

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER)	Supreme Court
OF THE STATE BAR OF ARIZONA,)	No. SB-09-0100-D
)	
)	Disciplinary Commission
)	Nos. 07-0302, 07-1663, 08-0478
JOSEPH W. CHARLES,)	
Bar No. 003038)	FILED 10/15/2009
)	
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 or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that **JOSEPH W. CHARLES**, 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 **JOSEPH W. CHARLES** shall be placed on probation for a period of two (2) years. The terms of probation are as follows:

1. Within 30 days of the date of the final Judgment and Order, Respondent shall contact the LOMAP director at (602) 340-7313. The LOMAP director or designee shall develop written "Terms and Conditions of Probation," the terms of which shall be incorporated herein by reference. Respondent shall be responsible for any costs associated with LOMAP.
2. The probation period is effective the date of the final Judgment and Order and will conclude two years from that date.
3. 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.
4. In the event that Respondent fails to comply with any of the foregoing probation terms, and information thereof is received by the State Bar of Arizona, Bar Counsel shall file a Notice of Non-Compliance with the imposing entity, pursuant to Rule 60(a)(5), Ariz.R.Sup.Ct. The imposing entity may refer the matter to a hearing officer to conduct a hearing at the earliest practical date, but in no event later than 30 days after receipt of notice, to determine whether a term of probation has been breached and, if so, to recommend an appropriate sanction. If there is an allegation that Respondent failed to comply with any of the foregoing terms, the State Bar

of Arizona bears the burden of proof to prove noncompliance by a preponderance of the evidence.

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

DATED this _____ day of October, 2009.

Rachelle M. Resnick
Clerk of the Court

TO:

Joseph W. Charles, Respondent
Shauna R. Miller, Senior Bar Counsel
Hon. Jonathan Schwartz, Hearing Officer 6S
Leticia V. D'Amore, Disciplinary Clerk
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona
Molly Dwyer, Clerk, United States Court of Appeals for the Ninth Circuit
Attn: Don Lewis
Richard Weare, Clerk, United States District Court, District of Arizona
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