

1. Preparing any document in any medium intended to affect or secure legal rights for a specific person or entity;
2. Preparing any document through any medium for filing in any court, administrative agency, or tribunal for a specific person or entity;

Advertising

3. Using or permitting or encouraging the use of the designations "lawyer," "attorney at law," "counselor at law," "law," "law office," "J.D.," "Esq.," or other equivalent words, initials, or designations, by any person or entity who is not authorized to practice law in this state pursuant to Rule 31 paragraphs (b) or (c) or specially admitted to practice pursuant to Rule 33(d), the use of which is reasonably likely to induce others to believe that the person or entity is authorized to engage in the practice of law in this state;
4. Using the terms "legal assistants," "legal document assistants," "legal document preparers," "paralegals," or phrases of similar import;
5. Using the terms or phrases in its advertisements, solicitations, representations, and displays, regardless of the medium, as used in connection with the promotion of Richard Berry or any entity including, but not limited to, Why Pay A Lawyer?;
6. Advertising in any way that represents Respondent is a provider of "legal services";

Legal Advice/Opinions

7. Preparing or expressing legal opinions;
8. Providing oral or written legal or guidance, including, without limitation, providing advice or explanations regarding laws, rules, regulations and practices affecting the legal rights of consumers under such laws, regulations and practices, or otherwise providing guidance to consumers about the logistics of proceeding with or without the advice or assistance of a lawyer;

Representation

9. Representing another in a judicial, quasi-judicial, or administrative proceeding, or other formal dispute resolution process such as arbitration or mediation;
10. Representing a corporation in any judicial, quasi-judicial or administrative proceeding;
11. Engaging in the practice of law through the use of a power of attorney or by representation of consumers by assignment;
12. Negotiating legal rights or responsibilities for any specific person or entity.

FURTHER ORDERED that upon entry and service of this Order, Respondent, with regard to all customers of Why Pay A Lawyer? and any other entity through which Respondent prepares legal documents, provides legal advice, or in any other way engages in the practice of law, shall:

A. Notify existing customers of Why Pay A Lawyer?, opposing counsel, or opposing parties, if not represented by counsel, of the contents of this Order;

B. Return to all existing customers of Why Pay A Lawyer?, or

any other entity through which Respondent engages in the practice of law, any documents or other property to which the customers are entitled, including their files; and

C. Cease use of any reference to titles or descriptions prohibited in this Order on all advertising, business cards, and letterhead.

FURTHER ORDERED that Respondent shall pay restitution directly to the following individuals in the amounts indicated:

Mr. Joseph Glover	\$1,600.00
Mr. John Lee	\$1,500.00
Mr. Wes Melton	\$1,700.00
Mr. Bruce Robinson	\$621.00

FURTHER ORDERED that Respondent shall provide proof to the Disciplinary Clerk of his initial compliance with this Order within thirty (30) days of the entry of this Order, for assignment by the Disciplinary Clerk to a Hearing Officer for such proceedings as are necessary to determine compliance. Failure to comply with this Order may result in Respondent being found in civil or criminal contempt.

FURTHER ORDERED that Respondent shall be assessed the costs and expenses of these proceedings, payable to the State Bar of Arizona.

FURTHER ORDERED that Respondent shall remain subject to the jurisdiction of this Court with respect to unauthorized practice of law matters.

DATED this _____ day of May, 2006.

Ruth V. McGregor
Chief Justice

TO:
Richard S Berry (Certified Mail, Return Receipt and Regular Mail)
Robert B Van Wyck, Chief Counsel, State Bar of Arizona

Yvette C Gray, State Bar of Arizona
Richard N Goldsmith, Lewis and Roca LLP
Lauren Eiler, Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Records Manager, State Bar of Arizona (Cert. Copy)
Perry Thompson, Director, United States Supreme Court (Cert. Copy)
Cathy A Catterson, Clerk, United States Court of Appeals for
Ninth Circuit (Cert. Copy)
Richard H Weare, Clerk, United States District Court for the
District of Arizona (Cert. Copy)
Jode Ottman, West Publishing Company
Lexis-Nexis

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