

SUPREME COURT OF ARIZONA

In the Matter of a Member of the) Arizona Supreme Court
State Bar of Arizona,) No. SB-07-0156-D
)
PAUL M. WEICH,) Disciplinary Commission
Attorney No. 14089) Nos. 05-2252, 06-1153
) 06-1716
)
)
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, and this Court having considered Respondent's Petition for Review, accordingly

IT IS ORDERED that the Petition for Review is DENIED.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that PAUL M. WEICH, a member of the State Bar of Arizona, is hereby suspended from the practice of law for a period of two (2) years, effective thirty (30) 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 PAUL M. WEICH shall be placed on probation for a period of two (2) years upon reinstatement and effective upon the signing of the probation contract. Bar Counsel shall notify the Disciplinary Clerk of the date on which the probation begins. The terms of probation are as follows:

- 1) Within thirty (30) days of reinstatement, Respondent shall contact the director of the Law Office Management Assistance Program (LOMAP) to schedule an audit of his law office. The LOMAP director or designee shall conduct the audit no later than 60 days thereafter. Following the audit, Respondent shall enter into a probation contract that will be effective for a period of two years from the date upon which all parties have signed the probation contract. The terms of the contract shall include the

appointment of a practice monitor. Respondent shall comply with all recommendations of the LOMAP director or designee.

- 2) Within thirty (30) days of reinstatement Respondent shall contact the Member Assistance Program (MAP) director and submit to an assessment. Respondent thereafter will enter into a MAP contract based upon recommendations by the MAP director or designee. Any recommendations by MAP shall be incorporated into the probation contract.
- 3) 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, Rules of the Supreme Court of Arizona. The Hearing Officer shall conduct a hearing within thirty days after receipt of said notice, to determine whether the terms of probation have been violated and if an 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 PAUL M. WEICH shall pay restitution in the amount of \$2,500.00 to Janet Johnson Couture. Respondent shall also return the client's file.

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 is granted judgment against PAUL M. WEICH for costs and expenses of these proceedings.

DATED this _____ day of October, 2007.

RUTH V. MCGREGOR
Chief Justice

TO:

Paul M Weich, (Certified Mail, Return Receipt and Regular Mail)
J Douglas McVay, J Douglas McVay Attorney at Law
Roberta L Tepper, Bar Counsel, State Bar of Arizona
H Jeffrey Coker, Hearing Officer
Nancy Swetnam, Acting Disciplinary Clerk (Cert. Copy)
Sandra Montoya, Records Manager, State Bar of Arizona (Cert. Copy)
Perry Thompson, Director, United States Supreme Court (Cert. Copy)
Cathy A Catterson, Clerk, United States Court of Appeals for
Ninth Circuit (Cert. Copy)
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