

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER OF THE STATE BAR OF ARIZONA,)	Supreme Court No. SB-06-0177-D
)	
)	Disciplinary Commission No. 04-2103
CHERYL C. CAYCE, Bar No. 012447)	
)	
RESPONDENT.)	JUDGMENT AND ORDER

This matter having come on for hearing before the Disciplinary Commission of the Supreme Court of Arizona, it having duly rendered its decision, there having been no discretionary review and *sua sponte* review having been declined by the Court,

IT IS ORDERED, ADJUDGED AND DECREED that **CHERYL C. CAYCE**, a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of 90 days, effective the date of this judgment and order, for conduct in violation of her duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **CHERYL C. CAYCE** shall be placed on probation for a period of one year effective the date of this judgment and order. The terms of probation are as follows:

- 1) Within 30 days of the date of the final Judgment and Order, Respondent shall contact the Director of the Member Assistance Program (MAP) and submit to a MAP assessment. Respondent thereafter, will enter into a MAP contract based upon the recommendations of the MAP director or designee and shall comply with the recommended terms.
- 2) Within 30 days of the date of the final Judgment and Order, Respondent shall contact the Director of the Law Office Management Assistance Program (LOMAP) and submit to a LOMAP audit. Respondent thereafter, will enter into a LOMAP contract based upon the recommendations of the LOMAP director or designee, including a practice monitor approved by bar counsel, and shall comply with the recommended terms.
- 3) Respondent shall complete six hours of continuing legal education in the area of family law and/or guardianship during the period of probation and shall provide proof of completion and a copy of her notes from the seminar to LOMAP.

- 4) In the event that Respondent fails to comply with any of the foregoing conditions, and the State Bar receives information to that effect, bar counsel shall file with the Hearing Officer a Notice of Non-Compliance, pursuant to Rule 60(a)5, Ariz. R. Sup. Ct. The Hearing Officer shall conduct a hearing within 30 days after receipt of said notice, to determine whether the terms of probation have been violated and if any additional sanction should be imposed. In the event there is an allegation that any of these terms have been violated, the burden of proof shall be on the State Bar of Arizona to prove non-compliance by clear and convincing 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 her clients, within ten days from the date hereof, of her inability to represent them and that she should promptly inform this Court of her 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 **CHERYL C. CAYCE** for costs and expenses of these proceedings in the amount of \$1,635.86, together with interest at the legal rate from the date of this judgment.

DATED this _____ day of _____, 2007.

NOEL K. DESSAINT
Clerk of the Court

TO:

Cheryl C. Cayce, Respondent (Certified Mail, Return Receipt and Regular Mail)
Brick P. Storts, II, Respondent's Counsel
Clarence E. Matherson, Bar Counsel
Dwight M. Whitley, Jr., Hearing Officer 9I
Lauren E. Eiler, Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Lawyer Regulation Records Manager, State Bar of Arizona (Cert. Copy)
Cathy Catterson, Clerk, United States Court of Appeals for the Ninth Circuit (Cert. Copy)
Richard Weare, Clerk, United States District Court, District of Arizona (Cert. Copy)
West Publishing Company (Jode Ottman)
Lexis-Nexis

tel