

SUPREME COURT OF ARIZONA

In the Matter of an Application ) Arizona Supreme Court  
for Reinstatement of a Suspended ) No. SB-12-0031-R  
Member of the State Bar of )  
Arizona ) Office of the Presiding  
) Disciplinary Judge  
THOMAS A. CIFELLI, ) No. PDJ-2012-9018  
Attorney No. 13794 )  
)  
Applicant. )  
)  
\_\_\_\_\_ ) **FILED 11/26/2013**

**O R D E R**

On September 29, 2012, this matter was remanded to the hearing panel for further hearing and recommendation on the supplemental exhibits and the issue of the bar examination requirement. Following the remand proceedings, the hearing panel submitted a supplemental report and recommendation. Upon consideration of the report and recommendation, the Applicant's response, and the State Bar's reply, pursuant to Rule 65 of the Rules of the Supreme Court,

IT IS ORDERED that Applicant THOMAS A. CIFELLI be reinstated as an active member of the State Bar of Arizona. The reinstatement will be effective upon proof that he has obtained a score of 85 or greater on the Multistate Professional Responsibility Exam (MPRE). Rule 35 (b)(6) and (7), Ariz. R. Sup. Ct. Applicant shall file proof of a passing score with the presiding disciplinary judge. The presiding disciplinary judge will issue the order of reinstatement.

IT IS FURTHER ORDERED that upon the effective date of reinstatement THOMAS A. CIFELLI shall be placed on probation for two years, under the terms and conditions as listed below:

1. Within thirty days of reinstatement, Applicant shall contact the State Bar's Member Assistance Program (MAP) and submit to an assessment. Applicant shall thereafter enter into a MAP contract based on the recommendations made by the MAP director or designee. Applicant shall comply with all the terms of the MAP contract which shall be incorporated into the order of reinstatement by reference. Applicant shall be responsible for any costs associated with MAP.

2. The State Bar shall report material violations of the terms of probation pursuant to Rule 60(a)(5), Ariz. R. Sup. Ct.,

and a hearing may be held within thirty days to determine if the terms of probation have been violated and if an additional sanction should be imposed. The burden of proof shall be on the State Bar to prove non-compliance by a preponderance of the evidence.

DATED this \_\_\_\_\_ day of November, 2013.

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REBECCA WHITE BERCH  
Chief Justice

TO:

Thomas A Cifelli  
Roberta L Tepper  
Sandra Montoya  
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Don Lewis  
Mary Pieper  
Netz Tuvera, Thomson Reuters  
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