

In the Matter of Peter Strojnik. Bar No. 00464 File Nos. 09-0314, 09-1451

05/02/11 Attorney Reprimanded and two years of probation imposed.

On April 21, 2011, the Acting PDJ approved an Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz.R.Sup.Ct., providing for Reprimand and two years of Probation with the State Bar's Law Office Management Program ("LOMAP") and Member Assistance Program ("MAP"). Respondent's misconduct constituted grounds for the imposition of discipline pursuant to the Rules of the Supreme Court of Arizona and violated Rule 42, ERs 1.7(a), 1.8(a), 1.8(h)(1), 1.9(a), 1.9(c)(1), and 8.4(d).

Specifically, Respondent negligently engaged in a conflict of interest by failing to conclude that his representation of former or current clients was not in conflict with his clients. Respondent obtained confidential information as one client's lawyer and then filed suit against persons whom he represented. Respondent also failed to obtain an informed consent waiver of the conflict. Respondent further engaged in conduct that was prejudicial to the administration of justice by filing an emergency application and then negotiating with counsel for the withdrawal of the application based on the payment of his disputed fees. Respondent's misconduct caused actual harm to the profession, the legal system, and the public and potential injury to the affected clients.

Aggravating factors 9.22(a) prior disciplinary offenses, 9.22(c) pattern of misconduct, 9.22 (d) multiple offenses, and 9.22(i) substantial experience in the practice of law were found.

In mitigation, factors 9.32(b) absence of a dishonest or selfish motive, 9.32(c) personal or emotional problems, 9.32(e) full and free disclosure and cooperative attitude toward proceedings, 9.32(m) remoteness of prior offenses were found.