

Flynn Carey

ATTORNEY

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Education

University of Arizona
James E. Rogers College of Law, J.D.

- Cum Laude
- Research Editor, Arizona Law Review
- Honorable Rufus C. Coulter Scholarship
- Criminal Law Society, President

University of Arizona
B.S., Management Information Systems, 2000

- Cum Laude

Professional Bio

Flynn Carey's practice focuses on Criminal Defense, Administrative Law, and School Discipline and Title IX litigation. Flynn defends clients throughout Arizona in violent crime and vehicular prosecutions, advocates for professionals in licensing investigations and in board proceedings, and assists companies and governmental entities in conducting internal investigations and litigating white collar and fraud cases. Flynn has litigated all manner of criminal cases, from assault and domestic violence charges to drug charges, to sexual misconduct and murder cases. Flynn also represents students in grade disputes, expulsion/suspension actions, and other education law actions, from the middle school through post-graduate level.

Flynn manages the firm's DUI and Vehicular Crimes practice, and has litigated issues related to impaired drivers before the trial courts and the Arizona Court of Appeals. Since establishing that practice, Flynn has represented all types of licensed drivers, including those with specialized licensing and certifications, in a variety of vehicular matters including DUI, aggressive/reckless driving, aggravated assault with a vehicle, and leaving the scene of an accident cases. He also appears regularly before the Arizona Department of Transportation, defending clients in administrative actions against their driving privileges.

Flynn represents professionals before their licensing agencies, in conjunction with parallel criminal allegations and in situations in which professionals are accused of violating the practice restrictions and standards of their licensing entity. Flynn regularly appears before many Arizona professional licensing/certification boards, including:

- Arizona State Board of Nursing
- Arizona Medical Board
- Arizona Board of Respiratory Care Therapists
- Arizona Board of Pharmacy
- Arizona Board of Behavioral Health Examiners
- Arizona Board of Osteopathic Examiners
- Arizona Naturopathic Physicians Medical Board
- Arizona Department of Real Estate
- Department of Public Safety (security guard licensing, fingerprint clearance)
- Department of Child Safety (including foster care licensing and DCS child abuse investigations)
- Arizona Adult Protective Services

Flynn represents students in disciplinary matters, and has litigated discipline issues with students in elementary schools through post-graduate public and private educational institutions. Representative work includes litigating violations of a school's code of conduct, challenging suspensions and expulsions, Title IX violations (sexual assault and domestic partner assault), grade disputes, and residency challenges.

Flynn has extensive civil litigation experience in the trial courts at all levels of practice, and has litigated complex civil cases including racketeering claims, fraud, and unlawful shareholder oppression. Flynn is also retained frequently by family law attorneys to consult on issues involving the intersection of domestic relations law and criminal law. Flynn has experience addressing criminal allegations by one spouse against another, situations in which Child Protective Services is investigating a parent's actions, and instances where threats have been made against a parent during family law proceedings.

Flynn holds a degree in Management Information Systems, and managed information technology for the City of Tucson prior to a career in law. Flynn's knowledge of science and technology has allowed him to successfully litigate complex legal issues involving computer forensics, police technology, DNA analysis, mobile technology, surveillance, and toxicology.

Flynn graduated cum laude from the James E. Rogers College of Law at the University of Arizona, where he was the President of the Criminal Law Society and served as the Research Editor of the Arizona Law Review. During law school, he externed for the Arizona Office of the Attorney General, assisting in the prosecution of violent crime and white collar cases.

Related Employment

- Gallagher & Kennedy, PA, Senior Associate, Criminal Law and Regulatory Enforcement Group (2007-2013)
- City of Tucson, Library Systems Analyst/Systems Programmer, Technical Assistant II, (1996-2004)

Professional Recognition

- Southwest SuperLawyers
 - Listed in Southwest SuperLawyers – Criminal Defense (2015-2016)
 - Southwest SuperLawyers Rising Star – Criminal Defense (2014)
- Listed in Best Lawyers in America – Criminal Defense (2015 ed.)
- Chambers and Partners Rated (2014-2016)
- AV Preeminent Rating, Martindale Hubbell (2013-2015)
- Client's Choice Award, AVVO.com (2013-2015)
- 10.0 AVVO Rating (2013-2016)
- Arizona Attorney Creative Arts Competition, Honorable Mention (2008)
- American Legal Institute-American Bar Association Scholarship & Leadership Award (2007)
- Rosenberg Distinguished Editor Award (2007)
- T. C. Clark Litigation with Civility Award (2007)
- City of Tucson Public Service Excellence Award (2004)
- Public Manager Certification (2004)
- Outstanding Leader in Library Youth Development (2002)
- Letter of Recognition, City of Tucson City Managers Office (2002)

Professional Leadership

- Maricopa County Bar Association, Board of Directors, 2014-2016
- Maricopa County Bar Association, Young Lawyers Division, Board Member, 2010-2016
 - Sponsorship Chair, Barristers Ball Committee, 2010-2011
 - Committee Chair, Barristers Ball Committee, 2011-2012
 - Silent Auction Chair, Barristers Ball Committee, 2012-2013
- State Bar of Arizona, Criminal Jury Instructions Committee, 2010-2013
- Thurgood Marshall Inn of Court, 2008-Present
 - Secretary, 2009-2011
 - Vice President, 2011-2012
 - President, 2012-2013
- Phoenix Children's Hospital Foundation, Emerging Leaders (2014 – Present)
- Barrows Neurological Foundation – Futures Committee (2014 – Present)
- State Bar of Arizona, Criminal Jury Instructions Committee, 2010-2013
- State Bar of Arizona, Bar Leadership Institute 2008, Graduate
- Arizona Attorneys for Criminal Justice, Member
- National Association of Criminal Defense Lawyers, Member
- Banner Health Foundation, Major Gifts Committee, Past Member
- Pima County Sheriff's Auxiliary (2002 – 2005)
- Board of Directors, Homicide Survivors, Inc. (1999 – 2002)

Selected Speaking Events

- "Criminal Law for Civil Litigators", Burch & Cracchiolo, November 19, 2015.
- "Current Issues in Title IX Litigation," UC Davis School of Law, October 26, 2015.
- "Things Civil Litigators Should Know About Criminal Law", Jennings Strouss, April 17, 2015.
- "White Collar Crime for Paralegals and Support Professionals," NALS, April 9, 2015.
- "Starting Your Own Law Firm – Streamlining Workflow," Maricopa County Bar Association, September 17, 2014.
- "Issues in Defending the Domestic Violence Case," Arizona Public Defender Association Annual Conference, June 26, 2014.
- "Mitigating the Sentence and Collateral Consequences with Plea Agreements," Arizona Public Defender Association Annual Conference, June 26, 2014.
- "Pertinent Legal Matters Around the Treatment of Sex Addiction and Sex Offender Behaviors," Psychological Counseling Services Monthly Meeting, May 28, 2014.
- "Mitigating the Sentence and Collateral Consequences with Plea Agreements," National Association of Criminal Defense Lawyers, Midwinter Conference, New Orleans, March 7, 2014.
- "Focusing on Mitigation from the First Handshake Through Sentencing," Arizona Public Defender Association Annual Conference, June 27, 2013.
- "Staying Out of the Dog House: New Issues Re Animals in Family Law & Criminal Matters," Arizona State Bar Convention, June 19, 2013.
- Current DUI Issues, Arizona Association of Defense Counsel (2013)
- "Sexual Addiction, Sexual Offending or Both?", Symposium Panel, International Institute for Trauma & Addiction Professionals (2012)

Selected Publications

- Civil Litigation Guide (Chapter Author and Contributor), 2015
 - Expert Disclosures
 - Medical Examinations and Evaluations
 - Requests for Entry Upon Land
- Arizona Tort Law Handbook, (Chapter Author and Contributor):
 - Malicious Prosecution and Abuse of Process
 - Assault
 - Trespass
- In re Hamm: From Behind Bars to the Arizona Bar?, 48 ARIZ. L. REV. 397 (2006)
- Extending the Home Court Advantage: A Call to Update the Arizona Civil Rights Restoration Scheme, 48 ARIZ. L. REV. 1129 (2006)
- Collateral Sanctions: A Comprehensive Study of the Ongoing Effects of Criminal Convictions in Arizona, G. Jack Chin, F. Carey, et al. (2006)

Felony and Misdemeanor Criminal Defense

- Defended multiple clients in relation to allegations of soliciting minors for exploitation.
- Defended clients in relation to allegations of sexual abuse and sexual misconduct.
- Defended client in relation to resisting arrest and disorderly conduct.
- Defended client in relation to allegations of domestic violence, aggravated assault, and criminal damage.
- Defended client in relation to "straw purchases" of firearms.
- Act as consultant for family law/domestic relations attorneys in cases in which allegations of criminal misconduct are made against spouse.
- Represent juveniles in delinquency proceedings involving allegations of DUI, theft, assault, and burglary.

Vehicular Matters

- Defended clients against allegations of driving under the influence of alcohol and drugs.
- Defended client accused of aggravated assault with a dangerous instrument, arising from an accident in which allegations were made that client was intoxicated while driving.
- Represented clients in relation to allegations of leaving the scene of fatal accidents.
- Represented auto dealers in relation criminal licensing violations.
- Represented commercial truck drivers concerning weigh station violations, improper placarding, failure to properly maintain hours-of-service logs, and failure to maintain a medical card.
- Represent clients before the Motor Vehicle Division in all manner of proceedings, including admin per se hearings, refusal hearings, Interlock violation proceedings, and point violation hearings.

Investigations

- Assisted corporations and non-profits with allegations of breach of fiduciary duty, financial misconduct, failures to report, and other allegations of misappropriation and self-dealing.
- Assisted national corporate client in responding to federal investigation concerning to allegations of utilizing improperly licensed personnel.
- Assisted individuals pre-charging in responding to inquiries by law enforcement of allegations of sexual misconduct.
- Assisted corporate clients in uncovering fraud, waste, and misuse of company resources.
- Advise corporate clients concerning liability for criminal and fraudulent acts of employees, vendors, contractors, and others.

Parallel Proceedings/Administrative Law

- Defended client against allegations by Child Protective Services of child abuse.
- Defended client against allegations by Child Protective Services of sexual misconduct.
- Regularly defend nurses, physicians, dentists, and other professionals in relation to a variety of criminal offenses while simultaneously representing clients before their Boards during proceedings.
- Represent Nurse before the Board in relation to charges of domestic violence.
- Represent Nurse before the Board in relation to improper/incomplete charting and related allegations.
- Represent individuals before the Arizona Board of Fingerprinting to obtain "Good Cause Exceptions" to allow for licensing.
- Represent individuals before Arizona Board of Education.

While Collar

- Represent real estate agent in relation to allegations of financing fraud.
- Represent individuals before the Arizona Corporation Commission, as targets of investigations and as advocates for those victimized by Ponzi schemes.
- Represent individuals in relation to misuse of computers, hacking, improper access to stored communications, and other state and federal violations.