

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

PAM CROWDER-ARCHIBALD,
Bar No. 016442,

Respondent.

PDJ 2017-9120

**FINAL JUDGMENT AND
ORDER**

[State Bar No. 17-2313, 17-2494]

FILED MARCH 1, 2018

The Presiding Disciplinary Judge, having reviewed the Agreement for Discipline by Consent filed on February 27, 2018, pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed agreement. Accordingly:

IT IS ORDERED Respondent, **Pam Crowder-Archibald, Bar No. 016442,** is suspended for a period of six (6) months and one (1) day for her conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective the date of this order. A period of suspension of more than six months will require proof of rehabilitation and compliance with other requirements prior to being reinstated to the practice of law in Arizona.

IT IS FURTHER ORDERED upon reinstatement, Ms. Crowder-Archibald shall be placed on probation for a period of two (2) years with terms and conditions of probation to be determined upon reinstatement.

IT IS FURTHER ORDERED Ms. Crowder-Archibald shall be subject to any additional terms imposed by the Presiding Disciplinary Judge as a result of reinstatement hearings held.

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

IT IS FURTHER ORDERED Ms. Crowder-Archibald shall pay the costs and expenses of the State Bar of Arizona in the amount of \$1,214.12, within thirty (30) days from the date of this order. There are no costs or expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office in connection with these disciplinary proceedings.

DATED this 1st day of March, 2018.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing mailed/mailed
this 1st day of March, 2018, to:

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

Pam Crowder-Archibald
Law Office of Pam Archibald PLLC
18402 N 19th Ave Ste 129
Phoenix, AZ 85023-1306
Email: archibaldlawoffices@gmail.com
Respondent

by: AMcQueen

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

PAM CROWDER-ARCHIBALD,
Bar No. 016442

Respondent.

PDJ 2017-9120

**DECISION AND ORDER
ACCEPTING AGREEMENT FOR
DISCIPLINE BY CONSENT**

[State Bar Nos. 17-2313, 17-2494]

FILED MARCH 1, 2018

A Probable Cause order issued on November 13, 2017. The State Bar filed a formal complaint on November 28, 2017 and answered on December 27, 2017. The parties filed their Agreement for Discipline by Consent (Agreement) on February 27, 2018 pursuant to Rule 57(a), Ariz. R. Sup. Ct.

Rule 57 requires admissions be tendered solely "...in exchange for the stated form of discipline...." Under that rule, the right to an adjudicatory hearing is waived only if the "...conditional admission and proposed form of discipline is approved...." If the agreement is not accepted, those conditional admissions are automatically withdrawn and shall not be used against the parties in any subsequent proceeding. Ms. Crowder-Archibald has voluntarily waived the right to an adjudicatory hearing, and waived all motions, defenses, objections or requests that could be asserted upon approval of the proposed form of discipline. The Agreement

states that the State Bar is the complainant and as a result formal notice of the Agreement is not required under Rule 53(b)(3), Ariz. R. Sup. Ct.

The Agreement details a factual basis to support the conditional admissions. Ms. Crowder-Archibald conditionally admits she violated Rule 42, specifically ERs 3.3 (Candor Toward the Tribunal), 5.5 (Unauthorized Practice of Law), 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and 8.4(d) (conduct that is prejudicial to the administration of justice), and Rules 31 (Regulation of the Practice of Law) and 72 (Notice to Clients, Adverse Parties and Other Counsel), Ariz. R. Sup. Ct. The agreed upon sanctions include suspension from the practice of law in Arizona for six (6) months and one (1) day effective upon the entry of this final judgment and order, a two (2) year probationary period upon reinstatement—under terms and conditions to be determined during reinstatement, and the payment for the costs and expenses of the disciplinary proceeding, within thirty (30) days from this order, and if costs are not paid within thirty (30) days, interest will accrue at the legal rate. The conditional admissions are briefly summarized.

Count One (File No. 17-2313)

The final judgment and order of the PDJ suspending Ms. Crowder-Archibald from the practice of law became effective on June 23, 2017. Ms. Crowder-Archibald continued to represent her father and identified herself as his attorney after the

suspension took effect. She also failed to disclose to the court and opposing counsel of her suspension. On July 19, 2017, she telephonically appeared for a court scheduled status conference in her father's case. When the court asked for appearances, Ms. Crowder-Archibald identified herself as "attorney Pam Crowder-Archibald...." The court inquired into Ms. Crowder-Archibald's suspension and she was dishonest in her answer by claiming, "I have until later in the fall to finalize things." Opposing counsel was unaware of the suspension and discussed elements of the case with Ms. Crowder-Archibald just days prior to the status conference.

In her answer in this proceeding, she acknowledges she intentionally did not withdraw from the case, but determined to help her client in the final drafting of orders into "late September or October." Having intentionally not withdrawn, she blame-shifted her appearance to the Judge because the Judicial Assistant had sent a group email to the attorneys of record in the case at 11:15 a.m. which stated, "We're ready for your hearing...please start calling in."

Count Two (File No. 17-2494)

On June 26, 2017, three days after Ms. Crowder-Archibald became effective, she emailed opposing counsel in a case titled *In Re the Matter of Frank Rihl and Kathryn Rihl*. The substance of her letter was to determine whether the case could be stipulated to settlement or if it should be set for trial. She also offered to file a motion with the court setting the matter for trial in October or November. The letter

identified Ms. Crowder-Archibald as “Attorney at Law” and used the language: “law office”. Ms. Crowder-Archibald and opposing counsel exchanged emails concerning the options of settlement and trial.

On June 29, 2017, six (6) days into her sixty (60) day suspension, Ms. Crowder-Archibald filed a Motion to Set for Trial by or After November 1st. The motion identifies her as the “Attorney for Petitioner Frank Rihl.” The motion was electronically executed and, again, identified herself as “Attorney at Law” and “Attorney for Respondent.” The motion notes that the parties are “still possibly working on resolution of the issues of property division and spousal support.”

Ms. Crowder-Archibald emailed opposing counsel, urging both parties to continue negotiating the language of the QDROs and support. The letter originated from the email address of archibaldlawoffices@gmail.com and the signature contained the following line: “Law Offices, Pam Archibald, Esq.”

The court ultimately denied Ms. Crowder-Archibald’s motion in a minute entry and wrote: “Petitioner filed ‘Petitioner’s motion to Set Trial by or after November 1st, 2017’ on June 28, 2017. The State Bar of Arizona’s website indicates that [Ms. Crowder-Archibald] is suspended. IT IS ORDERED denying Petitioner’s Motion to Set Trial by or after November 1st 2017.”

In response to the court’s minute entry, opposing counsel wrote in a Motion to Continue on the Inactive Calendar: “At no time did the undersigned have any

notice of the fact that [Ms. Crowder-Archibald] had been suspended as she continued to negotiate as if she had the ability to continue to represent her client during her suspension.”

In November 15, 2017, while suspended, Ms. Crowder-Archibald contacted opposing counsel and stated that her client wished to settle and offered settlement terms. Opposing counsel responded and stated he would review the email with his client. Ms. Crowder-Archibald asked opposing counsel to “do a motion to set, or extension because I have already let [my client] know about my health issues and I am not well enough to come back yet....”

Ms. Crowder-Archibald failed to timely withdraw as Mr. Rihl’s representation and never informed the court, opposing counsel, or her client of her suspension.

Rule 58(k) provides sanctions shall be determined under the *American Bar Association Standards for Imposing Lawyer Sanctions*, (“Standards”). The parties agree *Standard 7.2 Violations of Duties Owed to the Profession* applies to Ms. Crowder-Archibald. “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.” As stipulated, Ms. Crowder-Archibald knowingly violated her duties to clients and there was potential for harm to her clients.

The parties agree factors 9.22 (a) prior disciplinary offenses, (b) dishonest or selfish motive, (c) a pattern of misconduct, and (i) substantial experience in the practice of law are present in aggravation. The parties offered no applicable mitigating factors.

Upon review of these factors, the parties agree sanction of long term suspension is justified. The objectives of discipline are met by imposing suspension, probation, and the payment of the costs. Accordingly:

IT IS ORDERED accepting and incorporating the Agreement and any supporting documents by this reference. The agreed upon sanctions are a six (6) month and one (1) day suspension, two (2) years of probation upon reinstatement, and costs and expenses totaling \$1,214.12. There are no costs incurred by the Office of the Presiding Disciplinary Judge. A final judgment and order is signed this date.

DATED this 1st day of March, 2018.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

COPY of the foregoing e-mailed/mailed
on this 1st day of March, 2018, to:

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

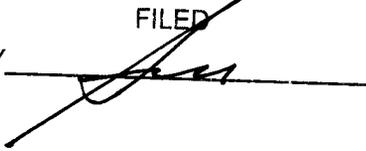
Pam Crowder-Archibald
Law Office of Pam Archibald PLLC
18402 N 19th Ave Ste 129
Phoenix, AZ 85023-1306
Email: archibaldlawoffices@gmail.com
Respondent

by: AMcQueen

OFFICE OF THE
PRESIDING DISCIPLINARY JUDGE
SUPREME COURT OF ARIZONA

FEB 27 2018

Nicole S. Kasetta, Bar No. 025244
Staff Bar Counsel
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Telephone (602) 340-7386
Email: LRO@staff.azbar.org

FILED
BY 

Pam Crowder-Archibald, Bar No. 016442
Law Office of Pam Archibald PLLC
18402 N 19th Ave Ste 129
Phoenix, AZ 85023-1306
Telephone 800-714-7990
Email: archibaldlawoffices@gmail.com
Respondent

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

PAM CROWDER-ARCHIBALD
Bar No. 016442

Respondent.

PDJ 2017-9120

State Bar File Nos. 17-2313, 17-2494

AGREEMENT FOR DISCIPLINE
BY CONSENT

The State Bar of Arizona, through undersigned Bar Counsel, and Respondent, Pam Crowder-Archibald, who has chosen not to seek the assistance of counsel, hereby submit their Agreement for Discipline by Consent, pursuant to

Rule 57(a), Ariz. R. Sup. Ct. 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.

The State Bar is the complainant in file nos. 17-2313 and 17-2494, and, therefore, no notice of this agreement is required pursuant to Rule 53(b)(3), Ariz. R. Sup. Ct.

Respondent conditionally admits that her conduct, as set forth below, violated Rule 42, ERs 3.3, 5.5, 8.4(c), and 8.4(d), and Rules 31 and 72, Ariz. R. Sup. Ct. Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline:

- A. Respondent shall be suspended from the practice of law in Arizona for a period of six months and one day effective upon entry of a final judgment and order;
- B. Upon reinstatement, Respondent shall be placed on probation for a period of two years, under terms and conditions to be determined at the time of reinstatement; and

C. Respondent also agrees to pay the costs and expenses of the disciplinary proceeding, within 30 days from the date of this order, and if costs are not paid within the 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.

FACTS

GENERAL ALLEGATIONS

1. Respondent was a lawyer licensed to practice law in the state of Arizona having been first admitted to practice in Arizona on October 21, 1995.
2. On May 24, 2017, the Presiding Disciplinary Judge (PDJ) entered a final judgment and order suspending Respondent from the practice of law for 90 days "effective thirty (30) days from the date of this final judgment and order."
3. Accordingly, Respondent was suspended from the practice of law effective June 23, 2017.

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.

4. The final judgment and order also states that Respondent “shall immediately comply with the requirements relating to notification of clients and others.”

COUNT ONE (File No. 17-2313/Judicial Referral)

5. Respondent represented father in Maricopa County Superior Court (court) case no. FC2015-052944.

6. On June 1, 2017, the court scheduled a status conference for July 19, 2017.

7. Despite the PDJ’s final judgment and order suspending her from the practice of law effective June 23, 2017, Respondent did not withdraw or otherwise timely inform the court or opposing counsel of her suspension in the above case.

8. On July 19, 2017 at 10:37 a.m. and prior to the commencement of the status conference, opposing counsel emailed Respondent about the possibility of settlement.

9. On the same date, Respondent telephonically appeared at the status conference.

10. During the status conference, the court asked for appearances from counsel.

11. Respondent identified herself as “attorney Pam Crowder-Archibald and I am on the phone with [father] who is present.”

12. The court responded by telling Respondent “I don’t think you should be on the phone. Aren’t you suspended right now by the State Bar or at least that’s what their website says?”

13. Respondent then stated: “What they said is that I have until later in the Fall to finalize things that I have to do so what I was just doing today is just to say that my client is okay with everything” so “that by the summer we should have everything resolved.”

14. The court responded: “I don’t think you can be on the line.”

15. The court further stated “you are suspended and you cannot be, you cannot even be part of this conversation in my view and I think you have an issue with the fact that you are.”

16. The court also stated that it was not “comfortable with having a discussion”

17. The court then reset the status conference.

18. The court repeated to father that Respondent was suspended and stated “she shouldn’t be appearing on this phone call.”

19. Opposing counsel then stated that she had been speaking with Respondent the last couple of days because “I was not aware.”

20. The court entered a minute entry the same day and wrote:

The Court notes that Respondent/Father’s counsel, Ms. Crowder-Archibald, has been suspended from the practice of law. Nevertheless, she announced on behalf of Father and did not disclose her suspension until the Court inquired regarding her status. Even then, Ms. Crowder-Archibald did not directly admit she had been suspended, claiming “I have until later in the fall to finalize things.” Further, according to opposing counsel, Ms. Crowder-Archibald had discussed the case with her and did not disclose she was suspended. It appears to the Court that Ms. Crowder-Archibald has practiced law while on suspension. A copy of this Minute Entry shall therefore be provided to the State Bar.

21. In response to the bar charge, Respondent wrote the following: “I have not appeared in any court proceeding during the time of suspension.

COUNT TWO (File No. 17-2494/Judicial Referral)

22. On June 26, 2017 and while she was suspended from the practice of law, Respondent sent a letter to opposing counsel via email in the case titled *In Re the Matter of Frank Rihl and Kathryn Rihl*.

23. In the email, Respondent wrote: “Please review the letter attached and let me know by email your opinion as to what your client wants to do for setting this matter for trial or stipulating to settlement.”

24. In this letter, Respondent wrote:

Also, it is my understanding that Mr. Rihl [Respondent's client] will take responsibility for any loans against the 401K and it will not be attributed to wife. As for [sic] as the Consent Decree, Husband will pay Wife \$1000.00 per month in spousal support, and the distribution will stop when either the pension retirement, or 401K, is distributed to wife. Mr. Rihl will not continue paying support, when Wife begins receiving funds from either one of the retirement accounts, in the event that they do not pay out concurrently. If Mr. Rihl continues to pay while Wife is receiving funding, then it becomes a double win-fall, and defeats the purpose of Mr. Rihl agreeing to give up his ½ of both retirement accounts to Wife.

The only way to proceed now is to get the Consent Decree signed and sent to Judge Whitehead. If you believe more time is necessary, then I will ask for additional time on the inactive calendar. In the alternative, I will motion that Judge Whitehead set this matter for trial in October or November, on the issues of division of property and spousal support. However, I would need additional time to do discovery if we proceed to trial.

25. The letter identifies Respondent as "Attorney at Law."

26. The letter also states "Law Offices."

27. Opposing counsel responded via email and wrote the following: "I would prefer to petition the court for additional time to work out the settlement. If you prefer to file a motion to set, that's OK too. I raised these issues in April and again in May. This is the first response I've received. My client is barely

subsisting on the money she is receiving. She cannot be placed in a situation where she is receiving less, even for a short time.”

28. Respondent replied: “Who said she is going to receive less?”

29. Opposing counsel then asked Respondent if she would file a motion for additional time so they could complete the settlement.

30. Respondent responded: “I may just file a motion to have it set for trial in November. If we settle on terms and language of the QDRO then fine, if not, then I will prepare for trial. I need to discuss it with my client, I will email you back.”

31. On June 29, 2017, Respondent filed a Motion to Set for Trial by or After November 1st 2017.

32. The first page of the motion identifies Respondent as “Attorney for Petitioner Frank Rihl.”

33. In the motion, Respondent explained to the court that the parties “are still possibly working on resolution of the issues of property division and spousal support.”

34. Respondent electronically executed the motion, identifying herself as “Attorney at Law” and “Attorney for Respondent.”

35. On the same date, Respondent sent an email to opposing counsel and wrote: “[T]his is a Motion to set for trial in November; however we need to continue working on trying to agree to the language of the QDROs and support as this is the only issue for trial.”

36. Respondent sent this email from an email address which identifies herself as an attorney despite her suspension.

37. The email address is archibaldlawoffices@gmail.com.

38. Respondent’s signature line in this email further identifies herself as an attorney despite her suspension.

39. The signature line states: “Law Offices, Pam Archibald, Esq.”

40. On August 7, 2017, the court in the aforementioned case entered a minute entry and wrote: “Petitioner filed ‘Petitioner’s Motion to Set Trial by or after November 1st 2017’ on June 29, 2017. This Motion was electronically signed by Petitioner’s counsel, [Respondent] on June 28, 2017. The State Bar of Arizona’s website indicates that [Respondent] is suspended. IT IS ORDERED denying Petitioner’s Motion to Set Trial by or after November 1st 2017.”

41. On August 10, 2017, opposing counsel filed a Motion to Continue on the Inactive Calendar.

42. In this motion, opposing counsel wrote: “At no time did the undersigned have any notice of the fact that [Respondent] had been suspended as she continued to negotiate as if she had the ability to continue to represent her client during her suspension.”

43. In this motion, opposing counsel wrote: “It was not until August 9, 2017, that I saw a Minute Entry dated August 7, 2017, denying the Motion To Set for the reason that counsel for Petitioner is suspended.”

44. On November 15, 2017, while she was suspended from the practice of law, Respondent sent opposing counsel an email stating that her client wants to settle and offering possible settlement terms.

45. Opposing counsel responded by stating that he would discuss her email with his client and asking her to file a motion to extend or the case will be dismissed.

46. Respondent responded: “Since you filed the last one, can you either do a motion to set, or extension because I have already let [my client] know about my health issues and I am not well enough to come back yet. . . .”

47. On December 27, 2017, opposing counsel emailed Respondent the following: “. . . I have been trying to call you to discuss this, but am having

difficulty reaching you. If we can work out a couple of issues, I can recommend that my client consider accepting.”

48. Respondent did not timely withdraw from representing Mr. Rihl in the aforementioned case.

49. Respondent also never otherwise informed the court, opposing counsel, or her client of her suspension.

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 her conduct in count one (File No. 17-2312/Judicial Referral) violated Rule 42, ERs 3.3, 5.5, 8.4(c), and 8.4(d), and Rules 31 and 72, Ariz. R. Sup. Ct.

Respondent conditionally admits that her conduct in count two (File No. 17-2494/Judicial Referral) violated Rule 42, Ariz. R. Sup. Ct., ER 5.5, and Rules 31 and 72, Ariz. R. Sup. Ct.

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:

- A. Respondent shall be suspended from the practice of law in Arizona for a period of six months and one day effective the date of entry of the final judgment and order; and
- B. Upon reinstatement, Respondent shall be placed on probation for a period of two years, under terms and conditions to be determined at the time of reinstatement.

If Respondent violates any of the terms of this agreement, further discipline proceedings may be brought.

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. *Standards* 1.3, Commentary. The *Standards* provide guidance with respect to an appropriate sanction in this matter. *In re Peasley*, 208 Ariz. 27, 33, 35, 90 P.3d 764, 770 (2004); *In re Rivkind*, 162 Ariz. 154, 157, 791 P.2d 1037, 1040 (1990).

In determining an appropriate sanction consideration is given to 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. *Peasley*, 208 Ariz. at 35, 90 P.3d at 772; *Standard* 3.0.

The parties agree that *Standard* 7.2 is the appropriate *Standard* given the facts and circumstances of this matter. *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 parties agree that Respondent knowingly engaged in conduct that is a violation of her duty owed as a professional, including by knowingly engaging in the practice law after the June 23, 2017 effective date of her suspension.

Specifically, in File No. 17-2313, Respondent appeared for a telephonic status conference while she was suspended and, in File No. 17-2494, Respondent filed a motion while she was suspended and continued to discuss settlement of the case with opposing counsel. Respondent's unauthorized practice of law caused potential injury to her clients and the profession, and actual injury to the legal system.

The duty violated

As described above, Respondent's conduct violated her duty to her clients, the profession, and the legal system.

The lawyer's mental state

For purposes of this agreement, the parties agree that Respondent knowingly engaged in the unauthorized practice of law, and that her conduct was in violation of the Rules of Professional Conduct.

The extent of the actual or potential injury

For purposes of this agreement, the parties agree that there was potential harm to Respondent's clients and the profession, and actual harm to the legal system.

Aggravating and mitigating circumstances

The presumptive sanction in this matter is suspension. The parties conditionally agree that the following aggravating and mitigating factors should be considered.

In aggravation:

Standard 9.22(a), Prior disciplinary history. On July 1, 2008, Respondent was placed on probation for two years in File Nos. 06-0846, 05-1514, 06-1806, and 07-1845 for violating ERs 1.2, 1.3, 1.4, 1.5, 1.15, and Rules 43 and 44, Ariz. R. Sup. Ct. The probation included LOMAP, MAP, TAEPP, and TAP.

On March 19, 2009, in File No. 08-0739, Respondent was placed on probation for a time period contemporaneous with her probation in the above files and for violating ERs 1.5(d)(3) and 1.16. The probation included participation in LOMAP.

On May 24, 2017, in File No. 16-0663, Respondent was suspended for 90 days effective June 23, 2017 and ordered to pay restitution for violating ERs 1.3, 1.4, 1.15(a), 8.1(b), and Rules 43(a) and 54(d).

Standard 9.22(b), dishonest or selfish motive. Respondent engaged in the unauthorized practice of law despite knowing that she was suspended effective

June 23, 2017 and failed to timely inform the court, her clients, or opposing counsel of her suspension.

Standard 9.22(c), a pattern of misconduct. Respondent's unauthorized practice of law was not isolated to one case or one client. She engaged in the unauthorized practice of law in two separate cases, with two separate clients, and over a period of time.

Standard 9.22(i), substantial experience in the practice of law. Respondent has been licensed since 1995.

In mitigation:

There are no applicable mitigating factors.

Discussion

The parties have conditionally agreed that, upon application of the aggravating and mitigating factors to the facts of this case, the presumptive sanction is appropriate. This agreement was based on the following: Respondent's conduct demonstrates that she engaged in a pattern of practicing law while she was suspended and, therefore, a long-term suspension is 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 range of appropriate sanction 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. *Peasley, supra* at ¶ 64, 90 P.3d at 778. 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 a six month and one day suspension and two years of probation upon reinstatement with terms and conditions of probation to be determined upon reinstatement. A proposed form order is attached hereto as Exhibit B.

DATED this 27th day of February 2018

STATE BAR OF ARIZONA



Nicole S. Kasetta
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 26 day of February, 2018.



Pam Crowder-Archibald
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 27 day of February, 2018.

Copy of the foregoing emailed
this 27th day of February 2018, to:

The Honorable William J. O'Neil
Presiding Disciplinary Judge
Supreme Court of Arizona
1501 West Washington Street, Suite 102
Phoenix, Arizona 85007
E-mail: officepdj@courts.az.gov

Copy of the foregoing mailed/emailed
this 27th day of February, 2018, to:

Pam Crowder-Archibald
Law Office of Pam Archibald PLLC
18402 N 19th Ave Ste 129
Phoenix, AZ 85023-1306
Email: archibaldlawoffices@gmail.com
Respondent

Copy of the foregoing hand-delivered
this 27th day of February, 2018, to:

Lawyer Regulation Records Manager
State Bar of Arizona
4201 N. 24th St., Suite 100
Phoenix, Arizona 85016-6266

by: 
NSK: KEC

EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Suspended Member of the State Bar of Arizona,
Pam Crowder-Archibald, Bar No. 016442, Respondent

File Nos. 17-2313 & 17-2494

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.

Staff Investigator/Miscellaneous Charges

07/31/17 Investigator mileage to pick-up CD \$ 14.12

Total for staff investigator charges \$ 14.12

TOTAL COSTS AND EXPENSES INCURRED \$1,214.12

EXHIBIT B

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

PAM CROWDER-ARCHIBALD,
Bar No. 016442,

Respondent.

PDJ 2017-9120

**FINAL JUDGMENT AND
ORDER**

[State Bar No. 17-2313, 17-2494]

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

IT IS HEREBY ORDERED that Respondent, **Pam Crowder-Archibald**, is hereby suspended for a period of six months and one day for her conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective upon entry of this Final Judgment and Order. A period of suspension of more than six months will require proof of rehabilitation and compliance with other requirements prior to being reinstated to the practice of law in Arizona.

IT IS FURTHER ORDERED that, upon reinstatement, Respondent shall be placed on probation for a period of two years with terms and conditions of probation to be determined upon reinstatement.

IT IS FURTHER ORDERED that Respondent shall be subject to any additional terms imposed by the Presiding Disciplinary Judge as a result of reinstatement hearings held.

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 \$1,214.12, within 30 days from the date of service of this Order.

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.

DATED this _____ day of February, 2018

**William J. O'Neil, 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 February, 2018.

Copies of the foregoing mailed/mailed
this _____ day of February, 2018, to:

Pam Crowder-Archibald
Law Office of Pam Archibald PLLC
18402 N 19th Ave Ste 129
Phoenix, AZ 85023-1306
Email: archibaldlawoffices@gmail.com
Respondent

Copy of the foregoing emailed/hand-delivered
this _____ day of February, 2018, to:

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

Copy of the foregoing hand-delivered
this ____ day of February, 2018 to:

Lawyer Regulation Records Manager
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266

By: _____