

BEFORE THE PRESIDING DISCIPLINARY JUDGE

**IN THE MATTER OF A MEMBER
OF THE STATE BAR OF
ARIZONA**

**JASON B. CASTLE
Bar No. 022383,

Respondent.**

PDJ 2026-9032

**FINAL JUDGMENT AND
ORDER**

[State Bar No. 26-0068]

FILED JUNE 1, 2026

The Presiding Disciplinary Judge having accepted the parties' Agreement for Discipline by Consent ("Agreement") submitted pursuant to Rule 57(a), Ariz. R. Sup. Ct.,

IT IS ORDERED that **JASON B. CASTLE, Bar No. 022383**, is Suspended for a period of ninety (90) days effective immediately for his conduct in violation of the Arizona Rules of Professional Conduct and Rules of the Supreme Court of Arizona.

IT IS FURTHER ORDERED that pursuant to Rule 57(a)(5)(B), Respondent shall immediately comply with the requirements of Rule 72, Ariz. R. Sup. Ct., relating to notification of clients and others.

IT IS FURTHER ORDERED that Respondent Castle shall pay the costs and expenses of the State Bar of Arizona in the amount of \$1,200.00 within 30 days. There are no costs or expenses incurred by the Office of the Presiding Disciplinary Judge in these proceedings.

DATED this 1st day of June, 2026.

Lisa A. VandenBerg
Hon. Lisa A. VandenBerg
Presiding Disciplinary Judge

Copy of the foregoing emailed
this 1st day of June, 2026, to:

Stacy Shuman
LRO@staff.azbar.org

Jill Ann Herman
jillann.herman@aprio.com
Respondent's Counsel

by: CLopez

BEFORE THE PRESIDING DISCIPLINARY JUDGE

**IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA**

JASON B. CASTLE
Bar No. 022383,

Respondent.

PDJ 2026-9032

**ORDER ACCEPTING
AGREEMENT FOR
DISCIPLINE BY CONSENT**

[State Bar No. 26-0068]

FILED JUNE 1, 2026

On May 28, 2026, the parties filed an Agreement for Discipline by Consent (“Agreement”) pursuant to Rule 57(a), Arizona Rules of Supreme Court (“Ariz. R. Sup. Ct.”). The State Bar of Arizona is represented by Staff Bar Counsel Stacy Shuman. Respondent Jason B. Castle is represented by counsel Jill Ann Herman. The Agreement seeks to address State Bar No. 26-0068. The Attorney Discipline Probable Cause Committee (“ADPCC”) entered an order of probable cause on May 27, 2026. No formal complaint has been filed in this matter.

Contingent upon approval of the proposed form of discipline, Respondent voluntarily waives his right to an adjudicatory hearing, as well as all motions, defenses, objections, or requests that could be asserted.

Pursuant to Rule 53(c)(3), Ariz. R. Sup. Ct., the State Bar provided Notice of the Agreement and an opportunity to file a written objection to the Complainant by email on May 7, 2026. The Presiding Disciplinary Judge (“PDJ”) was not provided with any objection.

The Agreement details a factual basis in support of Respondent Castle’s conditional admissions and is incorporated by reference.¹ Jason B. Castle conditionally admits his conduct violated Ariz. R. Sup. Ct., Rule 42, specifically ER 1.7 (conflict of interest: current clients), ER 1.8(j) (sexual relations with a client), and Rule 41(b)(7) (engaging in unprofessional conduct) of the Arizona Rules of Professional Conduct. As a sanction, the parties agree to Suspension for a period of ninety (90) days. Respondent also agrees to pay the costs and expenses of the disciplinary proceeding.

There are no conditional dismissals, and restitution is not an issue in this matter.

Generally speaking, the ethical issue arose during Mr. Castle’s representation of a client in her divorce proceedings. At the time the client-

¹ See Rule 57(a), Ariz. R. Sup. Ct.

lawyer relationship commenced, Mr. Castle and his client did not have a sexual relationship with each other. During the representation Mr. Castle and the client had sexual relations. Respondent Castle acknowledges that the client was “in a vulnerable state” when the relations occurred. Mr. Castle continued representing the client thereby “compounding his ethical violation” even after identifying the personal interest conflict that was created.

Sanctions imposed against lawyers “shall be determined in accordance with the American Bar Association’s *Standards for Imposing Lawyer Sanctions*” (“ABA Standards”). Rule 58(k), Ariz. R. Sup. Ct. In determining an appropriate sanction, the PDJ considers: the duties violated, the lawyer’s mental state, the actual or potential injury caused by the misconduct, and the existence of aggravating and mitigating factors. *ABA Standard 3.0*.

Mr. Castle agrees that he “knowingly” had sexual relations with a vulnerable client and continued to represent said client despite the personal conflict that was created as a result. Mr. Castle violated his duty to the

client and the profession. Mr. Castle agrees his conduct resulted in actual harm to the client and the profession.

The Agreement relies on ABA *Standards* 4.32 (*Failure to Avoid Conflicts of Interest*), and 7.2 (*Violation of Other Duties Owed as a Professional*) as the appropriate *Standards* given the facts and circumstances of this matter. The presumptive sanction is Suspension.

Standard 4.32 provides,

Suspension is generally appropriate when a lawyer knows of a conflict of interest and does not fully disclose to a client the possible effect of that conflict, and causes injury or potential injury to a client.

Standard 7.2 provides,

Suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system.

The Agreement recites four aggravating factors: 9.22(a) prior disciplinary offenses;² 9.22(b) dishonest or selfish motive; 9.22(h)

² Respondent Castle was given a Reprimand with probation for violating Rule 42, ER 1.7(a)(2) and (b)(1).

vulnerability of victim; and 9.22(i) substantial experience in the practice of law.³

The Agreement identifies four mitigating factors: 9.32(c) personal or emotional problems⁴; 9.32(e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings; 9.32(g) character or reputation⁵; and 9.32(l) remorse⁶.

The PDJ understands, the “Court has long held that ‘the objective of disciplinary proceedings is to protect the public, the profession and the administration of justice and not to punish the offender.’ ” *In re Peasley*, 208 Ariz. 27, 38, ¶ 48 (2004) (internal citations omitted); *see also Scholl*, 200 Ariz. 222, 227, ¶ 29 (“The purpose of professional discipline is twofold: (1) to protect the public, the legal profession, and the justice system, and (2) to deter others from engaging in misconduct.”). Initially the PDJ had concerns about the similarity in Mr. Castle’s conduct and the conflict of interest,

³ Respondent Castle was licensed to practice law in Arizona on October 24, 2003.

⁴ Notice of Filing Under Seal Respondent’s Statement in Support of 9.32 (c) Mitigation, filed May 28, 2026, that contained two letters from providers.

⁵ Additional documentation was not provided to support the statement listed in the Agreement.

⁶ As discussed *infra*, it is unclear to the PDJ as to the reliability of this stipulation given the nature of the previous discipline and the stipulation of remorse stated in that previous agreement for discipline by consent.

between the instant case and that involved in Mr. Castle's previous discipline. The PDJ finds the information in both agreements for discipline by consent provides the same language regarding the mitigation factor of remorse. Particularly given the nature of some of the conduct and the stipulated violations involving ER 1.7 in both discipline matters, the PDJ does not find this information to demonstrate a compelling mitigation factor in the instant case. In disciplinary proceedings, "Remorse" is an identified mitigating factor under the *ABA Standards*, however, as discussed in *In re Augenstein*, 178 Ariz. 133, 137 (1994),

""[t]hose seeking [r]elief based upon remorse must present a showing of more than having said they are sorry... . [T]he best evidence of genuine remorse is affirmative and, if necessary, creative efforts to make the injured [w]hole.' For this reason, we think that respondent's late apology, standing alone, is insufficient to support a finding of remorse."

However, the PDJ does find that the stipulated sanction is in keeping with the general principles of progressive sanctioning. As well, the PDJ considers the lengthy period between this matter and Mr. Castle's previous discipline, along with the timing and nature of the treatment described in

the sealed mitigation persuasive with regard to the protection to the public that is required.⁷

For these reasons, after reviewing the matters presented, the PDJ concludes that the Agreement achieves appropriate protections to the public and the other recognized purposes of the lawyer discipline process.

IT IS ORDERED accepting the Agreement for Discipline by Consent.

A final judgment and order is separately filed this date.

DATED this 1st day of June, 2026.

Lisa A. VandenBerg
Hon. Lisa A. VandenBerg
Presiding Disciplinary Judge

Copy of the foregoing e-mailed
this 1st day of June, 2026 to:

Stacy Shuman
LRO@staff.azbar.org

Jill Ann Herman
jillann.herman@aprio.com
Respondent's Counsel

by: CLopez

⁷ The PDJ inferred from the providers' letters that Mr. Castle is committed to obtaining great insight into how to establish appropriate boundaries with clients to proactively prevent these types of personal conflicts of interest.

05-28-2026

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Respondent's Counsel

BEFORE THE PRESIDING DISCIPLINARY JUDGE

**IN THE MATTER OF A MEMBER
OF
THE STATE BAR OF ARIZONA,**

**JASON B. CASTLE
Bar No. 022383**

Respondent.

PDJ 2026-9032

**AGREEMENT FOR DISCIPLINE
BY CONSENT**

[State Bar File No. **26-0068**]

The State Bar of Arizona, and Respondent Jason B. Castle who is represented in this matter by counsel, Jill Ann Herman, hereby submit their Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct. A Probable Cause Order was entered in this matter on May 27, 2026. Respondent voluntarily waives the right to an adjudicatory hearing, unless otherwise ordered, and waives all motions, defenses, objections, or requests which have been made or raised, or could

be asserted thereafter, if the conditional admission and proposed form of discipline is approved.

Pursuant to Rule 53(c)(3), Ariz. R. Sup. Ct., notice of this agreement was provided to the complainant by email on May 7, 2026. Complainant has been notified of the opportunity to file a written objection to the agreement with the State Bar within five (5) business days of bar counsel's notice. The State Bar has not received an objection from Complainant.

Respondent conditionally admits that his conduct, as set forth below, violated Rule 42, ER 1.7, ER 1.8(j) and Rule 41(b)(7). Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline: a **ninety (90) day Suspension.**

Respondent also agrees to pay the costs and expenses of the disciplinary proceeding, within 30 days of the date of this order. If costs are not paid within 30 days, interest will begin to accrue at the legal rate.¹ The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit A.

¹ Respondent understands that the costs and expenses of the disciplinary proceeding include the costs and expenses of the State Bar of Arizona, the Disciplinary Clerk, the Probable Cause Committee, the Presiding Disciplinary Judge and the Supreme Court of Arizona.

FACTS

GENERAL ALLEGATIONS

1. Respondent was licensed to practice law in Arizona on October 24, 2003.

COUNT ONE (File no. 26-0068/SULLIVAN)

2. In November 2023, Respondent was retained to represent Teresa S. (the “Client”) in a dissolution of marriage action with child(ren) in the Maricopa County Superior Court.

3. At the time that the client-lawyer relationship commenced, Respondent and the Client did not have a consensual sexual relationship with each other.

4. On November 10, 2024, following a medical crisis with the Client’s minor child, the Client texted Respondent and asked him to come over to her home. He arrived around 8PM. The Client poured them each a glass of Tequila. According to the Client, Respondent “comforted me while I cried my eyes out until no more tears could stream from my eyes.”

5. Respondent acknowledges that the Client was “in a vulnerable state” that evening and that after they drank tequila, they had sexual relations. According to the Client, Respondent left her house around 9-9:30PM.

6. Sometime thereafter, Respondent asked the Client if she wanted him to be her attorney or to have a personal relationship with him because he could not do

both. The Client states that she decided that Respondent would continue to represent her because she could not afford to start over with a new attorney; she did not have more money and already owed Respondent money; believed that it would “create too much anxiety” for her if Respondent withdrew; and they were “already preparing to go to trial and to compile all this paperwork would be overwhelming” for her.

7. While Respondent states that this was the only time that he had sexual relations with the Client, she maintains that it occurred again on November 27, 2024, at her house after they met in public for drinks.

8. Respondent admits that he continued to represent the Client thereby “compounding his ethical violation.”

9. On December 1, 2024, Respondent and the Client met for breakfast after she went on a hike. Following trial, on May 23, 2025, Respondent filed a Rule 83 Motion to Alter or Amend the Judgment, which was denied. Thereafter, following the Court’s issuance of its final decree, Client and Respondent discussed her options moving forward.

10. On July 2, 2025, Respondent filed a Motion for Leave to Withdraw with the Client’s consent. The Court granted the Motion to Withdraw on August 12, 2025.

11. On November 14, 2025, Respondent and the Client met for lunch to discuss launching her new business. According to the Client, that was the last time she met with Respondent.

CONDITIONAL ADMISSIONS

Respondent's admissions are being tendered in exchange for the form of discipline stated below and are submitted freely and voluntarily and not as a result of coercion or intimidation. Respondent conditionally admits that he violated Rule 42, Ariz. R. Sup. Ct., specifically ER 1.7 and ER 1.8(j), and Rule 41(b)(7).

CONDITIONAL DISMISSALS

There are no conditional dismissals.

RESTITUTION

Restitution is not an issue in this matter.

SANCTION

Respondent and the State Bar of Arizona agree that based on the facts and circumstances of this matter, as set forth above, the following sanctions are appropriate: **90-day Suspension**. Respondent requests that the suspension begin on or after May 29, 2026. If Respondent violates any of the terms of this agreement, the State Bar may bring further discipline proceedings.

LEGAL GROUNDS IN SUPPORT OF SANCTION

In determining an appropriate sanction, the parties consulted the American Bar Association's *Standards for Imposing Lawyer Sanctions (Standards)* pursuant to Rule 57(a)(2)(E). The *Standards* are designed to promote consistency in the imposition of sanctions by identifying relevant factors that courts should consider and then applying those factors to situations where lawyers have engaged in various types of misconduct. *Standard 1.3, In re Pappas*, 159 Ariz. 516, 768 P.2d 1161 (1988). The *Standards* provide guidance with respect to an appropriate sanction in this matter.

In determining an appropriate sanction, the Court considers the duty violated, the lawyer's mental state, the actual or potential injury caused by the misconduct and the existence of aggravating and mitigating factors. *Standard 3.0*.

The parties agree that the following *Standards* are applicable under the facts herein. Respondent had sexual relations with a vulnerable client and continued to represent her despite having identified the personal interest conflict that was created as a result. Respondent and the Client did not have a consensual sexual relationship when the client-lawyer relationship commenced.

Standard 4.32, which provides that Suspension is generally appropriate when a lawyer knows of a conflict of interest and does not fully disclose to a client the possible effect of that conflict and causes injury or potential injury to a client.

Standard 7.2, which provides that Suspension is generally appropriate when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional, and causes injury or potential injury to a client, the public, or the legal system.

The duty violated

Respondent's conduct violated his duty to the Client and the profession.

The lawyer's mental state

Respondent knowingly had sexual relations with a vulnerable client and continued to represent her despite the personal interest conflict that was created as a result, in violation of the Rules of Professional Conduct.

The extent of the actual or potential injury

There was actual harm to the client and the profession.

Aggravating and mitigating circumstances

The presumptive sanction is **Suspension**. The parties conditionally agree that the following aggravating and mitigating factors should be considered:

In aggravation:

- a) 9.22(a) prior disciplinary offenses. In PDJ 2018-9075, Respondent was given a Reprimand with probation for violating Rule 42, ER 1.7(a)(2) and (b)(1). Respondent represented a client in a dissolution case. He developed a personal friendship with the client. Respondent responded to communications

with the client at various hours of the day/night via his personal cellphone and via Facebook. He also socialized with the client in public on at least four occasions. While the client expressed an interest in dating Respondent, he told the client that he could not date her and continue to represent her in her dissolution matter. When approached by Respondent's firm about her failure to pay on her account, the client alleged that she had a sexual relationship with Respondent, which he vehemently denied.

- b) 9.22(b) dishonest or selfish motive. Respondent wanted to have sexual relations with the Client, with whom he did not have a consensual sexual relationship when the client-attorney relationship commenced.
- c) 9.22(h) vulnerability of victim. Respondent admits that the Client was in a vulnerable state when he had sexual relations with her.
- d) 9.22(i) substantial experience in the practice of law. Respondent was admitted to practice law in Arizona on October 24, 2003.

In mitigation:

- a) 9.32(c) personal or emotional problems. Copies of Respondent's statement in support of this mitigation factor and two letters from his therapists are being filed contemporaneously herewith under seal.

- b) 9.32(e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings. Respondent has admitted to the conduct and his violation of the ethical rules identified herein.
- c) 9.32(g) character or reputation. Respondent has a solid reputation within the legal community where he has participated with the Maricopa County Bar Association as a past Chair of the Family Law Section, he is a past president of the AZ AFCC (Arizona Chapter for the Association of Family and Conciliation Courts), and has otherwise maintained a practice consistent with the ethical obligations of the profession throughout his career, with the exception of the prior reprimand.
- d) 9.32(l) remorse. Respondent states that he is genuinely remorseful for his actions; recognizes his error in judgment; and accepts full responsibility for his conduct, without excuse or justification.

Discussion

The parties conditionally agree that upon application of the aggravating and mitigating factors the presumptive sanction is appropriate.

The parties conditionally agree that a greater or lesser sanction is not appropriate.

Based on the *Standards* and in light of the facts and circumstances of this matter, the parties conditionally agree that the sanction set forth above is within the appropriate range of sanctions and will serve the purposes of lawyer discipline.

CONCLUSION

The object of lawyer discipline is not to punish the lawyer, but to protect the public, the profession, and the administration of justice. In re *Peasley*, 208 Ariz. 27 (2004). Recognizing that determination of the appropriate sanction is the prerogative of the Presiding Disciplinary Judge, the State Bar and Respondent believe that the objectives of discipline will be met by the imposition of the proposed sanction of Suspension and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit B.

DATED this __28th__ day of May 2026

STATE BAR OF ARIZONA

/s/Stacy L. Shuman
Stacy L. Shuman
Staff Bar Counsel

This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation. I acknowledge my duty under the Rules of the Supreme Court with respect to discipline and reinstatement. I understand these duties may include notification of clients, return of property and other rules pertaining to suspension.

DATED this _____ day of May, 2026.

Jason B. Castle
Respondent

DATED this _____ day of May, 2026.

Aprio Legal

Jill Ann Herman
Counsel for Respondent

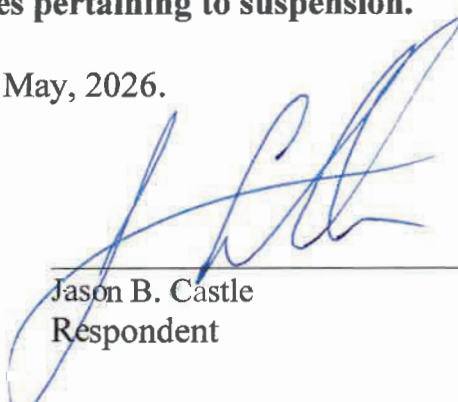
Approved as to form and content



Maret Vessella
Chief Bar Counsel

This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation. I acknowledge my duty under the Rules of the Supreme Court with respect to discipline and reinstatement. I understand these duties may include notification of clients, return of property and other rules pertaining to suspension.

DATED this 28th day of May, 2026.



Jason B. Castle
Respondent

DATED this 28th day of May, 2026.

Aprio Legal

/s/Jill Ann Herman

Jill Ann Herman
Counsel for Respondent

Approved as to form and content

Maret Vessella
Chief Bar Counsel

Original filed with the Disciplinary Clerk of
the Office of the Presiding Disciplinary Judge
of the Supreme Court of Arizona
this 28th day of May 2026.

Copy of the foregoing emailed
this 28th day of May 2026,
to:

Honorable Lisa A. VandenBerg
Presiding Disciplinary Judge
Supreme Court of Arizona
1501 West Washington Street, Suite 102
Phoenix, Arizona 85007
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Jill Ann Herman
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Respondent's Counsel

Lawyer Regulation Records Manager
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4201 N. 24th St., Suite 100
Phoenix, Arizona 85016-6266
LRO@staff.azbar.org

by: /s/Riley McLaughlin
SLS/rm

EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Member of
The State Bar of Arizona, Jason B. Castle
Bar No. 022383, Respondent.

File No. 26-0068

Administrative Expenses

The Supreme Court of Arizona has adopted a schedule of administrative expenses to be assessed in lawyer discipline. If the number of charges/complainants exceeds five, the assessment for the general administrative expenses shall increase by 20% for each additional charge/complainant where a violation is admitted or proven.

Factors considered in the administrative expense are time expended by staff bar counsel, paralegal, secretaries, typists, file clerks and messenger; and normal postage charges, telephone costs, office supplies and all similar factors generally attributed to office overhead. As a matter of course, administrative costs will increase based on the length of time it takes a matter to proceed through the adjudication process.

General Administrative Expenses for above-numbered proceedings

\$1,200.00

Additional costs incurred by the State Bar of Arizona in the processing of this disciplinary matter, and not included in administrative expenses, are itemized below.

Additional Costs

Total for additional costs \$ 0.00

TOTAL COSTS AND EXPENSES INCURRED **\$1,200.00**

EXHIBIT B

BEFORE THE PRESIDING DISCIPLINARY JUDGE

**IN THE MATTER OF A
MEMBER OF THE STATE BAR
OF ARIZONA,**

**JASON B. CASTLE
Bar No. 022383**

Respondent.

PDJ

**FINAL JUDGMENT AND
ORDER**

State Bar No. 26-0068

The Presiding Disciplinary Judge of the Supreme Court of Arizona, having reviewed the Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct. accepts the parties' proposed agreement.

Accordingly:

IT IS ORDERED that Respondent, **Jason B. Castle**, is **Suspended for ninety (90) days** for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective on _____.

IT IS FURTHER ORDERED that, pursuant to Rule 72 Ariz. R. Sup. Ct., Respondent shall immediately comply with the requirements relating to notification of clients and others.

IT IS FURTHER ORDERED that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$ _____, within 30 days from the date of service of this Order. If not paid within 30 days, interest will begin to accrue at the legal rate.

IT IS FURTHER ORDERED that Respondent shall pay the costs and expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office in connection with these disciplinary proceedings in the amount of _____, within 30 days from the date of service of this Order. If not paid within 30 days interest will begin to accrue at the legal rate.

DATED this _____ day of May, 2026.

**Honorable Lisa A. VandenBerg,
Presiding Disciplinary Judge**

Original filed with the Disciplinary Clerk of
the Office of the Presiding Disciplinary Judge
of the Supreme Court of Arizona
this _____ day of May 2026.

Copies of the foregoing emailed
this _____ day of May 2026, to:

Jill Ann Herman
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15205 N Kierland Blvd Ste 200
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Email: jillann.herman@aprio.com
Respondent's Counsel

Stacy L. Shuman
Staff Bar Counsel
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email : LRO@staff.azbar.org

By : _____