

In the Matter of Andrea Mouser, Bar No. 023967, PDJ-2011-9094 filed January 9, 2011. Attorney Reprimanded, Two Years of Probation (LOMAP, MAP, TAEPP, Fee Arbitration) and Costs imposed.

In Count One, Respondent represented a client in a family law matter regarding the filing of a petition for visitation of a minor child. Respondent accepted \$3,000 and then failed to act diligently and to communicate with her client. Thereafter, Respondent concluded she could not file the petition and withdrew. A subsequent attorney accepted the case and filed the petition. Respondent further failed to provide original trust account records upon request.

In Count Two, Respondent met with a potential client regarding an expedited motion for a temporary order in a dissolution matter. The potential client did not hire Respondent, who later filed a notice of appearance to represent the potential client's husband. Thereafter, opposing counsel filed a motion to disqualify Respondent because of a conflict of interest. Respondent appeared at hearing and notified the court that she would withdraw from the representation. Respondent then failed to timely pay the court ordered attorneys fees.

Aggravating factors: pattern of misconduct, multiple offenses, failure to comply with the State Bar, illegal conduct involving use of controlled substance.

Mitigating factors: absence of prior discipline, personal or emotional issues, chemical dependency, inexperience in the practice of law, imposition of other penalties and remorse.

Respondent violated Rule 42, Ariz. R. Sup. Ct., specifically ERs 1.3, 1.4, 1.5, 1.9, 1.15, 1.16, and 8.4 (d), and Rule 43, Ariz. R. Sup. Ct.