

SUPREME COURT OF ARIZONA

FILED
JUN 01 2009
RACHELLE M. RESNICK
CLERK SUPREME COURT
BY

IN THE MATTER OF A MEMBER)
OF THE STATE BAR OF ARIZONA,)
)
)
)
STEPHEN J. RENARD,)
Bar No. 021991)
)
RESPONDENT.)

Supreme Court
No. SB-09-0042-D

Disciplinary Commission
No. 08-0822

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 **STEPHEN J. RENARD**, 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 **STEPHEN J. RENARD** shall be placed on probation for a period of two (2) years. The terms of probation are as follows:

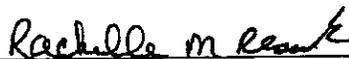
- a) Respondent shall contact the Director of LOMAP within 30 days of the date of the final Judgment and Order. Respondent shall submit to a LOMAP examination of his office procedures, including, but not limited to, compliance with ERs 1.15, 1.16, and Rule 53(c), Ariz.R.Sup.Ct. The Director of LOMAP shall develop "Terms and Conditions of Probation," and those terms shall be incorporated herein by reference. The probation period will begin to run at the time of the Judgment and Order and will continue two years from the date on which Respondent signs the "Terms and Conditions of Probation." Respondent shall be responsible for any costs associated with LOMAP.
- b) Respondent shall attend a one day EEP. Respondent must contact the State Bar's EEP Program Coordinator within 20 days from the date of the Judgment and Order. Respondent shall be responsible for the cost of attending the program.
- c) 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.
- d) In the event that the Director of LOMAP recommends early termination from probation, and Respondent has successfully completed EEP, Bar Counsel shall review the recommendation to ascertain whether early termination of probation is appropriate. If Bar Counsel determines that

early termination of probation is appropriate, Bar Counsel shall file a Notice of Successful Completion of Probation.

- e) 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 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 burden of proof shall be on the State Bar of Arizona to prove noncompliance by clear and convincing evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **STEPHEN J. RENARD** for costs and expenses of these proceedings in the amount of \$762.00, together with interest at the legal rate from the date of this judgment.

DATED this 1st day of June, 2009.



Rachelle M. Resnick
Clerk of the Court

TO:
Stephen J. Renard, Respondent (Certified Mail, Return Receipt and Regular Mail)
Jason B. Easterday, Bar Counsel
Honorable H. Jeffery 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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