

Filed 6/24/21  
MSmith

Kelly J Flood, Bar No. 019772  
Staff Bar Counsel  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Telephone (602)340-7272  
Email: LRO@staff.azbar.org

John A. Gravina, Bar No. 013012  
PO BOX 65253  
TUCSON, AZ 85728-5253  
Telephone 520-795-4330  
Email: John@GravinaLaw.com  
Respondent

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**JOHN A. GRAVINA,  
Bar No. 013012,**

Respondent.

**PDJ 2021 -9051**

State Bar File No. **21-1053**

**AGREEMENT FOR DISCIPLINE  
BY CONSENT**

The State Bar of Arizona, and Respondent John A. Gravina who has chosen not to seek the assistance of counsel, hereby submit their Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct. No Probable Cause Order has been entered in this matter. Respondent voluntarily waives the right to an

adjudicatory hearing, unless otherwise ordered, and waives all motions, defenses, objections or requests which have been made or raised, or could be asserted thereafter, if the conditional admission and proposed form of discipline is approved.

The State Bar is the complainant in this matter, therefore no notice of this agreement is required pursuant to Rule 53(b)(3), Ariz. R. Sup. Ct.

Respondent conditionally admits that his conduct, as set forth below, violated Rule 42, Ariz. R. Sup. Ct., ER 1.15(a) and (b), and Rule 43(b)(1)(A) and (C), Rule 43(b)(2)(A) – (D), Rule 43(c), Rule 43(d)(3), and Rule 43(f)(7). Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline: **Reprimand with Probation** terms of which are set in Sanctions below. Respondent also agrees to pay the costs and expenses of the disciplinary proceeding, within 30 days from the date of this order. If costs are not paid within the 30 days interest will begin to accrue at the legal rate.<sup>1</sup> The State Bar's Statement of Costs and Expenses is attached hereto as Exhibit A.

---

<sup>1</sup> Respondent understands that the costs and expenses of the disciplinary proceeding include the costs and expenses of the State Bar of Arizona, the Disciplinary Clerk, the Probable Cause Committee, the Presiding Disciplinary Judge and the Supreme Court of Arizona.

## FACTS

### GENERAL ALLEGATIONS

1. Respondent was licensed to practice law in Arizona on May 19, 1990.

#### COUNT ONE (File no. 21-1053/ Trust Account)

2. The State Bar of Arizona received an insufficient funds notice on Respondent's client trust account ending 7056. On April 26, 2021, check number 24340 in the amount of \$882.02 attempted to pay against the account when the balance was \$216.95. The bank paid the check, leaving the account with a negative balance of <\$665.07>. The next day the bank charged a \$35.00 overdraft fee, increasing the deficit to <\$700.07>.

3. The Trust Account Examiner sent Respondent a copy of the overdraft notice and requested an explanation of the overdraft and copies of the related mandatory records for the period of April 2021. During the examination the Trust Account Examiner sent Respondent two requests for additional information.

4. Respondent explained that the occurrence of overdraft was the result of a disbursement error. Respondent states that he mistakenly disbursed a check to the IRS from the 7056 IOLTA, rather than an individual trust account held for an estate matter. The day after the overdraft Respondent transferred \$50,000.00 from

the corresponding estate account to offset the erroneous disbursement. When asked by the Trust Account Examiner to explain why it was necessary to transfer an excess \$49,117.98 to the IOLTA, Respondent responded, "Probate has tax, fee, admin. to settle and conclude."

5. When asked by the Trust Account Examiner why the associated expenses could not be paid directly from the estate trust account, Respondent failed to provide a complete explanation, replying in full: "They are and will be pd, re: tax, fees, admin., accountant, as due."

6. Overall, Respondent demonstrated a lack of due care in that he failed to maintain copies of the applicable trust account records for the 7056 IOLTA. The associated overdraft fee was offset by \$216.95 held on deposit in the IOLTA at the onset of the month. Respondent alleges that the balance is administrative in nature but failed to maintain a corresponding ledger accounting for the funds.

7. Moreover, the examination revealed that Respondent failed to comply with terms of probation in file No. 17-3136 in that he did not disclose the existence and use of the 7056 IOLTA during his probation. Specifically, as a result of file number 17-3136, on June 25, 2018, Respondent was ordered to participate in

TAEPP and LOMAP. Respondent attended TAEPP in or around October 2018 and participated in LOMAP through June 2020.

8. LOMAP required Respondent to produce copies of the various mandatory trust account records during his probation. A fact highlighted by Respondent when he addressed the future of the trust account in question, stating: “The 7056 balance will be transferred to the 2410 trust account that I do the 3 way accounting monthly. This is the same account that I just went through years of compliance with Mr. Little.”

9. Despite participating in TAEPP and LOMAP Respondent failed to maintain the required records for the account in question, identifying it as “a long dormant account” which he “shouldn’t have kept,” asserting that he operates using the 2410 IOLTA. To avoid further errors, Respondent closed the 7056 IOLTA on May 5, 2021.

10. The Trust Account Examiner subsequently brought to Respondent’s attention that, contrary to his assertion that the 7056 account was long dormant, the IOLTA was actively used during his probation period, yet not disclosed to the Compliance Monitor (Yvette Penar), Bar Counsel (Steve Little), or on his annual dues statements. The account should have been disclosed regardless of the extent

of activity. Respondent affirmed: "I failed to disclose the 7056 account overlooking it and I thought beyond the violation (advancing a wc client money). Also, I thought of re-opening it to start anew from the 2410 acct."

11. The Trust Account Examiner emphasized that activity was evident in or around June 2019 and throughout 2020, with the account averaging a balance in the five-figure range. When asked to explain the nature of the activity, Respondent replied in full: "7056 was used for larger settlements. The '19 - '20 was Montoya." Respondent, however, did not include copies of supporting documentation.

12. Meanwhile, Respondent failed to demonstrate a clear understanding of the funds held on deposit in his 2410 IOLTA, inclusive of the estate funds transferred from the 7056 IOLTA. When moving the balance from the 7056 IOLTA to the 2410 IOLTA, Respondent attributed the entire \$49,299.93 balance to the estate matter, thereby crediting the matter an excess \$181.95 -- the amount identified by Respondent as administrative in nature.

13. Respondent's records produced fail to comply with the minimum standards in that the general ledger and individual client ledger do not reflect the name of the payor for funds deposited. In addition, a three-way reconciliation purporting to reconcile the month of April 2021 was provided, yet the

reconciliation is dated June 1, 2010, and reflects a three-way reconciliation of \$4,929.78 without outstanding items; the bank statement balance was \$38,375.36. When asked by Trust Account Examiner to verify if the reconciliation was intended to reconcile the month of April 2021, given the date, Respondent replied in full: "Not sure why the 2410 recon. has that date. Easy fix." Respondent thereby further demonstrated a lack of care in the performance of his duties.

14. Also, the Trust Account Examiner asked Respondent to provide a breakdown of the \$37,977.62 balance held at the onset of April 2021. Respondent failed to do so, instead replying in full: "I really need to clean that up. Attached are the outstanding checks." The Trust Account Examiner asked Respondent to verify if his response was an indication that he was incapable of producing the requested breakdown. Respondent replied in full: "The balances are very difficult to obtain out of QB. I have attached a large excel worksheet. I don't have the excel expertise to make this cleaner than I have w/ the outstanding / stale checks." Respondent thereby exhibited a lack of due care and inability to properly safeguard funds.

15. The records produced indicate that most of the balance (\$29,961.25) corresponds to outstanding disbursements. Of that amount, \$27,173.32 consists of unaddressed stale dated disbursements, in that Respondent's check stock voids 90

days after the issue date. As of the end of April 2021, no fewer than twenty checks were outstanding for periods ranging from ninety-eight days to eleven years.

16. When asked by the Trust Account Examiner to explain why stale dated checks have been allowed to remain outstanding for multiple years, Respondent replied in full: “As I said earlier; I need to have a system down to follow up on those items. Recut checks, sent to lost funds. I have discussed this w/ Barb my bookkeeper and need to get a system like the ins. co.s.”

17. Lastly, it should be noted that the administrative ledger for the 2410 IOLTA reflects that on May 17, 2021, \$341.19 was deducted from the IOLTA as a “bank charge” when only \$138.00 was identified as being held on deposit as administrative funds, leaving a negative balance of <\$203.19>. Respondent generated the ledger on May 28, 2021, but no offsetting deposit was recorded. It can therefore be inferred that Respondent briefly converted trust account funds for a bank charge.

### **CONDITIONAL ADMISSIONS**

Respondent’s admissions are being tendered in exchange for the form of discipline stated below and are submitted freely and voluntarily and not as a result of coercion or intimidation. Respondent conditionally admits that he violated Rule



42, Ariz. R. Sup. Ct., specifically ER 1.15(a) and (b), and Rule 43(b)(1)(A) and (C), Rule 43(b)(2)(A) – (D), Rule 43(c), Rule 43(d)(3), and Rule 43(f)(7).

### **CONDITIONAL DISMISSALS**

There are no conditional dismissals.

### **RESTITUTION**

Restitution is not an issue in this matter.

### **SANCTION**

Respondent and the State Bar of Arizona agree that based on the facts and circumstances of this matter, as set forth above, the following sanctions are appropriate: Reprimand with Probation for two (2) years, **the terms of probation which will consist of:**

1. LOMAP (Trust Account Records Review): Respondent shall contact the State Bar Compliance Monitor at 602-340-7258, within ten (10) days from the date of service of this Order. Respondent shall sign terms and conditions of participation, which shall be incorporated herein. The terms and conditions will include submission of specified trust account records on a quarterly basis. Respondent shall be required to undergo a quarterly review of his/her trust account records and shall timely complete any

follow up deemed necessary as a result of those reviews. Respondent will be responsible for any costs associated with LOMAP.

Respondent shall commit no further violations of the Rules of Professional Conduct.

### **NON-COMPLIANCE WITH PROBATION**

If Respondent fails to comply with any of the foregoing probation terms and the State Bar of Arizona receives information thereof, Bar Counsel shall file a notice of noncompliance with the Presiding Disciplinary Judge, pursuant to Rule 60(a)(5), Ariz. R. Sup. Ct. The Presiding Disciplinary Judge may conduct a hearing within 30 days to determine whether Respondent breached a term of probation and, if so, to recommend an appropriate sanction. If the State Bar alleges 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.

If Respondent violates any of the terms of this agreement, the State Bar may bring further discipline proceedings.

## LEGAL GROUNDS IN SUPPORT OF SANCTION

In determining an appropriate sanction, the parties consulted the American Bar Association's *Standards for Imposing Lawyer Sanctions (Standards)* pursuant to Rule 57(a)(2)(E). The *Standards* are designed to promote consistency in the imposition of sanctions by identifying relevant factors that courts should consider and then applying those factors to situations where lawyers have engaged in various types of misconduct. *Standards* 1.3, Commentary. The *Standards* provide guidance with respect to an appropriate sanction in this matter.

In determining an appropriate sanction the Court considers the duty violated, the lawyer's mental state, the actual or potential injury caused by the misconduct and the existence of aggravating and mitigating factors. *Standard* 3.0.

The parties agree that the following *Standard 7.0 Violations of Other Duties Owed as a Professional* is the appropriate *Standard* given the facts and circumstances of this matter: Standard 7.2 provides that Suspension is generally appropriate where a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system. Standard 7.3 provides that Reprimand is generally appropriate when a lawyer negligently engages in conduct that is a violation of a

duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system. Here, Respondent was grossly negligent in how he failed to disclose, account for, and maintain proper records for the trust account at issue, especially in light of the fact that he was on probation in another matter stemming from trust account issues for a different account.

**The duty violated**

Respondent's conduct violated his duty to his clients, the profession, the legal system and the public.

**The lawyer's mental state**

Respondent knowingly was in violation of the Rules of Professional Conduct.

**The extent of the actual or potential injury**

There was potential harm to the client, the profession, the legal system and the public.

**Aggravating and mitigating circumstances**

The presumptive sanction is Suspension. The parties conditionally agree that the following aggravating and mitigating factors should be considered:

**In aggravation:**

- a) 9.22(a) prior disciplinary offenses. Respondent was previously admonished and put on probation in 17-3136 (TAEPP and LOMAP)(ERs 1.2., 1.3, 1.8, 1.15, Rule 43.) He also received an informal reprimand and probation in 06-0240 (TAP and TAEPP) (ER 1.15 and Rule 43 - Respondent self-reported overdraft in trust account).
- b) 9.22(d) multiple offenses. Respondent violated multiple rules.
- c) 9.22(i) substantial experience in the practice of law. Respondent was admitted in 1990.

**In mitigation:**

- a) 9.32(b) Absence of selfish or dishonest motive. There is no evidence that Respondent converted funds for his own use or failed to disclose the second trust account for nefarious reasons.
- b) 9.32(d) timely good faith effort to rectify the consequences of misconduct. Respondent has agreed to the sanction and probation terms designed to assist him in complying with the trust account rules.

- c) 9.32(e) full and free disclosure and cooperative attitude towards proceedings. Respondent has been cooperative with the screening investigation and provided the information requested.
- d) 9.32(l) remorse. Respondent understands that he was mistaken in how he treated the trust account at issue, apologizes for his errors, and takes full responsibility for the results of his conduct.
- e) 9.32(m) remoteness of prior offense. Respondent's Informal Reprimand and Probation in 06-0240 occurred fifteen years ago.

### **Discussion**

The parties conditionally agree that upon application of the aggravating and mitigating factors the mitigated sanction is appropriate. This agreement is based on the following: Respondent completed his probation in 17-3136, and the parties believe that a Reprimand and an additional two years of probation for trust account records review will best serve Respondent, his clients, and the system.

Based on the *Standards* and in light of the facts and circumstances of this matter, the parties conditionally agree that the sanction set forth above is within the range of appropriate sanction and will serve the purposes of lawyer discipline.

## CONCLUSION

The object of lawyer discipline is not to punish the lawyer, but to protect the public, the profession and the administration of justice. In re *Peasley*, 208 Ariz. 27 (2004). Recognizing that determination of the appropriate sanction is the prerogative of the Presiding Disciplinary Judge, the State Bar and Respondent believe that the objectives of discipline will be met by the imposition of the proposed sanction of Reprimand with Probation and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit B.

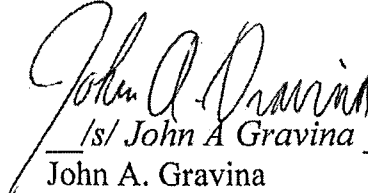
**DATED** this 22<sup>nd</sup> day of June 2021

**STATE BAR OF ARIZONA**

  
\_\_\_\_\_  
Kelly J Flood  
Staff Bar Counsel

**This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation.**

**DATED** this 22 day of June, 2021.

  
\_\_\_\_\_  
/s/ John A Gravina  
John A. Gravina  
Respondent

6/22/21

Approved as to form and content

\_\_\_\_\_  
Maret Vessella  
Chief Bar Counsel

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this \_\_\_ day of June, 2021.

Copy of the foregoing emailed  
this \_\_\_ day of June, 2021, to:

The Honorable Margaret H. Downie  
Presiding Disciplinary Judge  
Supreme Court of Arizona  
1501 West Washington Street, Suite 102  
Phoenix, Arizona 85007  
E-mail: [officepdj@courts.az.gov](mailto:officepdj@courts.az.gov)



**This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation.**

**DATED** this \_\_\_\_\_ day of June, 2021.

---

John A. Gravina  
Respondent

Approved as to form and content



Maret Vessella  
Chief Bar Counsel

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this 24<sup>th</sup> day of June, 2021.

Copy of the foregoing emailed  
this 24<sup>th</sup> day of June, 2021, to:

The Honorable Margaret H. Downie  
Presiding Disciplinary Judge  
Supreme Court of Arizona  
1501 West Washington Street, Suite 102  
Phoenix, Arizona 85007  
E-mail: [officepdj@courts.az.gov](mailto:officepdj@courts.az.gov)

Copy of the foregoing mailed/mailed  
this 24<sup>th</sup> day of June, 2021, to:

John A Gravina  
PO BOX 65253  
TUCSON, AZ 85728-5253  
Email: John@GravinaLaw.com  
Respondent

Copy of the foregoing hand-delivered  
this 24<sup>th</sup> day of June, 2021, to:

Lawyer Regulation Records Manager  
State Bar of Arizona  
4201 N. 24<sup>th</sup> St., Suite 100  
Phoenix, Arizona 85016-6266

by:

  
\_\_\_\_\_  
KJF/jas

**EXHIBIT A**

## Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona  
John A. Gravina, Bar No. 013012, Respondent

File No. 21-1053

### 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*

**\$1,200.00**

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.

### Additional Costs

Total for additional costs \$ 0.00

TOTAL COSTS AND EXPENSES INCURRED \$ 1,200.00

**EXHIBIT B**

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**JOHN A. GRAVINA,  
Bar No. 013012,**

**PDJ**

**FINAL JUDGMENT AND  
ORDER**

State Bar No. 21-1053

The Presiding Disciplinary Judge of the Supreme Court of Arizona, having reviewed the Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct., accepts the parties' proposed agreement.

Accordingly:

**IT IS ORDERED** that Respondent, **John A. Gravina**, is **Reprimanded** for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents.

**IT IS FURTHER ORDERED** that Respondent is placed on probation for a period of two (2) years. The terms of probation are:

- a) LOMAP (Trust Account Records Review): Respondent shall contact the State Bar Compliance Monitor at 602-340-7258, within ten (10) days

from the date of service of this Order. Respondent shall sign terms and conditions of participation, which shall be incorporated herein. The terms and conditions will include submission of specified trust account records on a quarterly basis. Respondent shall be required to undergo a quarterly review of his/her trust account records and shall timely complete any follow up deemed necessary as a result of those reviews. Respondent will be responsible for any costs associated with LOMAP.

Respondent shall commit no further violations of the Rules of Professional Conduct.

**IT IS FURTHER ORDERED** that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$ 1,200.00, within 30 days from the date of service of this Order.

**IT IS FURTHER ORDERED** that Respondent shall pay the costs and expenses incurred by the disciplinary clerk and/or Presiding Disciplinary Judge's Office in connection with these disciplinary proceedings in the amount of \_\_\_\_\_, within 30 days from the date of service of this Order.

**DATED** this \_\_\_\_\_ day of June, 2021.

---

**Margaret H. Downie, Presiding Disciplinary  
Judge**

Original filed with the Disciplinary Clerk of  
the Office of the Presiding Disciplinary Judge  
of the Supreme Court of Arizona  
this \_\_\_\_\_ day of June, 2021.

Copies of the foregoing mailed/emailed  
this \_\_\_\_\_ day of June, 2021, to:

John A. Gravina  
PO BOX 65253  
TUCSON, AZ 85728-5253  
Email: John@GravinaLaw.com  
Respondent

Copy of the foregoing emailed/hand-delivered  
this \_\_\_\_\_ day of June, 2021, to:

Kelly J Flood  
Staff Bar Counsel  
State Bar of Arizona  
4201 N 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Email: [LRO@staff.azbar.org](mailto:LRO@staff.azbar.org)



Copy of the foregoing hand-delivered  
this \_\_\_\_ day of June, 2021 to:

Lawyer Regulation Records Manager  
State Bar of Arizona  
4201 N 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266

by: \_\_\_\_\_

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**JOHN A. GRAVINA,**  
**Bar No. 013012**

Respondent.

**PDJ 2021-9051**

**DECISION ACCEPTING  
AGREEMENT FOR DISCIPLINE  
BY CONSENT**

[State Bar No. 21-1053]

**FILED JULY 20, 2021**

Pursuant to Rule 57(a), Ariz. R. Sup. Ct., a direct Agreement for Discipline by Consent was filed on June 24, 2021. No probable cause order has issued, and no formal complaint has been filed. The State Bar of Arizona is represented by Kelly J. Flood. Respondent John A. Gravina is self-represented.

Contingent on approval of the proposed form of discipline, Mr. Gravina has voluntarily waived the right to an adjudicatory hearing, as well as all motions, defenses, objections, or requests that could be asserted. The State Bar is the complainant in this matter; therefore, notice pursuant to Rule 53(b)(3) is not necessary.

The Agreement details a factual basis to support the conditional admissions and is incorporated by reference. *See* Rule 57(a)(4). Mr. Gravina admits that he violated Rule 42, ER 1.15(a) and (d) (safekeeping client property), Rule 43(b)(1)(A),

(C), Rule 43(b)(2)(A)-(D), Rule 43(c), (d)(3), and Rule 43(f)(7) (trust account). As a sanction, the parties agree to a reprimand and two years of probation with the State Bar's Law Office Management Assistance Program (LOMAP), plus the payment of costs in the sum of \$1,200.00 within 30 days of the date of service of the final judgment and order.

Mr. Gravina conditionally admits that while on probation for another matter involving client trust account issues, he knowingly failed to disclose and maintain proper client trust account records. Mr. Gravina conditionally admits he violated his duty to his clients, the profession, the legal system and the public. His conduct caused potential harm to clients, the profession, the legal system and the public. The presumptive sanction is a suspension under § 7.2 of the *ABA Standards for Imposing Lawyer Sanctions* ("ABA Standards").

The parties stipulate to the existence of aggravating factors 9.22(a) (prior disciplinary offenses), 9.22(d) (multiple offenses) and 9.22(i) (substantial experience in the practice of law). The parties further stipulate to the existence of mitigating factors 9.32(b) (absence of selfish or dishonest motive), 9.32(d) (timely good faith effort to rectify consequences of misconduct), 9.32(e) (full and free disclosure to disciplinary board or cooperative attitude towards proceedings), 9.32(l) (remorse) and 9.32(m) (remoteness of prior offense). Based on the particular facts in this matter, the aggravating and mitigating factors, and Mr. Gravina's completion of probation

in State Bar File No. 17-3136, the parties agree that a reduction from the presumptive sanction of suspension is justified and that reprimand and probation -- with trust account records review and oversight -- is the appropriate sanction.

**IT IS ORDERED** accepting the Agreement for Discipline by Consent. A final judgment and order is signed this date.

**DATED** this 20th day of July 2021.

*Margaret H. Downie*

---

**Margaret H. Downie**  
**Presiding Disciplinary Judge**

COPY of the foregoing e-mailed  
on this 20th day of July 2021 to:

Kelly J. Flood  
Bar Counsel  
State Bar of Arizona  
4201 N. 24<sup>th</sup> Street, Suite 100  
Phoenix, AZ 85016-6288  
Email: [LRO@staff.azbar.org](mailto:LRO@staff.azbar.org)

John A. Gravina  
PO Box 65253  
Tucson, AZ 85728-5253  
Email: [John@GravinaLaw.com](mailto:John@GravinaLaw.com)  
Respondent

by: SHunt

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**JOHN A. GRAVINA,**  
**Bar No. 013012**

Respondent.

**PDJ 2021-9051**

**FINAL JUDGMENT  
AND ORDER**

[State Bar No. 21-1053]

**FILED JULY 20, 2021**

The Presiding Disciplinary Judge accepted the parties' Agreement for Discipline by Consent submitted pursuant to Rule 57(a), Ariz. R. Sup. Ct.

**IT IS ORDERED** that Respondent, **JOHN A. GRAVINA, Bar No. 013012**, is reprimanded for his conduct in violation of the Arizona Rules of Professional Conduct and related rules of the Arizona Supreme Court, as outlined in the consent documents.

**IT IS FURTHER ORDERED** that Respondent is placed on probation for a period of two years. The terms and condition of probation are:

- a) Law Office Management Assistance Program (LOMAP Trust Account Records Review): Respondent shall contact the State Bar Compliance Monitor at 602-340-7258, within ten (10) days from the date of service of this order. Respondent shall sign terms and conditions of participation,

which shall be incorporated herein. The terms and conditions will include submission of specified trust account records on a quarterly basis. Respondent shall be required to undergo a quarterly review of his trust account records and shall timely complete any follow up deemed necessary as a result of those reviews. Respondent shall be responsible for any costs associated with LOMAP.

Respondent shall commit no further ethical violations.

**IT IS FURTHER ORDERED** that Respondent shall pay the costs and expenses of the State Bar of Arizona in the amount of \$ 1,200.00, within 30 days from the date of service of this order. There are no costs or expenses incurred by the Office of the Presiding Disciplinary Clerk in these proceedings.

**DATED** this 20<sup>th</sup> day of July, 2021.

*Margaret H. Downie*

---

**Margaret H. Downie**  
**Presiding Disciplinary Judge**

Copies of the foregoing mailed/emailed  
this 20<sup>th</sup> day of July, 2021, to:

John A. Gravina  
PO Box 65253  
Tucson, AZ 85728-5253  
Email: [John@GravinaLaw.com](mailto:John@GravinaLaw.com)  
Respondent

Kelly J Flood  
Staff Bar Counsel  
State Bar of Arizona  
4201 N 24<sup>th</sup> Street, Suite 100  
Phoenix, Arizona 85016-6266  
Email: [LRO@staff.azbar.org](mailto:LRO@staff.azbar.org)

by: SHunt