

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

VIDA Z. FLOREZ-WARNER,
Bar No. 013531

Respondent.

PDJ 2018-9021

**FINAL JUDGMENT AND
ORDER**

[State Bar No. 17-2393]

FILED MARCH 28, 2018

The Presiding Disciplinary Judge having reviewed the Agreement for Discipline by Consent filed on March 15, 2018, pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed agreement.

Accordingly:

IT IS ORDERED Respondent, **Vida Z. Florez-Warner**, is reprimanded and placed on probation for two (2) years, for her 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 Ms. Florez-Warner shall be placed on probation for two (2) years under the following terms and conditions:

- a. LOMAP:** Ms. Florez-Warner shall contact the State Bar Compliance Monitor at (602) 340-7258, within ten (10) days from this order.

Respondent shall submit to a LOMAP examination of her office procedures. Respondent shall sign terms and conditions of participation, including reporting requirements, which shall be incorporated herein. Respondent shall be responsible for any costs associated with LOMAP.

- b. FEE ARBITRATION:** Ms. Florez-Warner shall participate in the State Bar's Fee Arbitration Program. Respondent shall contact the Fee Arbitration Coordinator at 602-340-7379 within ten (10) days from this order to obtain the forms necessary to participate in Fee Arbitration. Respondent shall file the necessary forms no later than thirty (30) days from receipt of the forms. Respondent shall have thirty (30) days from the date of letter from the Fee Arbitration Coordinator to comply with the award entered in the Fee Arbitration proceeding.
- c. TEN DEADLY SINS:** Ms. Florez-Warner shall complete the CLE program *Ten Deadly Sins of Conflict* within ninety (90) days from this order. Respondent shall provide the State Bar Compliance Monitor with evidence of completion of the program by providing a copy of handwritten notes. Respondent shall contact the Compliance Monitor at 602-340-7258 to arrange to submit this evidence. Respondent shall be responsible for the cost of the CLE.

IT IS FURTHER ORDERED Ms. Florez-Warner shall pay the costs and expenses of the State Bar of Arizona for \$1,200.00, within thirty (30) days from this order. There are no costs incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office in these disciplinary proceedings.

DATED this 28th day of March, 2018.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing mailed/mailed
this 28th day of March, 2018, to:

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

Vida Z. Florez-Warner
150 W. Court St., Ste. B
Yuma, AZ 85364-2370
Email: vzfcalendar@gmail.com
Respondent

by: AMcQueen

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

VIDA Z. FLOREZ-WARNER,
Bar No. 013531

Respondent.

PDJ 2018-9021

**DECISION ACCEPTING
DISCIPLINE BY CONSENT**

[State Bar No. 17-2393]

FILED MARCH 28, 2018

Under Rule 57(a), Ariz. R. S. Ct.,¹ an Agreement for Discipline by Consent (“Agreement”), was filed March 15, 2018. This matter was not submitted to the Attorney Regulation Probable Cause Committee and no formal complaint has been filed. Ms. Florez-Warner represents herself, the State Bar of Arizona is represented by Senior Bar Counsel David L. Sandweiss.

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. Florez-Warner has voluntarily waived the right to an adjudicatory hearing, and waived all motions, defenses, objections or requests that could be asserted upon approval of

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

the proposed form of discipline. Notice of the Agreement and an opportunity to object as required by Rule 53(b)(3), Ariz. R. S. Ct., was sent to the complainants by e-mail and letter on March 15, 2018, time expired for response on March 27, 2018, and no objections have been filed.

The Agreement details a factual basis to support the conditional admissions. It is incorporated by this reference. Ms. Florez-Warner admits she violated ERs 1.3 (diligence), 1.4(a) (communication), 1.7(a) and (b) (conflict of interest). Her misconduct is briefly summarized.

A wife (“client”) and husband (“complainant”) were divorced in 2016. Client as part of divorce decree was responsible for \$27,000 of debt of two credit card creditors. Unable to make the payments, client hired Ms. Florez-Warner to represent her in filing a Chapter 7 bankruptcy. Complainant accompanied client to client’s meeting with Ms. Florez-Warner for moral support and to provide documents. Complainant hired Florez-Warner regarding debit settlement of the client’s debt soon resolved through bankruptcy, but for which the creditors would then pursue him.

Ms. Florez-Warner failed to obtain the ex-husband’s informed consent in writing regarding the conflict of interest between any joint debts. Ms. Florez-Warner sent and resent letters to the two creditors but they did not respond. She then did nothing for six months. Complainant was served with a complaint by one of the debtors. Ms. Florez-Warner again sent letters and successfully negotiated with one

creditors, reducing the debt to 60% of the amount owed. The other creditor having already sued, declined to settle. When she relayed this information to Complaint he had already moved to San Diego and demanded a full refund. She sent him a refund for the remaining balance of funds which was reasonable. Ms. Florez-Warner acknowledges she failed to adequately communicate and diligently represent her client.

Standard 4.33, Failure to Avoid Conflicts of Interest, applies to Ms. Florez-Warner's violation of ER 1.7 and 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 to a client.

Standard 4.43, Lack of Diligence applies to Ms. Florez-Warner's violation of ERs 1.3 and 1.4, and provides that reprimand is generally appropriate when a lawyer is negligent and does not act with reasonable diligence in representing a client, and causes injury or potential injury to a client.

Ms. Florez-Warner negligently failed to analyze the conflict of interest by representing ex-spouses on debt matters. She further failed to diligently represent and adequately communicate with her client.

The parties stipulated the presumptive sanction is reprimand. Her negligent misconduct caused potential harm to her client. The parties further stipulate in

aggravation are factors 9.22(a) prior disciplinary offenses, 9.22(d) multiple offenses, and 9.22(i) substantial experience in the practice of law. In mitigation are factors 9.32(b) absence of selfish or dishonest motive, 9.32(d) timely good faith effort to make restitution or rectify consequences of misconduct, 9.22(e) full and free disclosure to disciplinary board or cooperative attitude towards proceedings, and 9.32(l) remorse are present in mitigation. The agreed upon sanctions are reprimand and two (2) years of probation with the State Bar's Law Office Management Assistance Program (LOMAP), continuing legal education, and participation in fee arbitration. Accordingly:

IT IS ORDERED accepting the Agreement, and incorporating it and any supporting documents by this reference. A final judgment and order is signed this date.

DATED this 28th day of March, 2018.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

COPY of the foregoing e-mailed/mailed
on this 28th day of March 2018, to:

Vida Z. Florez-Warner
150 W. Court Street, Suite B.
Yuma, AZ 85364-2370
Email: vzfcalendar@gmail.com
Respondent

by: AMcQueen

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

OFFICE OF THE
PRESIDING DISCIPLINARY JUDGE
SUPREME COURT OF ARIZONA

MAR 15 2018

FILED

BY



David L. Sandweiss, Bar No. 005501
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150 W. Court St., Ste. B
Yuma, AZ 85364-2370
Telephone 928-329-6101
Email: vzfcalendar@gmail.com
Respondent

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**VIDA Z. FLOREZ-WARNER,
Bar No. 013531,**

Respondent.

PDJ 2018-9021

State Bar File No. 17-2393

**AGREEMENT FOR DISCIPLINE
BY CONSENT**

The State Bar of Arizona and Respondent Vida Z. Florez-Warner, 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. (all references hereafter to rules are to the Arizona Rules of the Supreme Court). 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 admissions and proposed form of discipline are approved.

Pursuant to Rule 53(b)(3), the State Bar notified Complainant of this agreement by letter and email on March 15, 2018, Complainant has been notified that he may file a written objection to the agreement with the State Bar within five (5) business days of bar counsel's notice. Copies of Complainants' objections, if any, have been or will be provided to the Presiding Disciplinary Judge.

Respondent conditionally admits that her conduct, as set forth below, violated Rule 42, ERs 1.3, 1.4(a), and 1.7(a) and (b). Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline: Reprimand with probation for two years. For probation, Respondent agrees to participate with the State Bar's Law Office Management Assistance Program (LOMAP), attend or view the State Bar's CLE program entitled, "The Ten Deadly Sins of Conflict," and participate with Complainant in State Bar-sponsored fee arbitration.

CAUTION RE: NON-COMPLIANCE WITH PROBATION

If Respondent fails to comply with any of the foregoing probation terms, and the State Bar of Arizona receives information thereof, Bar Counsel shall file a notice of noncompliance with the Presiding Disciplinary Judge pursuant to Rule 60(a)(5). The Presiding Disciplinary Judge may conduct a hearing within 30 days to determine if Respondent breached a term of probation and, if so, whether to impose an appropriate sanction. If the State Bar alleges that Respondent failed to comply with any of the foregoing terms, the State Bar shall have the burden of proof to prove noncompliance by a preponderance of the evidence.

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

FACTS

COUNT ONE of ONE (File no. 17-2393 / Juziuk)

1. Respondent was licensed to practice law in Arizona on May 18, 1991.
2. Complainant Steve Juziuk and his ex-wife Maria were divorced in June 2016. In the property division component of their divorce decree, Maria was assigned two joint credit card debts totaling about \$27,000, one owed to Wells Fargo Bank and the other owed to Bank America (BA). A short time later, she hired Respondent to file a Chapter 7 bankruptcy.
3. Complainant accompanied Maria to an office visit with Respondent in part to furnish financial documents and in part for moral support. While there, he mentioned to Respondent that he had been getting threatening calls and letters from Wells Fargo and BA. Respondent offered him debt settlement services for a flat fee of \$2,000, an amount that represented a \$1,000 discount over her usual fee (\$1,500 per credit card).
4. On August 17, 2016, Complainant signed Respondent's fee agreement and paid Respondent \$2,000. Respondent did not obtain Complainant's informed consent in writing to a conflict of interest. For example, and not by limitation, Maria's bankruptcy was virtually guaranteed to prompt Wells Fargo and BA to

pursue Complainant for the joint debts. An unconflicted lawyer would have referred Complainant to separate counsel for advice on whether to seek an amendment of the property division aspects of the divorce decree, based on Maria's changed financial circumstances. Impeded by her duty to Maria, Respondent could not so advise Complainant, thereby giving her a conflict of interest.

5. In August and September 2016, Respondent sent and resent letters to Wells Fargo and BA seeking a negotiated resolution of Complainant's debts. Neither company responded. For the next six months, Respondent took no action on Complainant's behalf.

6. In March 2017, one of the banks (Complainant does not remember which one, but it was BA) served Complainant with a civil suit complaint and summons. Complainant called Respondent's office to report this, and she told him to bring the documents to her office. He did not do so. She did, however, send new letters to Wells Fargo and BA, and followed up with phone calls to them. Wells Fargo offered to settle its debt for 60% in payments over one year. BA already had sent its file to counsel to file suit. On April 7, 2017, Respondent relayed this information to Complainant.

7. On April 10, 2017, Complainant called Respondent and told her to cease activity and issue a refund. She did not respond. On June 29, 2017, Complainant went to Respondent's office to obtain a refund. According to Respondent, Complainant was under the influence of alcohol at the time—he denies it. She asked him to leave. On June 30, she sent him a refund check for \$575.00 at his Yuma address. In July 2017, Respondent invited Complainant to her office to discuss whether he would like to file for bankruptcy protection, but Complainant by then had moved to San Diego. On July 31, he wrote to Respondent complaining that he had seen no evidence that she had taken any action or provided any services on his behalf, he had seen no invoices, and he demanded a full refund, apparently not knowing that Respondent already issued him a refund. Later, he received and cashed the refund check.

8. Respondent furnished an accounting that itemizes \$1,425.00 in services at \$300/hr. for her and \$125/hr. for her paralegal. The services and amounts charged are reasonable. The itemization shows a gap in any services or communications with Respondent for six months from September 2016-March 2017.

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 violated Rule 42, ERs 1.3, 1.4(a), and 1.7(a) and (b).

RESTITUTION

Restitution is not an issue in this matter. Complainant and Respondent will resolve fee issues through fee arbitration as a probationary term.

SANCTION

Respondent and the State Bar of Arizona agree that based on the facts and circumstances of this matter the following sanctions are appropriate: Reprimand, probation (as outlined above), and payment of costs and expenses. 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. *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 the parties consider 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

Respondent violated her duties to her client.

The lawyer's mental state

For purposes of this agreement the parties agree that Respondent acted negligently. Her violation of conflict of interest rules is the most egregious of her violations. In providing what she regarded as routine, low-cost legal services to an underserved segment of the Yuma community, Respondent did not carefully

analyze the conflict of interest issue posed by representing ex-spouses on debt matters.

The extent of the actual or potential injury

For purposes of this agreement, the parties agree that there was potential harm to Respondent's client as a result of Respondent's violation of conflict of interest rules. The parties agree that potential harm resulted from Respondent's failure to act diligently on her client's behalf, and communicate adequately with him, which otherwise may (but also may not) have averted the BA lawsuit.

The parties agree that the following *Standards* are appropriate:

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 interests, or whether the representation will adversely affect another client, and causes injury or potential injury to a client.

Standard 4.43 - Reprimand is generally appropriate when a lawyer is negligent and does not act with reasonable diligence in representing a client, and causes injury or potential injury to a client.

Aggravating and mitigating circumstances

The presumptive principal sanction in this matter is reprimand. 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—

2018, 15-2650, Admonition and Probation (CLE on Arizona Rules of Family Law Procedure), ERs 4.2 and 8.4(d).

2015, 14-1299, Suspension for 60 days and probation (LOMAP and practice monitor) for two years upon reinstatement, ERs 1.1, 1.3, 1.4, 1.5(a), 3.4(c), 7.1, 7.4, and 8.4(d), and Rule 54.

2011, 10-2260, Reprimand and restitution (\$2,500), ERs 1.1, 1.5(b), 1.5(d)(3), and 3.1.

2010, 09-1730, Informal Reprimand (currently Admonition) and Probation for 1 year (CLE), ERs 1.1, 1.3, 3.1, 4.4(a), Rule 41(b).

2007, 07-0594, Probation for 1 year (TAEPP, LOMAP), ER 1.5(d)(3) and Rules 43-44.

2005, 04-2045, Informal Reprimand and Probation for 1.5 years (LOMAP, CLE, Practice Monitor), ER 1.1.

(d) multiple offenses; and

(i) substantial experience in the practice of law.

In mitigation:

Standard 9.32 -- Mitigating factors include:

(b) absence of a dishonest or selfish motive;

(d) timely good faith effort to make restitution or to rectify consequences of misconduct;

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

(l) remorse.

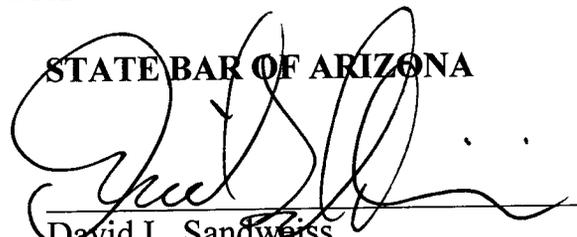
Discussion

The parties conditionally agree that, upon application of the aggravating and mitigating factors, the presumptive principal sanction coupled with probation is appropriate. The State Bar is concerned about Respondent's discipline history. However, as noted in the Agreement for Discipline by Consent related to Respondent's 2015 short-term suspension in PDJ 2015-9093 (State Bar file no. 14-1299), page 19, "Competence is Respondent's fundamental problem." Four of the cases in Respondent's discipline history involved ER 1.1 (competence), but that rule is not implicated by the present case. Although Respondent has been disciplined for violating ERs 1.3 and 1.4, this case represents her first violation of ER 1.7 (conflict of interest). Imposition of a reprimand paired with the recommended probationary terms 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 Reprimand with Probation, and the imposition of costs and expenses. A proposed form order is attached hereto as Exhibit B.

DATED this _____ day of March 2018.

STATE BAR OF ARIZONA


David L. Sandweiss
Senior Bar Counsel

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

DATED this _____ day of March, 2018.

Vida Z. Florez-Warner
Respondent

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 with Probation, and the imposition of costs and expenses. A proposed form order is attached hereto as Exhibit B.

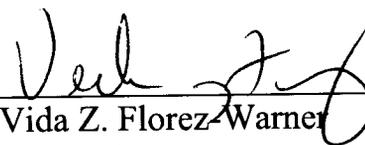
DATED this _____ day of March 2018.

STATE BAR OF ARIZONA

David L. Sandweiss
Senior Bar Counsel

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

DATED this 9th day of March, 2018.



Vida Z. Florez-Warner
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 15th day of March, 2018.

Copy of the foregoing emailed
this 15th day of March, 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 15th day of March, 2018, to:

Vida Z. Florez-Warner
Law Office of Vida Z Florez PLLC
150 W Court St Ste B
Yuma, AZ 85364-2370
Email: vzfcalendar@gmail.com
Respondent

Copy of the foregoing hand-delivered
this 15th day of March, 2018, to:

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

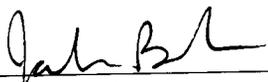
by: 
DLS: jlb

EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona,
Vida Z. Florez-Warner, Bar No. 013531, Respondent

File No. 17-2393

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

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

VIDA Z. FLOREZ-WARNER,
Bar No. 013531,

Respondent.

PDJ

**FINAL JUDGMENT AND
ORDER**

State Bar No. 17-2393

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 ORDERED that Respondent, **Vida Z. Florez-Warner**, is hereby reprimanded, and placed on probation for two years, for her conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective 30 days from the date of this order or _____.

IT IS FURTHER ORDERED Ms. Florez-Warner shall be placed on probation for two (2) years under the following terms and conditions:

- a. LOMAP:** Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within 10 days from the date of service of this Order. Respondent shall submit to a LOMAP examination of her office

procedures. Respondent shall sign terms and conditions of participation, including reporting requirements, which shall be incorporated herein. Respondent will be responsible for any costs associated with LOMAP.

b. FEE ARBITRATION: Respondent shall participate in the State Bar's Fee Arbitration Program. Respondent shall contact the Fee Arbitration Coordinator at 602-340-7379 within 10 days from the date of service of this Order to obtain the forms necessary to participate in Fee Arbitration. Respondent shall file the necessary forms no later than 30 days from the date of receipt of the forms. Respondent shall have 30 days of the date of letter from the Fee Arbitration Coordinator to comply with the award entered in the Fee Arbitration proceeding.

c. TEN DEADLY SINS: Respondent shall complete the CLE program 10 Deadly Sins of Conflict within 90 days from the date of service of this Order. Respondent shall provide the State Bar Compliance Monitor with evidence of completion of the program by providing a copy of handwritten notes. Respondent should contact the Compliance Monitor at 602-340-7258 to make arrangements to submit this evidence. Respondent will be responsible for the cost of the CLE.

CAUTION RE: NON-COMPLIANCE WITH PROBATION

If Respondent fails to comply with any of the foregoing probation terms, and the State Bar of Arizona receives information thereof, Bar Counsel shall file a notice of noncompliance with the Presiding Disciplinary Judge pursuant to Rule 60(a)(5). The Presiding Disciplinary Judge may conduct a hearing within 30 days to determine if Respondent breached a term of probation and, if so, whether to impose an appropriate sanction. If the State Bar alleges that Respondent failed to comply with any of the foregoing terms, the State Bar shall have the burden of proof to prove noncompliance by a preponderance of the evidence.

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 March, 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 March, 2018.

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

Vida Z. Florez-Warner
Law Office of Vida Z. Florez PLLC
150 W. Court St., Ste. B
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Email: vzfcalendar@gmail.com]
Respondent

Copy of the foregoing emailed/hand-delivered
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David L. Sandweiss
Senior Bar Counsel
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266
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4201 N 24th Street, Suite 100
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by: _____