**In the Matter of Fred L. Howe, Bar No. 013270, PDJ-2012-9010 effective July 1, 2012.** ***Attorney Suspended, Two years of Probation, Payment of Restitution and Costs imposed.***

Pursuant to Rule 57(a), Ariz.R.Sup.Ct., the presiding disciplinary judge accepted an agreement for discipline by consent submitted by the parties and suspended Respondent Fred L. Howe Burton for sixty (60) days effective July 1, 2012, and placed him on two years of probation with the State Bar's Law Office Management Program and Member Assistance Program.

Respondent knowingly failed to respond to timely requests for information and documents from the State Bar, negligently failed to diligently represent and adequately communicate with clients, negligently failed to determine the existence of a conflict of interest or a potential conflict of interest by becoming romantically involved with his client that he was representing in a dissolution matter, and negligently failed to properly maintain his trust account in accordance with trust account rules. Respondent's misconduct caused actual harm to the client in Count Three; and potential harm to his clients in Counts One, Two and Four, the profession and legal system.

Aggravating factors: Prior disciplinary history, a pattern of misconduct, multiple offenses, bad faith obstruction of disciplinary proceedings by intentionally failing to comply with rules or orders of the disciplinary agency, and substantial experience in the practice of law.

Mitigating factor: Absence of a selfish or dishonest motive.

Respondent violated Rule 42, Ariz. R. Sup. Ct., specifically ERs 1.1, 1.3, 1.4(b), 1.5(b), 1.7(a), 1.8(a), 1.15(a), 3.4(c), 3.7, 8.4(a), 8.4(d), and Rules 43(b)(1)(A) and (C), 43(b)(2)(B) and (C) and 54(d)(2), Ariz. R. Sup. Ct.

The agreement is accepted and costs awarded in the amount of $1,240.51. The proposed final judgment and order is reviewed, approved and signed.