

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER)	Supreme Court
OF THE STATE BAR OF ARIZONA,)	No. SB-10-0107-D
)	
)	Disciplinary Commission
)	No. 08-1613
MARK D. SVEJDA,)	
Bar No. 011116)	
)	JUDGMENT AND ORDER
RESPONDENT.)	
<hr style="width: 35%; margin-left: 0;"/>		
)	FILED 12/02/2010

This matter having come before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision, and no discretionary or *sua sponte* review occurring,

IT IS ORDERED, ADJUDGED AND DECREED that **MARK D. SVEJDA**, a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of six months, effective thirty days from the date of this Judgment and Order, for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **MARK D. SVEJDA** shall be placed on probation upon reinstatement. The length and terms of probation are as follows:

1. The period of probation will begin to run at the time of the order of reinstatement.
2. The period of probation will run for one year *or* until he completes the continuing legal education program entitled “The Ten Deadly Sins of Conflict,” whichever is earlier. Respondent shall contact State Bar of Arizona publications at 602-340-7318 to either obtain and listen to the CD or obtain and view the DVD entitled “The Ten Deadly Sins of Conflict” within ninety (90) days of the order of reinstatement. Respondent may alternatively go to the State Bar website (www.myazbar.org <<http://www.myazbar.org>>) and complete the self-study online version. Respondent shall provide Bar Counsel with evidence of completion by providing copies of handwritten notes. Respondent shall be responsible for the cost of the CD, DVD or online self-study
3. Respondent shall comply with any terms of probation deemed appropriate and ultimately included in the order of reinstatement.
4. The State Bar shall report material violations of the terms of probation pursuant to Rule 60(a)(5), Rules of the Supreme Court of Arizona, 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.

IT IS FURTHER ORDERED that Respondent shall comply with all the provisions of Rule 72, Rules of the Supreme Court of Arizona, including, but not limited to, Rule 72(a), which requires that Respondent notify all of his clients, within ten (10) days from the date hereof, of his inability to represent them and that he should promptly inform this Court of his compliance with this Order as provided in Rule 72(e).

IT IS FURTHER ORDERED that Respondent shall comply with all rule provisions regarding reinstatement proceedings.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **RESPONDENT** for costs and expenses of these proceedings in the amount of \$9,173.85, together with interest at the legal rate from the date of this judgment.

DATED this _____ day of _____, 2010.

RACHELLE M. RESNICK
Clerk of the Court

TO:

Mark D. Svejda, Respondent

J. Scott Rhodes, Respondent's Counsel

Harriet Bernick, Bar Counsel

Hon. Jonathan H. Schwartz, Hearing Officer 6S

Nancy Swetnam, Acting Disciplinary Clerk

Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona

Molly Dwyer, Clerk, United States Court of Appeals for the Ninth Circuit

Attn: Don Lewis

Richard Weare, Clerk, United States District Court, District of Arizona

Attn: Beth Stephenson

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