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Email: Nancy@nancygreenlee.com
Respondent's Counsel

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

**THOMAS A. MORTON,
Bar No. 023374,**

Respondent.

PDJ 2021 - 9070

**State Bar File Nos. 20-1715
and 20-1840**

**AGREEMENT FOR DISCIPLINE
BY CONSENT**

The State Bar of Arizona, and Respondent Thomas A. Morton represented by Nancy A. Greenlee, submit their Agreement for Discipline by Consent under Rule

57(a), Ariz. R. Sup. Ct.¹ A probable cause order was entered on May 19, 2021, but no formal complaint has been filed. Respondent voluntarily waives the right to an adjudicatory hearing, unless otherwise ordered, and waives all motions, defenses, objections or requests made or raised, or which could be asserted thereafter, if the conditional admissions and proposed form of discipline are approved.

Under Rule 53(b)(3), notice of this agreement was provided to the complainants by email on August 13, 2021. Complainants have been notified of the opportunity to file written objections to the agreement with the State Bar within five business days of bar counsel's notice. Copies of Complainants' objections, if any, have been or will be provided to the presiding disciplinary judge.

Respondent conditionally admits that he violated Rule 42, ER 1.3. Upon acceptance of this agreement, Respondent agrees to accept an Admonition. 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

¹ All references to rules are to the Arizona Rules of the Supreme Court unless stated otherwise.

interest will accrue at the legal rate.² The State Bar's Statement of Costs and Expenses is attached as Exhibit A.

FACTS

1. Respondent was licensed to practice law in Arizona on December 21, 2004.

COUNT ONE of TWO (File No. 20-1715/Coats)

2. In January 2020, James Coats filed a Petition for Modification of Child Support against his ex-wife, Complainant Carrie Coats. Respondent represented Mr. Coats; Jennifer Mihalovich represented Complainant. In such cases the parties' relative wealth is relevant. Mr. Coats believed Complainant lived with her parents for free, saving rent, which is a financial benefit to be included in her monthly income. Complainant said she paid rent. Mr. Coats and Respondent wanted a year's worth of bank statements to evaluate Complainant's claim.

3. The court hearing date was June 11, 2020. Disclosures were due June 4, 2020. Bank statements are not among the compulsory disclosures. On June 5,

²Respondent 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.

2020, Respondent asked Ms. Mihalovich to produce copies of Complainant's bank statements. She and Complainant declined to allow informal disclosure of items not included in the scheduling order's compulsory disclosures so close to the hearing date in a case filed five months earlier. On June 9, 2020, five calendar days after the deadline to exchange financial disclosures, Respondent made a disclosure and listed "Bank of America" statements on his exhibit list. He told Ms. Mihalovich in a June 9, 2020 email he expected to receive them from UPS the next day.

4. On June 5, 2020, Respondent sent a letter to Bank of America ("BA") stating that he enclosed a subpoena duces tecum and Notice of Deposition. The letter explained Respondent did not intend to take testimony and merely wanted copies of the records described in the subpoena (Complainant's bank records). The subpoena compliance date was June 10, 2020 (six days after the disclosure cutoff and one day before the hearing). Respondent's letter shows a cc to Ms. Mihalovich but she denies receiving it. Respondent later claimed he served a copy of the subpoena and Notice of Deposition to which the subpoena referred on Ms. Mihalovich. She claimed that, contrary to court rules, Respondent neither served her nor furnished copies to her after she said she learned about them. Ms. Mihalovich obtained Respondent's June

5, 2020 letter and unconformed form of subpoena on June 24, 2020, from Mr. Coats' new attorney (see below).

5. During the June 11, 2020 trial, when discussing the bank records, Respondent asked the judge for additional time to offer exhibits into evidence because, lacking a password, he could not open Complainant's BA bank statements he had obtained on a CD by subpoena. The court denied Respondent's requests to extend his exhibit deadline and offer the bank statements in evidence:

Respondent: I have no more direct questions for my client. I just ask that the court set a time where I can present the bank records exhibit.

Court: This is the time set for hearing. Those exhibits are not present. I'm not going to give you additional time to submit exhibits or documents that you do not have for today's hearing.

The hearing did not conclude that day and resumed on June 25, 2020.

6. On June 16, 2020, Mr. Coats' new attorney, Greg Robinson, filed a substitution of counsel by which Respondent's services were terminated. Mr. Robinson tried to offer Complainant's bank records into evidence at the June 25, 2020 resumed hearing but the court denied his request. The court reduced Mr. Coats' child support obligation from \$1,277/mo. to \$985/mo., an inadequate reduction per Mr. Coats (see 20-1840, below).

7. Respondent claimed that exhibits were not due to present to the court until June 8, 2020, and he would have met that deadline but for the missing CD password. The hearing was set for June 11, 2020, and the scheduling order called for submission of exhibits five days before the hearing. Eliminating weekends per court rule, the due date was June 4, 2020. And, Respondent's own form of subpoena had a compliance date of June 10, two days *after* his claimed due date for exhibits. Respondent claims he erred in calculating the due date for the subpoena because the court rules had recently changed. The new version of the rule stated that weekends would be excluded from the calculation for this type of court order. The State Bar claims Respondent's explanation is incomprehensible.

COUNT TWO of TWO (File No. 20-1840/Laws-Coats)

8. Respondent represented Complainant James Coats in the Family Court matter described in 20-1715. Complainant charged that Respondent conducted himself ineptly, generally as alleged in that bar charge, which compromised Complainant's chances for a more favorable outcome. Also, in December 2019 and again in April 2020, he asked Respondent to subpoena Carrie Coats's financial

records, but Respondent did not do so until a few days before the June 2020 hearing.³ Complainant charged that had Respondent exercised reasonable diligence, Complainant could have proven that Carrie lived rent-free with her parents and did not pay other expenses, including for childcare, that she claimed. He claims he deserves a refund of his initial legal fee retainer (\$1,800 minus the \$89 filing fee, for a net of \$1,711), waiver of the \$1,352.76 balance, and \$260/mo. for 29 months in extra child support he has to pay due to Respondent's failures.

9. Respondent's fee agreement erroneously calls an advance deposit a "retainer" against which legal services were to be billed. It states, incongruously, that fees are "earned when billed" and are to be deposited into his trust account. It lacks ER 1.5(d)(3) language. He charged Complainant \$210/hr. unless Complainant fired him in which event the charges escalated to \$250/hr. The fee agreement contains a State Bar-sponsored fee arbitration provision.

10. Respondent filed the Petition to Modify Child Support on January 22, 2020. He did not secure an Order to Appear for a hearing until March 5, 2020 (setting

³ Respondent explained that he put off the subpoena because he wanted the most recent possible records for the hearing; unfortunately, he explained, he erred in calendaring the task.

the hearing for April 16, 2020). Respondent said that the Covid-19 pandemic and related court administration complications caused problems setting the hearing.

11. On March 10, 2020, Ms. Mihalovich emailed Respondent her Notice of Appearance and said she would accept service of the petition. Respondent did not email her the acceptance documents until March 26. According to Respondent, the Court may make a modification order retroactive to the first day of the month following service. Ms. Mihalovich signed the acceptance of service on May 28, 2020. Due to the delay in securing service, the Court made the order reducing child support retroactive to June 1 rather than April 1. Respondent's explanation: Ms. Mihalovich didn't send the acceptance form back to him; she sought a continuance of the hearing because Complainant is in the military outside of Arizona; and the hearing was continued so by then there was "no point."

12. Complainant charged Respondent's invoices reflect little trial preparation. Respondent countered that his trial preparation was adequate. He postponed obtaining the bank records by subpoena so he could get the most current records before the hearing and admitted he neglected to reset a tickler when the hearing date was changed.

13. Respondent's invoice includes an entry for May 29, 2020, when he billed Complainant a second time to draft another Acceptance of Service form. On June 3, 2020, he billed Complainant to again review a Notice of Appearance he first received on March 10, 2020.

14. Respondent admits he was not diligent in both counts when he failed to properly calendar the task of getting the opposing party's bank records through a subpoena and by failing timely to serve and document service of the Petition to Modify Child Support. Aided by counsel, he changed his template fee agreement to comply with ER 1.5 and agrees to resolve the fee dispute in fee arbitration.

15. Respondent submitted letters from attorneys James Leather, Bruce Brown, and Mark Andersen praising his character and reputation.

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 he violated Rule 42, ER 1.3.

CONDITIONAL DISMISSALS

The State Bar conditionally dismisses charges that Respondent violated ERs 1.2, 1.5, 3.3, 3.4, 4.1, and 8.4; and Rule 54.

RESTITUTION

Respondent agrees to initiate fee arbitration to resolve the fee dispute raised by Complainant in Count Two (File No. 20-1840); hence, restitution is not an issue.

SANCTION

Respondent and the State Bar of Arizona agree that based on the facts and circumstances, including Respondent's commitment to initiate, which has been accomplished, and abide by the result of fee arbitration, an Admonition is appropriate. If Respondent violates any of the terms of this agreement, the State Bar may bring further discipline proceedings.

LEGAL GROUNDS IN SUPPORT OF SANCTION

Sanctions are determined in accordance with the American Bar Association's *Standards for Imposing Lawyer Sanctions (Standards)*. See Rule 58(k). The *Standards* are designed to promote consistency in imposing sanctions by identifying 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.

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 duty violated

Respondent violated his duty to his client.

The lawyer's mental state

Respondent conducted himself negligently.

The extent of the actual or potential injury

There was actual harm to the client.

The parties agree that *Standard* 4.43 applies: "Reprimand is generally appropriate when a lawyer is negligent and does not act with reasonable diligence in representing a client, and causes injury or potential injury to a client."

Aggravating and mitigating circumstances

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

In aggravation: *Standard 9.22--*

- (i) substantial experience in the practice of law.

In mitigation: *Standard 9.32--*

- (a) absence of a prior disciplinary record;

- (b) absence of a dishonest or selfish motive;

(c) personal and emotional problems. Respondent's scheduling and diligence issues were exacerbated by the upset to systems and general upheaval caused by the covid-19 pandemic and work from home requirements;

- (e) full and free disclosure to State Bar;

and

- (g) character or reputation, see letters attached as Exhibit C.

Discussion

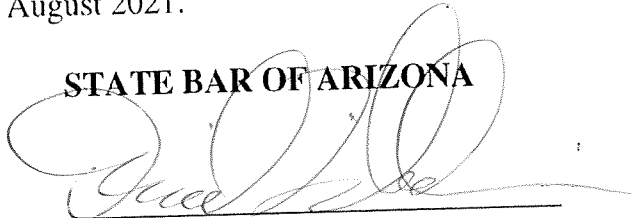
The parties conditionally agree the mitigating factors outnumber and outweigh the aggravating factors rendering it appropriate to mitigate the presumptive sanction of reprimand to admonition. Based on the *Standards*, and given the facts and circumstances, the parties conditionally agree that the sanction 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 imposing the proposed sanction of Admonition and assessing costs and expenses. A proposed form of order is attached as Exhibit B.

DATED this 13th day of August 2021.

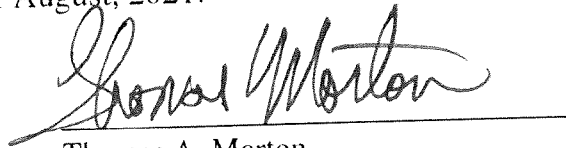
STATE BAR OF ARIZONA



David L. Sandweiss
Senior Bar Counsel


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

DATED this 13th day of August, 2021.



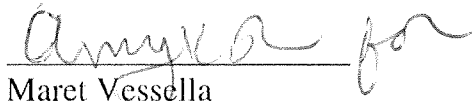
Thomas A. Morton
Respondent

DATED this 13th day of August, 2021.



Nancy A. Greenlee
Respondent's Counsel

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 13th day of August, 2021.

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

Copy of the foregoing emailed
this 13th day of August, 2021, to:

Nancy A. Greenlee
821 E. Fern Drive North
Phoenix, Arizona 85013
Email: Nancy@nancygreenlee.com
Respondent's Counsel

Lawyer Regulation Records Manager
State Bar of Arizona
4201 N. 24th St., Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

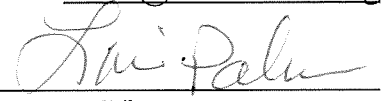
by: 
DLS/js 112

EXHIBIT A

Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona
Thomas A. Morton, Bar No. 023374, Respondent

File Nos. 20-1715 and 20-1840

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.

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,**

**THOMAS A. MORTON,
Bar No. 023374,**

PDJ

FINAL JUDGMENT AND ORDER

State Bar Nos. 20-1715 and 20-1840

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

IT IS ORDERED that Respondent, Thomas A. Morton, is Admonished for his conduct in violation of the Arizona Rules of Professional Conduct, specifically ER 1.3, as outlined in the consent documents.

IT IS FURTHER ORDERED that Respondent pay the costs and expenses of the State Bar of Arizona in the amount of \$ _____, 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 August, 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 August, 2021.

Copies of the foregoing mailed/mailed
this _____ day of August, 2021, to:

Nancy A. Greenlee
Respondent's Counsel
821 E. Fern Drive North
Phoenix, Arizona 85013
Email: Nancy@nancygreenlee.com

Copy of the foregoing emailed
this _____ day of August, 2021, to:

David L. Sandweiss
Senior Bar Counsel
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

Lawyer Regulation Records Manager
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

by: _____

EXHIBIT C

BROWN PERSONAL INJURY LAW *

Bruce D. Brown
Attorney at Law

* dba Brown Family Law Group, PLC

7600 N. 15th Street, Suite 150
Phoenix, AZ 85020
Office: (602) 589-5110
Fax: (602) 589-5015
e-mail: bruce.brown@azbrownlaw.com

March 24, 2021

Nancy A. Greenlee
Attorney at Law
821 East Fern Drive North
Phoenix, Arizona 85014-3248

Re: Recommendation for Thomas A. Morton

Dear Ms. Greenlee:

Please accept this letter as my professional as well as personal recommendation for Thomas A. Morton.

I have known Mr. Morton professionally for almost twenty years. Tom and I initially met when he was opposing counsel in tumultuous dissolution case back in 2006. During this case, I was very impressed with Tom's conduct as family law lawyer. He maintained a very calm and professional demeanor in an otherwise emotionally charged area of law, while serving his client's interests throughout the case. Even in areas where our clients disagreed, Tom continuously advocated his client's positions with dignity and respect - to the parties, opposing counsel and the Court.

Following the conclusion of that case, I invited Tom to join my firm. While an attorney at my firm starting in 2007, I was continually impressed by his knowledge and his professionalism. Even more so, I admired his ethics and high standards by which he practiced law. Unlike other associate attorneys that I have had throughout my career, I never had to worry about Tom's handling of a matter to keeping to what I have always believed to be my firm's high ethical standards.

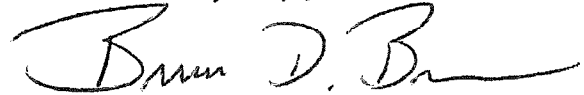
After Tom and I stopped working together in 2011, I respected his professionalism and his ethics so much that I asked him to be my family law backup attorney in my Plan of Succession in case of any emergencies. Little did I know that in late November of 2016, I would suffer a heart attack in open court which would place me in a coma for over a week and unable to practice law fully for a couple of months. During this time, Tom seamlessly stepped in to take over my family law cases and run my office, despite having a caseload and full practice of his own. Later, I would be told by my clients, court personnel as well as my staff that Tom handled my cases and my practice to an exceptionally high level of integrity and dedication.

Throughout my acquaintance with Tom, I have on occasions asked for his guidance and advice. Without a doubt, I have always admired his intelligence, strong ethical code as well as caring personality when it came to helping others. I personally cannot remember a time when Tom was not willing to drop everything at a moments notice, to offer his opinion or lend a hand. This dedication to caring lends itself not only to family and friends, but to members of the law community and the legal profession as a whole.

For these reasons, I would wholeheartedly vouch for the ethical integrity and good character of Thomas A. Morton. His honesty, integrity, dedication and true caring for others does nothing but reflect positively on himself.

Thank you for your attention to this matter. If you or the State Bar of Arizona should need any additional information, or have any other inquires, please do not hesitate to give me a call.

Very truly yours,

A handwritten signature in cursive script that reads "Bruce D. Brown". The signature is fluid and matches the printed name below it.

Bruce D. Brown

BDB/rbb

cc: Thomas A. Morton (Via e-mail only)

THE LAW OFFICE OF MARK J. ANDERSEN, P.L.C.

1318 E. LA VIEVE
TEMPE, AZ, 85284
(OFFICE) 480-800-9254

April 8, 2021

Nancy A. Greenlee
Nancy A. Greenlee Law Office
821 E. Fern Dr. N
Phoenix, AZ 85014

Re: In Support of Thomas A. Morton

To Whom It May Concern:

I am writing to support Thomas Morton. Tom has been my friend and colleague for over a decade. Tom is, above all, trustworthy in all respects. I first became aware of Tom through our membership in a Toastmasters Club, where we both were attempting to improve our public speaking skills to improve our advocacy for our clients. We became fast friends and have remained so through the years. Tom has always enjoyed a very good reputation for fair and honest dealing as well as a reputation as a highly competent attorney. I am well aware of this reputation because I have sent virtually all of my family law referrals to Tom over the years and have never received anything but positive feedback.

In my experience, Tom exhibits great patience with others, taking time to answer questions and acknowledge concerns so that everyone who interacts with Tom knows they are getting Tom's undivided attention. Tom does this with great respect and always shows polite treatment to everyone he interacts with, even when he disagrees with their positions or points of view. He is able to express disagreement, when needed, in a most civil and persuasive manner.

In all of the years that I've known Tom, I've never heard a negative word said by anyone about him.

Please feel free to contact me by my cell phone if you have any further questions. I can be reached at (480) 201-1791.

April 8, 2021

Very truly yours,

/S/ MARK J. ANDERSEN

Mark J. Andersen
Attorney At Law

James L. Leather PLLC

1791 E. Bell Road, Suite 1100, Phoenix, AZ 85022 | 602.954.1100 | www.jl Leatherlawoffice.com

March 23, 2021

Nancy Greenlee
821 E. Fern Drive North
Phoenix, Az. 85014

RE: Thomas Morton

Dear Ms. Greenlee:

Tom Morton has asked me to write a letter of reference for him, and direct it to you. I understand it will be used with regard to any State Bar of Arizona charges pending against Tom.

First, I think it is important that the reader of this letter understand who I am. I am 70 years of age and have been an attorney in Arizona since 1977. I spent the first 20 plus years doing several different areas, mostly trial work, and the last 20 plus years practicing exclusively in family law. I have known Tom Morton for at least 20 years.

Tom is the attorney that I selected, and he agreed, under my succession plan, in case something happened to me, he would close down my practice. I have also used Tom numerous times over the past several years to cover family law hearings for me, and have never had a complaint from a client regarding Tom's handling of a matter on my behalf. I use Tom when I have a conflict in my calendar, such that I would be involved in a full trial and I did not want to continue the status conference or temporary orders hearing for one of my other clients. I also refer to Tom any bankruptcy inquiries that my firm receives, as Tom does practice bankruptcy law, and I have not practiced bankruptcy law since 2007. If a bankruptcy matter occurs in one of my family law matters, I will call Tom for advice regarding same.

I have always found Tom to be very honest, ethical, and hard working on behalf of his clients. I have also been impressed with Tom's volunteering or helping veterans at a reduced rate in their legal needs. I do know that Tom did serve in the United States Marine Corp.

Should you have any questions regarding this letter please do not hesitate to contact me.

Very truly yours,
James L. Leather PLLC



For the Firm
jleather@leatherlawoffice.com

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

THOMAS A. MORTON,
Bar No. 023374

Respondent.

PDJ 2021-9070

**DECISION ACCEPTING
AGREEMENT FOR DISCIPLINE
BY CONSENT**

[State Bar Nos. 20-1715, 20-1840]

FILED AUGUST 26, 2021

A probable cause order issued on May 19, 2021. No formal complaint has been filed. On August 13, 2021, the parties filed an Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct. The State Bar is represented by Senior Bar Counsel David L. Sandweiss, and Mr. Morton is represented by Nancy A. Greenlee.

Contingent on approval of the proposed form of discipline, Mr. Morton has voluntarily waived the right to an adjudicatory hearing, as well as all motions, defenses, objections, or requests that could be asserted. Pursuant to Rule 53(b)(3), notice of the consent agreement was sent to the complainant by email on August 13, 2021. No objection has been filed

The Agreement details a factual basis to support the conditional admissions and is incorporated by reference. *See* Rule 57(a)(4). Mr. Morton admits that he

violated Rule 42, ER 1.3 (diligence). As a sanction, the parties agree to issuance of an admonition, plus the payment of costs to the State Bar in the sum of \$1,200.00 within 30 days of the date of service of the final judgment and order. Mr. Morton will also initiate fee arbitration proceedings to resolve the fee dispute in File No. 20-1840.

Based on the conditional admissions, the presumptive sanction is a reprimand under § 4.43 of the ABA Standards. The parties stipulate that only one aggravating factor applies: 9.22(i) -- substantial experience in the practice of law. They further stipulate to the existence of five mitigating factors: 9.32(a) (absence of a prior disciplinary record), 9.32(b) (absence of selfish or dishonest motive), 9.32(c) (personal or emotional problems), 9.32(e) (full and free disclosure to disciplinary board or cooperative attitude towards proceedings), and 9.32(g) (character or reputation).¹

After balancing the one aggravating factor against the five mitigating factors, the PDJ agrees with the parties that the presumptive sanction of reprimand is properly mitigated to an admonition.

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

DATED this 26th day of August 2021.

Margaret H. Downie
Margaret H. Downie
Presiding Disciplinary Judge

¹ Three character-reference letters were offered in support of this factor. See Agreement Exhibit C.

COPY of the foregoing e-mailed
this 26th day of August 2021 to:

David L. Sandweiss
Senior Bar Counsel
State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, AZ 85016-6288
Email: LRO@staff.azbar.org

Nancy A. Greenlee
Attorney and Counselor at law
821 E. Fern Drive North
Phoenix, AZ 85016-6266
Email: nancy@nancygreenlee.com
Respondent's Counsel

by: SHunt

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

THOMAS A. MORTON,
Bar No. 023374

Respondent.

PDJ 2021-9070

FINAL JUDGMENT AND ORDER

[State Bar Nos. 20-1715 and 20-1840]

FILED AUGUST 26, 2021

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

Accordingly:

IT IS ORDERED that Respondent, **THOMAS A. MORTON, Bar No. 023374**, is admonished for his conduct in violation of the Arizona Rules of Professional Conduct, specifically ER 1.3, as outlined in the consent documents.

IT IS FURTHER ORDERED that Respondent shall pay the costs and expenses of the State Bar of Arizona in the sum 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 Judge in these disciplinary proceedings.

DATED this 26th day of August, 2021.

Margaret H. Downie

Margaret H. Downie
Presiding Disciplinary Judge

Copies of the foregoing emailed
this 26th day of August, 2021, to:

Nancy A. Greenlee
Respondent's Counsel
821 E. Fern Drive North
Phoenix, Arizona 85013
Email: Nancy@nancygreenlee.com

David L. Sandweiss
Senior Bar Counsel
State Bar of Arizona
4201 N 24th Street, Suite 100
Phoenix, Arizona 85016-6266
Email: LRO@staff.azbar.org

by: SHunt