

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

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

**JASON CHANDLER FARRINGTON,
Bar No. 023639**

Respondent.

PDJ-2015-9057

FINAL JUDGMENT AND ORDER

[State Bar Nos. 14-0601, 14-2656,
and 14-2835]

FILED JULY 13, 2015

The Presiding Disciplinary Judge of the Supreme Court of Arizona, having reviewed the Agreement for Discipline by Consent filed on June 30, 2015, pursuant to Rule 57(a), Ariz. R. Sup. Ct., hereby accepts the parties' proposed agreement. Accordingly:

IT IS HEREBY ORDERED Respondent, **Jason Chandler Farrington**, is hereby 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 Respondent shall be placed on probation for two (2) years effective the date of this order. Respondent shall report to the State Bar quarterly that he has remained out of the practice of law, and shall undergo at his expense a Law Office Management Assistance Program (LOMAP) and Member Assistance Program (MAP) screening if he returns to practicing law.

IT IS FURTHER ORDERED Respondent shall pay the costs and expenses of the State Bar of Arizona in the amount of \$1,236.50, within 30 days from the date of service 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 13th day of July, 2015.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing mailed/emailed
this 13th day of July, 2015, to:

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Farrington Hardy PLC
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Email: jason@farringtonhardy.com

Alternate address:

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Email: jsnfarrington@gmail.com
Respondent

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Lawyer Regulation Records Manager
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by: [JAlbright](#)

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

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

**JASON CHANDLER FARRINGTON,
Bar No. 023639**

Respondent.

No. PDJ-2015-9057

**DECISION ACCEPTING
CONSENT FOR DISCIPLINE**

[State Bar File Nos. 14-0601,
14-2656, 14-2835]

FILED JULY 13, 2015

An Agreement for Discipline by Consent ("Agreement") was filed on June 30, 2015, and submitted under Rule 57(a)(3), Ariz. R. Sup. Ct.¹. Upon filing such Agreement, the presiding disciplinary judge, "shall accept, reject or recommend modification of the agreement as appropriate."

Rule 57(a)(2) 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.

Under Rule 53(b)(3), notice of this Agreement was provided to the complainants by letter dated April 17, 2015. Complainants were notified of the

¹ Unless stated otherwise, all rules are to the Arizona Rules of the Supreme Court.

opportunity to file a written objection to the agreement with the State Bar within five (5) days of bar counsel's notice. No objection was received.

Mr. Farrington was licensed to practice law in Arizona on March 16, 2006. On February 27, 2015, he was summarily suspended for violating the Mandatory Continuing Legal Education requirements. The Agreement details a factual basis for the admissions to the three (3) counts in the agreement arising out of three (3) bankruptcy cases. Mr. Farrington conditionally admits violations of Rule 42, ERs 1.3, 1.4, 1.16(d), 3.2, 8.1 and 8.4(d), as well as Rule 54(d).

The parties stipulate to a sanction of reprimand with a two (2) year period of probation. During the period of probation, Mr. Farrington shall report to the State Bar on a quarterly basis to ensure compliance with the terms of this Agreement under Rule 57(a)(2)(B). Further, Mr. Farrington has agreed to undergo—at his expense—Law Office Management Assistance Program (LOMAP) and Member Assistance Program (MAP) should he return to the practice of law. Completion of LOMAP and MAP shall be a condition precedent to reinstatement to active status. Aggravating and mitigating factors were generally referred to in the Agreement.

A Probable Cause Order was issued May 21, 2015, giving authorization to the State Bar to prepare and file a complaint against Mr. Farrington under Rules 55(c) and 58(a). The State Bar filed its Complaint on June 22, 2015. Notice of Service of Complaint was filed on June 25, 2015². Notice of assignment to Presiding Disciplinary Judge, William J. O'Neil ("PDJ") was given on June 29, 2015. Mr. Farrington filed no response to the State Bar's Complaint. As stated above, the Agreement for Discipline by Consent was filed with the PDJ on June 30, 2015.

² Copies of the Complaint sent to Farrington Hardy PLC and Mr. Farrington's home address.

As conditionally admitted in the Agreement, the three (3) counts arise out of bankruptcy matters. Mr. Farrington took over representation in each of these bankruptcy cases from a previous attorney, Mr. Robert Cook, who was disbarred before completing the clients' cases. There is no record of restitution being owed to any of the complainants.

In the first count, Mr. Farrington took over a dismissed Chapter 13 bankruptcy case for a husband and wife in April 2013. He charged no additional fees to the clients. Mr. Farrington contacted the bankruptcy trustee on April 9, 2013 to begin communication between the parties. On June 4, 2013, Mr. Farrington got the clients' case reinstated.

After the case was reinstated, the client remained in arrears. Mr. Farrington told the clients their plan would not be confirmed if the payments remained in arrears. On October 28, 2013, the clients were \$1,992 in default and the case was dismissed again.

In February 2014, the clients contacted the State Bar to complain about the inability to contact Mr. Farrington about the status of their bankruptcy case. Mr. Farrington's phone number was no longer in service, he no longer worked out of his Tucson office, and there was a "For Rent" sign at his Yuma office. The State Bar's initial screening letter was returned with the labels: "Return to Sender," "Refused," and "Unable to Forward."

Mr. Farrington did receive the emailed copy of the initial screening letter. Mr. Farrington explained his lack of communication on a misunderstanding of the desires of the clients. When Mr. Farrington spoke with the clients in October 2013 they explained they did not have money to pay the arrears and continue with the case.

Therefore, Mr. Farrington assumed the clients were done with the bankruptcy proceedings and the representation was done. He admits “[he] could have done a better job of clearly communicating the termination of the representation to [the clients].” When Mr. Farrington discovered the clients were trying to reach him he attempted to contact them and leave a message, but the clients had not set up a working voicemail. There is no record of attempted communication between Mr. Farrington and the clients beyond this call.

In the second count, the client was unable to contact Mr. Farrington regarding her case. As stipulated in the Agreement, the client was able to reach Mr. Farrington on or about April 2014. It is stipulated Mr. Farrington did not follow through with promised representation and eventually stopped responding to the client’s calls and emails.

The client filed a complaint with the State Bar because she had an upcoming hearing on September 26, 2014, in which the trustee was threatening to close her bankruptcy case. The trustee claimed Mr. Farrington had not completed the requisite tasks to warrant maintaining an open case. There is no record about the status of this matter as of the date of the State Bar’s Complaint.

During October 2014 the State Bar sent Mr. Farrington a screening letter via email and regular mail. When Mr. Farrington did not response, the State Bar sent a reminder on November 10, 2014, also by regular mail and email. The November 10 letter was returned with the labels: “Return to Sender,” “Refused,” and “Unable to Forward.” The State Bar resent the initial screening and reminder letters on November 20, 2014. There was no response by Mr. Farrington.

State Bar investigator Kevin McBay was asked by State Bar counsel to find Mr. Farrington. Mr. McBay contacted Mr. Farrington's prior partner, Ryan Hardy, but discovered that he no longer had much contact with Mr. Farrington. Later in the process of locating Mr. Farrington, Mr. McBay received a voicemail from Mr. Farrington. The voicemail informed Mr. McBay that Mr. Farrington was working as a teacher and could be contacted in the evenings. Mr. Farrington provided a phone number for Mr. McBay to reach him at during the evening.

On February 23, 2015, the State Bar sent Mr. Farrington a letter to inform him of the need to update his information with the State Bar and to ask for a response to the bar charges in files 14-2656 and 14-2835³. On March 4, 2015, Mr. Farrington called bar counsel and admitted to receiving the screening letter for file 14-2835, but had no answer for his failure to respond.

In the third count⁴, Mr. Farrington represented husband and wife clients in a Chapter 11 bankruptcy case and an inverse condemnation suit against the State of Arizona. It is conditionally admitted, Mr. Farrington gave his clients bad legal advice about continuing to make their house payments. The clients complained about sporadic communication and late filing of monthly reports. In May 2014, clients wanted to dismiss the Chapter 11 case since they felt Mr. Farrington was not working on the matter. The clients were unable to reach Mr. Farrington and ultimately could not get a response from him about dismissing the case. There is no record of whether the clients were able to get the case dismissed.

³ In this matter, 14-2656 is Count Two and 14-2835 is Count Three.

⁴ Mr. Farrington did not respond to the State Bar's screening investigation so all facts are based entirely on the clients' version of the representation.

The State Bar was equally unsuccessful in communicating with Mr. Farrington regarding the clients' complaint.

Presumptive Sanctions

The parties agree that *Standards* 4.43, 6.23, 7.2, and 7.3 of the American Bar Association's *Standards for Imposing Lawyer Sanctions* ("ABA Standards") are applicable under the circumstances of this matter.

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.

ABA Standards Standard 4.43

Reprimand is generally appropriate when a lawyer negligently fails to comply with a court order or rule, and causes injury or potential injury to a client or a party, or interference or potential interference with a legal proceeding.

ABA Standards Standard 6.23

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

ABA Standards Standard 7.2

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

ABA Standards Standard 7.3

The parties agree Mr. Farrington knowingly violated ER 8.1 and Rule 54(d). Additionally, the parties agree Mr. Farrington was negligent in violating ERs 1.3, 1.4, 1.16(d), 3.2, and 8.4(d). As conditionally agreed, the presumptive sanction for Mr. Farrington's knowing failure to respond to the State Bar's screening letter is a suspension. Additionally, it is conditionally agreed, the presumptive sanction for the other violations is a reprimand for Mr. Farrington's negligent handling of the

bankruptcy matters. Finally, the parties look to mitigating and aggravating factors to determine the appropriate sanctions, which will best serve the purpose of attorney discipline.

Aggravation and Mitigation

The mitigation includes absence of a prior disciplinary record, absence of a dishonest motive, and remorse⁵. The lack of a prior disciplinary history is given significant weight in this matter. It is conditionally agreed the aggravating factors include: selfish motive, a pattern of misconduct, multiple offenses, bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with the rules or orders of the disciplinary agent, and substantial experience in the practice of law. Further, it is conditionally agreed the violations occurred at a time when Mr. Farrington was changing careers as his enthusiasm for the practice of law was waning. Additionally, Mr. Farrington is currently summarily suspended from the practice of law and poses no threat to the public or profession.

The object of lawyer discipline is to protect the public, the legal profession, the administration of justice, and to deter other attorneys from engaging in unprofessional conduct. *Peasley*, 208 Ariz. 27, 38, 90 P.3d 764, 775 (2004). Attorney discipline is not intended to punish the offending attorney, although the sanctions imposed may have that incidental effect. *Id.*

The PDJ finds the proposed sanctions of reprimand and probation meet the objectives of discipline. Further, the requirement of completion of MAP and LOMAP before returning to active status is satisfactory. The Agreement is accepted.

⁵ Remorse is only credited to Count One.

IT IS ORDERED incorporating by this reference the Agreement and any supporting documents by this reference. The agreed upon sanctions are: formal reprimand, two (2) year probation period, and the payment of costs and expenses of the disciplinary proceeding in the amount of \$1,236.50 to be paid within thirty (30) days of the final order. These financial obligations shall bear interest at the statutory rate of ten per cent per annum from December 1, 2015.

IT IS FURTHER ORDERED the Agreement is accepted. Costs as submitted are approved for \$1,236.50 to be paid within thirty (30) days of the date of the final order. Now therefore, a final judgment and order is signed this date. Mr. Farrington is reprimanded with his probation period beginning on the date of this Order.

DATED 13th day of July, 2015.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

Copies of the foregoing mailed/emailed
this 13th day of July, 2015.

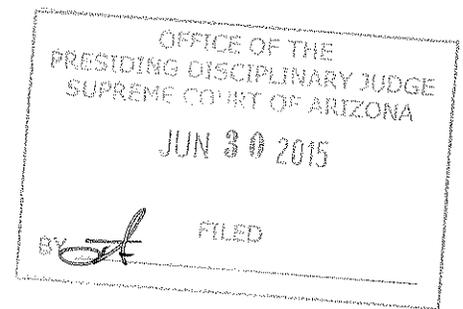
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Respondent

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**JASON CHANDLER FARRINGTON,
Bar No. 023639,**

Respondent.

PDJ 2015 *9057*

**AGREEMENT FOR DISCIPLINE BY
CONSENT**

State Bar File Nos. 14-0601, 14-2656,
and 14-2835

The State Bar of Arizona through undersigned Bar Counsel, and Respondent Jason Chandler Farrington 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.¹ Probable cause orders were entered in these matters on May 21, 2015. 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.

¹ All references herein to rules are to the Arizona Rules of the Supreme Court unless expressly stated otherwise.

Pursuant to Rule 53(b)(3) the State Bar furnished notice of this agreement to Complainants by letter on April 17, 2015. The State Bar notified each Complainant of the right to file a written objection to the agreement with the State Bar within five (5) business days of bar counsel's notice. None of the complainants has objected.

Respondent conditionally admits that his conduct, as set forth below, violated Rule 42, ERs 1.3 (Diligence), 1.4 (Communication), 1.16(d) (Declining or Terminating Representation), 3.2 (Expediting Litigation), 8.4(d) Misconduct Prejudicial to the Administration of Justice), 8.1 (Bar Admission and Disciplinary Matters), and Rule 54(d) (Grounds for Discipline). Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline:

A. Reprimand;

B. Probation for two years. The probationary terms are for Respondent to report to the State Bar quarterly that he has remained out of the practice of law, and to undergo at his expense a LOMAP (Law Office Management Assistance Program) and MAP (Member Assistance Program) screening if he returns to practicing law;

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.² The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit A.

PROBATION NON-COMPLIANCE WARNING

In the event that 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

² 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.

within 30 days to determine whether a term of probation has been breached and, if so, to recommend an appropriate sanction. If there is an allegation that Respondent failed to comply with any of the foregoing terms, the burden of proof shall be on the State Bar of Arizona to prove noncompliance by a preponderance of the evidence.

FACTS

1. Respondent was licensed to practice law in Arizona on March 16, 2006. On February 27, 2015, Respondent was suspended in Arizona for violating Mandatory Continuing Legal Education rules.

COUNT ONE (File no. 14-0601/Espinoza)

2. Complainant and his wife Angelica ("Complainants") paid Robert Cook \$4,100 to represent them in their Chapter 13 bankruptcy case. Complainants' case was dismissed in April 2013, while Mr. Cook still represented them, for failure to respond to the trustee's recommendations for plan confirmation and for failure to make plan payments. The case had been pending for over two years without a confirmed Chapter 13 plan.

3. When Mr. Cook was disbarred, he arranged for Respondent to take over his cases for no additional fee from clients. Respondent took this case in April 2013 without charging or collecting a fee.

4. Respondent contacted the trustee on April 9, 2013, had multiple phone calls and emails with the trustee and Complainants, and got the case reinstated on June 4, 2013.

5. Complainants remained in arrears on their plan payments. Respondent told Complainants that their plan would not be confirmed unless they caught up.

6. Complainants struggled to make their payments and, on October 28, 2013, when they were \$1,992.00 in default, their case was again dismissed.

7. In February 2014, Complainants contacted the State Bar to complain that they had been trying to reach Respondent to determine the status of their bankruptcy case and were unable to reach him. Respondent's phone number was out of service, he no longer worked out of his Tucson office, and there was a "For Rent" sign at his Yuma office.

8. The State Bar's screening letter to Respondent at his address of record at Farrington Hardy, PLC in Gilbert, Arizona, was returned with the label "Return to Sender" "Refused" "Unable to Forward."

9. Respondent did receive the bar's screening letter by email, though, and timely responded.

10. Respondent said that he spoke with Complainants in October 2013 about the second dismissal. Complainants told him they did not have the money to pay the arrears and continue with the case.

11. Respondent assumed that Complainants were done with the bankruptcy and the representation was over. "However, I could have done a better job of clearly communicating the termination of the representation to Mr. Espinoza."

12. Respondent stated further that he regrets not receiving Complainant's phone calls. Respondent does not know what number Complainants were using. Respondent has no record of receiving cell phone calls from them for the length of time his phone retains such information. When Respondent learned that Complainants were trying to reach him he called them and tried to leave a message but heard a recording that voicemail had not been set up.

13. According to State Bar records, Respondent opened Farrington Law Firm in April 2013 with a phone number of 480-320-2292. In April 2014 Respondent formed Farrington Hardy in Gilbert with Ryan Hardy with a phone number of 480-422-8555. Sometime later, they moved to Phoenix and Respondent obtained a new phone number, 480-320-8944.

14. Respondent and Mr. Hardy dissolved their firm but Respondent kept a separate office at the Phoenix address.

15. In the summer of 2014, Respondent stopped practicing law and became a math teacher at Higley High School.

COUNT TWO (File No. 14-2656/Hipp)

16. Respondent did not respond to the State Bar's screening investigation so the following facts are based entirely on Complainant's version of the underlying representation.

17. Generally, Complainant alleged that Respondent succeeded Robert Cook in her bankruptcy case and starting in the summer of 2013, she was unable to reach him.

18. Complainant learned that Respondent had left his former firm and was able to reach him once in about April 2014. Respondent did not follow through with whatever he promised to do and eventually stopped responding to Complainant's calls and emails.

19. When Complainant brought this charge, she had an upcoming hearing on September 26, 2014, in which the trustee threatened to close her case because Respondent had not completed the requisite tasks.

20. In October 2014, by regular mail and email, bar counsel sent Respondent a screening letter that called for his response. Respondent did not respond to either so bar counsel sent reminders to Respondent on November 10, 2014, also by regular mail and email.

21. The November letter was returned with the label "Return to Sender" "Attempted-Not Known" "Unable to Forward." Bar counsel sent the screening and reminder letters to Respondent by email again on November 20, 2014. Respondent did not respond.

22. Bar counsel asked the bar's investigator, Kevin McBay, to find Respondent. Mr. McBay learned from Ryan Hardy that he no longer had much contact with Respondent.

23. Mr. McBay later received a voice mail from Respondent at 480-320-8944 that he is a teacher and can be contacted only in the evening. Mr. McBay determined that Respondent lives in Chandler and uses 480-895-4955 as his phone number.

24. On February 23, 2015, bar counsel sent Respondent this letter:

I am enclosing copies of bar charges that Judi Hipp (14-2656) and Tom Holder (14-2835) filed against you. As you can see, in October 2014 we requested that you respond to these charges but we have not received your response. We since have learned that you terminated your law practice relationship with Ryan Hardy and left the office address at which you formerly were located. You did not advise the State Bar of your new address, phone number, or email address, as required by Supreme Court rule.

Because we sent requests to you for a response at your address of record with the State Bar, and because you did not respond, we may take disciplinary action against you immediately. Before doing so, however, we would like to obtain your side of the story, in writing. Kindly respond in writing to both bar charges within seven (7) days. Please also explain whether you still practice law, whether you wish to

maintain your active status as a lawyer, and why you did not notify the State Bar of your move. Finally, please contact the State Bar's records management office immediately at 602-340-7239, to report your current street address, phone number, and email address.

25. Respondent called bar counsel on March 4, 2015. Respondent admitted that in October 2014 he received the charges in this case and in 14-2835, but had no answer as to why he did not respond.

26. Respondent stopped practicing law in the summer of 2014 but promised to respond to the charges "by the end of next week" (spring break), which meant he would respond by March 13, 2015. He has not done so.

COUNT THREE (File No. 14-2835/Holder)

27. Respondent did not respond to the State Bar's screening investigation so the following facts are based entirely on Complainant's version of the underlying representation.

28. Generally, Complainants Tom and Kathi Holder alleged that Respondent succeeded Robert Cook in their two Chapter 11 bankruptcy cases and their inverse condemnation suit against the State of Arizona.

29. Complainants allege that Respondent gave them bad advice about continuing to make house payments. Communication with Respondent was sporadic and difficult and he was late filing monthly reports.

30. Respondent left his firm and changed his phone number.

31. Complainants asked Respondent in May 2014 to dismiss the Chapter 11 cases since he was not working on them but did not hear from him in response.

32. See para. 22-26 in Count Two (14-2656) regarding the State Bar's efforts to contact Respondent, which apply equally to this count.

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 the following rules:

Count One—Rule 42, ERs 1.4 and 1.16(d);

Count Two—Rule 42, ERs 1.3, 1.4, 1.16(d), 3.2, 8.1, 8.4(d), and Rule 54(d);

Count Three—Rule 42, ERs 1.3, 1.4, 1.16(d), 3.2, 8.1, 8.4(d), and Rule 54(d).

RESTITUTION

Restitution is not an issue in these matters.

SANCTION

Respondent and the State Bar of Arizona agree that based on the facts and circumstances of this matter, as set forth above, it is appropriate to sanction Respondent with a reprimand, and probation as described above if he returns to active status. 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 duty violated

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

The lawyer's mental state

For purposes of this agreement the parties agree that Respondent knowingly violated ER 8.1 and Rule 54(d), and negligently violated ERs 1.3, 1.4, 1.16(d), 3.2, and 8.4(d).

The extent of the actual or potential injury

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

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

Standard 4.43 (ERs 1.3 and 1.4)

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.

Standard 6.23 (ER 3.2)

Reprimand is generally appropriate when a lawyer negligently fails to comply with a court order or rule, and causes injury or potential injury to a client or a party, or interference or potential interference with a legal proceeding.

Standard 7.2 (ER 8.1 and Rule 54(d))

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

Standard 7.3 (ER 1.16(d))

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

Aggravating and mitigating circumstances

The presumptive sanction for Respondent's most egregious misconduct is suspension. The parties conditionally agree that the following aggravating and mitigating factors should be considered.

In aggravation:

Standard 9.22--

- (b) selfish motive;
- (c) a pattern of misconduct;
- (d) multiple offenses;
- (e) bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with the rules or orders of the disciplinary agency; and
- (i) substantial experience in the practice of law.

In mitigation:

Standard 9.32—

- (a) absence of a prior disciplinary record;
- (b) absence of a dishonest motive; and
- (l) remorse (Count One).

Discussion

The parties conditionally agree that, upon application of the aggravating and mitigating factors to the facts of this case, the presumptive sanction (suspension for not responding to a State Bar investigation, reprimand for the other violations)

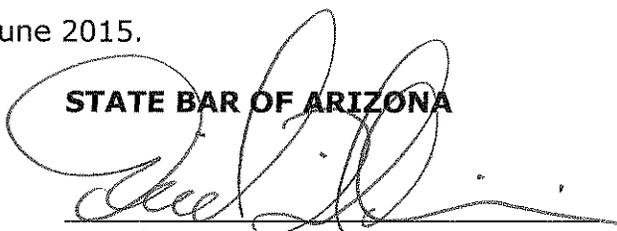
should be mitigated to reprimand and probation. Respondent's violations occurred at a time that he changed careers while his enthusiasm waned for continuing to practice law. His lack of a disciplinary history and dishonest motive are entitled to considerable weight. Respondent currently is ineligible to practice law owing to his MCLE violation. If he applies for reinstatement and returns to active status, a reprimand and probation consisting of MAP and LOMAP evaluations will suffice to 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 upon reinstatement and returning to active status, and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit B.

DATED this _____ day of June 2015.

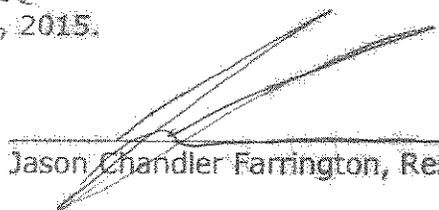
STATE BAR OF ARIZONA



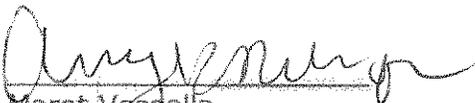
David L. Sandweiss
Senior Bar Counsel

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

DATED this 24th day of ~~May~~ ^{JUNE}, 2015.


Jason Chandler Farrington, 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 30th day of ~~May~~ ^{JUNE}, 2015.

Copies of the foregoing mailed/emailed
this 30th day of ~~May~~ ^{JUNE}, 2015, to:

Jason Chandler Farrington
Farrington Hardy PLC
4425 East Agave Road, Suite 106
Phoenix, Arizona 85044-0620
Email: jason@farringtonhardy.com

Alternate address:
3756 East Waite Lane
Gilbert, Arizona 85295
Email: jsnfarrington@gmail.com
Respondent

Copy of the foregoing emailed
this 30th day of June, 2015, to:

William J. O'Neil
Presiding Disciplinary Judge
Supreme Court of Arizona
Email: officepdj@courts.az.gov

Copy of the foregoing hand-delivered
this 30th day of June, 2015, to:

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

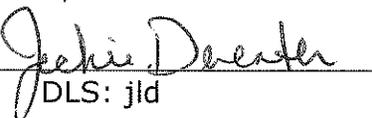
by: 
DLS: jld

EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Suspended Member of the State Bar of Arizona,
Jason Chandler Farrington, Bar No. 023639, Respondent

File Nos. 14-0601, 14-2656, and 14-2835

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

02/19/15	Travel and mileage, attempt to locate Respondent; Computer investigation reports, Accurint	\$ 36.50
	Total for staff investigator charges	\$ 36.50

TOTAL COSTS AND EXPENSES INCURRED \$1,236.50


Sandra E. Montoya
Lawyer Regulation Records Manager

4-17-15
Date

EXHIBIT B

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**Jason Chandler Farrington,
Bar No. 023639,**

Respondent.

PDJ

FINAL JUDGMENT AND ORDER

State Bar Nos. 14-0601, 14-2656, and
14-2835

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, **Jason Chandler Farrington**, is hereby Reprimanded for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective _____.

IT IS FURTHER ORDERED that Respondent shall be placed on probation for two years. Respondent shall report to the State Bar quarterly that he has remained out of the practice of law, and shall undergo at his expense a LOMAP (Law Office Management Assistance Program) and MAP (Member Assistance Program) screening if he returns to practicing law.

PROBATION NON-COMPLIANCE

If Respondent fails to comply with any of the foregoing probation terms, and information thereof is received by the State Bar of Arizona, Bar Counsel shall file a notice of noncompliance with the Presiding Disciplinary Judge pursuant to Rule 60(a)(5), Ariz. R. Sup. Ct. The Presiding Disciplinary Judge may conduct a hearing within 30 days to determine whether a term of probation has been breached and, if

so, to recommend an appropriate sanction. If there is an allegation that Respondent failed to comply with any of the foregoing terms, the burden of proof shall be on the State Bar of Arizona to prove noncompliance by a preponderance of the evidence.

IT IS FURTHER ORDERED that 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 June, 2015.

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 June, 2015.

Copies of the foregoing mailed/emailed this _____ day of June, 2015, to:

Jason Chandler Farrington
Farrington Hardy PLC
4425 E. Agave Rd., Ste. 106
Phoenix, AZ 85044-0620
Email: jason@farringtonhardy.com

Alternate address:

3756 East Waite Lane
Gilbert, Arizona 85295
Email: jsnfarrington@gmail.com
Respondent

Copy of the foregoing emailed/hand-delivered
this ____ day of June, 2015, to:

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

Copy of the foregoing hand-delivered
this ____ day of June, 2015 to:

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

by: _____