

# DISCIPLINARY QUARTERLY REPORT

Reporting Period: October 1, 2017 – December 31, 2017

REPORT BY DISCIPLINARY COUNSEL

## Final Decisions

Final Decisions of the NM Supreme Court .....5

*Matter of Elena Moreno Hansen, Esq.*, Disciplinary No. 03-2017-756. The New Mexico Supreme Court issued an Order on October 6, 2017 indefinitely suspending Respondent from the practice of law for a period of no less than three (3) years for failing to communicate, general incompetence, failing to protect the interest of a client, and failing to cooperate with the disciplinary board. Respondent was also ordered to reimburse the Client Protection Fund, submit to an audit of her IOLTA within thirty (30) days, including refunding any funds to clients that are revealed owed during the audit, provide documentation that Respondent complied with the court sanction award in *Torres v. Torres*, D-307-CV-2016-00285, and pay costs to the Disciplinary Board.

*Matter of Sharon Pomeranz, Esq.*, Disciplinary No. 09-2017-770. The New Mexico Supreme Court issued an Order on October 10, 2017 accepting Respondents' resignation and withdrawing Respondent's membership to practice law in lieu of discipline for knowingly filing frivolous lawsuits. Respondent cannot apply for readmission or reinstatement for three (3) years and, prior to reinstatement; must reimburse the Client Protection Fund, make restitution to any clients owed money, successfully complete all continuing legal credit requirements applicable to active New Mexico attorneys' during Respondent's absence from the practice of law, and successfully pass the MPRE.

*Matter of Les Sandoval, Esq.*, Disciplinary No. 01-2017-751. The New Mexico Supreme Court issued an Order on October 30, 2017 indefinitely suspending Respondent from the practice of law for a period of no less than one (1) year effective November 29, 2017 for general neglect, general misrepresentation, and fraud. Respondent was also ordered to reimburse client within sixty (60) days from the date of the order, submit to an audit of his IOLTA, and pay costs to the Disciplinary Board.

*Matter of Matthew E. Ortiz, Esq.*, Disciplinary No. 10-2016-749. The New Mexico Supreme Court issued an Order on November 6, 2017 permanently disbaring Respondent from the practice law for conversion, failing to comply with court orders, and failing to cooperate with the Disciplinary Board. Respondent was also ordered to submit to an audit of his IOLTA and pay costs to the Disciplinary Board.

*Matter of Christin K. Kennedy, Esq.*, Disciplinary No. 06-2017-760. The New Mexico Supreme Court issued an Order on December 18, 2017 accepting the conditional agreement not to contest and consent to discipline for a conflict of interest. The Court deferred

the suspension of one (1) year and Respondent was order to pay costs to the Disciplinary Board.

**Summary Suspensions**

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

**Administrative Suspensions**

Total number of attorneys administratively suspended.....0

**Disability Inactive Status**

Total number of attorneys placed on disability inactive status.....0

**Charges Filed**

Total number of attorneys that had charges filed against them .....0

**Petition for Injunctive Relief Filed**

Petitions for injunctive relief filed.....2

*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. The Supreme Court entered an order effective November 13, 2017 granting a consent agreement and enjoining Respondent from preparing for, or disseminating to, others any legal documents. Respondent was further ordered to pay costs to the Disciplinary Board.

*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. The Supreme Court entered an order effective December 18, 2017 granting a consent agreement and enjoining Respondent from preparing legal documents, giving legal advice, or acting as a representative or intermediary for other persons or entities with their legal matters. Respondent was further ordered to pay costs to the Disciplinary Board.

**Petitions for Reciprocal Discipline Filed**

Petitions for reciprocal discipline filed .....0

## Reinstatement from Probation

Petitions for reinstatement filed .....1

*Matter of Jacqueline Bennett, Esq.* (Disciplinary No. 04-2016-741) Respondent petitioned for reinstatement to the practice of law from probation. The Supreme Court granted the petition in an Order dated November 13, 2017.

## Formal Reprimands

Total number of attorneys formally reprimanded .....0

## Informal Admonitions

Total number of attorneys admonished .....1

An attorney was informally admonished for failing to provide competent representation to a client and assisting in the unauthorized practice of law in violation of Rules 16-101 and 16-505(A) of the Rules of Professional Conduct.

## Letters of Caution

Total number of attorneys cautioned .....5

Attorneys were cautioned for the following conduct: (1) general incompetence (2 letters of caution issued); (2) failure to protect interest of client; (3) bank overdraft; and (4) conflict of interest.

## Complaints Received

<i>Allegations</i>	<i>No. of Complaints</i>
Trust Account Violations.....	5
Conflict of Interest.....	0
Neglect and/or Incompetence.....	96
Misrepresentation or Fraud.....	15
Relationship with Client or Court.....	10
Fees.....	3
Improper Communications.....	1
Criminal Activity.....	0
Personal Behavior.....	9
Other.....	12
Total number of complaints received.....	151