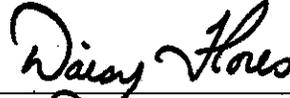


days from the date of the final Judgment and Order.²

1 RESPECTFULLY SUBMITTED this 20th day of March, 2009.

2
3 

4 _____
5 Daisy Flores, Chair
6 Disciplinary Commission

7 Original filed with the Disciplinary Clerk
8 this 20th day of March, 2009.

9 Copy of the foregoing mailed
10 this 20th day of March, 2009, to:

11 Harlan Crossman
12 Hearing Officer 8L
13 3030 North Central Avenue, Suite 801
14 P.O. Box 33064
15 Phoenix, AZ 85067-3064

16 J. Scott Rhodes
17 Respondent's Counsel
18 *Jennings, Strouss & Salmon, P.L.C.*
19 201 E. Washington Street, 11th Floor
20 Phoenix, AZ 85004-2385

21 Mathew McGregor
22 Bar Counsel
23 State Bar of Arizona
24 4201 North 24th Street, Suite 200
25 Phoenix, AZ 85016-6288

26 by: 

/mps

² The Hearing Officer's Report is attached as Exhibit A.

EXHIBIT

A

FILED

FEB 26 2009

HEARING OFFICER OF THE
SUPREME COURT OF ARIZONA
BY AWG

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

No. 08-0488

JAY R. BLOOM,)
Bar No. 016380)

**AMENDED
HEARING OFFICER'S REPORT**

RESPONDENT.)
_____)

PROCEDURAL HISTORY

A Complaint was filed against the Respondent on 9/30/08. Probable cause was found that there was a violation of Rule 42, Ariz.R.Sup.Ct., E.R. 3.4(c), 8.4(d), and Rule 53(c), Ariz.R.Sup.Ct.

FINDINGS OF FACT

1. The Respondent is an attorney who has been licensed to practice in the State of Arizona since 10/21/95.
2. Respondent represented Ms. Denise Navarro, both prior to and subsequent to, the trial in a domestic relations matter involving her husband Guillermo Navarro.
3. The Court issued an Order which awarded Guillermo Navarro a truck as his sole and separate property.
4. The Court further ordered that both parties cooperate to get the vehicles titled in the names of the parties awarded each vehicle.
5. Guillermo Navarro was in possession of the truck. Denise Navarro had the title in her possession.
6. Denise Navarro turned over the title to the truck to the Respondent.
7. Guillermo Navarro requested from the Respondent that the title of the truck be turned over to him pursuant to the court order that both parties were to cooperate with regard to the vehicles.
8. Denise Navarro instructed her attorney, the Respondent, not to turn over the truck title until late child support payments were resolved.

9. Respondent honestly believed that the withholding of the truck title until the past due child support was addressed was within the spirit of cooperation.
10. After repeated attempts to get title by Guillermo Navarro, the Respondent refused to release the title.
11. The Honorable Eddward Ballinger, Jr. specifically ordered the Respondent to turn over the truck title to Guillermo Navarro's attorney, which was done.

CONCLUSIONS OF LAW

1. The Respondent's conduct by virtue of following orders of his client, was a violation of Rule 42, Ariz.R.Sup.Ct., E.R. 3.4(c) and 8.4(d) and Rule 53(c), Ariz.R.Sup.Ct.

STANDARDS

The violation of this case was the duty owed to the court and the administration of Justice. The parties agreed by Stipulation that the Respondent in fact knowingly failed to comply with the court Order.

Aggravating Factors: *Standard 9.22(i)*, the long-term practice of the Respondent.

Mitigating Factors: 1) *Standard 9.32(a)*, No Prior Disciplinary Sanctions; 2) *Standard 9.32(b)*, Absence of Selfish/Dishonest Motive as Respondent was acting in furtherance of his client's objectives; 3) *Standard 9.32(d)*, Immediate Compliance with Subsequent Court Order when told to turn over the title; 4) *Standard 9.32(e)*; Cooperation During Disciplinary Proceedings.

PROPORTIONALITY

This Hearing Officer finds that the case most applicable for a censure is the case of *In re Everett*, Disc. Comm. No. 85-0400 (1986). Based upon the prior disciplinary decisions, as well as the amount of mitigating circumstances compared to the amount of aggravating circumstances and lack of any injury to either party, this Hearing Officer finds that the sanction should be censure under *Standard* 6.23.

SANCTIONS

Based upon this Hearing Officer's opinion, findings as well as the agreements by the parties, this Hearing Officer Finds that: 1) the Respondent shall be censured; 2) the Respondent shall pay all costs and expenses incurred by the State Bar within 30 days of the Supreme Court's filing of Judgment and Order.

DATED this 26th day of February, 2009.

Harlan Crossman / NMC
Harlan J. Crossman
Hearing Officer 8L

Original filed with the Disciplinary Clerk
this 26th day of February, 2009.

Copy of the foregoing mailed
this 27th day of February, 2009, to:

J. Scott Rhodes
Respondent's Counsel
Jennings, Strouss & Salmon P.L.C.
201 E. Washington Street, 11th Floor
Phoenix, AZ 85004-2385

Matthew McGregor
Bar Counsel
State Bar of Arizona
4201 North 24th Street, Suite 200
Phoenix, AZ 85016-6288

by: Evelyn Loza