

**SUPREME COURT OF ARIZONA**

IN THE MATTER OF A MEMBER OF THE STATE BAR OF ARIZONA,	)	Supreme Court No. SB-10-0048-D
	)	
	)	Disciplinary Commission No. 08-1581
<b>MICHELLE DON CARLOS,</b> <b>Bar No. 024900</b>	)	
	)	
RESPONDENT.	)	<b>JUDGMENT AND ORDER</b>
<hr style="width: 100%;"/>	)	<b>FILED 04/28/2010</b>

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

IT IS ORDERED, ADJUDGED AND DECREED that **MICHELLE DON CARLOS**, a member of the State Bar of Arizona, is hereby censured for conduct in violation of her duties and obligations as a lawyer, as disclosed in the Disciplinary Commission Report.

IT IS FURTHER ORDERED that **MICHELLE DON CARLOS** shall be placed on probation for a period of one year. The terms of probation are as follows:

1. Respondent shall contact the director of LOMAP within 30 days of the date of this final Judgment and Order to schedule a LOMAP consultation and evaluation of her office processes and procedures. Respondent shall submit to the LOMAP consultation and evaluation within 30 days of her contact with LOMAP. The director of LOMAP shall develop probation terms that shall be incorporated herein by reference. Respondent shall comply with any recommendations resulting from LOMAP’s assessment that shall also be incorporated in the probation terms. The probation period is effective the date of the final Judgment and Order, and will conclude one year from the date that all parties have signed the probation terms.
2. Respondent’s terms of probation shall include use of the services of a practice monitor. The practice monitor shall be an attorney approved by the State Bar and shall be selected by Respondent from a list of potential practice monitors provided to her by the State Bar.
3. Respondent’s terms of probation shall include completion of the State Bar’s continuing legal education course entitled “*Ten Deadly Sins of Conflict.*”
4. Respondent’s terms of probation shall include completion of the State Bar’s continuing legal education course entitled “*For Better or For Worse.*”

5. Respondent's terms of probation shall include completion of the State Bar's continuing legal education course entitled "*Advanced Family Law*."
6. All continuing legal education required of Respondent pursuant to this agreement may be counted in satisfaction toward, not in addition to, her Mandatory Continuing Legal Education required pursuant to Rule 45, Ariz. R. Sup. Ct.
7. Respondent shall pay all fees and costs incurred by LOMAP in supervising Respondent's probation, including, but not limited to, the costs of the practice monitor and required continuing legal education programs.
8. In the event that Respondent fails to comply with any of the foregoing probation terms, and information thereof is received by the State Bar of Arizona, Bar Counsel shall file a Notice of Noncompliance with the imposing entity, pursuant to Rule 60(a)(5), Ariz. R. Sup. Ct. The imposing entity may refer the matter to a hearing officer to conduct a hearing at the earliest practicable 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 terms, the burden of proof shall be on the State Bar of Arizona to prove noncompliance by a preponderance of the evidence.

IT IS FURTHER ORDERED that pursuant to Rule 60(b), the State Bar of Arizona is granted judgment against **MICHELLE DON CARLOS** for costs and expenses of these proceedings in the amount of \$2,229.00, together with interest at the legal rate from the date of this judgment. Respondent shall pay all costs incurred in these disciplinary proceedings within 30 days of the date of this judgment and order.

DATED this \_\_\_\_\_ day of April, 2010.

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Rachelle M. Resnick  
Clerk of the Court

TO:

Michelle Don Carlos, Respondent  
Gregory D. D'Antonio, Respondent's Counsel  
Russell Anderson, Bar Counsel  
Hon. 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  
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