

DISCIPLINARY QUARTERLY REPORT

Reporting Period: January 1, 2008 to March 31, 2008

REPORT BY DISCIPLINARY COUNSEL

Final Decisions

Final Decisions of the NM Supreme Court1

Marc A. Gordon, Albuquerque (Disciplinary No. 08-2007-528): NM Supreme Court ordered an 18-month suspension for failing to cooperate in the investigations conducted by the office of disciplinary counsel and for failing to provide competent representation to certain clients; the suspension was deferred in favor of supervised probation.

Summary Suspensions

Total number of attorneys summarily suspended2

Charles R. Marcus, Albuquerque (Disciplinary No. 02-2008-537): NM Supreme Court summarily suspended the attorney from the practice of law in all courts in the State of New Mexico, effective February 20, 2008.

Anthony Lawrence Romo, Albuquerque (Disciplinary No. 02-2008-538): NM Supreme Court summarily suspended the attorney from the practice of law in all courts in the State of New Mexico, effective February 20, 2008.

Disability Suspensions

Total number of attorneys placed on disability suspension ...1

An attorney was placed on disability suspension on January 14, 2008; the disciplinary proceeding is stayed, and the disciplinary record is under seal.

Charges Filed

Charges were filed against an attorney for allegations of making a statement with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge and/or public legal officer; engaging in conduct that involves dishonesty, fraud, deceit or misrepresentation; and/or engaging in conduct that adversely reflects on the attorney's fitness to practice law.

Petitions for Reciprocal Discipline Filed

Petitions for reciprocal discipline filed 0

Petitions for Reinstatement Filed

Petitions for reinstatement filed1

William Joel Cooley (Disciplinary No. 02-2006-506): Request for automatic reinstatement filed on February 28, 2008; NM Supreme Court granted reinstatement to probationary active status on March 24, 2008.

Formal Reprimands

Total number of attorneys formally reprimanded0

Informal Admonitions

Total number of attorneys admonished1

An attorney was admonished for failing to timely file a notice of appeal and for failing to file a docketing statement in a criminal case, in violation of Rules 16-101 and 16-103 of the Rules of Professional Conduct.

Letters of Caution

Total number of attorneys cautioned8

Attorneys were cautioned for the following conduct: (1) failing to act promptly and diligently on behalf of clients, failing to promptly comply with clients’ reasonable requests for information, and failing to withdraw from representation when personal matters impaired the attorney’s ability to represent clients; (2) failing to safeguard client property and to maintain client confidences when the attorney moved out of rental space without being current on rent and left client files behind; (3) failing to maintain a trust account using a method which complies with the applicable trust account requirements; (4) failing to provide competent representation in a series of bankruptcy cases; (5) failing to act promptly and diligently on behalf of a client; (6) failing to maintain a trust account in compliance with applicable trust account requirements; (7) representing a client when such representation may be materially limited by the attorney’s own interests; and (8) failing to properly hold disputed funds in a trust account.

Complaints Received

| <i>Allegations</i> | <i>No. of Complaints</i> |
|---|--------------------------|
| Trust Account Violations | 21 |
| Conflict of Interest | 2 |
| Neglect and/or Incompetence | 58 |
| Misrepresentation or Fraud | 4 |
| Relationship with Client or Court | 19 |
| Fees | 9 |
| Improper Communications | 3 |
| Criminal Activity | 2 |
| Personal Behavior | 3 |
| Other | 19 |
| Total number of complaints received | 140 |