

DISCIPLINARY QUARTERLY REPORT

Reporting Period: April 1, 2013 – June 30, 2013

REPORT BY DISCIPLINARY COUNSEL

Final Decisions

Final Decisions of the NM Supreme Court2

Matter of Maria E. Owen, Esq. (Disciplinary No. 01-2011-635) New Mexico Supreme Court entered an order holding Respondent in contempt of Court and permanently disbaring Respondent from the practice of law. Respondent was further ordered to notify all of the clients and ordered to make restitution, which was previously ordered by the Court.

Matter of Stanley N. Hatch, Esq. (Disciplinary No. 07-2011-629) New Mexico Supreme Court entered an order suspending Respondent from the practice of law for one (1) year, which is deferred. Respondent is order to comply with the terms and conditions of the conditional agreement, pay restitution in the amount determined by the Court, and 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 competently represent a client; failure to act with reasonable diligence in representing a client; failure to keep the client reasonably informed regarding the status of the matter; unreasonable fee; failure to make reasonable efforts to expedite litigation consistent with the interests of the client; engaging in conduct prejudicial to the administration of justice.

Charges were filed against an attorney for allegations of failure to abide by a client's decisions concerning the objective of representation and whether to definitively dispose of a matter; failure to act with reasonable diligence and promptness in representing a client; failure to promptly inform the client of any decision or circumstances to which the client's informed consent is required; failure to explain a matter to the extent reasonably necessary to permit the

client to make informed decisions regarding the representation; failure to have a contingent fee agreement in writing signed by the client and failure to provide a written statement stating the outcome of the matter; failure to orderly terminate representation; failure to make reasonable efforts to expedite litigation consistent with the interest of the client; knowingly making a false statement of fact to a tribunal and failure to correct a false statement of material fact to the tribunal by the lawyer; violating the Rules of Professional Conduct; engaging in conduct involving dishonesty, deceit or misrepresentation; and engaging in conduct that is prejudicial to the administration of justice.

Charges were filed against an attorney for allegations of failure to provide competent representation to a client; failure to represent the client diligently; failure to expedite litigation; and by engaging in conduct that is prejudicial to the administration of justice.

Petitions for Reciprocal Discipline Filed

Petitions for reciprocal discipline filed0

Petitions for Reinstatement Filed

Petitions for reinstatement filed0

Formal Reprimands

Total number of attorneys formally reprimanded0

Informal Admonitions

Total number of attorneys admonished5

An attorney was informally admonished for failing to provide competent representation to a client; bringing or defending a proceeding, or assert or controvert an issue therein, that is not a meritorious claim or a meritorious contention; and engaging in conduct that is prejudicial to the administration of justice in violation of Rules 16-101, 16-301, and 16-804(D) of the Rules of Professional Conduct.

An attorney was informally admonished for failing to provide competent representation to a client; bringing or defending a proceeding, or assert or controvert an issue therein, that is not a meritorious claim or a meritorious contentions; and engaging in conduct that is prejudicial to the administration of justice in violation of Rules 16-101, 16-301, and 16-804(D) of the Rules of Professional Conduct.

An attorney was informally admonished for failing to competently represent a client; failing to act with reasonable diligence and promptness in representing a client; failing to keep

client reasonably informed about the status of the matter; and 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 failing to provide competent representation to a client in violation of Rule 16-101 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

Letters of Caution

Total number of attorneys cautioned25

Attorneys were cautioned for the following conduct: (1) harassment; (2) overreaching excessive fees (2 letters of caution issued); (3) bank overdraft (4 letters of caution issued); (4) failure to file; (5) conflict adverse to client interest (2 letters of caution issued); (6) failure to communicate (3 letters of caution issued); (7) general incompetence (3 letters of caution issued); (8) failure to return fee; (9) general neglect; (10) advertising (4 letters of caution issued); (11) inappropriate comments; (12) administration of justice; and (13) ineffective assistance of counsel.

Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations.....	14
Conflict of Interest.....	5
Neglect and/or Incompetence.....	94
Misrepresentation or Fraud.....	17
Relationship with Client or Court.....	19
Fees.....	16
Improper Communications.....	8
Criminal Activity.....	0
Personal Behavior.....	4
Other.....	22
Total number of complaints received.....	199