

FILED

OCT - 5 2005

DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA

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

IN THE MATTER OF A MEMBER)
OF THE STATE BAR OF ARIZONA,)
)
JOHNATHAN J. OLCOTT,)
Bar No. 014859)
)
RESPONDENT.)

No. 04-0036

**DISCIPLINARY COMMISSION
REPORT**

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on September 10, 2005, pursuant to Rule 58, Ariz. R. S. Ct., for consideration of the Hearing Officer's Report filed June 21, 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 with the State Bar's Trust Account Ethics Enhancement Program (TAEHP) effective upon the signing of the probation contract, and costs of these disciplinary proceedings.

Decision

The eight¹ members of the Disciplinary Commission by a majority of seven² recommend accepting and adopting the Hearing Officer's findings of fact, conclusions of law, and recommendation for censure, six months of probation (TAEHP) effective upon the signing of the probation contract, and costs of these disciplinary proceedings.³ The terms of Probation are as follows:

¹Commissioners Choate, Gutierrez and Nelson did not participate in these proceedings. Former Commissioners Jack L. Potts, M.D. and Maria Hoffman, participated as public ad hoc members.

² Ad hoc member Hoffman was opposed.

³ The Hearing Officer's Report is attached as Exhibit A.

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/mps