

SUPREME COURT OF ARIZONA

IN THE MATTER OF A MEMBER
OF THE STATE BAR OF ARIZONA,

TIM D. COKER,
Bar No. 007022

RESPONDENT.

) Supreme Court
) No. SB-09-0054-D
)
)
) Disciplinary Commission
) Nos. 08-0630, 08-1379

) **FILED 07/24/2009**

) **JUDGMENT AND ORDER**
)
)

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

IT IS ORDERED, ADJUDGED AND DECREED that **TIM D. COKER** a member of the State Bar of Arizona is hereby suspended from the practice of law for a period of one year, effective thirty days from the date of this 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 **TIM D. COKER** shall be placed on probation for a period of two years. The terms of probation are as follows:

1. The probation period will commence upon the entry of an order of reinstatement and continue for two years after the date that all parties have signed the "Terms and Conditions of Probation".
2. Respondent shall contact the director of the State Bar's Member Assistance Program (MAP) within thirty days of the date of the order of reinstatement.
3. Respondent shall submit to a MAP assessment.
4. The director of MAP shall develop "Terms and Conditions of Probation" based on the assessment and the terms shall be incorporated herein by reference.
5. Respondent shall comply with any other terms and conditions deemed appropriate at the time of the reinstatement proceedings, which shall be incorporated herein by reference.
6. 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.
7. If Respondent fails to comply with any of the foregoing conditions and the State Bar receives information about non-compliance, bar counsel shall file with the imposing entity a Notice of Non-compliance. The imposing entity may refer the matter to a hearing officer to conduct a hearing at the earliest

applicable date, but in no event later than 30 days after receipt of notice, to determine whether a term of probation has been breached and, if so, to recommend an appropriate sanction. If there is an allegation that Respondent failed to comply with any of the foregoing conditions, the burden of proof shall be on the State Bar to prove noncompliance 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 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 **TIM D. COKER** for costs and expenses of these proceedings in the amount of \$1,300.00.

DATED this _____ day of _____, 2009.

Rachelle M. Resnick
Clerk of Court

TO:

Tim D. Coker, Respondent
Harriet Bernick, Bar Counsel
Honorable Jonathan H. Schwartz, Hearing Officer 6S
Leticia V. D'Amore, 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
West Publishing Company (Jode Ottman)
Lexis/Nexis
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