

BEFORE THE PRESIDING DISCIPLINARY JUDGE

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

RYAN PATRICK CLARIDGE,  
Bar No. 031752

Respondent

PDJ 2021-9088

FINAL JUDGMENT AND ORDER

[State Bar No. 20-2214]

FILED JANUARY 21, 2022

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

**IT IS THEREFORE ORDERED** that **RYAN PARTICK CLARIDGE, Bar No. 031752**, is suspended from the practice of law in Arizona for 60 days, effective March 1, 2022, for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents.

**IT IS FURTHER ORDERED** that, upon reinstatement, Respondent shall be placed on probation for a period of two (2) years and shall commit no further violations of the Rules of Professional Conduct.

**IT IS FURTHER ORDERED** that Respondent comply with the requirements relating to notification of clients and others and file all notices and affidavits required by Rule 72, Ariz. R. Sup. Ct.

**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. There are no costs or expenses incurred by the Office of the Presiding Disciplinary Judge in these proceedings.

**DATED** this 21<sup>st</sup> day of January 2022.

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

Copies of the foregoing emailed  
this 21st day of January, 2022, to:

Donald Wilson  
Broening Oberg Woods & Wilson PC  
2800 N. Central Ave., Ste. 1600  
Phoenix, Arizona 85004-1047  
Email: [dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

Sierra M. Taylor  
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

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**RYAN PATRICK CLARIDGE,**  
**Bar No. 031752**

Respondent

**PDJ 2021-9088**

**DECISION ACCEPTING  
AGREEMENT FOR DISCIPLINE BY  
CONSENT**

[State Bar No. 20-2214]

**FILED JANUARY 21, 2022**

On January 18, 2022, the parties filed an Agreement for Discipline by Consent (“Agreement”) pursuant to Rule 57(a), Ariz. R. Sup. Ct. The State Bar of Arizona is represented in this matter by Sierra M. Taylor. Respondent Ryan Patrick Claridge is represented by Donald Wilson, Jr. A probable cause order issued on August 17, 2021, and a formal complaint was filed on October 15, 2021.

Contingent on approval of the proposed form of discipline, Mr. Claridge has voluntarily waived his 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 of the Agreement as required by Rule 53(b)(3) is not necessary.

The Agreement details a factual basis in support of the conditional admissions and is incorporated by reference. *See* Rule 57(a)(4). In 2019, Mr. Claridge represented a client in a family court case. During the dissolution trial -- which was conducted by video using GoToMeeting -- Respondent utilized the chat feature to advise his client how to answer questions during her cross-examination. The court was unaware this was happening

during trial but later viewed the chat messages, referred the matter to the State Bar, and issued a minute entry discussing the impropriety of Respondent's conduct.

Respondent admits violating Rule 42, ER 3.4(a) (fairness to opposing party), ER 8.4(c) (conduct involving dishonesty, fraud, deceit or misrepresentation), and ER 8.4(d) (conduct prejudicial to the administration of justice). As a sanction, the parties agree to a 60-day suspension, two years of probation, and payment of costs to the State Bar.

The parties agree that the presumptive sanction under the ABA Standards for Imposing Lawyer Sanctions is suspension under § 6.2 (abuse of the legal process), which states that suspension is generally appropriate "when a lawyer knows that he or she is violating a court order or rule and causes injury or potential injury to a client or party or causes interference or potential interference with a legal proceeding." The parties stipulate to the existence of aggravating factor 9.22(b) (selfish or dishonest motive) and mitigating factors 9.32(a) (absence of prior disciplinary record) and 9.32(e) (full and free disclosure to disciplinary board or cooperative attitude toward proceedings).

Given Respondent's lack of disciplinary history and his recognition of the wrongfulness of his conduct, the PDJ agrees that a short-term suspension is appropriate and will serve the recognized purposes of lawyer discipline.

**IT IS THEREFORE ORDERED** accepting the Agreement for Discipline by Consent.

A final judgment and order is signed this date.

**DATED** this 21st day of January 2022.

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

COPY of the foregoing e-mailed  
This 21st day of January 2022 to:

Sierra M. Taylor  
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)

Donald Wilson, Jr.  
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2800 N. Central Avenue, Suite 1600  
Phoenix, AZ 85004  
Email: [dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

by: SHunt

Sierra M. Taylor, Bar No. 031687  
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Email: dwj@bowwlaw.com  
Respondent's Counsel

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**RYAN PATRICK CLARIDGE,  
Bar No. 031752,**

Respondent.

**PDJ 2021-9088**

State Bar File No. **20-2214**

**AGREEMENT FOR DISCIPLINE  
BY CONSENT**

The State Bar of Arizona, and Respondent Ryan Patrick Claridge who is represented in this matter by counsel, Donald Wilson Jr., hereby submit their Agreement for Discipline by Consent pursuant to Rule 57(a), Ariz. R. Sup. Ct. A probable cause order was entered on August 17, 2021. A formal complaint was filed October 15, 2021. 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, ER 3.4(a), ER 8.4(c), ER 8.4(d). Upon acceptance of this agreement, Respondent agrees to accept imposition of the following discipline: **sixty (60) days Suspension and upon reinstatement shall be placed on two (2) years' Probation.** 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.

## **FACTS**

### **GENERAL ALLEGATIONS**

1. Respondent was licensed to practice law in Arizona on November 20, 2014.

### **COUNT ONE (File no. 20-2214/ Judicial Referral)**

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<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.

2. Respondent represented Tina Gibbons in FC2019-092161, a family law matter in Maricopa County Superior Court. The matter was adverse to Ms. Gibbons ex-husband, Michael Gibbons. Mr. Gibbons represented himself.
3. On September 29, 2020, the Court held a trial regarding Ms. Gibbons' Petition for Dissolution of Marriage with Minor Children. Judge Suzanne Marwil was present in the courtroom while all other parties appeared through video/audio on GoToMeeting.
4. During the cross-examination of Ms. Gibbons by Mr. Gibbons, the Respondent utilized the chat feature of GoToMeeting to send messages to Ms. Gibbons about how to answer the questions posed by Mr. Gibbons.
5. The Court was not aware that Respondent was sending the messages during the testimony of Ms. Gibbons. Subsequently, the Court issued a minute entry stating: "The Court reviewed the chat and discovered that [Respondent] appeared to be coaching his client on how to answer questions during her cross-examination by [Mr. Gibbons]. The Court told counsel that this was inappropriate and should immediately cease."
6. The messages sent by Respondent were sent during Ms. Gibbons testimony, were viewable by her, and directed her to provide specific, substantive answers to specific questions that were being asked of her.



7. When the Court admonished Respondent for sending the chat messages, Respondent stated, “it would be the same as if I shook my head in the courtroom” but he agreed to stop using the chat function to direct Ms. Gibbons.
8. Respondent’s conduct in this matter violated Arizona Supreme Court Rule 42, specifically:
  - a. ER 3.4(a)(fairness to an opposing party)
  - b. ER 8.4(c)(deceit)
  - c. ER 8.4(d)(conduct prejudicial to the administration of justice)

### **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 3.4(a), ER 8.4(c), ER 8.4(d).

### **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: **Suspension of sixty (60) days, and two (2) years' Probation upon Reinstatement.**

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

## **NON-COMPLIANCE LANGUAGE**

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 6.2 Abuse of the Legal Process* is the appropriate *Standard* given the facts and circumstances of this matter. *Standard 6.2 Abuse of the Legal Process* provides that Suspension is generally appropriate when a lawyer knows that he or she is violating a court order or rule, and causes injury or potential injury to a client or a party, or causes interference or potential interference with a legal proceeding.

### **The duty violated**

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

### **The lawyer's mental state**

Respondent's intentional direction to his client regarding what to say during testimony was in violation of the Rules of Professional Conduct.

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

There was potential harm to 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(b) dishonest or selfish motive (the nature of Respondent's actions was deceitful).

#### **In mitigation:**

- a) 9.32(a) absence of a prior disciplinary record;
- b) 9.32(e) cooperative attitude toward proceedings;

### **Discussion**

The presumptive sanction should remain as Suspension with Probation.

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. The parties also agree that the suspension will take effect on March 1, 2022.

## 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 Suspension with Probation and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit B.

**DATED** this 18th day of January, 2022.

### STATE BAR OF ARIZONA

/s/Sierra M. Taylor  
Sierra M. Taylor  
Staff Bar Counsel

**This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation. I acknowledge my duty under the Rules of the Supreme Court with respect to discipline and reinstatement. I understand these duties may include notification of clients, return of property and other rules pertaining to suspension.**

**DATED** this \_\_\_\_\_ day of January, 2022.

\_\_\_\_\_  
Ryan PATRICK Claridge  
Respondent

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 Suspension with Probation and the imposition of costs and expenses. A proposed form of order is attached hereto as Exhibit B.

**DATED** this \_\_\_\_\_ day of January, 2022.

**STATE BAR OF ARIZONA**

\_\_\_\_\_  
Sierra M. Taylor  
Staff Bar Counsel

**This agreement, with conditional admissions, is submitted freely and voluntarily and not under coercion or intimidation. I acknowledge my duty under the Rules of the Supreme Court with respect to discipline and reinstatement. I understand these duties may include notification of clients, return of property and other rules pertaining to suspension.**

**DATED** this   7   day of January, 2022.

  
\_\_\_\_\_  
Ryan PATRICK Claridge  
Respondent

DATED this 7 day of January, 2022.

Broening Oberg Woods & Wilson PC



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Donald Wilson Jr.  
Counsel for Respondent

Approved as to form and content

/s/Maret Vessella

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 18th day of January, 2022.

Copy of the foregoing emailed  
this 18th day of January, 2022, 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 emailed  
this 18th day of January, 2022, to:

Donald Wilson Jr.  
Broening Oberg Woods & Wilson PC  
2800 N. Central Ave., Ste. 1600  
Phoenix, Arizona 85004-1047  
Email: [dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

Copy of the foregoing hand-delivered  
this 18th day of January, 2022, to:

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

by: /s/ Jackie Brokaw  
SMT/jlb



**EXHIBIT A**

## Statement of Costs and Expenses

In the Matter of a Member of the State Bar of Arizona  
Ryan Patrick. Claridge, Bar No. 031752, Respondent

File No. 20-2214

### 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**

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**EXHIBIT B**

**BEFORE THE PRESIDING DISCIPLINARY JUDGE**

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

**RYAN PATRICK CLARIDGE,  
Bar No. 031752,**

**PDJ 2021-9088**

**FINAL JUDGMENT AND  
ORDER**

State Bar No. 20-2214

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, **Ryan Patrick Claridge**, is Suspended for sixty (60) days for his conduct in violation of the Arizona Rules of Professional Conduct, as outlined in the consent documents, effective March 1, 2022.

**IT IS FURTHER ORDERED** that, upon reinstatement, Respondent shall be placed on probation for a period of two (2) years.

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

**IT IS FURTHER ORDERED** that Respondent shall be subject to any additional terms imposed by the Presiding Disciplinary Judge as a result of reinstatement hearings held.

**IT IS FURTHER ORDERED** that, pursuant to Rule 72 Ariz. R. Sup. Ct., Respondent shall immediately comply with the requirements relating to notification of clients and others.

**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 January, 2022.

---

**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 January, 2022.

Copies of the foregoing mailed/mailed  
this \_\_\_\_\_ day of January, 2022, to:

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2800 N. Central Ave., Ste. 1600  
Phoenix, Arizona 85004-1047  
Email: [dwj@bowwlaw.com](mailto:dwj@bowwlaw.com)  
Respondent's Counsel

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