

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER OF THE STATE BAR OF ARIZONA,)	Supreme Court No. SB-05-0135-D
)	
)	Disciplinary Commission No. 02-2290
NANCY ELIZABETH DEAN,)	
Bar No. 011198)	
)	
RESPONDENT.)	JUDGMENT AND ORDER
)	

This matter having come on for hearing before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision, and this Court having granted the respondent's petition for review and issued an opinion on this date,

IT IS ORDERED, ADJUDGED AND DECREED that **NANCY ELIZABETH DEAN**, a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of six months, retroactive to September 27, 2004, for conduct in violation of her duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report and in this Court's opinion.

IT IS FURTHER ORDERED that **NANCY ELIZABETH DEAN** shall be placed on probation for a period of two (2) years upon reinstatement and effective upon the signing of the probation contract. Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins. The terms of probation are as follows:

- 1) Respondent shall meet with the Director of the State Bar's Member Assistance Program (MAP), who will conduct an assessment. Respondent thereafter shall enter into a MAP contract based upon recommendations made by the Director of MAP.

- 2) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information, Bar Counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz. R. S. Ct. The Hearing Officer shall conduct a hearing within thirty (30) days after receipt of said notice, to determine whether the terms of probation have been violated and if an additional

sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance 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 her clients, within ten (10) days from the date hereof, of her inability to represent them and that she should promptly inform this Court of her 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 discipline proceedings as provided in Rule 60(b).

DATED this day of _____, 2006.

RUTH V. MCGREGOR
Chief Justice

TO:

Nancy Elizabeth Dean, Respondent (Certified Mail, Return Receipt and Regular Mail)
J. Scott Rhodes, Respondent's Counsel
Loren J. Braud, Senior Bar Counsel
John Pressley Todd, Hearing Officer
Patricia Seguin, Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)
Perry Thompson, Director of Admissions, Supreme Court of the United States (Cert. Copy)
Cathy Catterson, 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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