

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

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

**PAUL RODRIGO SAUCEDA,
Bar No. 022995**

Respondent.

PDJ-2015-9107

FINAL JUDGMENT AND ORDER

[State Bar File Nos. 15-1717, SB No.
15-1839, SB No. 15-1885 and 15-
1150

Contemporaneously With
PDJ 2015-9082 [(SB No. 13-1126-N)]

FILED OCTOBER 13, 2015

The Presiding Disciplinary Judge of the Supreme Court of Arizona, having reviewed the Agreement for Discipline by Consent filed on October 6, 2015, pursuant to Rule 57(a), Ariz. R. Sup. Ct., hereby accepts the parties' proposed agreement. Accordingly:

IT IS HEREBY ORDERED Respondent, **Paul Rodrigo Saucedo**, is hereby suspended for eighteen (18) months concurrent with the suspension in PDJ 2015-9082. A period of suspension of more than six months will require proof of rehabilitation and compliance with other requirements prior to being reinstated to the practice of law in Arizona for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective thirty (30) days from the date of this Order.

IT IS FURTHER ORDERED Mr. Saucedo shall pay restitution to the following persons in the following amounts:

Robert Sidky \$1,000.00 (Count One)

Otis Ray Harris \$200.00 (Count Two)

Diana N. Flores-Gortariz \$1,200.00 (Count Three)

IT IS FURTHER ORDERED upon reinstatement, Mr. Saucedo shall be placed on probation for a period of two (2) years concurrently with the probation period imposed in PDJ 2015-9082.

IT IS FURTHER ORDERED Mr. Saucedo shall participate in the State Bar Law Office Management Assistance Program (LOMAP) as a term of probation. Mr. Saucedo shall contact the State Bar Compliance Monitor at (602) 340-7258, within ten (10) days from the date of reinstatement. Mr. Saucedo shall submit to a LOMAP examination of his office procedures. Mr. Saucedo shall sign terms and conditions of participation, including reporting requirements, which shall be incorporated herein. The probation period will begin at the time Mr. Saucedo is reinstated and shall conclude two (2) years from that date. Mr. Saucedo shall be responsible for any costs associated with LOMAP.

IT IS FURTHER ORDERED Mr. Saucedo shall participate in the State Bar Member Assistance Program (MAP) as a term of probation. Mr. Saucedo shall contact the State Bar Compliance Monitor at (602) 340-7258, within ten (10) days from the date of reinstatement. Mr. Saucedo shall submit to a MAP assessment. Mr. Saucedo shall sign terms and conditions of participation, including reporting requirements, which shall be incorporated herein. Mr. Saucedo shall be responsible for any costs associated with MAP.

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

NON-COMPLIANCE LANGUAGE

In the event that 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 pursuant to Rule 72 Ariz. R. Sup. Ct., Mr. Saucedo shall immediately comply with the requirements relating to notification of clients and others.

IT IS FURTHER ORDERED that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$1,200.00, within thirty (30) days from the date of service of this Order as set forth in PDJ 2015-9082. 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 October, 2015.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

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

Karen Clark
Adams & Clark, PC
520 E. Portland Street
Phoenix, Arizona 85004-1843
Email: karen@adamsclark.com
Respondent's Counsel

Craig D. Henley
Senior Bar Counsel
Meredith Vivona
Conflicts Bar Counsel
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

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

by: MSmith

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

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

**PAUL RODRIGO SAUCEDA,
Bar No. 022995,**

Respondent.

PDJ 2015-9107

**DECISION ACCEPTING CONSENT
FOR DISCIPLINE**

[State Bar No. 15-1150, 15-1717,
15-1839, and 15-1885¹.
Contemporaneous with PDJ 2015-
9082]

FILED OCTOBER 13, 2015

An Agreement for Discipline by Consent ("Agreement") was filed October 6, 2015, under Rule 57(a)(3), of the Rules of the Arizona Supreme Court. The Agreement was reached before the authorization to file a formal complaint. The Agreement by consent incorporates by reference the Agreement for Discipline by Consent in PDJ-1015-9082. The Agreement was reached before the authorization to file a formal complaint. 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.

¹ The State Bar is represented by conflicts counsel Meredith Vivona in SB No. 15-1150.

Under Rule 53(b)(3) Ariz. R. Sup. Ct., notice of this Agreement was provided to the complainants by email or telephone on September 23, 2015. All were notified of the opportunity to file a written objection to the agreement with the State Bar within five (5) days of bar counsel's notice. It appears no timely objections were received.

In Count One, Mr. Saucedo failed to appear on the client's (Complainant) behalf. A warrant was issued for the client. Mr. Saucedo indicated he would take care of the warrant but took no action. Despite efforts by his client, Mr. Saucedo has failed to respond to him.

In Counts Two and Three, Mr. Saucedo took a fee from each client, (Complainants) and failed to respond to their calls, performed no work and has not refunded their fees.

In Count Four, a judicial officer observed Mr. Saucedo intoxicated in court and in chambers.

The parties stipulate to an eighteen (18) month suspension, concurrent with an eighteen (18) month suspension in PDJ-2015-9082 effective 30 days from the date of this Order. If reinstated, Mr. Saucedo shall be placed on two (2) years of probation and payment of costs within 30 days. Restitution shall also be paid to the clients in Counts One, Two and Three.

Now Therefore,

IT IS ORDERED incorporating by this reference the Agreement and any supporting documents. The agreed upon sanction is an eighteen (18) month suspension, effective 30 days from the date of this Decision and Order two (2) years of probation (LOMAP and MAP) upon reinstatement, restitution, and

costs of the disciplinary proceedings totaling \$1,200.00 as set forth in PDJ-2015-9082. This financial obligations shall bear interest at the statutory rate.

IT IS FURTHER ORDERED the Agreement is accepted. Costs as submitted are approved for \$1,200.00, and shall be paid within thirty (30) days of the final order. Now therefore, a final judgment and order is signed and entered.

DATED this 13th day of October, 2015.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

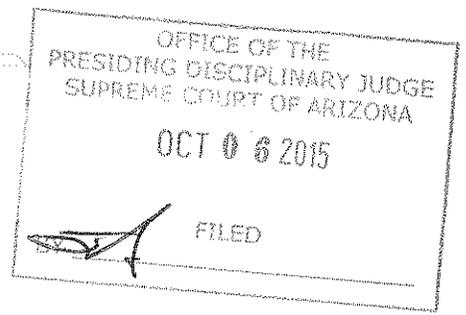
Copies of the foregoing mailed/emailed this 13th day of October, 2015, to:

Craig D. Henley
Senior Bar Counsel
Meredith Vivona
Conflicts Counsel
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

Karen Clark
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Email: karen@adamsclark.com
Respondent's Counsel

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

by: MSmith



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Email: karen@adamsclark.com
Respondent's Counsel

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

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

PAUL RODRIGO SAUCEDA,
Bar No. 022995

Respondent.

PDJ-2015-9107

**AGREEMENT FOR DISCIPLINE BY
CONSENT**

State Bar File Nos. 15-1150, 15-1717,
15-1839, and 15-1885

Contemporaneously With
PDJ 2015-9082 [(SB No. 13-1126-N)]

The State Bar of Arizona, through undersigned Bar Counsel, and Respondent, Paul Rodrigo Saucedo, who is represented in this matter by counsel, Karen Clark, hereby submit their Agreement for Discipline by Consent, pursuant to Rule 57(a), Ariz. R. Sup. Ct.

This Agreement for Discipline by Consent incorporates by reference the contemporaneously filed Agreement for Discipline by Consent for the pending Non-Compliance with Probation case PDJ 2015-9082 (SB No. 13-1126-N).

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), Ariz. R. Sup. Ct., notice of this agreement was provided to the complainant(s) by email [SB 15-1717 and SB 15-1839] or telephone [SB15-1150 and SB 15-1885] on September 23, 2015. Complainant(s) have been notified of the opportunity to file a written objection to the agreement with the State Bar within five (5) business days of bar counsel's notice.

Respondent conditionally admits that his conduct, as set forth below, violated the following ethical rules:

1. SB No. 15-1717:
 - a. Rule 42, Ariz. R. Sup. Ct., ER 1.2;
 - b. Rule 42, Ariz. R. Sup. Ct., ER 1.3;
 - c. Rule 42, Ariz. R. Sup. Ct., ER 1.4;
 - d. Rule 42, Ariz. R. Sup. Ct., ER 1.5;
 - e. Rule 42, Ariz. R. Sup. Ct., ER 3.2; and
 - f. Rule 42, Ariz. R. Sup. Ct., ER 8.4(d).

2. SB No. 15-1839:
 - a. Rule 42, Ariz. R. Sup. Ct., ER 1.2;
 - b. Rule 42, Ariz. R. Sup. Ct., ER 1.3;
 - c. Rule 42, Ariz. R. Sup. Ct., ER 1.4; and
 - d. Rule 42, Ariz. R. Sup. Ct., ER 1.5.

3. SB No. 15-1885:

- a. Rule 42, Ariz. R. Sup. Ct., ER 1.2;
- b. Rule 42, Ariz. R. Sup. Ct., ER 1.3;
- c. Rule 42, Ariz. R. Sup. Ct., ER 1.4;
- d. Rule 42, Ariz. R. Sup. Ct., ER 1.5;
- e. Rule 42, Ariz. R. Sup. Ct., ER 3.2; and
- f. Rule 42, Ariz. R. Sup. Ct., ER 8.4(d).

4. SB No. 15-1150:¹

- a. Rule 42, Ariz. R. Sup. Ct., ER 8.4(d); and
- b. Rule 41(g).

Upon acceptance of the contemporaneously filed agreements, Respondent agrees to accept imposition of the following concurrent discipline: Eighteen Month Suspension concurrent with an Eighteen Month Suspension in PDJ 2015-9082 (SB No. 13-1126-N). A period of suspension of more than six months will require proof of rehabilitation and compliance with other requirements prior to being reinstated to the practice of law in Arizona. Respondent also agrees to pay the costs and expenses of the disciplinary proceeding in PDJ 2015-9082, 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 to the Agreement for Discipline by Consent contemporaneously filed in PDJ 2015-9082.

¹ The State Bar is represented by conflicts counsel Meredith Vivona in Count Four (SB No. 15-1150).

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.

FACTS

GENERAL ALLEGATIONS

1. Respondent was licensed to practice law in Arizona on November 1, 2004.

COUNT ONE (File No. 15-1717/Sidky)

2. In or around April 24, 2015, out-of-state Complainant paid Respondent \$1,000.00 for representation in the Scottsdale City Court case of *State v. Sidky*, M-0751-TR-2015006932.

3. On or about May 26, 2015, Respondent failed to appear on Complainant's behalf at a scheduled court date resulting in a bench warrant.

4. When Complainant learned of the warrant about a month later, Respondent indicated that he would take care of the warrant.

5. Despite Complainant's numerous attempts to contact Respondent, Respondent failed to respond to Complainant or provide any information regarding the representation.

6. To date, Respondent took no action in the case and has not provided Complainant with a refund of the prepaid fees.

COUNT TWO (File No. 15-1839/Harris)

7. In or around May 1, 2015, Complainant paid Respondent \$200.00 for representation regarding a Motor Vehicle Division title issue.

8. Despite Complainant's numerous attempts to contact Respondent, Respondent failed to respond to Complainant or provide any information regarding the representation.

9. To date, Respondent took no action and has not provided Complainant with a refund of the prepaid fees.

COUNT THREE (File No. 15-1885/Flores-Gortariz)

10. In or around April 17, 2015, Complainant paid Respondent \$1,200.00 for representation in the Mammoth Justice Court case of *State v. Flores-Gortariz*, CR2015-019.

11. Beginning June 11, 2015, Respondent failed to respond to Complainant's phone calls and texts and has failed to provide any information regarding the representation.

12. Respondent failed to appear on Complainant's behalf at two scheduled court dates.

13. On or about July 22, 2015, Respondent's failure to appear resulted in a continuance of the court hearing so that Complainant could consult with alternate counsel.

COUNT FOUR (File No. 15-1150/Judicial Referral)

14. In or around April 24, 2015, Respondent appeared in court and in the judge's chambers on behalf of a client.

15. Complainant personally observed Respondent act intoxicated while in the judge's chambers and Complainant personally smelled alcohol on Respondent.

CONDITIONAL ADMISSIONS

Respondent's admissions are being tendered in exchange for the form of discipline stated below and are submitted freely and voluntarily and not as a result of coercion or intimidation.

Respondent conditionally admits that his conduct violated the following ethical rules:

1. SB No. 15-1717:
 - a. Rule 42, Ariz. R. Sup. Ct., ER 1.2;
 - b. Rule 42, Ariz. R. Sup. Ct., ER 1.3;
 - c. Rule 42, Ariz. R. Sup. Ct., ER 1.4;
 - d. Rule 42, Ariz. R. Sup. Ct., ER 1.5;
 - e. Rule 42, Ariz. R. Sup. Ct., ER 3.2; and
 - f. Rule 42, Ariz. R. Sup. Ct., ER 8.4(d).

2. SB No. 15-1839:
 - a. Rule 42, Ariz. R. Sup. Ct., ER 1.2;
 - b. Rule 42, Ariz. R. Sup. Ct., ER 1.3;
 - c. Rule 42, Ariz. R. Sup. Ct., ER 1.4; and
 - d. Rule 42, Ariz. R. Sup. Ct., ER 1.5.

3. SB No. 15-1885:
 - a. Rule 42, Ariz. R. Sup. Ct., ER 1.2;
 - b. Rule 42, Ariz. R. Sup. Ct., ER 1.3;
 - c. Rule 42, Ariz. R. Sup. Ct., ER 1.4;
 - d. Rule 42, Ariz. R. Sup. Ct., ER 1.5;
 - e. Rule 42, Ariz. R. Sup. Ct., ER 3.2; and
 - f. Rule 42, Ariz. R. Sup. Ct., ER 8.4(d).

4. SB No. 15-1150:
 - a. Rule 42, Ariz. R. Sup. Ct., ER 8.4(d); and
 - b. Rule 41(g).

CONDITIONAL DISMISSALS

The State Bar has not agreed to dismiss any counts or allegations.

RESTITUTION

The parties agree that Restitution is appropriate in the following matters:

1. Count One (SB No. 15-1717): One Thousand Dollars (\$1,000.00) payable to Robert Sidky;
2. Count Two (SB No. 15-1839): Two Hundred Dollars (\$200.00) payable to Otis Ray Harris; and
3. Count Three (SB No. 15-1885): One Thousand Two Hundred Dollars (\$1,200.00) payable to Diana N. Flores-Gortariz.

SANCTION

Respondent and the State Bar of Arizona agree that based on the facts and circumstances of this matter, as set forth above, the following sanctions are appropriate: Eighteen Month Suspension with Two Years of Probation, if reinstated.

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

LEGAL GROUNDS IN SUPPORT OF SANCTION

In determining an appropriate sanction, the parties consulted the American Bar Association's *Standards for Imposing Lawyer Sanctions (Standards)* pursuant to Rule 57(a)(2)(E). The *Standards* are designed to promote consistency in the imposition of sanctions by identifying relevant factors that courts should consider and then applying those factors to situations where lawyers have engaged in various types of misconduct. *Standards* 1.3, Commentary. The *Standards* provide guidance with respect to an appropriate sanction in this matter. *In re Peasley*, 208 Ariz. 27,

33, 35, 90 P.3d 764, 770 (2004); *In re Rivkind*, 162 Ariz. 154, 157, 791 P.2d 1037, 1040 (1990).

In determining an appropriate sanction consideration is given to the duty violated, the lawyer's mental state, the actual or potential injury caused by the misconduct and the existence of aggravating and mitigating factors. *Peasley*, 208 Ariz. at 35, 90 P.3d at 772; *Standard 3.0*.

The parties agree that the following *Standards* are the appropriate *Standards* given the facts and circumstances of each violation:

1. ER 1.2:(Client Authority); ER 1.3:(Diligence); ER 1.4:(Communication)

Standard 4.42

Suspension is generally appropriate when a lawyer knowingly fails to perform services for a client or engages in a pattern of neglect and causes injury or potential injury to a client.

2. ER 1.5:(Fees)

Standard 4.62

Suspension is generally appropriate when a lawyer knowingly deceives a client, and causes injury or potential injury to a client, or

3. ER 3.2:(Expedite Litigation); ER 8.4(d):(Conduct Prejudicial To Administration of Justice)

Standard 6.22

Suspension is generally appropriate when a lawyer knowingly violates a court order or rule, and there is injury or potential injury to a client or a party, or interference or potential interference with a legal proceeding, or

4. Rule 41(g)

Standard 7.2

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

The duty violated

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 failed to diligently represent and communicate with his clients, knowingly failed to appear at the scheduled court dates and knowingly appeared in court while intoxicated. The parties further agree that Respondent's conduct was in violation of the Rules of Professional Conduct.

The extent of the actual or potential injury

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

Aggravating and mitigating circumstances

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

In aggravation:

Standard 9.22(a) Prior Disciplinary Offenses [On September 22, 2014, the PDJ entered a Final Judgment & Order in PDJ 2014-9079 suspending Respondent and placing Respondent on probation

for a period of two (2) years for violating of Rule 42, Ariz.R.Sup.Ct., ER 8.4(b) and 8.4(d)]

Standard 9.22(c) Pattern of Misconduct

Standard 9.22(d) Multiple Offenses

In mitigation:

Standard 9.32(c) Personal or Emotional Problems [Respondent has previously submitted information relative to his ongoing alcohol addiction in PDJ 2014-9079.]

Discussion

The parties have conditionally agreed that, upon application of the aggravating and mitigating factors to the facts of this case, the presumptive sanction is appropriate.

The parties have conditionally agreed that a greater or lesser sanction would not be appropriate under the facts and circumstances of this matter. This agreement was based on the following:

All of Respondent's violations stem from an ongoing addiction to alcohol. Respondent has recently completed an in-patient rehabilitation program and the proposed sanction will allow Respondent to establish a sustained period of sobriety.

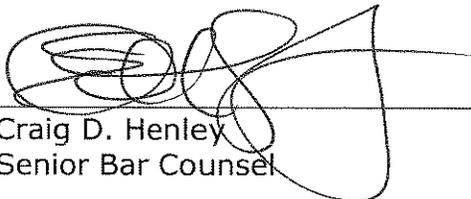
Based on the *Standards* and in light of the facts and circumstances of this matter, the parties conditionally agree that the sanction set forth above is within the range of appropriate sanction and will serve the purposes of lawyer discipline.

CONCLUSION

The object of lawyer discipline is not to punish the lawyer, but to protect the public, the profession and the administration of justice. *Peasley, supra* at ¶ 64, 90 P.3d at 778. Recognizing that determination of the appropriate sanction is the prerogative of the Presiding Disciplinary Judge, the State Bar and Respondent believe that the objectives of discipline will be met by the imposition of the proposed sanction of Eighteen Months Suspension with Two Years of Probation, if reinstated. A period of suspension of more than six months will require proof of rehabilitation and compliance with other requirements prior to being reinstated to the practice of law in Arizona and the imposition of costs and expenses. A proposed form order is attached hereto as Exhibit A.

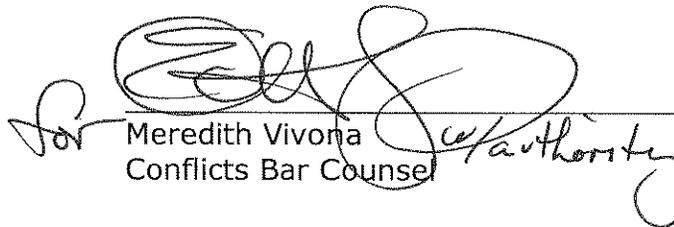
DATED this 6TH day of October 2015.

STATE BAR OF AZ [Counts One - Three]



Craig D. Henley
Senior Bar Counsel

STATE BAR OF AZ [Count Four]



for Meredith Vivona
Conflicts Bar Counsel *per authority*

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

DATED this 5 day of October, 2015.



Paul Rodrigo Saucedo
Respondent

DATED this 5th day of October, 2015.

Adams & Clark PC



Karen Clark
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 6th day of October 2015.

Copies of the foregoing mailed/emailed
this 6th day of October 2015 to:

Karen Clark
Adams & Clark PC
520 E Portland St
Phoenix, AZ 85004-1843
karen@adamsclark.com
Respondent's Counsel

Copy of the foregoing emailed
this 6th day of October, 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 6th day of October, 2015, to:

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

by: *Belise Stone*
CDH/ts

EXHIBIT A

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

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

PAUL RODRIGO SAUCEDA,
Bar No. 022995,

Respondent.

PDJ

FINAL JUDGMENT AND ORDER

State Bar File Nos. 15-1717, SB No.
15-1839, SB No. 15-1885 and 15-
1150

Contemporaneously With
PDJ 2015-9082 [(SB No. 13-1126-N)]

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, **Paul Rodrigo Saucedo**, is hereby suspended for Eighteen Months concurrent with the suspension in PDJ 2015-9082. A period of suspension of more than six months will require proof of rehabilitation and compliance with other requirements prior to being reinstated to the practice of law in Arizona for his 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 that Respondent shall pay restitution as set forth in the Agreement for Discipline by Consent.

IT IS FURTHER ORDERED that, upon reinstatement, Respondent shall be placed on probation for a period of two years concurrently with the probation period imposed in PDJ 2015-9082.

IT IS FURTHER ORDERED that, Respondent shall participate in the State Bar Law Office Management Assistance Program (LOMAP) as a term of probation. Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within 10 days from the date of reinstatement. Respondent shall submit to a LOMAP examination of their office procedures. Respondent shall sign terms and conditions of participation, including reporting requirements, which shall be incorporated herein. The probation period will begin at the time this Respondent is reinstated and will conclude two years from that date. Respondent will be responsible for any costs associated with LOMAP.

IT IS FURTHER ORDERED that, Respondent shall participate in the State Bar Member Assistance Program (MAP) as a term of probation. Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258, within 10 days from the date of reinstatement. Respondent shall submit to a MAP examination. 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 MAP.

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

NON-COMPLIANCE LANGUAGE

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

IT IS FURTHER ORDERED that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$ _____, within 30 days from the date of service of this Order.

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 October, 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 October, 2015.

Copies of the foregoing mailed/emailed
this _____ day of October, 2015.

Karen Clark
Adams & Clark, PC
520 E. Portland Street
Phoenix, Arizona 85004-1843
Email: karen@adamsclark.com
Respondent's Counsel

Copy of the foregoing emailed/hand-delivered
this _____ day of October, 2015, to:

Craig D. Henley
Senior Bar Counsel
Meredith Vivona
Conflicts 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 October, 2015 to:

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State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016-6266

by: _____