

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER)
OF THE STATE BAR OF ARIZONA,)
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)
ROBERT M. COOK,)
Bar No. 002628)
)
)
)
RESPONDENT.)
)
)

Supreme Court
No. SB-10-0085-D

Disciplinary Commission
Nos. 08-1815, 09-0240, 09-0366,
09-0562, 09-0293, 09-1020

**JUDGMENT AND ORDER
FILED 08/11/2010**

This matter having come before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision, and there having been no discretionary or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that **ROBERT M. COOK**, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **ROBERT M. COOK** shall be placed on probation for a period of two (2) years. The terms of probation are as follows:

1. Participation in LOMAP on terms the LOMAP director deems appropriate but at a minimum to address conduct implicating ERs 1.1-1.5 and 5.3.
2. Participation in MAP on terms the MAP director deems appropriate but at a minimum to require a Member Assistance Committee monitor regarding professionalism in relationships with clients;
3. Attendance at CLE programs in the following areas:
 - a. electronic filing (preferably in Federal court), at least 3 hours;
 - b. civil procedure (program[s] must emphasize or at least include pleading and motion practice), at least 6 hours;
 - c. bankruptcy, at least 6 hours;
 - d. attendance at or viewing a video of the State Bar's CLE program entitled "Ten Deadly Sins of Conflict";
 - e. civil appeals (at least 6 hours); and
 - f. persuasive/effective legal writing (at least 6 hours).

The foregoing CLE hours may be included in, and need not be in addition to, Respondent's annual CLE requirement.

4. Respondent shall refrain from engaging in any conduct that would violate the Rules of Professional Conduct or other rules of the Supreme Court of Arizona.
5. In the event that Respondent fails to comply with any of the foregoing probation terms, and information thereof is received by the State Bar of Arizona, Bar Counsel shall file a Notice of Noncompliance with the imposing entity, pursuant to Rule 60(a)(5), Ariz. R. Sup. Ct. The imposing entity may refer the matter to a hearing officer to conduct a hearing at the earliest practicable date, but in no event later than thirty (30) days after receipt of notice, to determine whether a term of probation has been breached and, if so, to recommend an appropriate sanction. If there is an allegation that Respondent failed to comply with any of the foregoing terms, the burden of proof shall be on the State Bar of Arizona to prove noncompliance by a preponderance of the evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **ROBERT M. COOK** for costs and expenses of these proceedings in the amount of \$7,220.11, together with interest at the legal rate from the date of this judgment.

DATED this _____ day of August, 2010.

Suzanne D. Bunnin
Chief Deputy Clerk

TO:

Robert M. Cook Respondent
Robert Van Wyck, Respondent's Counsel
David L. Sandweiss, Bar Counsel
Hon. Jonathan H. Schwartz, Hearing Officer 6S
Leticia V. D'Amore, Disciplinary Clerk
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona
Molly Dwyer, Clerk, United States Court of Appeals for the Ninth Circuit
Attn: Don Lewis
Richard Weare, Clerk, United States District Court, District of Arizona
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