

FILED

DEC 14 2007

**BEFORE THE DISCIPLINARY COMMISSION OF THE  
OF THE SUPREME COURT OF ARIZONA**

DISCIPLINARY COMMISSION OF THE  
SUPREME COURT OF ARIZONA  
BY *A. Smith*

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2  
3 IN THE MATTER OF A MEMBER )  
4 OF THE STATE BAR OF ARIZONA, )  
5 )  
6 **CHRISTOPHER J. CHARLES,** )  
7 **Bar No. 023148** )  
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RESPONDENT. )

No. 07-0080

**DISCIPLINARY COMMISSION  
REPORT**

This matter came before the Disciplinary Commission of the Supreme Court of Arizona on November 17, 2007, pursuant to Rule 58, Ariz.R.Sup.Ct., for consideration of the Hearing Officer's Report filed September 7, 2007, recommending acceptance of the Tender of Admissions and the Agreement for Discipline by Consent (Tender) and the Joint Memorandum (Joint Memorandum) in Support of Agreement for Discipline by Consent providing for censure, probation with the State Bar's Member Assistance Program (MAP) until July 19, 2009, and costs. The hearing Officer further recommends that upon issuance of the final Judgment and Order in this matter, Respondent will no longer remain on conditional admission status and will be placed on probation.

**Decision**

Having found no facts clearly erroneous, the eight members<sup>1</sup> of the Disciplinary Commission unanimously recommend accepting and incorporating the Hearing Officer's findings of fact,<sup>2</sup> conclusions of law, and recommendation for censure, probation (MAP)

<sup>1</sup> Commissioner Katzenberg did not participate in these proceedings.

<sup>2</sup> The Commission notes that Respondent's conditional admissions and the Hearing Officer's findings appear to support a knowing mental state; nonetheless, the Commission determined that the agreed-upon sanction of censure is within the range of reasonable sanctions for similar misconduct.

1 until July 19, 2009, and costs of these disciplinary proceedings.<sup>3</sup> The terms of probation  
2 are as follows:

3 **Terms of Probation**

4 1. Respondent shall continue his current MAP contract until July 19, 2009.

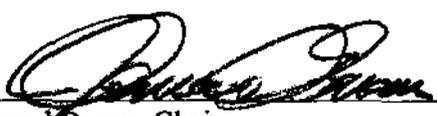
5 The parties have agreed that modifications will be made to the existing MAP contract.

6 2. Upon issuance of the final Judgment and Order, Respondent will cease  
7 being on conditional admission status.

8 3. Respondent shall pay all costs associated with these proceedings.

9 4. In the event that Respondent fails to comply with any of the foregoing  
10 conditions, and the State Bar receives information, bar counsel shall file with the imposing  
11 entity a Notice of Non-Compliance, pursuant to Rule 60(a)(5), Ariz.R.Sup.Ct. The  
12 Hearing Officer shall conduct a hearing within 30-days after receipt of said notice, to  
13 determine whether the terms of probation have been violated and if an additional sanction  
14 should be imposed. In the event there is an allegation that any of these terms have been  
15 violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by  
16 clear and convincing evidence.  
17

18 RESPECTFULLY SUBMITTED this 14<sup>th</sup> day of December, 2007.

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21   
22 J. Conrad Baran, Chair  
23 Disciplinary Commission

24 Original filed with the Disciplinary Clerk  
25 this 14<sup>th</sup> day of December, 2007.

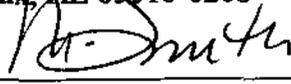
26 <sup>3</sup> A copy of the Hearing Officer's Report is attached as Exhibit A.

Copy of the foregoing mailed  
this 14<sup>th</sup> day of December, 2007, to:

1  
2 Honorable H. Jeffrey Coker  
3 Hearing Officer 6R  
4 P. O. Box 23578  
5 Flagstaff, AZ 86002-001

6 James J. Syme, Jr.  
7 Respondent's Counsel  
8 Manzanita plaza, Suite 102  
9 13210 West Van Buren  
10 Goodyear, AZ 85338

11 Shauna R. Miller  
12 Senior Bar Counsel  
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16 by: 

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