



FILED

OCT 26 2021

STATE BAR OF NEVADA

BY: *[Signature]*
OFFICE OF BAR COUNSEL

Case No: OBC21-0122

STATE BAR OF NEVADA

SOUTHERN NEVADA DISCIPLINARY BOARD

STATE BAR OF NEVADA,)
)
Complainant,)
vs.)
)
JAMES R. ADAMS, ESQ.,)
Nevada Bar No. 6874,)
)
Respondent.)

LETTER OF REPRIMAND

On October 21, 2021, a Formal Hearing Panel of the Southern Nevada Disciplinary Board convened and heard the above-referenced grievance. Based on the evidence presented through the Conditional Guilty Plea in Exchange for a Stated Form of Discipline, the Panel unanimously concluded that you violated the Rules of Professional Conduct (“RPC”) and should be issued a Letter of Reprimand. This letter shall constitute a delivery of that reprimand.

You represented M.L. in an appeal against A.L., which was filed on June 25, 2020. On July 20, 2020, the Nevada Supreme Court (“Supreme Court”) entered an Order which directed you to file and serve a transcript request form within 14 days (i.e., August 3, 2020), and an opening brief and appendix within 90 days (i.e., October 19, 2020).

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On September 15, 2020, the Clerk of the Supreme Court issued a Notice to File Docketing Statement and Request Transcripts as nothing had been filed. The Notice directed you to file and serve the documents within 10 days (i.e., September 25, 2020) or it could result in the imposition of sanctions, including the dismissal of the appeal. You failed to comply with the Notice.

On November 9, 2020, the Supreme Court entered an Order Conditionally Imposing Sanctions against you for your continued failure to file the transcript request form, docketing statement, and opening brief and appendix. The Order directed you to pay a \$250.00 sanction to the Supreme Court Library within 14 days. The sanction, however, would be vacated if you filed the documents or motion for extension of time within the 14 days.

On November 23, 2020, you filed a Motion for an Extension of Time to file the docketing statement and opening brief due to technical difficulties caused by a hard drive crash. You also attempted to file a transcript request form, but it was rejected by the Clerk as it did not include a file-stamped copy of the transcript request filed in the district court and did not have a certificate of service.

On November 25, 2020, the Supreme Court granted your motion giving you until December 23, 2020, to file the documents. The Order cautioned you that failure to timely file the documents could result in the imposition of sanctions, including dismissal of the appeal. On December 23, 2020, you attempted to file an opening brief and appendix. Your pleadings were rejected by the Supreme Court because they exceeded the megabyte limit. Although you attempted to timely file the opening brief and appendix in accordance with the Nevada Rules of Appellate Procedure, you ultimately failed to comply with the Order.

1 On January 25, 2021, the Supreme Court issued an Order Dismissing Appeal and
2 Referring Counsel to State Bar as none of the required documents had been filed and
3 noted that you had made no attempts to communicate with them.

4 RPC 1.3 (Diligence) states that “[a] lawyer shall act with reasonable diligence and
5 promptness in representing a client.” You negligently failed to file several documents
6 with the Supreme Court which resulted in the dismissal of your client’s appeal. This
7 type of ethical breach caused injury to your client.

8 RPC 3.2 (Expediting Litigation) states, in pertinent part, that “[a] lawyer shall
9 make reasonable efforts to expedite litigation consistent with the interests of the client.”
10 You negligently failed to make reasonable efforts to expedite litigation consistent with
11 the interests of your client. This type of ethical breach caused injury to your client. This
12 type of ethical breach caused injury to your client.

13 RPC 3.4 (Fairness to Opposing Party and Counsel) states, in pertinent part, that
14 “[a] lawyer shall not . . . [k]nowingly disobey an obligation under the rules of a tribunal
15 except for an open refusal based on an assertion that no valid obligation exists.” You
16 failed to timely comply with the Supreme Court’s orders regarding filing several
17 documents. This type of ethical breach caused an interference with your client’s legal
18 proceeding.

19 Under ABA Standard 6.23, reprimand is generally appropriate when a lawyer
20 negligently fails to comply with a court order or rule, and causes injury or potential
21 injury to a client or other party, or causes interference or potential interference with a
22 legal proceeding. Accordingly, you are hereby REPRIMANDED for violating RPC 1.3
23 (Diligence), RPC 3.2 (Expediting Litigation), and RPC 3.4 (Fairness to Opposing Party
24 and Counsel). In addition, pursuant to Supreme Court Rule 120, you are required to
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1 remit to the State Bar of Nevada the amount of \$1,500.00, plus the hard costs of these
2 proceedings, **no later than 30 days** after receiving a billing from the State Bar.

3 I trust that this reprimand will serve as a reminder to you of your ethical obligations,
4 and that no such problems will arise in the future.

5 Dated this 26 day of October 2021.

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8 
Franklin J. Katschke (Oct 26, 2021 13:51 PDT)

9 Franklin J. Katschke, Esq.
10 Formal Hearing Panel Chair
11 Southern Nevada Disciplinary Board
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1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies a true and correct copy of the **LETTER OF**
3 **REPRIMAND** was sent electronically to:

- 4 1. James Adams, Esq. (Respondent): james@adamslawnevada.com
5 2. Franklin J. Katschke, Esq. (Hearing Panel Chair): fkatschke@katschkelaw.com
6 3. Gerard Gosioco, Esq. (Assistant Bar Counsel): gerardg@nvbar.org

7 Dated this 26th day of October 2021

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9 *Sonia Del Rio*

10 Sonia Del Rio, an employee of
11 the State Bar of Nevada.
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