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DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA

**BEFORE THE DISCIPLINARY COMMISSION
OF THE SUPREME COURT OF ARIZONA**

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IN THE MATTER OF A MEMBER)	No. 03-0049
OF THE STATE BAR OF ARIZONA,)	
)	
ROBERT E. FEE,)	
Bar No. 007065)	DISCIPLINARY COMMISSION
)	REPORT
RESPONDENT.)	
_____)	

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on October 15, 2005, pursuant to Rule 58, Ariz. R. S. Ct., for consideration of the Amended Hearing Officer's Report filed July 19, 2005 recommending acceptance of the Tender of Admissions and Agreement for Discipline by Consent (Tender) and Joint Memorandum in Support of Agreement for Discipline by Consent (Joint Memorandum) providing for a censure, six months of probation effective from the date of the final judgment and order with the State Bar's Ethics Enhancement Program (EEP), restitution, and costs of these disciplinary proceedings.

Decision

The nine members of the Disciplinary Commission unanimously recommend accepting and adopting the Hearing Officer's findings of fact, conclusions of law, and recommendation for a censure, six months of probation effective from the date of the final judgment and order (EEP), restitution, and costs of these disciplinary proceedings.¹

Restitution and the terms of Probation are as follows:

¹ The Hearing Officer's Report is attached as Exhibit A.

1 Restitution in the amount of \$630.00 shall be paid to United HR, Inc. within 30 days
2 of the Court's final judgment and order.

3 **Terms of Probation**

4 1. Respondent shall complete EEP within the six month probation period.

5 2. In the event that Respondent fails to comply with any of the foregoing
6 conditions, and the State Bar receives information, bar counsel shall file with the Hearing
7 Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz. R. S. Ct. The Hearing
8 Officer shall conduct a hearing within thirty days after receipt of said notice, to determine
9 whether the terms of probation have been violated and if an additional sanction should be
10 imposed. In the event there is an allegation that any of these terms have been violated, the
11 burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and
12 convincing evidence.

13
14 RESPECTFULLY SUBMITTED this 14th day of November, 2005.

15
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17 _____
18 Cynthia L. Choate, Chair
Disciplinary Commission

19 Original filed with the Disciplinary Clerk
20 this 14th day of November, 2005.

21 Copy of the foregoing mailed
22 this 14th day of November, 2005, to:

23 Bruce G. Macdonald
24 Hearing Officer 6M
25 *McNamara, Goldsmith, Jackson & Macdonald*
26 1670 East River Road, Suite 200
Tucson, AZ 85718

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by: Ke Weigand

/mps