

FILED
SEP 21 2005
DISCIPLINARY COMMISSION OF THE
SUPREME COURT OF ARIZONA
BY *[Signature]*

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

IN THE MATTER OF A MEMBER)
OF THE STATE BAR OF ARIZONA,)
)
JOSEPH P. ROCCO,)
Bar No. 009284)
)
RESPONDENT.)
_____)

No. 03-0109

**ORDER OF INFORMAL REPRIMAND
AND PROBATION**

The Disciplinary Commission, having filed a Report in the above-captioned matter,

IT IS ORDERED: Respondent, **JOSEPH P. ROCCO**, is hereby reprimanded for conduct in violation of the Rules of Professional Conduct, Rule 42, Ariz. R. S. Ct., specifically, ERs 1.4, 1.15(a), (b), and (c) and SCRs 43 and 44.

IT IS FURTHER ORDERED: Pursuant to Rule 60(a)5, Ariz. R. S. Ct., Respondent is hereby placed on one year of probation effective upon the signing of the probation contract with the State Bar's Law Office Management Assistance Program (LOMAP), the State Bar's Trust Account Program (TAP), the State Bar's Trust Account Ethics Enhancement Program (TAEEP). Bar counsel shall notify the Disciplinary Clerk of the date probation begins. The terms of probation are as follows:

Terms of Probation

1. Respondent shall contact LOMAP and schedule an audit. Thereafter, Respondent shall comply with any recommendations made by the LOMAP director or designee.
2. Respondent shall participate in TAP.
3. Respondent shall complete TAEEP within the one year period of probation and pay all required fees.

4. 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 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: Pursuant to Rule 60(a)4, Ariz. R. S. Ct., this order shall be entered in the Respondent's permanent record and, pursuant to Rule 70, is not confidential. It may also be considered by a hearing officer, the Disciplinary Commission, or the Supreme Court in recommending or imposing discipline in a subsequent disciplinary proceeding against Respondent, pursuant to Rule 48(k)3, Ariz. R. S. Ct.

DATED this 21st day of September, 2005.



Cynthia L. Shoate, Chair
Disciplinary Commission

Original filed with the Disciplinary Clerk
this 21st day of September, 2005, to:

Copy of the foregoing, mailed
this 21st day of September, 2005, to:

Honorable Edward C. Rapp
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by: K. Weigand

/mps