



FILED

MAY 31 2024

STATE BAR OF NEVADA
OFFICE OF COUNSEL

1 Case Number: SBN23-00898

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STATE BAR OF NEVADA

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NORTHERN NEVADA DISCIPLINARY BOARD

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STATE BAR OF NEVADA,

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Complainant,

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vs.

REPRIMAND

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AARON BUSHUR, ESQ.

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STATE BAR NO. 10862

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Respondent.

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TO: Aaron Bushur, Esq.
401 Railroad St., #406
Elko, Nevada 89801

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In November 2022 a Client retained you to oppose a Motion for an Order to Enforce and/or for an Order to Show Cause Regarding Contempt (the "Motion") regarding custody of her minor child. You filed an opposition to the Motion and appeared at a hearing on the Motion on February 21, 2023.

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According to to the court's published notes of the hearing, the Court ordered (i) the parties to continue with joint physical custody (week on/off basis) and (ii) the Client was to report the issue to her mental health provider and continue taking her medication. The Court ordered you to prepare the written order consistent with the oral decision. Over a year later, you still had not submitted the written order to the Court.

1 You contend that the failure to submit the written order to the Court is due to the
2 Client's failure to approve a proposed order. However, on July 26, 2023, the Client,
3 unhappy with your failure to submit the written order, terminated the representation.

4 You did not withdraw from the representation prior to when the disciplinary matter
5 was initiated, despite (i) your position that the Client was causing you to engage in
6 misconduct and (ii) the Client's termination of the representation. The Court did *sua*
7 *sponte* issue an Order. As part of the resolution of this disciplinary matter, you did file a
8 Notice of Withdrawal from the Client's matter.

9 Violations of the Rules of Professional Conduct

10 You had a duty, pursuant to RPC 3.4(c) (Fairness to Opposing Party and Counsel)
11 to comply with the Court's directive to submit a written order following the February 21,
12 2023 hearing, absent an assertion that no valid obligation existed. In addition, RPC 8.4(d)
13 (Misconduct) prohibits engaging in conduct that is prejudicial to the administration of
14 justice.

15 In this instance, you knowingly violated RPC 3.4(c) and RPC 8.4(d) by failing to
16 submit the written order for over a year. As an officer of the court you have obligations to
17 the tribunal, in addition to your obligations to a client. Further, your failure to provide a
18 proposed order to the court left your client feeling in limbo in her custody matter. There
19 were multiple other ways that you could have advanced your client's matter and complied
20 with your ethical responsibility to the court, such as filing a motion to withdraw or
21 submitting a proposed order with an explanation. Your Client and the efficiency of the
22 judiciary were injured by your choice to avoid the matter for over a year.

23 Applicable ABA Standard for Imposing Lawyer Sanctions

24 Standard 6.22 of the ABA Standards for Imposing Lawyer Sanctions states
25 "suspension is generally appropriate when a lawyer knows that he or she is violating a court

1 order or rule, and causes injury or potential injury to a client or a party, or causes
2 interference or potential interference with a legal proceeding.” ABA Standard 4.42 states
3 “suspension is generally appropriate when a lawyer knowingly fails to perform services for
4 a client and causes injury or potential injury to a client.”

5 These are the appropriate Standards to apply in this instance because you knew of
6 your obligation to the court and that a failure to submit the order violated it. Further, you
7 knew that a failure to submit the order resulted in your client feeling in limbo regarding
8 the custody of her child.

9 Aggravating and Mitigating Factors

10 Although you have substantial experience in the practice of law (SCR 102.5(3)(i)), it
11 is mitigating that you (i) have no prior discipline (SCR 102.5(4)(a)), (ii) had no dishonest
12 or selfish motive (SCR 102.5(4)(b)), (iii) cooperated with disciplinary authority (SCR
13 102.5(3)(e)) in this matter including submitting a Conditional Guilty Plea, and (iv) you
14 ultimately attempted to remedy the consequences of your violation (SCR 102.5(3)).

15 The balance of these aggravating and mitigating factors warrant a downward
16 deviation from the baseline sanction of suspension to issuance of a reprimand.

17 **REPRIMAND**

18 In light of the foregoing, you violated Rule of Professional Conduct (“RPC”) 3.4(c)
19 (Fairness to Opposing Party and Counsel) and RPC 8.4(d) (Misconduct- prejudicial to the
20 administration of justice) and are hereby REPRIMANDED and ordered to pay \$1,500 plus
21 the hard costs of the disciplinary proceedings within 60 days of the filing of the Hearing
22 Panel’s Order.

23 DATED this 30 day of May, 2024.

24 By: 
25 ERIC STOVALL, ESQ.
Formal Hearing Panel Chair
Northern Nevada Disciplinary Board