

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER OF THE STATE BAR OF ARIZONA,)	Supreme Court No. SB-07-0201-D
)	
)	Disciplinary Commission
)	Nos. 05-1600, 06-0163
RORY L. WHIPPLE,)	
Bar No. 014093)	
)	
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, there having been no discretionary review and *sua sponte* review having been declined by the Court,

IT IS ORDERED, ADJUDGED AND DECREED that **RORY L. WHIPPLE**, a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of thirty days, 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 **RORY L. WHIPPLE** shall continue with probation until December 31, 2009 under the following additional terms and conditions:

- 1) Within thirty days of reinstatement, Respondent shall contact the LOMAP director regarding continued probation as previously ordered in File No. 05-0809. Respondent shall comply with any recommendations made by the LOMAP director to the existing probation contract. Respondent shall also obtain a qualified practice monitor approved by bar counsel and LOMAP director.
- 2) Within thirty days of reinstatement, Respondent shall contact the MAP director and enter into a formal therapeutic contract which will incorporate the MAP director's recommendations.
- 3) Respondent shall pay all costs incurred in these disciplinary proceedings including those incurred by LOMAP, MAP, and the Disciplinary Clerk.

- 4) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information to that effect, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz.R.Sup.Ct. The Hearing Officer shall conduct a hearing within thirty 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 his clients, within ten (10) 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 _____ day of _____, 2008.

RACHELLE M. RESNICK
Clerk of Court

TO:

Rory L. Whipple, Respondent (Certified Mail, Return Receipt and Regular Mail)
Edward W. Parker, Bar Counsel
Frederick K. Steiner, Jr., Hearing Officer 8T
Nancy Swetnam, Acting Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (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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