

DISCIPLINARY QUARTERLY REPORT

Reporting Period: April 1, 2017 – June 30, 2017

REPORT BY DISCIPLINARY COUNSEL

Final Decisions

Final Decisions of the NM Supreme Court1

Matter of D. Chipman Venie, Esq., 2017-NMSC-018, 395 P.3rd 516 (Disciplinary No. 04-2015-720 and 01-2016-737). The New Mexico Supreme Court issued an Opinion on May 11, 2017 regarding their Order disbaring Respondent from the practice of law on January 18, 2017.

Summary Suspensions

Total number of attorneys summarily suspended.....0

Administrative Suspensions

Total number of attorneys administratively suspended.....1

Matter of (Sealed matter). The New Mexico Supreme Court entered an order administratively suspending Respondent from the practice of law for the failure to cooperate with Disciplinary Counsel. Respondent was reinstated on June 1, 2017.

Disability Suspensions

Total number of attorneys placed on disability suspension1

Matter of (Sealed matter) New Mexico Supreme Court entered an order placing Respondent on disability inactive status effective June 12, 2017. Pending disciplinary matters, if any, were stayed until Respondent is eligible for reinstatement.

Charges Filed

Charges were filed against an attorney for allegedly failing to provide competent representation to a client; failing to represent the client diligently; failing to communicate with the client; charging unreasonable fees/costs; failing to segregate client funds from the lawyer's own property; failing to expedite litigation; engaging in conduct prejudicial to the administration

of justice; and failing to keep records required under the Rules of Professional Conduct.

Charges were filed against an attorney for allegedly failing to provide competent representation to a client; failing to represent a client diligently; disclosing confidential client information; failing to expedite litigation; and engaging in conduct that is prejudicial to the administration of justice.

Charges were filed against an attorney for allegedly failing to provide competent representation to a client; representing a client where the representation was materially limited by Respondent’s personal interests; and engaging in conduct that is prejudicial to the administration of justice.

Petition for Injunctive Relief Filed

Petitions for injunctive relief filed.....2

Matter of Amy Lovell (Supreme Court No. S-1-SC-36439). A Petition for Injunctive relief was filed against a non-lawyer under the Rules Governing the Unauthorized Practice of Law.

Matter of Anthony O. Ramirez (Supreme Court No. S-1-SC-36507). A Petition for Injunctive relief was filed against a non-lawyer under the Rules Governing the Unauthorized Practice of Law.

Petitions for Reciprocal Discipline Filed

Petitions for reciprocal discipline filed0

Reinstatement from Probation

Petitions for reinstatement filed0

Formal Reprimands

Total number of attorneys formally reprimanded1

Matter of Daniel M. Salazar, Esq. (Disciplinary No. 01-2016-733) a Formal Reprimand was issued at the Disciplinary Board meeting of May 19, 2017, for the violation of Rule 16-101, failing to provide competent representation to a client; Rule 16-103, failing to represent a client diligently; Rule 16-104, failing to communicate with a client; Rule 16-116(A), failing to withdraw from representing a client in an orderly fashion; Rule 16-302, failing to expedite litigation; and Rule 16-804(D), engaging in conduct prejudicial to the administration of justice.

The Formal Reprimand was published in the State Bar Bulletin issued June 7, 2017.

Informal Admonitions

Total number of attorneys admonished4

An attorney was informally admonished pursuant to a *Conditional Agreement Admitting the Allegations and Consent to Discipline* 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; failing to expedite litigation consistent with the interests of the client; and engaging in conduct prejudicial to the administration of justice in violation of Rules 16-101, 16-103, 16-104, 16-302, and 16-804(D) of the Rules of Professional Conduct.

An attorney was informally admonished pursuant to a *Conditional Agreement Admitting the Allegations and Consent to Discipline* 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; charging an unreasonable fee/costs; failing to respond to disciplinary counsel in a pending matter; failing to provide information or cooperation in a disciplinary matter; failing to respond to a lawful demand for information from a disciplinary authority; and engaging in conduct prejudicial to the administration of justice in violation of Rules 16-101, 16-103, 16-104(A)(3) and (4), 16-105, 16-801(B), 16-803(D), and 16-804(A) and (D) of the Rules of Professional Conduct.

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 make reasonable efforts to expedite litigation consistent with the interests of the client; knowingly disobeying an obligation under the rules of a tribunal; and engaging in conduct prejudicial to the administration of justice in violation of Rules 16-101, 16-103, 16-302, 16-304, and 16-804(D) of the Rules of Professional Conduct.

An attorney was informally admonished for failing to hold the clients' property separate from their own property and failing to have the proper records related to the operation of the IOLTA in violation of Rules 16-115 and 17-204 of the Rules of Professional Conduct.

Letters of Caution

Total number of attorneys cautioned6

Attorneys were cautioned for the following conduct: (1) failure to communicate (2 letters of caution issued); (2) being deceitful; (3) general incompetence; (4) improper filing/issuing of subpoenas; and (5) general misrepresentation to the court.

Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations.....	3
Conflict of Interest.....	0
Neglect and/or Incompetence.....	72
Misrepresentation or Fraud.....	18
Relationship with Client or Court.....	28
Fees.....	6
Improper Communications.....	2
Criminal Activity.....	0
Personal Behavior.....	12
Other.....	7
Total number of complaints received.....	148