

FILED

JUN 30 2009

RACHELLE M. RESNICK
CLERK SUPREME COURT
BY

SUPREME COURT OF ARIZONA

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

CHARLES A. STRUBLE,
Bar No. 009860

RESPONDENT.

) Supreme Court
) No. SB-09-0062-D
)

) Disciplinary Commission
) No. 08-1681
)

) **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,

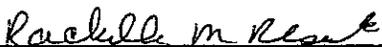
IT IS ORDERED, ADJUDGED AND DECREED that CHARLES A. STRUBLE, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that CHARLES A. STRUBLE shall be placed on probation for a period of one (1) year. The terms of probation are as follows:

1. Respondent shall contact the director of the State Bar's Law Office Management Assistance Program ("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 1.2, 1.3, 1.4, 3.2, 5.1(b),(c)1 and (2), 8.4(a) and (d). The Director of LOMAP shall develop "Terms and Conditions of Probation", and those terms shall be incorporated by reference. The probation period will begin to run at the time of judgment and order and will conclude one year from the date that Respondent has signed the "Terms and Conditions of Probation." Respondent shall be responsible for any costs associated with LOMAP.
2. 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.
3. In the event Respondent fails to comply with the foregoing terms of probation, and the State Bar of Arizona receives information thereof, 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 time, 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 action and response. 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 non-compliance by a preponderance of the evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **CHARLES A. STRUBLE** for costs and expenses of these proceedings in the amount of \$600.00, together with interest at the legal rate from the date of this judgment.

DATED this 30th day of June, 2009.



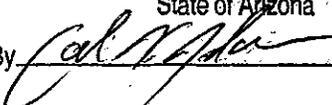
Rachelle M. Resnick
Clerk of the Court

TO:
Charles A. Struble, Respondent (Regular Mail and Certified Mail, Return Receipt)
Harriet M. Bernick, Bar Counsel
H. Jeffrey Coker, Hearing Officer
Leticia V. D'Amore, Disciplinary Clerk (Cert. Copy)
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
chj

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