride has yet to recover her awarded attorneys' fees.
25. Respondent violated ER 1.3, Rule 42, Ariz.R.Sup.Ct., in failing to act diligently in representing her client. Respondent failed to file the required Affidavit of Attorneys' Fees and Costs and did not present the receipts to the Maricopa County Superior Court. As a result Ms. Pride has yet to recover her awarded attorneys' fees.
26. Respondent violated ER 1.4(a)(3), Rule 42, Ariz.R.Sup.Ct., in failing to keep her client reasonably informed about the status of her client's matter. After Respondent had taken possession of Ms. Pride's receipts, Respondent vanished. No additional work was performed on Ms. Pride's case, as was ordered by the Maricopa County Superior Court and no further contact was made with Ms. Pride to keep her informed on the status of her award of attorneys' fees. Over the course of a year Ms. Pride undertook efforts to track down Respondent to get an update on the situation, only to discover that Respondent had shut down her phone and moved from her office. No attempts were made by Respondent to contact Ms. Pride, demonstrating an abandonment of Ms. Pride's case by Respondent.
27. Respondent violated ER 1.15(a), Ariz.R.Sup.Ct., in failing to safeguard her client's property. After Ms. Pride provided Respondent with her attorneys' fee receipts, Respondent disappeared without returning the receipts. Despite Ms. Pride's efforts to

contact Respondent, Ms. Pride has yet to recover the receipts or collect the Court ordered attorneys' fees.

28. Respondent violated ER 1.16(d), Ariz.R.Sup.Ct., in failing to surrender documents and property to which her client was entitled Respondent took Ms. Pride's property, namely her receipts for attorneys' fees, and then disappeared without sending Ms. Pride a bill or telling her exactly where the receipts were Because Respondent did not provide Ms. Pride with new contact information, and did not attempt to contact Ms. Pride after the Evidentiary Hearing, Ms. Pride did not have the opportunity to request these documents be returned. However, once Respondent was removed from Ms. Pride's case, she was required to return Ms. Pride's property to her, which Respondent has not done.
29. Respondent violated ER 3.2, Rule 42, Ariz.R.Sup.Ct., in failing to make reasonable efforts to expedite litigation consistent with the interests of her client. Following her receipt of Ms. Pride's receipts for attorneys' fees, Respondent failed to file the Court ordered Affidavit of Attorneys' Fees and Costs. As a result, Ms. Pride has yet to recover the award of attorneys' fees granted her. The delay in filing the necessary paperwork to allow Ms. Pride to recover her attorneys' fees was contrary to Ms. Pride's interests.
30. Respondent violated ER 8.1(b), Rule 42, Ariz.R.Sup.Ct., by knowingly failing to respond to a lawful demand for information from a disciplinary authority. Respondent violated Rule 53(d), Ariz.R.Sup.Ct., by refusing to cooperate with officials and staff of the State Bar acting in the course of their duties. Respondent violated Rule 53(f), Ariz.R.Sup.Ct., by failing to furnish information or respond promptly to any inquiry or request from Bar Counsel. The State Bar mailed no less than four requests for information to Respondent at three different addresses. The State Bar also conducted two separate investigations to

locate Respondent. During the second investigation, Respondent telephoned the State Bar and personally provided new contact information. While mail was returned from the first two addresses, no mail was returned from the third address Respondent provided to the State Bar. Yet, even after this, Respondent did not provide a written response to Ms. Pride's allegations. Respondent had notice, both when she called the State Bar's investigator and by mail, of the State Bar's efforts and investigation, yet ignored the State Bar's inquiries demonstrating both knowledge and deceit. Respondent did not provide the information requested of her by counsel.

31. Respondent violated Rule 32(c)(3), Ariz.R.Sup.Ct., by failing to notify the State Bar of her change of address within 30 days of its effective date. The State Bar mailed letters requesting a response to Ms. Pride's Bar Complaint on January 25, 2007, February 6, 2007, and April 2, 2007, which were returned to the State Bar. The January 25, 2007, letter was mailed to Respondent's address as maintained by membership records, which has yet to be changed. On May 23 2007, 118 days later, Respondent personally contacted the State Bar's investigator to provide a new address. Once the Respondent had moved from, and no longer was able to receive mail at her address of record, Respondent should have contacted the State Bar with her new address. Since Respondent's address of record was no longer valid as of February 6, 2007, Respondent had a clear obligation to provide a valid address to the State Bar prior to May 23, 2007.
32. Respondent violated ER 8.4(d), Rule 42, Ariz.R Sup.Ct., by engaging in conduct that was prejudicial to the administration of justice. Respondent's abandonment of her client following the Evidentiary Hearing has prevented Ms. Pride from collecting her Court ordered attorneys' fees. Respondent has also absconded with Ms. Pride's property,

specifically the receipts she provided to the Respondent. Such actions clearly prejudice Ms Pride and the Maricopa County Superior Court's efforts to conclude Ms Pride's matter. Additionally, Respondent purposefully and knowingly avoided the State Bar's investigation into Ms Pride's Bar Complaint, going so far as to provide a new address to the State Bar and then subsequently ignoring all mailings to that address.

33. Respondent's disregard for the self-regulation process prolonged the State Bar's investigation unnecessarily. Respondent's actions therefore, delayed timely resolution both to Ms. Pride's original matter and the State Bar's investigation, prejudicing the timely administration of justice to Ms. Pride's grievances and Respondent's misconduct.

ABA STANDARDS

34. The Hearing Officer concludes that the Respondent's improper withholding of Ms. Pride's property following her termination, as well as her failure to cooperate with the State Bar during the course of its investigation, including her failure to promptly provide information when requested, implicates *Standard 7 0*.

35. *Standard 7 2* provides:

“Suspension is appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional, and causes injury or potential injury to a client, the public, or the legal system.”

36. *Standard 7 1* provides:

“Disbarment is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional with the intent to obtain a benefit for the lawyer or another, and causes serious or potential serious injury to a client, the public, or the legal system.”

37. Respondent's misconduct relating to her representation, or more appropriately her failure to represent, of her client implicates *Standard 4.4*:
38. *Standard 4.42* provides
- Suspension is generally appropriate when:
- (a) a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client; or
 - (b) a lawyer engages in a pattern of neglect and causes injury or potential injury to a client.
- 39 *Standard 4.41* provides:
- Disbarment is generally appropriate when:
- (a) a lawyer abandons the practice and causes serious or potential serious injury to a client; or
 - (b) a lawyer knowingly fails to perform services for a client and causes serious or potentially serious injury to a client, or
 - (c) a lawyer engages in a pattern of neglect with respect to client matters and causes serious or potentially serious injury to a client.
40. Therefore, the range of discipline in this matter begins with suspension and ends with disbarment
41. *ABA Standard 3.0* provides that four criteria should be considered: (1) the duty violated; (2) the lawyer's mental state, (3) the actual or potential injury caused by the lawyer's misconduct, (4) the existence of aggravating or mitigating factors.

The Duty Violated

42. Respondent's duty to her client and to the legal system are most strongly implicated by her misconduct in this matter. Ms. Pride had the right to trust that Respondent would act in her interest and follow through with the Court's orders to recover her attorneys' fees in her custody case. Respondent was well aware, based both on the Court's direct order and her experience as an advocate, that Ms. Pride would not recover the fees without providing proof to the Court of what those fees might be. Ms. Pride trusted Respondent with such proof, the receipts of both Respondent's and Mr. Spence's attorneys' fees, and had a right to believe her lawyer would file those documents with the Court. Ms. Pride also had a right to trust that her lawyer would protect such vital information and not worry that her lawyer would disappear without returning her property to her. Respondent abused the position of trust she held with her client which has prevented Ms. Pride from collecting her court ordered fees.
43. Respondent then refused to fulfill her professional obligation to cooperate with the State Bar's investigation following Ms. Pride bar complaint. Not only did she abscond from her client, but Respondent also failed to provide valid contact information to the State Bar such that she could not be contacted regarding Ms. Pride's complaint. After two investigations into her whereabouts by the State Bar, Respondent provided new contact information but then continued to refuse to respond to the investigation.
44. Thus Respondent's conduct violated both her duty to her client as well as her duty as a professional.

State Of Mind

45. The State Bar submits and the undersigned Hearing Officer concurs that there is no reasonable conclusion other than that Respondent's applicable mental state was knowing. Respondent was under a direct order by the Maricopa County Superior Court to file the Affidavit of Attorneys Fees and Costs and was provided the information to support the Affidavit by her client. It is reasonable to infer that Respondent knew, based on her years of experience, that the Court would not be able to award a specific dollar amount for the attorneys fees granted to Ms. Pride without Respondent first providing the Court with proper documentation of those fees. Respondent knew that her client wanted her to file the motion because Ms. Pride both provided the required financial information and testified that she spoke with Respondent about the filing of the affidavit

46. Additionally, once the State Bar began its investigation into Respondent's conduct, she was provided four requests to present information and participate in the investigation, and reminded of her duty to cooperate no less than twice. When Respondent's address repeatedly turned up incorrect, the State Bar conducted two separate investigations to locate the Respondent, which resulted in her providing the State Bar with an address telephonically. Even after the State Bar sent information to this new address, Respondent failed to respond to the State Bar's inquiries and failed to cooperate with its investigation. Respondent's failure to cooperate, failure of diligence, and deception of her whereabouts demonstrates both knowledgeable and willful misconduct.

Actual or Potential Damages

47. Both Ms. Pride and the legal system itself have suffered actual injury. First, during the aggravation/mitigation hearing, Ms. Pride testified that she had paid Respondent a \$1,000

retainer, and had paid Mr. Spence \$1,500. Thus, following the Court's grant of attorneys' fees Ms. Pride expected to recover \$2,500 that she was out-of-pocket in paid fees. As Respondent failed to ever file the Affidavit of Attorneys' Fees and Costs, Ms. Pride has yet to recover this amount. Ms. Pride has suffered an actual financial injury of \$2,500. Ms. Pride has also suffered an actual injury of loss of personal property in the form of the receipts provided to Respondent, which Respondent has yet to return.

48. Additionally, the failure to cooperate with the disciplinary process has the potential to delay proceedings, increase costs, and adversely impact public perception of the legal profession. In the present matter, Respondent's failure to update her address lead to two separate investigations by the State Bar into her whereabouts. The effect was to lengthen the investigation into Ms. Pride's allegations by approximately 4 months, which was extended to five months after Respondent provided a "valid" address, and then continued to ignore the State Bar's requests. Thus, the legal system has suffered an actual injury of delay in its proceedings and increased costs. The legal system also suffered the actual injury of its orders not being followed, as Respondent failed to follow the Maricopa Superior Court's orders to file the Affidavit of Attorneys Fees and Costs. The legal system also suffered the actual injury of an insubordinate officer of the court who refused to comply with the Court's rules and her professional obligations.

Aggravating and Mitigating Factors

49. The Hearing Officer considered aggravating and mitigating factors in this case, pursuant to *Standards* 9.22 and 9.32 respectively.

Aggravating Factors

50. *Standard 9.22(a) Prior Disciplinary Offenses.* Beginning June 21, 2001, Respondent has been the subject of four disciplinary sanctions encompassing a total of eight bar complaints. In SB-01-0108-D, Respondent received a Censure for her conduct and was placed on one year of probation. In SB-02-0085-D, Respondent received a 90 day suspension and two years of probation. In SB-03-0403-D, an additional year of probation was added to run concurrently with Respondent's SB-02-0085-D sanction. Finally, Respondent received a 30 day suspension with two years of probation including a practice monitor in SB-06-0146-D and has yet to apply for reinstatement.
51. *Standard 9.22(b) Dishonest or Selfish Motive.* Respondent moved from her address of record without informing the State Bar or her client Respondent shut down her telephone number without informing the State Bar or her client Respondent failed to update any contact information with the State Bar. It is reasonable to infer that, through her prior dealings in her disciplinary proceedings with the State Bar, Respondent knew the importance of keeping her address of record current. Without such information the State Bar could not contact her regarding any investigation into her conduct Respondent's failure to keep the State Bar abreast of her whereabouts could be construed as an attempt to hide from and thwart any future investigations into her conduct.
52. *Standard 9.22(c) A Pattern of Misconduct.* In two of the four formal proceedings in which Respondent was disciplined for misconduct, Respondent failed to cooperate with the State Bar's investigation. This pattern of misconduct dates as far back as April of 1999 SB-01-0108-D, and includes failing to timely file an answer in SB-02-0085-D. The same conduct is repeated in the current matter. Respondent failed to respond to the State

Bar's inquiry in SB-01-0108 and SB-02-0085-D. Additionally, in SB-06-0146-D, Respondent missed two Order to Show Cause hearings Respondent was also sanction for failing to return property to her clients in both SB-01-0108-D and SB-02-0085-D Finally, respondent was sanctioned in SB-06-0146-D for failing to timely comply with court orders.

53. The Hearing Officer specifically finds that Respondent's pattern of behavior is becoming increasingly detrimental to not only herself but to the profession.
54. *Standard 9.22(e) Bad Faith Obstruction of the Disciplinary Proceeding* Respondent's failure to keep an accurate address and contact information for the State Bar to be able to contact her impeded the State Bar's ability to investigate her conduct. Following two investigations of her whereabouts by the State Bar, Respondent then provided a new address, but continued to refuse to respond or furnish information as she was required by ER 8.1, Rule 42, Ariz.R Sup.Ct., and Rule 53(f), Ariz.R Sup.Ct..
55. *Standard 9.22(f) Deceptive Practices During the Disciplinary Process* The State Bar submits that Respondent's actions in not providing a current address and also providing an address and then ignoring attempts to contact her implies deceit. The Hearing Officer cannot presume Respondent's motives and, absent further evidence, would have to presume her motives to find deceit. The Hearing Officer declines to do so.
56. *Standard 9.22(i) Substantial Experience in the Practice of Law.* Respondent was admitted to the Bar in Arizona in 1983.

Mitigating Factors

57. *Standard 9 32(m) Remoteness of Prior Offenses* SB-01-0108D concluded on or about June 21, 2001. SB-02-0085-D concluded on or about November 18, 2002. All four of Respondent's formal disciplinary matters addressed bar complaints filed between 1998 and 2003.

PROPORTIONALITY REVIEW

58. The Supreme Court has held in order to achieve the purposes of discipline and proportionality when imposing discipline, the discipline in each situation must be tailored to the individual facts of the case. *In Re Wines*, 135 Ariz. 203. 660 P.2d 454 (1983).
59. In *In Re McDonald*, SB-05-0134-D (2005), the lawyer was suspended for six months and one day. The lawyer failed to respond to bar inquiries on multiple bar complaints. The lawyer also failed to stay in contact with his clients and keep them informed about their respective cases. The injuries to the lawyer's clients amounted to delays in their proceedings and a loss of fees. The Hearing Officer in the McDonald case found seven aggravating factors, including a pattern of misconduct, bad-faith obstruction of the proceedings, and substantial experience. The Hearing Officer also found seven mitigating factors, including personal problems and mental disability for a history of psychological problems, as well as the hospitalization of the lawyer following his roommate's suicide. The lawyer had no alleged disciplinary history.
60. In *In re Kevin Christof*, SB-06-0110-D (2006), the lawyer was suspended for two years. This case encompassed multiple counts, including the failure of the lawyer to file a Petition for Dissolution when he was instructed to do so by his client, as well as failing to timely file both the Notice of Appearance and an Answer to the opposing party's Petition, which led

to a default being entered against his client. The lawyer also abandoned his client's case, refusing to return telephone calls, mail, or e-mail from the client and the lawyer did no additional work on the client's case. The lawyer also failed to respond to the State Bar's subsequent investigation into his conduct. The Hearing Officer found seven aggravating factors, including a pattern of misconduct, bad faith obstruction of the proceedings, and substantial experience. The Hearing Officer found no mitigating factors, although the lawyer had no alleged disciplinary record.

61. In *In re David Son*, SB-05-0173-D (2006), the lawyer was disbarred and ordered to pay restitution to his clients. The lawyer abandoned seven of his clients, essentially taking retainers and then disappearing without doing any work on their matters or contacting them in any way. The lawyer also would not cooperate with State Bar's investigation, refusing to speak with State Bar employees over the phone and insisting that all contact with him be through his address of record, through which he then failed to respond. The Hearing Officer found three aggravating factors, including a pattern of misconduct and bad-faith obstruction of the proceedings. No mitigating factors were found. No prior discipline was alleged.
62. The facts of the instant case differ slightly from the proportionality cases cited by the State Bar. Respondent at least represented her client through the evidentiary hearing, she simply failed to conclude the matter. Also, there is only one count in this complaint, reflecting only one victim. Unfortunately, Respondent has an extensive history of the same conduct, and has over the years created other victims. Respondent has also been previously sanctioned for the same conduct she is before the disciplinary process at this time.

RECOMMENDATION

63. The State Bar points out that Respondent is already on suspension status for conduct similar if not the same (failure to cooperate). The Bar also points out that Respondent has not seemed to learned from previous sanctions and has yet again created another victim (Ms. Pride). The Bar alternatively suggests either a six-month and a day suspension, a two-year suspension or Disbarment. A case could certainly be made for any of these sanctions. The Hearing Officer concludes that Respondent's repeated violation of the Rules and then ignoring the authority of the Court and the Disciplinary process in attempting to hold her accountable for her violations, evidences a rejection of her responsibilities not only to her client but to her profession as well.
64. Had Respondent not deprived Ms. Pride of the opportunity to recover her attorneys' fees, this Hearing Officer would feel that a longer period of suspension would be the appropriate sanction. However, given the repeated infractions, even after extensive probation services were offered in previous cases, her blatant rejection of all attempts to not only get her side of the story but to get her to respond to the complaint against her, combined with the deprivation of Ms. Pride's recovery of her money, disbarment seems more applicable.
65. *Standard 7.1* provides: Disbarment is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional with the intent to obtain a benefit for the lawyer or another, causes serious or potentially serious injury to a client, the public, or the legal system.

66. Clearly, Respondent violated her duty to her client and as a professional. Because of her repeated refusal to have contact with the Bar, especially given that she is on suspension status, and her previous sanctions, the only conclusion that can be drawn is that she intends to keep the money given to her by Ms. Pride and won't cooperate in giving it back. Respondent could argue that she earned the \$1,000 that she was paid by Ms. Pride and therefore she did not "take" anything. What she took from Ms. Pride was the opportunity to recover both the \$1,000 Ms. Pride paid to Respondent and the \$1,500 she paid to her previous attorney. Because Respondent refused to respond, the Hearing Officer must conclude the worst, that she intended to obtain a benefit from another as there is no other explanation being offered.
67. Respondent's refusal to cooperate with the Bar in its disciplinary function causes serious harm to the legal system. A keystone to self regulation is the cooperation of the attorneys in the process. If an attorney can simply ignore efforts to correct behavior and be answerable to the public and still keep their license to practice law, then the integrity of the whole system is in doubt.
68. Respondent caused serious harm to Ms. Pride and to the legal system and, as previously found, did so knowingly.
69. The Hearing Officer must also conclude that at some point enough is enough. Respondent's conduct clearly falls within *Standard 7.1*. It is not as though Respondent has not been repeatedly given chances to not only correct her conduct but also learn from her mistakes. She clearly has chosen to do neither and it is not fair to either the public or the integrity of the legal system and disciplinary process to continue to pretend that

Respondent values her privilege to practice law, or intends to meet the responsibilities that come with a license to practice law.

70. Therefore, the Hearing Officer recommends the Respondent Sara Jane Odneal be disbarred and ordered to pay \$2500 dollars in Restitution to Candice Pride, plus the costs of these proceedings.

DATED this 16th day of January, 2008.

H. Jeffrey Coker /s/
H. Jeffrey Coker, Hearing Officer 6R

Original filed with the Disciplinary Clerk
this 16th day of January, 2008.

Copy of the foregoing mailed
this 17th day of January, 2008, to:

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Russell J. Anderson
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by: 