

SUPREME COURT OF ARIZONA

FILED
AUG 13 2008
RACHELLE M. MESNICK
CLERK SUPREME COURT
BY

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

) Supreme Court
) No SB-08-0108-D
)

PHILLIP D. HINEMAN, JR.
Bar No. 011887

) Disciplinary Commission
) No 06-0823
)

RESPONDENT

) JUDGMENT AND ORDER
)

This matter having come 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 **PHILLIP D. HINEMAN, JR.**, 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

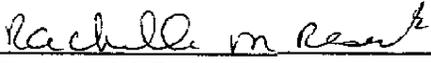
IT IS FURTHER ORDERED that **PHILLIP D. HINEMAN, JR.** shall be placed on probation for a period of one (1) year Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins The terms of probation are as follows

- 1 Respondent shall utilize the services of a practice monitor The practice monitor shall be an attorney and approved by the State Bar of Arizona
- 2 Respondent shall view the continuing legal education program entitled, "The ABC's of Guardianships "
- 3 Respondent shall view the continuing legal education program entitled, "Conservatorships and Probate "
- 4 Respondent shall view the continuing legal education program entitled, "The Basics of Dementia "
- 5 Respondent shall view the continuing legal education program entitled, "The Ten Deadly Sins of Conflict "
- 6 Respondent shall provide to the State Bar within the period of probation certificates of completions for each of the above-mentioned continuing legal education programs or hand written notes taken during the programs
- 7 Respondent shall pay all costs incurred by the State Bar, Disciplinary Clerk and Supreme Court of Arizona during these disciplinary proceedings

8 In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information, bar counsel shall file with the imposing entity a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz R Sup Ct The Hearing Officer shall conduct a hearing within 30-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 any 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 **PHILLIP D. HINEMAN, JR.**, for costs and expenses of these proceedings in the amount of \$853 75, together with interest at the legal rate from the date of this judgment

DATED this 13th day of August, 2008

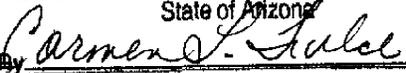


Rachelle M Resnick
Clerk of the Court

TO
Phillip D Hineman, Jr , Respondent (Certified Mail, Return Receipt and Regular Mail)
Kent E Turley, Respondent's Counsel
Jason B Easterday, Bar Counsel
Harlan J Crossman, Hearing Officer 8L
Leticia V D'Amore, Disciplinary Clerk (Cert Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert Copy)
Molly Dwyer, 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

81:11:11:18

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