

DISCIPLINARY QUARTERLY REPORT

Reporting Period: October 1, 2009 to December 31, 2009

REPORT BY DISCIPLINARY COUNSEL

Final Decisions

Final Decisions of the NM Supreme Court4

Matter of Eric Turner Albuquerque (Disciplinary No. 08-2009-573) NM Supreme Court ordered an indefinite suspension for a minimum period of three years, restitution and costs.

Matter of Candace Coulson, Albuquerque (Disciplinary No. 03-2009-566) NM Supreme Court approved a consent agreement for a deferred suspension, with costs and restitution.

Matter of Robert Martinez, Albuquerque (Disciplinary No. 12-2008-560) NM Supreme Court ordered an indefinite suspension for a minimum period of two years with restitution and costs.

Matter of Jay P. Goodman, Santa Fe (Disciplinary No. 10-2008-554) NM Supreme Court ordered a formal reprimand for charging an excessive fee and ordered restitution of the fee. NM Supreme Court also remanded the issue of costs to the Disciplinary Board.

Resignations in Lieu of Discipline0

Summary Suspensions

Total number of attorneys summarily suspended0

Disability Suspensions

Total number of attorneys placed on disability suspension0

Charges Filed

Charges were filed against an attorney for allegations of failing to provide competent representation, failing to expedite litigation consistent with the interests of a client and failing to obey an order of the tribunal.

Charges were filed against an attorney for allegations of failing to cooperate with disciplinary counsel.

Charges were filed against an attorney for allegations of failing to respond to disciplinary counsel, failing to competently represent a client, failing to communicate with a client, charging an unreasonable fee, and failing to expedite litigation consistent with the interests of a client.

Charges were filed against an attorney for allegations of failing to competently represent a client, missing appellate deadlines, failing to expedite litigation consistent with the interests of a client, failing to maintain proper trust account records and failing to properly supervise non-lawyer assistants.

Charges were filed against an attorney for allegations of failing to act with reasonable promptness and diligence in representing a client, failing to adequately communicate with a client, charging an unreasonable fee and failing to cooperate with disciplinary counsel.

Charges were filed against an attorney for allegations of failing to provide competent representation, failing to act with reasonable promptness and diligence, failing to communicate with the client, failing to charge a reasonable fee, failing to expedite litigation consistent with the interests of a client, and failing to cooperate with disciplinary counsel.

Petitions for Reciprocal Discipline Filed

Petitions for reciprocal discipline filed 0

Petitions for Reinstatement Filed

Petitions for reinstatement filed0

Formal Reprimands

Total number of attorneys formally reprimanded0

Informal Admonitions

Total number of attorneys admonished2

An attorney was admonished for failing to act properly segregate funds and failing to maintain proper trust account records.

An attorney was admonished for making a false statement of material fact and engaging in conduct involving fraud, deceit or misrepresentation.

Letters of Caution

Total number of attorneys cautioned7

Attorneys were cautioned for the following conduct: (1) failure to properly bill clients in accordance with Rule 16-115; (2) failure to adequately screen for conflicts of interest; (3) failure to properly distribute funds from a settlement agreement (2 letters of caution); (4) taking actions on behalf of a client without first securing permission from that client; and (5) making inappropriate comments during the course of representation.

Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations	10
Conflict of Interest	1
Neglect and/or Incompetence	43
Misrepresentation or Fraud	5
Relationship with Client or Court	9
Fees	13
Improper Communications	5
Criminal Activity	1
Personal Behavior	7
Other	13
Total number of complaints received	107