

**In the Matter of Diana McCulloch, Bar No. 009885, PDJ-2011-9020 effective August 17, 2011. *Attorney Reprimanded, Probation and Costs imposed.***

Pursuant to Rule 57(a)(4)(A), Ariz.R.Sup.Ct., the PDJ approved the Agreement for Discipline by Consent submitted by the parties and reprimanded Diane McCulloch and placed her on probation for six months during which time she must participate in the State Bar's Fee Arbitration Program and consult with the State Bar's LOMAP practice management advisor about her fee agreement and billing practices. Respondent shall also be assessed the costs and expenses of the disciplinary proceeding.

Respondent's fee agreement contained contradictory fee-agreement terms that made it difficult for the client to determine the basis or rate of the fee. Further, she failed to timely provide the client with her client file.

Aggravating factors: prior disciplinary offenses and substantial experience in the practice of law.

Mitigating factors: absence of a dishonest or selfish motive and full and free disclosure to disciplinary board or cooperative attitude toward proceedings.

Respondent violated Rule 42, Ariz. R. Sup. Ct., specifically ERs 1.5(b) and 1.16(d).

The agreement is accepted and costs awarded in the amount of \$1,200.00. The proposed final judgment and order is reviewed, approved and signed.