

DISCIPLINARY QUARTERLY REPORT

Reporting Period: April 1, 2012 – June 30, 2012

REPORT BY DISCIPLINARY COUNSEL

Final Decisions

Final Decisions of the NM Supreme Court4

Matter of Jeffrey John Dempsey, a Suspended Attorney (Disciplinary No. 03-2005-489) New Mexico Supreme Court entered an order of contempt for the unauthorized practice of law but no sanctions were imposed.

Matter of G. Paul Howes, Esq. (Disciplinary No. 03-2012-648) New Mexico Supreme Court entered a reciprocal order of Disbarment.

Matter of Shawn J. Lunsford, Esq. (Disciplinary No. 10-2009-579) New Mexico Supreme Court entered an order of Disbarment. Respondent was further ordered to pay costs.

Matter of Pedro Pablo Palacios, Esq. (Disciplinary No. 02-2011-611) New Mexico Supreme Court entered an order of permanent Disbarment. Respondent was further order to reimburse the Client Protection Fund and to pay costs to the disciplinary board.

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 failure to provide competent representation; failure to keep clients reasonably informed on the status of the matter; failure to respond to reasonable requests for information; failure to charge a reasonable fee; and engaging in conduct which is prejudicial to the administration of justice.

Charges were filed against an attorney for allegations of failure to competently represent

a client; failure to act with reasonable diligence and promptness in representing a client; failure to keep the client reasonably informed about the status of the matter and failure to promptly comply with reasonable requests for information; failure to make reasonable efforts to expedite litigation consistent with the interests of a client; engaging in conduct involving fraud, deceit or misrepresentation; and engaging in conduct which is prejudicial to the administration of justice.

Petitions for Reciprocal Discipline Filed

Petitions for reciprocal discipline filed0

Petitions for Reinstatement Filed

Petitions for reinstatement filed1

Matter of Dennis W. Montoya, Esq., (Disciplinary Nos. 07-2010-599 and 02-2011-610) was filed with the disciplinary board and is pending.

Formal Reprimands

Total number of attorneys formally reprimanded0

Informal Admonitions

Total number of attorneys admonished4

An attorney was informally admonished for failing to provide competent representation to a client, failing to act with reasonable diligence and promptness in representing a client, failing to keep the client reasonably informed about the status of the matter and by engaging in conduct that is prejudicial to the administration of justice in violation of Rules 16-101, 16-103, 16-104(A)(3) and 16-804 (D) of the Rules of Professional Conduct.

An attorney was informally admonished for engaging in conduct intended to disrupt a tribunal in violation of Rule 16-305(D) of the Rules of Professional Conduct.

An attorney was informally admonished for engaging in conduct that is prejudicial to the administration of justice in violation of Rule 16-804(D) of the Rules of Professional Conduct.

An attorney was informally admonished for failing to act with reasonable diligence and promptness in representing a client and for failing to keep a client reasonably informed about the status of the matter in violation of Rules 16-103 and 16-104 of the Rules of Professional

Conduct.

Letters of Caution

Total number of attorneys cautioned12

Attorneys were cautioned for the following conduct: (1) trust account violation (4 letters of caution issued); (2) general misrepresentation to Court (2 letters of caution issued); (3) aiding the unauthorized practice of law (2 letters of caution issued); (4) harassment (2 letters of caution issued); (5) conflict of interest; and (6) overreaching excessive fees.

Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations.....	10
Conflict of Interest.....	0
Neglect and/or Incompetence.....	83
Misrepresentation or Fraud.....	15
Relationship with Client or Court.....	18
Fees.....	13
Improper Communications.....	2
Criminal Activity.....	0
Personal Behavior.....	5
Other.....	27
Total number of complaints received.....	173