

Attorney Suspension - Walid Zarifi – Case Number 21-1677

By amended final judgment and order dated June 2, 2023, the hearing panel suspended Walid Zarifi, Phoenix, for six months and one day effective 60 days from May 31, 2023. If reinstated to the practice of law Mr. Zarifi will be placed on probation for two years and must participate in and complete the State Bar's Law Office Management Assistance Program and Member Assistance Program, and complete seven CLE programs in addition to his annual MCLE requirements. Mr. Zarifi also was ordered to pay the State Bar's costs and expenses of \$1,200.00. In count one, a client e-mailed Mr. Zarifi regarding representation in a dispute involving a reverse mortgage. Later that evening, Mr. Zarifi promised to conduct research and submit a demand letter by "early next week". Despite multiple requests by the client, Mr. Zarifi failed to perform any legal services of value and ultimately failed to respond to the client's requests. Mr. Zarifi failed to provide the client with a copy of the client file at the end of the representation. In count two, Mr. Zarifi attended a mandatory arbitration in a lawsuit on behalf of a client. Despite multiple requests for the status of the arbitration decision, Mr. Zarifi failed to inform the client of an adverse decision. After informing the client of the adverse decision, Mr. Zarifi falsely claimed that "this whole 'compulsory arbitration' process is like jury-service for lawyers, and the results of which have absolutely no bearing whatsoever on the case as it moves forward." Mr. Zarifi later falsely claimed that he submitted a scheduling order and requested a trial date. Almost one year later, Mr. Zarifi falsely claimed that the matter was set for trial. After another year of unanswered requests for a status, Mr. Zarifi offered a full refund to the client but failed to timely pay the refund. In counts three and four, Mr. Zarifi made several unprofessional and disparaging comments regarding the court to his client. Mr. Zarifi also engaged in a concurrent conflict of interest with the client and tried to provide financial assistance to his client during a lawsuit. During the lawsuit, Mr. Zarifi counseled his client to testify falsely to avoid a trial date, knowingly disobeyed an obligation of the court, and failed to provide

successor counsel with a copy of the client file. In count five, Mr. Zarifi became attorney of record in a consolidated lawsuit. He failed to respond timely to outstanding discovery requests and a motion for summary judgment, but later filed an untimely response to the motion for summary judgment. After further briefing and an arbitration, the arbitrator entered a monetary award against Mr. Zarifi's client. Mr. Zarifi filed an appeal of the award but failed to explain adequately the legal impact or future exposure to the client. The court ordered the parties to submit a joint written report, but despite opposing counsel's request for Mr. Zarifi's input, Mr. Zarifi failed to respond causing opposing counsel to move for a trial setting conference. Mr. Zarifi failed to inform the client of the joint report deadline or his failure to file the joint report timely. Following an adverse jury verdict, Mr. Zarifi contemporaneously moved for a new trial and filed a separate untitled document asking for an "evidentiary hearing requested to extent court prefers the entry of a supersedeas bond v. interim stay". The court denied the untitled filing and later denied as groundless the motion for new trial. There were four aggravating factors: dishonest or selfish motive, a pattern of misconduct, multiple offenses, and substantial experience in the practice of law. The two mitigating factors were absence of a prior disciplinary record and personal or emotional problems. Mr. Zarifi violated Rule 42, Ariz.R.S.Ct., ERs 1.3, 1.4, 1.5, 1.7, 1.8(a) and (e), 1.16(d), 3.1, 3.2, 3.3(a)(1), 3.4(b) and (c), 4.1, 4.4(a), and 8.4(a), (c), and (d); and Rule 54(c), Ariz.R.S.Ct