

**BEFORE THE ATTORNEY DISCIPLINE
PROBABLE CAUSE COMMITTEE
OF THE SUPREME COURT OF ARIZONA**

FILED

OCT 31 2019

BY *S. Montoya*

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

Nos. 18-3038

LEE JACKSON
Bar No. 028685

**ORDER OF ADMONITION WITH
PROBATION (LOMAP) AND COSTS**

Respondent.

The Attorney Discipline Probable Cause Committee of the Supreme Court of Arizona ("Committee") reviewed this matter on October 11, 2019, pursuant to Rules 50 and 55, Ariz. R. Sup. Ct., for consideration of the State Bar's Report of Investigation and Recommendation and Respondent's Response.

By a vote of 5-2-2¹, the Committee finds probable cause exists that Respondent violated the following Rules of the Supreme Court of Arizona: Rule 42, ER 1.2(a), ER 1.3, ER 1.4(a) and (b), and ER 1.5(b).

Respondent violated ER 1.2(a) by failing to consult or adequately consult with his clients about the means by which their objectives were to be pursued.

Respondent violated ER 1.3 by failing to act with reasonable diligence and promptness in representing his clients in a lawsuit against Courtland Homes (in part by failing to promptly communicate with his clients, failing to ensure compliance with A.R.S. § 12-1363 before filing the lawsuit against Courtland Homes, and failing to prevent the garnishment of one of his client's wages).

Respondent violated ER 1.4(a) and (b) by failing to adequately communicate with at least some of his clients. In part, Respondent failed to communicate to his clients the risks and advantages of allowing his firm to represent multiple parties in

¹ Committee members Charles Muchmore and Daisy Flores did not participate in this matter.

the same lawsuit, and failed to ensure that all his clients were aware that (i) that they were plaintiffs in a lawsuit his firm filed against Courtland Homes; (ii) the lawsuit against Courtland Homes had been dismissed; (iii) the court had entered an order/judgment that they pay Courtland Homes's attorney's fees and costs; and (iv) two appeals and a special action had been filed on their behalf.

Respondent violated ER 1.5(b) by failing to provide a separate writing to his firm's appellate and special action clients setting forth the scope of representation and the basis or rate of the fee and expenses for which the clients would be responsible.

IT IS THEREFORE ORDERED issuing an Order of Admonition with Probation for Respondent's conduct pursuant to Rules 55(c)(1)(D) and 60(a)(4), Ariz. R. Sup. Ct.

IT IS FURTHER ORDERED that pursuant to Rules 55(c)(1)(D) and 60(a)(5), Ariz. R. Sup. Ct., Respondent is placed on Probation under the following terms and conditions:

- 1) The probation period will begin at the time this Order is served upon Respondent, and will conclude two (2) years from that date.
- 2) Respondent shall participate in and successfully complete the following programs:
 - a) Law Office Management Assistance Program (LOMAP): Respondent shall contact the State Bar Compliance Monitor at (602) 340-7258 within 10 days from the date of service of this Order. Respondent shall submit to a LOMAP examination of his office procedures. Respondent shall sign terms and conditions of participation, including reporting requirements, which shall be

Incorporated herein. Respondent will be responsible for any costs associated with LOMAP.

- 3) Respondent shall commit no further violations of the Rules of Professional Conduct.
- 4) Respondent shall report, in writing, compliance with the terms of probation to the State Bar's Phoenix Office.
- 5) If Respondent fails to comply with any of the foregoing conditions and the State Bar receives information about non-compliance, bar counsel shall report material violations to the Presiding Disciplinary Judge, who may hold a hearing to determine if the terms of probation have been violated and to determine if an additional sanction should be imposed. In a probation violation hearing, the State Bar must prove a violation by preponderance of the evidence.

IT IS FURTHER ORDERED, pursuant to Rule 60(b), Ariz. R. Sup. Ct., that Respondent shall pay the costs and expenses of these proceedings, as set forth in the attached Statement of Costs and Expenses, within thirty (30) days from the date of service of this Order.

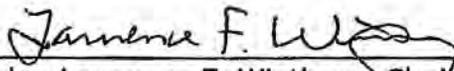
PURSUANT to Rules 60(a)(4) and 70(a)(2), Ariz. R. Sup. Ct., this order will be entered in the Respondent's permanent record at the State Bar and is not confidential. Pursuant to Rule 48(k)(3), Ariz. R. Sup. Ct., it may be considered by the Attorney Discipline Probable Cause Committee, the Presiding Disciplinary Judge, a Hearing Panel, or the Supreme Court in recommending or imposing discipline in a subsequent disciplinary proceeding against Respondent.

NOTICE OF RIGHT

Parties may not file motions for reconsideration of this Order.

PURSUANT to Rule 55(c)(4)(B), Ariz. R. Sup. Ct., within ten (10) days of service of this Order, Respondent has the right to demand that a formal proceeding be instituted and issuance of an Order to Vacate this Order of Admonition with Probation, whereupon this Order will be vacated and the matter disposed of in the same manner instituted before the Presiding Disciplinary Judge. This demand shall be filed with the Attorney Disciplinary Probable Cause Committee of the Supreme Court of Arizona, 1501 West Washington, Suite 104, Phoenix, Arizona 85007-3231, with a copy to the State Bar of Arizona. The demand must comply with Rule 8(c), Ariz. R. App. Proc.

DATED this 30 day of October, 2019.



Judge Lawrence F. Winthrop, Chair
Attorney Discipline Probable Cause
Committee of the Supreme Court of Arizona

Original filed this 31st day
Of October, 2019, with:

Lawyer Regulation Records Manager
State Bar of Arizona
4201 North 24th Street, Suite 100
Phoenix, Arizona 85016-6266

Copy mailed this 1st day
Of November, 2019, to:

Denise M. Quinterri
The Law Office of Denise M. Quinterri, PLLC
5401 Fm 1626, Suite 170-423
Kyle, Texas 78640-6043
Respondent's Counsel

Mark Manos
16075 W. Jenan
Surprise, AZ 85379
Complainant

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E-mail: ProbableCauseComm@courts.az.gov

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Phoenix, Arizona 85016-6266
E-mail: LRO@staff.azbar.org

Compliance Monitor
State Bar of Arizona
4201 North 24th Street, Suite 100
Phoenix, Arizona 85016

By: 

Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona
Lee Jackson, Bar No. 028685, Respondent

File Nos. 18-3038 and 18-3281

Administrative Expenses

The Supreme Court of Arizona has adopted a schedule of administrative expenses to be assessed in lawyer discipline. If the number of charges/complainants exceeds five, the assessment for the general administrative expenses shall increase by 20% for each additional charge/complainant where a violation is admitted or proven.

Factors considered in the administrative expense are time expended by staff bar counsel, paralegal, secretaries, typists, file clerks and messenger; and normal postage charges, telephone costs, office supplies and all similar factors generally attributed to office overhead. As a matter of course, administrative costs will increase based on the length of time it takes a matter to proceed through the adjudication process.

General Administrative Expenses for above-numbered proceedings

\$ 600.00

Additional costs incurred by the State Bar of Arizona in the processing of this disciplinary matter, and not included in administrative expenses, are itemized below.

TOTAL COSTS AND EXPENSES INCURRED **\$ 600.00**

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OF THE SUPREME COURT OF ARIZONA**

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BY *J. Montoya*

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Nos. 18-3281

LEE JACKSON
Bar No. 028685

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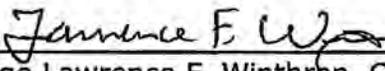
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Kyle, Texas 78640-6043
Respondent's Counsel

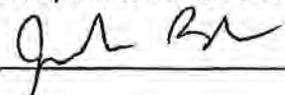
Michael Vincent
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1850 North Central Avenue, Suite 2100
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Complainant's Counsel

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