

SUPREME COURT OF ARIZONA

In the Matter of a Member of the) Arizona Supreme Court
State Bar of Arizona,) No. SB-09-0029-D
)
JOSEPH W. CHARLES,) Disciplinary Commission
Attorney No. 3038) Nos. 05-2002
) 06-0303
) 06-1314
)
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 Respondent JOSEPH W. CHARLES, a member of the State Bar of Arizona, is hereby censured for conduct in violation of his duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that JOSEPH W. CHARLES shall be placed on probation for one year under the following terms and conditions:

1. Within thirty days of the date of this judgment and order, respondent shall contact the State Bar's Continuing Legal Education Department and arrange to view the State Bar's seminar entitled "Ten Deadly Sins of Conflict" and arrange to complete the State Bar's Professionalism Course.

2. Respondent shall complete both the seminar and course during the one year probation period and shall pay any associated costs. Proof of completion shall be submitted to bar counsel.

3. Respondent shall refrain from engaging in any conduct that would violate the Rules of Professional conduct or other rules of the Supreme Court of Arizona.

4. In the event Respondent fails to comply with any of the foregoing terms and the State Bar receives such information, bar counsel will file with the Hearing Officer a Notice of Non-Compliance. The Hearing Officer will conduct a hearing at the earliest possible date, but in no event less than thirty days following the receipt of the notice, to determine whether a condition of probation has been breached and, if so, to recommend an appropriate sanction. In the event there is an allegation that any of these terms have been breached, the

burden will be on the State Bar to prove non-compliance by a preponderance of evidence.

IT IS FURTHER ORDERED that Respondent JOSEPH W. CHARLES shall be assessed costs and expenses of the disciplinary proceedings pertaining to Count Three of the complaint as provided in Rule 60(b), Ariz. R. Sup. Ct.

DATED this _____ day of June, 2009.

RUTH V. MCGREGOR
Chief Justice

TO:

Joseph W Charles (Certified Mail, Return Receipt and Regular Mail)
Richard L Hoffman, Respondent's Counsel
Shauna R Miller, Bar Counsel, State Bar of Arizona
H Jeffrey Coker, Hearing Officer 6R
Molly Dwyer, Clerk, United States Court of Appeals for Ninth Circuit
(Cert. Copy)
Mr. Richard H Weare, Clerk, United States District Court for the
District of Arizona (Cert. Copy)
Sandra Montoya, Records Manager, State Bar of Arizona (Cert. Copy)
Leticia V D'Amore, Disciplinary Clerk (Cert. Copy)
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