

**BEFORE THE PRESIDING DISCIPLINARY
JUDGE**

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

MARK M. VENETOS,
Bar No. 010737

Respondent.

PDJ-2016-9054

**DECISION AND ORDER OF
INTERIM PROBATION IN LIEU OF
INTERIM SUSPENSION**

[State Bar No. 14-0412]

FILED JULY 12, 2016

On June 6, 2016, the State Bar moved for Interim Suspension (Motion) under Rule 61(c)(2)(A), Ariz. R. Sup. Ct. By Order of the Presiding Disciplinary Judge (PDJ) filed June 7, 2016, the State Bar was ordered to serve the Motion on Mr. Venetos. Mr. Venetos filed his Response to the Motion for Interim Suspension on June 27, 2016 stating he "has admitted the essential allegations that form the basis of the bar complaint..."

The hearing was conducted on July 11, 2016. All exhibits were admitted and Mr. Venetos admitted all the allegations within the verified motion including, among others, a misappropriation of client funds of approximately \$6,000. Those monies have now been repaid. Mr. Venetos was largely unresponsive to the State Bar for a prolonged period. It is agreed the client suffered actual harm from the conduct of Mr. Venetos.

Mr. Venetos stated he intended to retire from the practice of law. Mr. Venetos has one criminal law client whom he anticipates will soon enter a plea agreement. He

has one civil law client going to arbitration shortly and his representation will end with the arbitration. He also anticipates acting as an arbitrator in one matter in August, 2016. The State Bar stipulates to Mr. Venetos working occasionally under Clifford Levenson, Esq., for whom he occasionally covers limited hearings in criminal cases and family law cases. The State Bar does not oppose this work provided Mr. Venetos not accept fees from any clients, directly or indirectly, and not engage any other legal representation. Mr. Venetos and Mr. Levenson agreed to these terms and recognizes he will likely soon be served with a complaint as probable cause has already been entered.

IT IS ORDERED finding probable cause that Mr. Venetos has engaged in conduct that has caused or is likely to cause immediate and substantial harm to clients, the public, or the administration of justice.

IT IS FURTHER ORDERED under Rule 61, Ariz. R. Sup. Ct., placing **MARK M. VENETOS, Bar No. 010737**, under interim probation in lieu of interim suspension under Supreme Court Rule 61(c)(2)(C), effective immediately.

IT IS FURTHER ORDERED effective immediately Mark M. Venetos shall not accept for representation any clients and is precluded from accepting funds for that purpose. In family law and criminal law cases only he may, on occasion, stand in for Clifford Levenson, Esq., in limited hearings.

IT IS FURTHER ORDERED freezing any trust account and operating accounts of Mark M. Venetos and restraining him from making a withdrawal of funds in any manner, from any trust account or operating account without the prior written approval of bar counsel or by order of the PDJ which shall be applied for by formal written motion.

IT IS FURTHER ORDERED directing the State Bar to forward proposed additional terms of probation. The state bar may seek relief from material violations of the terms of probation by filing with the presiding disciplinary judge a motion supported by affidavit setting forth sufficient grounds. The state bar shall have to prove by a preponderance of the evidence a material violation. The presiding disciplinary judge may hold a hearing promptly to determine whether a violation occurred, and whether the interim probation should be reaffirmed, modified, or revoked or whether interim suspension should be imposed.

These Orders are effective immediately.

DATED this 12th day of July, 2016.

William J. O'Neil

William J. O'Neil, Presiding Disciplinary Judge

COPY of the foregoing e-mailed/mailed
this July 12, 2016, to:

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