

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

JOHN W. DORRIS III
Bar No. 020436

Respondent.

PDJ-2018-9063

**FINAL JUDGMENT AND
ORDER**

[State Bar No. 18-0369]

FILED JULY 19, 2018

The Presiding Disciplinary Judge having reviewed the Agreement for Discipline by Consent filed on July 17, 2018, pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed agreement. Accordingly:

IT IS ORDERED Respondent, **John W. Dorris III**, is reprimanded for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective the date of this order.

IT IS FURTHER ORDERED Mr. Dorris shall pay the costs and expenses of the State Bar of Arizona in the amount of \$1,200.00, 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 these disciplinary proceedings.

DATED this 19th day of July, 2018.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing emailed this 19th day of July, 2018, and mailed July 20, 2018, to:

Nancy A. Greenlee
821 E. Fern Dr. North
Phoenix, AZ 85014-3248
Email: nancy@nancygreenlee.com
Respondent's Counsel

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

by: AMcQueen

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

JOHN W. DORRIS III
Bar No. 020436

Respondent.

PDJ 2018-9063

**DECISION ACCEPTING
DISCIPLINE BY CONSENT**

[State Bar No. 18-0369]

FILED JULY 19, 2018

Under Rule 57(a), Ariz. R. Sup. Ct.,¹ an Agreement for Discipline by Consent (“Agreement”), was filed July 17, 2018. This matter was not submitted to the Attorney Regulation Probable Cause Committee. Mr. Dorris is represented by Nancy A. Greenlee, the State Bar of Arizona is represented by Staff Bar Counsel, Kelly Flood.

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 If the agreement is not accepted, those conditional admissions are automatically withdrawn and shall not be used against the parties in any subsequent proceeding. Mr. Dorris 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

¹ Unless otherwise stated all Rule references are to the Ariz. R. Sup. Ct.

proposed form of discipline. Pursuant to Rule 53(b)(3) Notice of the Agreement and an opportunity to object will be sent to the complainant.²

The Agreement details a factual basis to support the conditional admissions. It is incorporated by reference. Mr. Dorris conditionally admits he violated Rule 42, ER 1.8(j)~Conflict of Interest: Current Clients: Specific Rules. The misconduct is briefly summarized.

Mr. Dorris was retained by Client for a family law matter to handle her dissolution. On July 18, 2017, the temporary orders hearing was held to determine primary physical custody of the parties' children and the children's relocation. After the temporary orders hearing, Client invited Mr. Dorris to meet her and her sister for a drink at a nearby restaurant. Mr. Dorris stayed for less than an hour and returned to work.

After that day, the relationship between Mr. Dorris and his Client became more personal. In September 2017, Mr. Dorris and Client met for dinner. Following dinner, Client invited Mr. Dorris to her townhouse and their relationship became intimate. They were intimate three times thereafter, with the last encounter on or about October 18, 2017.

² Complainant has informed bar counsel that she does not want to participate in this matter or be notified. To comply with Rule 53(b)(3), bar counsel must send her a letter telling her about the agreement but assuring her that she need not participate further unless she chooses to do so.

Shortly before October 5, 2018, Client's husband indicated that he wanted to put the divorce case on hold so that the parties could attend conciliation. Client instructed Mr. Dorris to inform opposing counsel that she was not interested in conciliation and not to allow the husband to delay the case. However, after Client's children had a short school break in October, she told Mr. Dorris that she was having second thoughts about getting divorced because of the children. Mr. Dorris told her that if there was any possibility of reconciliation, she owed it to herself and her children to pursue it.

On October 27, 2017, Client told Mr. Dorris that she would reconcile with her husband. Mr. Dorris told her that seemed like the right thing for her. After that, Mr. Dorris had no other contact with Client other than about the logistics of signing a stipulation to dismiss the case.

The agreed upon sanction is reprimand.

Rule 58(k) provides sanction shall be determined under the *American Bar Association Standards for Imposing Lawyer Sanctions*, ("*Standards*"). The parties stipulate that either *Standard 4.32* or *4.33* could apply.

Standard 4.32, Failure to Avoid Conflicts of Interest

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 4.33, Failure to Avoid Conflicts of Interest

Provides that reprimand is generally appropriate when a lawyer is negligent in determining whether the representation of a client may be materially affected by the lawyer's own interests, or whether the representation will adversely affect another client, and causes injury or potential injury.

Mr. Dorris knew about the prohibition of ER 1.8(j), however, the sexual relationship did not materially affect the representation. Mr. Dorris did nothing to interfere with the Client's decision to reconcile with her husband and in fact encouraged her to do what she believed was in her and her children's best interest. The parties agree that, whether *Standard* 4.32 or 4.33 applies, the ultimate sanction of reprimand is appropriate.

The presumptive sanction is between a suspension and a reprimand. Mr. Dorris' misconduct caused potential injury to the client. The parties stipulate in aggravation are factors 9.22(a) prior disciplinary offenses and 9.22(i) substantial experience in the practice of law. In mitigation are factors 9.32(c) personal or emotional problems, 9.32(e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings, 9.32(g) character or reputation, and 9.32(l) remorse. In addition, while a complainant's withdrawal of a complaint against a lawyer is neither aggravating nor mitigating, it supports the conclusion that the relationship did not materially affect the representation and there was little injury to the client. (See *Standard* 9.4(c)).

The Agreement provides three letters attesting to Mr. Dorris' moral character. [Exhibit B.] These letters confirm that this was out of character for Mr. Dorris and likely a result of his personal emotional problems. In May 2017, Mr. Dorris' fiancé committed suicide. Apparently, this devastating loss contributed to making the unwise decision to accept an invitation to socialize with Client. Mr. Dorris is now receiving counseling to help him deal appropriately with this trauma.

The parties stipulate and the presiding disciplinary judge agrees that upon application of the aggravating and mitigating factors, the mitigating outweighs the aggravating factors and justifies a reprimand rather than suspension.

Accordingly:

IT IS ORDERED accepting and incorporating the Agreement and any supporting documents by this reference. The agreed upon sanction is reprimand. A final judgment and order is signed this date.

DATED this 19th day of July, 2018.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing emailed this 19th day of July, 2018, and mailed July 20, 2018, to:

Nancy A. Greenlee
821 E. Fern Dr. North
Phoenix, AZ 85014-3248
Email: nancy@nancygreenlee.com
Respondent's Counsel

Kelly J. Flood
Staff Bar Counsel
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4201 N 24th Street, Suite 100
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by: AMcQueen

Kelly J. Flood, Bar No. 019772
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OFFICE OF THE
PRESIDING DISCIPLINARY JUDGE
SUPREME COURT OF ARIZONA

JUL 17 2018

FILED

BY



Nancy A. Greenlee, Bar No. 010892
821 E. Fern Dr. North
Phoenix, AZ 85014-3248
Telephone 602-264-8110
Email: nancy@nancygreenlee.com
Respondent's Counsel

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**JOHN W. DORRIS,
Bar No. 020436,**

Respondent.

PDJ 2018- 9063

State Bar File No. 18-0369

**AGREEMENT FOR DISCIPLINE
BY CONSENT**

The State Bar of Arizona through undersigned Bar Counsel, and Respondent John W. Dorris, who is represented by Nancy A. Greenlee, hereby submit their Agreement for Discipline by Consent, pursuant to Rule 57(a), Ariz. R. Sup. Ct.¹ No

¹ All references to rules are to the Arizona Rules of the Supreme Court.

probable cause order has been entered in this matter. 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(b)(3), complainant will be notified about this agreement.

2

Respondent conditionally admits that his conduct, as set forth below, violated Rule 42, ER 1.8(j)(Conflict of Interest: Current Clients: Specific Rules). Upon acceptance of this agreement, Respondent agrees to accept a reprimand. 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.³ The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit A.

² Complainant (Client A) has informed bar counsel that she does not want to participate in this matter or be notified. To comply with the rule, bar counsel will send her a letter telling her about the agreement but assuring her that she need not participate further unless she chooses to do so.

³ 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

COUNT ONE of ONE (File No. 18-0369)

1. Respondent was licensed to practice law in Arizona on May 24, 2001.
2. On or about May 22, 2017, Respondent was retained by Client A⁴ to handle her dissolution. A petition for dissolution was filed by Client A's husband on or about May 26, 2017. Thereafter, Respondent filed an answer on behalf of Client A.
3. For many years of the marriage, Client A commuted every day from Tucson to Phoenix for her job which was in Phoenix. The parties lived in Tucson because Client A's husband's sales territory was in Tucson. Despite initially agreeing to move to Phoenix when that sales territory opened up, husband reneged on moving.
4. On July 18, 2017, the temporary orders hearing was held. The judge heard evidence on the contested issue of primary physical custody of the parties' children and the children's relocation to the Glendale area. The judge ordered

⁴ The name of the client is not being disclosed. Client A's husband was the initial complainant and Client A was added as an additional complainant thereafter when she confirmed the personal relationship with Respondent. Client A's husband was recently killed in an accident and Client A has indicated she does not want to continue with the bar matter. In the interests of protecting her privacy, her name is not being used in this consent agreement.

written closing statements, but in the interim, ruled that the children would stay in Tucson with husband and that Client A would have the children every other weekend.

5. After the temporary orders hearing, Client A invited Respondent to meet her and her sister for a drink at a restaurant up the street from Respondent's office. Respondent stayed less than an hour or so and returned to work for the rest of the afternoon.

6. After that day, the relationship between Respondent and Client A subtly shifted and after discussing whatever legal matters needed attention, their conversation became more personal. Respondent shared details of his personal life. Their relationship progressed from friendship to flirtation.

7. In September 2017, Respondent and Client A decided to meet for dinner. Respondent drove from Tucson to a restaurant chosen by Client A in the Phoenix area. Following dinner, Client A invited Respondent to her townhouse and their relationship became intimate. They were intimate 3 times thereafter, with the last encounter on or about October 18, 2017.

8. Shortly before October 5, 2017, opposing counsel indicated that husband wanted to put the divorce case on hold so that the parties could attend

conciliation. Client A was adamantly opposed to conciliation and instructed Respondent not to allow husband to delay the case and to email opposing counsel that Client A was not interested in conciliation.

9. Client A's children had school break during the first two weeks of October 2017. That seemed to deeply affect Client A who then told Respondent that she was having second thoughts about getting divorced because of the children. Respondent told her that if there was any possibility of reconciliation, she owed it to herself and her children to pursue reconciliation.

10. On October 27, 2017, Client A told Respondent she was going to reconcile with her husband and Respondent told her that seemed the right thing for her. Respondent had no other contact with Client A after that time other than about the logistics of signing a stipulation to dismiss the case.

11. Client A's husband was killed in an accident in May 2018. Client A notified the State Bar that she had no interest in participating further with the State Bar prosecution of this matter.

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 his conduct violated Rule 42, ER 1.8(j).

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 sanction is appropriate: Reprimand.

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 duty violated

As described above, Respondent's conduct violated his duties to his client.

The lawyer's mental state

Respondent knowingly conducted himself as described above, in violation of the Rules of Professional Conduct.

The extent of the actual or potential injury

There was potential injury to the client.

With respect to the violation of ER 1.8(j), the following *Standards* are relevant:

Standard 4.32 - 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 4.33 – Reprimand is generally appropriate when a lawyer is negligent in determining whether the representation of a client may be materially affected by the lawyer's own interest . . . and causes injury or potential injury to a client.

Aggravating and mitigating circumstances

The presumptive sanction in this matter is between a suspension and a reprimand because while Respondent knew about the prohibition of ER 1.8(j), the sexual relationship did not materially affect the representation, and he did nothing to interfere with Client A's decision to reconcile with her husband. In fact, he encouraged her to do what she believed was in her and her children's best interest. In addition, while a complainant's withdrawal of a complaint against the lawyer is neither aggravating or mitigating (See *Standard 9.4(c)*), it does support the conclusion that the relationship did not materially affect the representation and there was little to no injury to the client. And, were it not for the devastation and grief that Respondent was experiencing after the death of his fiancé, he never would have allowed himself to engage in this type of conduct since it was wholly out of character for him. The parties conditionally agree that the following aggravating and mitigating factors should be considered.

In aggravation:

Standard 9.22 -- Aggravating factors include:

(a) prior disciplinary offenses. Respondent received a reprimand and probation in File No. 12-0673, for failing to complete the intake process for enrollment in a diversion program related to a misdemeanor charge in Tucson city court, and for repeatedly moving to continue hearings and failing to appear in court, causing a warrant to be issued for his arrest and matters to be rescheduled.

(i) substantial experience in the practice of law – admitted 2001.

In mitigation:

Standard 9.32 -- Mitigating factors include:

(c) personal or emotional problems. In May 2017, Respondent's fiancé committed suicide. Respondent was shocked and devastated by his loss. As a result, he made the unwise decision to accept an invitation to socialize with Client A. He shared his grief over the suicide with Client A and they ultimately engaged in a short-term intimate relationship. Respondent is now receiving counseling to help him deal appropriately with his grief.

(e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings;

(g) character or reputation. Letters attesting to Respondent's character and reputation are attached as Exhibit B.

(l) remorse. As indicated above, if not for the trauma that Respondent suffered from his fiancé's death, his thinking would not have been so muddled that he would have engaged in an intimate relationship with a client. Respondent is embarrassed by his aberrational conduct and contrite.

Discussion

The parties conditionally agree that, upon application of the aggravating and mitigating factors to the facts of this case, the mitigation far outweighs the aggravating factors and justifies a reprimand rather than suspension. Case law also

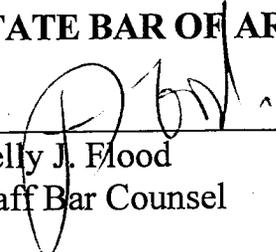
supports a reprimand under these unique circumstances.⁵ Based on the *Standards* and in light of the facts and circumstances of this matter, the parties conditionally agree that the sanction set forth above is within the range of appropriate sanctions and will serve the purposes of lawyer discipline.

CONCLUSION

The object of lawyer discipline is not to punish the lawyer, but to protect the public, the profession, and the administration of justice. *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 reprimand and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit C.

DATED this 16th day of July 2018.

STATE BAR OF ARIZONA

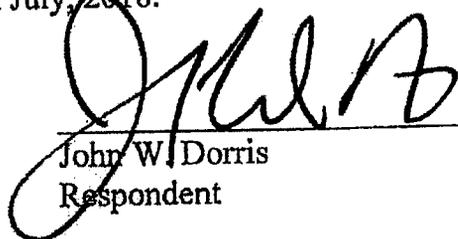


Kelly J. Flood
Staff Bar Counsel

⁵ See *In re Walker*, 200 Ariz. 155, 24 P.3d 602 (Ariz. 2001)(given the extensive mitigation and the finding that the public was not in danger of Respondent re-offending, the Court held that censure (reprimand) would adequately protect the public).

This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation.

DATED this 16th day of July, 2018.



John W. Dorris
Respondent

DATED this 17th day of July, 2018.



Nancy A. Greenlee
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 17th day of July, 2018.

Copy of the foregoing emailed

this 17th day of July, 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/mailed
this 17th day of July, 2018, to:

Nancy A. Greenlee
821 E. Fern Dr. North
Phoenix, AZ 85014-3248
Email: nancy@nancygreenlee.com
Respondent's Counsel

Copy of the foregoing hand-delivered
this 17th day of July, 2018, to:

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

by: Marquita Goode

EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona,
John W. Dorris, Bar No. 020436, Respondent

File No. 18-0369

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

Total for staff investigator charges \$ 0.00

TOTAL COSTS AND EXPENSES INCURRED \$ 1,200.00

EXHIBIT B

July 11, 2018

Via Electronic Mail

Nancy A. Greenlee
Attorney and Counselor at Law
821 Fern Drive North
Phoenix, Arizona 85014
nancy@nancygreenlee.com

RE: Letter of Reference for John W. Dorris

Ms. Greenlee:

Please accept this letter as a reference for my friend and colleague, John W. Dorris. I have known John for almost twenty years, and can attest to not only his incredible intelligence and legal acumen, but also to his high character as attorney, father and friend.

John and I met during the first part of my legal career when we were both working as young associates at Snell & Wilmer, LLP in Phoenix. He became my go-to guy for questions relating to corporate and transactional matters and he was an early mentor of mine. Even when our career paths led us in different directions, we continued to stay in touch. And when John eventually relocated to Tucson, much to my delight, we rekindled our personal and professional relationship.

I was incredibly disheartened when John told me that his long-time girlfriend had committed suicide. Having spoken to him several times in the weeks and months afterwards, it was evident that he was grieving. While I understand that his grief did not grant him license to break any rules of professional conduct, I believe that his indiscretion was anomalous and not indicative of his true character.

As a side note, in January, a close friend of mine also committed suicide. While that is surely not the same as losing your long-time girlfriend, I can attest to wide range of emotions and the multitude of questions that one faces in the aftermath of a suicide.

In sum, I believe that John's indiscretion was due to extenuating circumstances, and that his long standing reputation within the legal community and beyond as a hard working, responsible and reliable attorney, father and friend shows his true character.

Sincerely,


Nathan C. Wright

June 29, 2018

Nancy A. Greenlee, Esq.
821 Fern Dr. North
Phoenix, AZ 85014
nancy@nancygreenlee.com
VIA ELECTRONIC MAIL

RE: Letter of Reference for John W. Dorris, Esq.

Dear Ms. Greenlee:

I am sending this letter of reference on behalf of John W. Dorris, Esq.

I have known John professionally and as a friend for over 20 years. We began our legal careers together in New York City in the mid-90s and have remained close friends and colleagues ever since. John has been a source of unwavering support and counsel for me over the years.

I value John's advice and trust his judgment implicitly. When facing a thorny issue, whether personally or professionally, John is often my first call. Without fail, he provides excellent counsel.

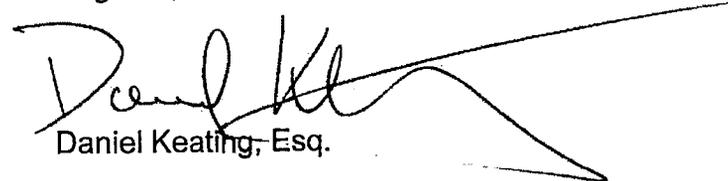
I was, of course, surprised to learn of John's indiscretion. John prides himself on his professionalism, so, in my experience, this incident is totally out of character for him. I know that John was going through a difficult time personally during this period and I'm sure that was a factor. I doubt John will ever make this mistake again.

John is a terrific lawyer and an asset to the Arizona bar. He exemplifies all the qualities a client could want in a lawyer. He is precise, thoughtful and hard-working. In short, he's a counsel who can be trusted with a client's most sensitive and complex matters.

John has my full support and I remain confident in his professionalism and legal ability.

Please let me know if you have any questions.

Regards,


Daniel Keating, Esq.

MILLER, PITT, FELDMAN & McANALLY P.C.

GERALD MALTZ
T. PATRICK GRIFFIN
THOMAS G. COTTER
LINDSAY BREW
JOSÉ DE JESUS RIVERA
PETER TIMOLEON LIMPERIS
JEFFREY A. IMIG
NATHAN J. FIDEL
NATHAN B. WEBB
AARON M. HALL
TIMOTHY P. STACKHOUSE
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OF COUNSEL

STANLEY FELDMAN, P.L.C.
JANICE A. WEZELMAN
PHILIP J. HALL
NINA J. RIVERA

RICHARD L. McANALLY
(1932 - 2015)

July 5, 2018

Nancy A. Greenlee
Attorney at Law
821 Fern Drive North
Phoenix, Arizona 85014

Re: John W. Dorris

Dear Ms. Greenlee,

This letter is in support of John W. Dorris in connection with the State Bar of Arizona Disciplinary Proceeding.

I met Mr. Dorris when he first moved back to Tucson to practice law. I was opposing counsel in a high-value, complex real estate partition case. I was immediately impressed with his legal skills, diligence, attention to detail and intelligence. He was cooperative and easy to work with, while zealously representing his clients.

Since that time, I have had a number of cases and legal matters involving Mr. Dorris where we have been on opposite sides. My initial impression of him has been confirmed. Mr. Dorris is one of the best lawyers I know. His reputation in the Tucson legal community is excellent. If I ever need a personal lawyer, John Dorris will be the first person I call.

Over the years, Mr. Dorris and I have referred clients to each other, and we have spoken about legal and ethical issues in our law practices. I value Mr. Dorris' opinion, and I have great respect for his legal knowledge and skills.

Mr. Dorris and I are fathers. We talk often about the challenges that confront our children, and what we as dads must do (or refrain from doing) so that our children know they are loved and have a chance to succeed. I know that Mr. Dorris is a dedicated and devoted father. His children are his number one priority.

July 5, 2018

Page 2

I learned of the death of Mr. Dorris' girlfriend soon after it happened. I believe her death had a deep and devastating emotional impact on Mr. Dorris. I can only hope that I would hold up under those circumstances.

That having been said, I was surprised when Mr. Dorris told me about his ethics violation and the resulting State Bar of Arizona Disciplinary Proceeding against him. The misconduct is totally out of character for him.

I asked Mr. Dorris whether the death of his girlfriend played a role in his indiscretion. Mr. Dorris told me that it may have, but that it is not an excuse for his misconduct. He told me he is taking appropriate steps to prevent any recurrence of the misconduct under any circumstance whatsoever. I believe him.

I cannot sign off on this letter without telling you about an ethics discussion I had with Mr. Dorris in 2017. He was representing clients in a complex real estate and commercial litigation dispute in a rural county. He obtained an exceptional result for his clients, and was proceeding to the execution and realization stage. The clients wanted to modify the fee arrangement from an hourly billing fee to a contingent fee. Before doing anything further, Mr. Dorris insisted that his clients obtain advice from separate counsel on whether to modify the fee arrangement and, if so, how to value and structure the new arrangement, both as to money and timing. Mr. Dorris called me and asked for permission to recommend me, along with two other lawyers, to his clients for the fee arrangement review. Mr. Dorris' clients resisted. They trusted him, and only him – for good reason. But, he was patient and thorough in explaining to his clients why it was necessary for them to seek independent advice. I was impressed with the way he stood up to his clients and insisted on adherence to the ethical rules. Mr. Dorris set a good example for me.

For the reasons stated in this letter, I believe that Mr. Dorris will not repeat the misconduct that is the subject matter of the State Bar of Arizona Disciplinary Proceeding.

Sincerely,



T. Patrick Griffin

TPG:cs

EXHIBIT C

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

JOHN W. DORRIS,
Bar No. 020436,

Respondent.

PDJ

**FINAL JUDGMENT AND
ORDER**

[State Bar No. 18-0369]

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, **John W. Dorris**, is hereby reprimanded for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective on the date of this order or _____.

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.

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 _____, 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 July, 2018.

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

Nancy A. Greenlee
821 E. Fern Dr. North
Phoenix, AZ 85014-3248
Email: nancy@nancygreenlee.com
Respondent's Counsel

Copy of the foregoing emailed/hand-delivered
this ____ day of July, 2018, to:

Kelly J. Flood
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 July, 2018 to:

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

by: _____