

**REINSTATED ATTORNEYS**

**DENNIS P. BAYLESS**

Bar No. 012052; File No. 98-2254

By Supreme Court Judgment and Order dated Sept. 30, 2002, Dennis P. Bayless, 820 Cove Parkway, Suite 102, Cottonwood, AZ 86326, was reinstated effective Aug. 5, 2002, pursuant to Rule 71(c) after completing his suspension ordered on June 1, 2002.

**ROBERT F. CLARKE**

Bar No. 005232; File No. 99-0894

By Supreme Court Judgment and Order dated Sept. 27, 2002, Robert F. Clarke, P.O. Box 25042, Scottsdale, AZ 85255, was reinstated pursuant to Rule 71(c) after completing his suspension ordered on Feb. 22, 2002.

**SANFORD J. EDELMAN**

Bar No. 004497; File No. 00-0216

By Supreme Court Judgment and Order dated Sept. 23, 2002, Sanford J. Edleman, 100 Colonia de Salud, Suite 103-B, Sierra Vista, AZ 85635, was reinstated pursuant to Rule 71(c) after completing his suspension ordered on Aug. 7, 2002.

**STEVEN FEOLA**

Bar No. 004197; File No. 96-1092

By Supreme Court Judgment and Order dated Sept. 13, 2002, Robert F. Clarke, 2800 North Central Avenue, Suite 1400, Phoenix, AZ 85004, was reinstated pursuant to Rule 71(c) after completing his suspension ordered on Mar. 25, 2002.

**KENT RUSSELL ROMNEY**

Bar No. 011686; File No. 01-6001

By Supreme Court Judgment and Order dated Sept. 30, 2002, Kent Russell Romney, 2712 North 7th Street, Phoenix, AZ 85006, was reinstated pursuant to Rule 72 after completing his suspension ordered on Apr. 20, 2000. Mr. Romney was placed on two years' probation and ordered to participate in LOMAP and MAP and to find and work with a practice monitor.

**SANCTIONED ATTORNEYS**

**RICHARD A. ALCORN**

Bar No. 006657

**STEVEN FEOLA**

Bar No. 004197

File Nos. 96-1090 and 96-1092 (Consolidated)

By Supreme Court Judgment and Order dated Mar. 25, 2002, Richard A. Alcorn and Steven Feola, 2800 North Central Ave., Suite 1400, Phoenix, AZ 85004, were suspended for six months effective as of Mar. 11, 2002, for conduct in violation of their duties and

obligations as lawyers. Mr. Alcorn and Mr. Feola were ordered to reimburse the Client Protection Fund if any claims are paid out by the Fund and to pay costs and expenses incurred by the State Bar in the sum of \$2,899.66, together with interest at the legal rate. The facts of this matter are more fully set forth in the Arizona Supreme Court corrected opinion dated Mar. 21, 2002, *In the Matter of Alcorn*, SB-01-0075-D (2002), 41 P.3d 600, as well as David Dodge's column in the May 2002 edition of ARIZONA ATTORNEY.

Mr. Alcorn and Mr. Feola represented a doctor in a medical malpractice action filed by a father, on his own behalf and on behalf of his infant daughter, against a doctor and the hospital. The doctor's insurer was insolvent, leaving the doctor to shoulder the financial burden of his own defense. The doctor retained Mr. Alcorn and Mr. Feola to repre-

The trial went forward and, at the end of the plaintiff's case, the motion for dismissal with prejudice was made and plaintiff's counsel, as well as Mr. Alcorn and Mr. Feola, assured the court there was no "sweetheart deal."

In a subsequent hearing on the motion for reconsideration of the granting of the hospital's motion for summary judgment, the court learned of the secret deal between plaintiff's counsel and Mr. Alcorn and Mr. Feola and ordered a hearing on the question of sanctions. After the hearing, all four attorneys were each fined \$15,000. Messrs. Hmielewski, Alcorn and Feola appealed, claiming not to have violated any ethical rule. The order was affirmed on appeal in *Hmielewski v. Maricopa County*, 960 P.2d 47 (Ariz. Ct. App. 1997), and the Arizona Supreme Court denied review.

The Supreme Court found that respon-

**ETHICS OPINIONS**

**Opinion No. 2002-04**

(September 2002)

An attorney does not owe a duty of confidentiality to individuals who unilaterally e-mail inquiries to the attorney when the e-mail is unsolicited. The sender does not have a reasonable expectation of confidentiality in such situations. Law firm Web sites, with attorney e-mail addresses, however, should include disclaimers regarding whether or not e-mail communications from prospective clients will be treated as confidential. [ERs 1.6, 1.7] [Dissent]

**Opinion No. 2002-05**

(September 2002)

This Opinion discusses the general conflict analysis for government lawyers switching to private practice that may involve representing private clients against the lawyer's former government agency. [ERs 1.9, 1.11]

**Need an Opinion?**

Check out the State Bar Web site at [www.azbar.org/EthicsOpinions/](http://www.azbar.org/EthicsOpinions/) for a listing of the ethics opinions issued between 1985 and 2002. If you are an Arizona attorney and have an ethics question, contact Lynda Shely, Director of Ethics, at (602) 340-7284.

sent his interests. The hospital eventually moved for and obtained summary judgment in its favor. This left the doctor as the only defendant who would appear at trial. Plaintiff's lead counsel Timothy J. Hmielewski, along with Mr. Alcorn and Mr. Feola, entered into a pretrial agreement. The plaintiffs agreed not to levy or execute against the client or his professional corporation if respondents agreed not to object to the scope and form of any inquiry Hmielewski conducted at trial, the evidence or the witnesses. At the close of the plaintiff's case, the plaintiffs would voluntarily dismiss with prejudice the action against the doctor and his corporation. The agreement was to remain confidential.

Plaintiffs violated ER 8.4(c) and (d) when they deceived the trial judge about the true situation concerning the trial. Respondents violated ER 3.3(a)(1) when they failed to make a necessary disclosure to the trial judge.

**ROBERT F. CLARKE**

Bar No. 005232; File No. 99-0849

By Supreme Court Judgment and Order dated Feb. 22, 2002, Robert F. Clarke, P.O. Box 25042, Scottsdale, AZ 85285, was suspended for six months for conduct in violation of his duties and obligations as a lawyer. Upon reinstatement, Mr. Clarke will be placed on probation for two years with participation with MAP and LOMAP, attend three

additional hours of CLE courses in management of a solo practice, work with a practice monitor and attend the State Bar's Trust Account Ethics Enhancement Program. Mr. Clarke was ordered to reimburse the Client Protection Fund for any and all claims paid out by the Fund up to \$100,000. Mr. Clarke was ordered to pay costs and expenses incurred by the State Bar, together with interest at the legal rate, in this matter.

In reviewing his February 1999 trust account statement, Mr. Clarke noticed several discrepancies and realized the outstanding checks exceeded the amount of funds available in the trust account. Mr. Clarke repaid the outstanding amount in full, and additional funds were deposited to the account to compensate for any additional shortfalls. In May 1999, the bank notified the State Bar of overdrafts and dishonored checks. After being contacted and replying to the State Bar regarding the overdrafts and insufficient funds, Mr. Clarke self-reported other trust account discrepancies. Specifically, he admitted using his trust account to pay for office expenses and that he used the funds of one client to pay expenses for another client. There were 10 inappropriate withdrawals made over a five-month period. Mr. Clarke, by his own admissions, converted client trust account funds for his own personal use.

The Hearing Officer found two aggravating factors found pursuant to the ABA *Standards for Imposing Lawyer Sanctions*, Section 9.22: (c) pattern of misconduct and (i) substantial experience in the practice of law. The Commission agreed and additionally found *de novo* two additional factors under Section 9.22: (b) dishonest or selfish motive and (d) multiple offenses. There were five mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (a) absence of prior disciplinary record, (c) personal or emotional problems, (d) timely good faith effort to make restitution or to rectify consequences of misconduct, (e) full and free disclosure to disciplinary board or cooperative attitude toward proceeding, (g) character or reputation and (l) remorse.

Mr. Clarke's conduct violated Rule 42, ARIZ.R.S.CT., particularly ER 1.15 and Rules 43 and 44, ARIZ.R.S.CT.

**ALAN D. DAVIDON**

Bar No. 004318; File No. 99-1324

By Supreme Court Judgment and Order dated Feb. 13, 2002, Alan D. Davidon, 5025 North Central, PMB 198, Phoenix, AZ 85012, was censured for conduct in violation of his duties and obligations as a lawyer by consent agreement. Mr. Davidon was ordered to pay costs and expenses incurred by the

State Bar in the amount of \$1,102.99, together with interest at the legal rate, in this matter.

Mr. Davidon, who was a prosecutor for the Maricopa County Attorney's Office, was assigned to a case in which he was asked by the public defender to forward any and all criminal records that related to the victims and/or witnesses, pursuant to Rule 15.1(a)(7), ARIZ.R.CRIM.P., which requires a prosecutor, without the request of defense counsel, to disclose all prior felony convictions of witnesses the prosecutor intends to call at trial. Mr. Davidon failed to disclose the requested information despite numerous requests. The defense attorney filed a motion to dismiss, in part, due to Mr. Davidon's failure to provide the information required pursuant to Rule 15.1(a)(7). The court ultimately dismissed the criminal case against the defendant with prejudice due to Mr. Davidon's conduct.

There was one aggravating factor found pursuant to the ABA *Standards*, Section 9.22: (i) substantial experience in the practice of law. There were two mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (a) absence of prior disciplinary history and (e) full and free disclosure to the disciplinary board or cooperative attitude toward the proceedings.

Mr. Davidon's conduct violated Rule 42, ARIZ.R.S.CT., particularly ER 3.4(a) and (c), ER 3.8(d) and ER 8.4(d).

**WILLIAM P. HOVELL**

Bar No. 010288; File Nos. 99-0939, 99-1328, 99-2153, 00-1359 and 00-1683

By Supreme Court Judgment and Order dated Mar. 28, 2002, William P. Hovell, 9740 Campo Road, # 133, Spring Valley, CA 91977, was disbarred for conduct in violation of his duties and obligations as a lawyer. It was further ordered that Mr. Hovell would contact the LOMAP director for an audit of his trust account at his expense. Mr. Hovell was ordered to pay restitution to five clients totaling \$77,133.53 and to reimburse the Client Protection Fund for any claims paid out by the Fund up to the maximum amount of \$100,000. Mr. Hovell was ordered to pay costs and expenses incurred by the State Bar in the sum of \$1,686.50, together with interest at the legal rate, in this matter.

In the first matter, Mr. Hovell settled a personal injury claim without his client's authorization and failed to respond to the client's request for information. Mr. Hovell also failed to respond to the State Bar's requests for information in this matter.

In the second matter, Mr. Hovell settled an accident claim for a client and did not give

the client her share of the settlement proceeds or continue to communicate with the client or to provide an accounting to the client. Mr. Hovell also failed to respond to the State Bar's requests for information in this matter.

In the third matter, Mr. Hovell failed to honor an agreement with another attorney to account for fees and costs on cases that were settled or terminated, and Mr. Hovell also withheld funds owed to that other attorney.

In the fourth matter, Mr. Hovell represented a couple in a suit against Mayflower Movers that resulted in a settlement of \$75,000. The clients gave Mr. Hovell a total of \$27,000 to cover costs, and, upon settlement, Mr. Hovell gave the clients \$55,000 but failed to provide an accounting relating to the money the clients provided for costs. Mr. Hovell also failed to respond to reasonable requests for information from the State Bar.

In the fifth matter, Mr. Hovell failed to pay for services performed in connection with expert testimony, failed to disburse settlement funds to these same individuals and failed to respond to the State Bar inquiries.

There were six aggravating factors found pursuant to the ABA *Standards*, Section 9.22: (b) dishonest or selfish motive, (c) pattern of misconduct, (d) multiple offenses, (e) bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency, (i) substantial experience in the practice of law and (j) indifference to making restitution. There were two mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (a) absence of prior disciplinary record and (c) personal or emotional problems.

Mr. Hovell's conduct violated Rule 42, ARIZ.R.S.CT., particularly ER 1.2, ER 1.3, ER 1.4, ER 1.15, ER 1.16, ER 8.1(b) and ER 8.4(c) and (d) and Rules 43, 44 and 51(h) and (i), ARIZ.R.S.CT.

**JAMES O. KISTLER**

Bar No. 010653; File No. 00-0395

By Supreme Court Judgment and Order dated Feb. 26, 2002, James O. Kistler, 3122 East Claire Street, Phoenix, AZ 85032, was suspended for one year for conduct in violation of his duties and obligations as a lawyer effective from the date of the Judgment and Order. Upon reinstatement, Mr. Kistler will be placed on probation for two years and was ordered to work with the LOMAP program and a Practice Monitor. Mr. Kistler was ordered to reimburse the Client Protection Fund for any claims paid out not to exceed the maximum permissible payment of \$100,000. Mr. Kistler was also ordered to pay restitution to a client in the amount of \$150. Mr. Kistler was also ordered to pay costs and

expenses incurred by the State Bar in the amount of \$2,246.10, together with interest at the legal rate, in this matter.

In June 1998 Mr. Kistler was hired by a husband and wife to represent them in an amicable dissolution of marriage matter. At the time he was hired, it was estimated that the divorce would be concluded within 90 to 120 days. Over the next 18 months, the clients had great difficulty in communication with Mr. Kistler. Their case was eventually placed on the inactive calendar for dismissal. Mr. Kistler failed to inform the clients that he was under administrative suspension in April 1999, and it was not until December 1999 that the clients learned of this and hired new counsel. Mr. Kistler was not diligent, failed to communicate on several occasions, failed to abide by the objectives of the representation, engaged in the unauthorized practice of law and failed to fully participate in this disciplinary matter.

There were four aggravating factors found pursuant to the ABA *Standards*, Section 9.22: (a) prior disciplinary offenses, (c) pattern of misconduct, (e) bad faith obstruction of the disciplinary proceedings by intentionally failing to comply with rules or orders of the disciplinary agency and (i) substantial experience in the practice of law. There was one mitigating factor found pursuant to Section 9.32 of the ABA *Standards*: (b) absence of dishonest or selfish motive.

Mr. Kistler's conduct violated Rule 42, ARIZ.R.S.CT., particularly ER 1.2, ER 1.3, ER 1.4, ER 5.5, ER 8.1(b) and ER 8.4(d) and Rule 51(e), (h), (i) and (k), ARIZ.R.S.CT.

#### **THOMAS A. NIEMEIR**

Bar No. 006581; File No. 99-0946

By Supreme Court Judgment and Order dated Mar. 28, 2002, Thomas A. Niemeir, 5055 East Broadway, Suite D-105, Tucson, AZ 85711, was censured for conduct in violation of his duties and obligations as a lawyer. Mr. Niemeir was placed on probation for two years and ordered to participate in LOMAP and to take the State Bar's Trust Account Ethics Enhancement Program. Mr. Niemeir was also ordered to pay costs and expenses incurred by the State Bar for these proceedings, together with interest at the legal rate from the date of the judgment.

Mr. Niemeir maintained an IOLTA account with Wells Fargo Bank. Between Mar. 6, 1998 and Dec. 31, 1998, Mr. Niemeir made 19 withdrawals in the amount of \$20,609.90 that did not represent earned fees. Upon notification of an overdraft, Mr. Niemeir performed an internal audit of his trust account that was completed within two months of the initial State Bar inquiry regard-

ing the matter. Despite his attempts to rectify the situation, Mr. Niemeir failed to safeguard client property, specifically the unearned retainer fees that were still client property at the time of the withdrawals.

Mr. Niemeir's conduct violated Rule 42, ARIZ.R.S.CT., particularly ER 1.15 and Rules 43 and 44, ARIZ.R.S.CT.

#### **STUART J. REILLY**

Bar No. 005275; File Nos. 94-0924, 95-0772, 96-0748, 96-2328 and 97-1334

By Supreme Court Judgment and Order dated Feb. 26, 2002, Stuart J. Reilly, 2425 East Camelback, Suite 450, Phoenix, AZ, was suspended for 30 days for conduct in violation of his duties and obligations as a lawyer. Upon reinstatement, Mr. Reilly will be placed on probation for two years with a practice monitor and participate with LOMAP and MAP. Mr. Reilly was ordered to reimburse the Client Protection Fund for any and all claims paid out by the Fund up to \$100,000. Mr. Reilly was ordered to pay costs and expenses incurred by the State Bar, together with interest at the legal rate, in this matter.

In Count One, Mr. Reilly received a settlement offer on behalf of his client in January 1988, but, due to his inaction, the case was dismissed with prejudice. When opposing counsel refused to honor the offer, Mr. Reilly misled his client concerning the status of the case until approximately April 1994.

In Count Two, Mr. Reilly converted \$8,000 through his capacity as a conservator for a minor in 1989. When the misappropriation was discovered approximately 11 months later, Mr. Reilly's employer loaned Mr. Reilly the money to repay the entire sum in principal and interest and Mr. Reilly in turn repaid his employer. Rather than admitting to the theft, Mr. Reilly lied to his client concerning the source of the misappropriation, claiming there had been an error in the accounting.

In Count Three, Mr. Reilly sought probate court approval for a settlement on behalf of his client in October 1994. Prior to receiving any written order approving the settlement, Mr. Reilly began withdrawing his fee from the settlement fund. When another attorney claimed part of the fee, the court required Mr. Reilly to post a \$50,000 check with the court. Mr. Reilly borrowed \$50,000 from his client's portion of the settlement funds without giving his client the opportunity to seek the advice of independent counsel regarding the transaction and without obtaining the client's written consent.

In Count Four, Mr. Reilly represented a client in a medical malpractice action in 1994. Mr. Reilly caused significant delays by failing to comply with numerous deadlines and court

orders regarding discovery. Mr. Reilly also failed to timely file a motion to continue the case on the inactive calendar. The court dismissed the case, and Mr. Reilly was unable to have it reinstated. Mr. Reilly delayed almost a year in telling his client the case had been dismissed.

In Count Five, Mr. Reilly represented a client in a personal injury action in 1993. Approximately two years later, the client became concerned with the apparent lack of progress on his case and experienced difficulty in communicating with Mr. Reilly. Without consulting his client, Mr. Reilly combined the client's case with a similar case. In July 1996 the client retained new counsel. When Mr. Reilly finally provided the case file, new counsel learned that the case had been dismissed at one point, the file was incomplete and the case was set for trial on Dec. 20, 1996. Mr. Reilly had ceased doing further work on the file prior to filing a motion to withdraw.

There were four aggravating factors found pursuant to the ABA *Standards*, Section 9.22: (b) dishonest or selfish motive, (c) pattern of misconduct, (d) multiple offenses and (h) vulnerability of victim. There were five mitigating factors found pursuant to Section 9.32 of the ABA *Standards*: (c) personal or emotional problems, (e) full and free disclosure to disciplinary board or cooperative attitude toward proceedings, (g) character or reputation, (j) delay in disciplinary proceedings and (l) remorse.

Mr. Reilly's conduct violated Rule 42, ARIZ.R.S.CT., particularly ER 1.1, ER 1.3, ER 1.4, ER 1.4(a), ER 1.8(a), ER 1.15, ER 3.2, ER 8.4 and ER 8.4(c).

#### **GEORGE VICE, III**

Bar No. 011753; File No. 00-0170

By Supreme Court Judgment and Order dated Mar. 28, 2002, George Vice, III, 3915 East Camelback, # 219, Phoenix, AZ 85018, was suspended for six months for conduct in violation of his duties and obligations as a lawyer. Upon reinstatement, Mr. Vice will be placed on probation for one year and ordered to participate in MAP. Mr. Vice was ordered to reimburse the Client Protection Fund for any claims paid out not to exceed the maximum permissible payment of \$100,000.

Mr. Vice was charged with a Class 4 felony for possession of narcotic drugs and a Class 6 felony for possession of drug paraphernalia. Mr. Vice waived his initial appearance and requested participation in the Treatment Assessment Screening Center (TASC) Drug Diversion Program. The State Bar received notice of the felony arrests and began an investigation. Mr. Vice knowingly made a false statement of material fact in connection

with a disciplinary matter, committed a criminal act that reflects adversely on his honesty, trustworthiness or fitness as a lawyer and engaged in conduct involving dishonesty, fraud, deceit or misrepresentation.

There were four aggravating factors

found pursuant to the ABA *Standards*, Section 9.22: (b) dishonest or selfish motive, (f) false statements during the disciplinary process, (g) refusal to acknowledge wrongful nature of conduct and (k) illegal conduct, including the use of controlled substances. There were two mitigating factors found

pursuant to Section 9.32 of the ABA *Standards*: (a) absence of prior disciplinary record, and (k) imposition of other penalties or sanctions.

Mr. Vice's conduct violated Rule 42, ARIZ.R.S.C.T., particularly ER 8.1(a) and ER 8.4(b) and (c). ▀

## new people, new places

Twelve new associates have joined **Lewis and Roca**. They are: **Albert Acken** (environmental law), **Mike Ambri** (commercial litigation), **Kimberly Demarchi** (commercial litigation), **Michelle Dolezal** (constructional law), **Ian Douglas** (bankruptcy), **Kirk Grimshaw** (real estate), **Donna Parks** (bankruptcy), **Chris Pierson** (commercial litigation), **Candida Ruesga** (commercial litigation), **Erin Simpson** (commercial litigation in the firm's Tucson office), **Pamela Titzer** (tort litigation) and **Emily Wessels** (intellectual property law).

**Dawn Gabel** has joined **Steptoe & Johnson** as a partner and will focus her practice on state and local tax litigation in state and federal courts.

**Carol T. Contes** has joined **Valensi, Rose & Magaram PLC** in Los Angeles to head the firm's entertainment group.

Five new attorneys have joined **Bryan Cave LLP**. **Richard J. Ruffatto** has joined as Counsel and will practice in environmental law. **Kenneth A. Nelson** (intellectual property), and **Tracey F. George**, **Christine E. Broucek** and **Sandra K. Ortland** (class and derivative actions) have joined as associates.

## honors & awards

Former Maricopa County Superior Court **Judge Armando de Leon** was one of two Arizonans inducted into the **Valle del Sol's Hall of Fame**. He was rewarded for his work as counsel for Hispanic civil rights organizations and four years of service on the Phoenix City Council.

**Jeffrey H. Wolf**, shareholder in the litigation department of Greenberg Traurig LLP, has been named to the editorial board of the *Franchise Law Journal* of the American Bar Association.

**Theodore C. Jarvi** has been elected to the Board of Directors of the **Court of Appeals for Veterans Claims Bar Association**.

**Richard D. Grand** of Tucson has received the Professional Achievement Award from the **University of Arizona**. The award is given to those who have attained prominence in their field. He is the 12th person to receive the award.

**Scott DeWald**, a partner with Lewis and Roca LLP, was appointed to the Board of Directors of the **Arizona Technology Council**, formerly AZSoft.net.

**Charles F. Hauff, Jr.**, a partner with Snell & Wilmer, has received the **2002 Roger Middlekauff Award**. The award recognizes outstanding leadership and continuing efforts on behalf of the American Chemical Society's Division of Chemistry and the Law.

**Lynda C. Shely**, Director of Lawyer Ethics with the State Bar of Arizona, was elected as a **Fellow of the American Bar Foundation**. The Fellows is an honorary organization of attorneys, judges and law professors whose professional, public and private careers have demonstrated outstanding dedication to the

welfare of their communities.

**Gregory Y. Harris**, Of Counsel with Lewis and Roca LLP, was elected to the Board of Directors for the **National Council of State Boards of Nursing**. He is the first public member elected to serve this organization since its inception.

## volunteer lawyers program

The Maricopa County Volunteer Lawyers Program honored the following as attorney of the month in 2002: **Donald R. Alvarez** (March), the entire firm of **Quarles & Brady Streich Lang** (April), **J. Michael Christopher** (May), **Thomas N. Payne** (June), **Roger K. Gilbert** (July), **Frank W. Busch III** (August) and **Robert F. Crawford** (October).

## recently deceased

John S. Regan, Prescott  
Nancy Anne Stewart, Scottsdale

## in memoriam

## Nancy Anne Stewart

**Nancy Anne Stewart**, 43, died of a heart attack on Oct. 25, 2002, in Sedona, Arizona.

Born Dec. 2, 1958, in Minneapolis, Stewart grew up in Rochester, Minnesota. She attended Drake University and graduated from the University of Wisconsin-Madison in 1981. She earned her J.D. degree from the Boston University School of Law in 1985.

Stewart's Massachusetts practice focused on personal injury, workers' compensation, medical malpractice and probate matters. She practiced before the Massachusetts probate, district and superior courts, Massachusetts Department of Industrial Accidents, U.S. District Court and Social Security Administration.

She was admitted to the Arizona Bar in 1990 and worked for six years litigating personal injury cases at Levenbaum & Cohen, Phoenix. In 1996, she established her own practice specializing in family law and personal injury law. She was an experienced litigator and champion of parental rights. Recently she argued a case of first impression on the issue before the Arizona Supreme Court.

She was a member of the State Bar of Arizona, the Maricopa County Bar Association and the Arizona Trial Lawyers Association.

Ms. Stewart is survived by her parents, Dr. John L. and Marilyn D. Stewart of Rochester, MN; a brother, David J. Stewart of Rochester; a sister, Janet Stewart Moffitt (Christopher); a niece, Hellen Stewart Moffitt; and a nephew, Hugh Middleton Stewart Moffitt, all of Alexandria, VA.

Memorial contributions can be made to The Mayo Foundation in support of orthopedic surgery research (200 First Street, S.W., Rochester, MN 55905).

A memorial service was held on Nov. 23 at Christ Church of the Ascension in Paradise Valley.