

SUPREME COURT OF ARIZONA

FILED  
JAN 07 2009  
RACHELLE M. RESNICK  
CLERK SUPREME COURT  
BY

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

Supreme Court )  
No. SB-08-0166-D )

DANIEL INSERRA, )  
Bar No. 017284 )

Disciplinary Commission )  
Nos. 06-1878, 07-0059, 07-0369 )

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 no discretionary or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that DANIEL INSERRA a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of one year, effective thirty days from the date of this judgment and order, for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that DANIEL INSERRA shall be placed on probation for a period of one year upon reinstatement. The probation period shall commence upon the date of the signing of the probation contract by all parties. The terms of probation are as follows:

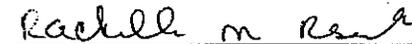
1. Within thirty days of reinstatement, Respondent shall contact the LOMAP director and undergo a LOMAP audit. Respondent thereafter shall enter into a probation contract based on recommendations made by the LOMAP director or designee, and Respondent shall comply with those recommendations.
2. Within thirty days of reinstatement, Respondent shall contact the MAP director and submit to a MAP assessment. Respondent thereafter shall enter into a probation contract based on recommendations made by the MAP director or designee, and Respondent shall comply with those recommendations.
3. 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 Noncompliance 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 practicable date, but in no event later than thirty 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 burden of proof shall be on the State Bar of Arizona to prove noncompliance by clear and convincing evidence.

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 72, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 72(a), which requires that Respondent notify all of his clients, within ten days from the date hereof, of his inability to represent them and that he should promptly inform this Court of his compliance with this Order as provided in Rule 72(e).

IT IS FURTHER ORDERED that Respondent shall comply with all rule provisions regarding reinstatement proceedings.

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

DATED this 7th day of January, 2009.



Rachelle M. Resnick  
Clerk of the Court

TO:

Daniel Inserra, Respondent (Certified Mail, Return Receipt and Regular Mail)

Roberta L. Tepper, Bar Counsel

Honorable H. Jeffrey Coker, Hearing Officer 6R

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)

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