

STATE BAR OF NEVADA

April 1, 2022

The Honorable Nadin J. Cutter
Clark County District Court
Family Division, Dept. T
601 N Pecos Rd 1st Fl
Las Vegas, NV 89101

RE: Letter of Reprimand
Grievance – SBN20-00011



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Judge Cutter:

www.nvbar.org

A Southern Nevada Disciplinary Board Screening Panel convened on March 15, 2022 to consider the above-referenced grievance against you. The Panel concluded that you violated the Nevada Rules of Professional Conduct and that you should be reprimanded for your handling of your client's personal injury matter. This letter constitutes delivery of the Panel's reprimand.

Your client Yer Vang retained you to represent her and her toddler for injuries sustained in a motor vehicle collision occurring on August 2, 2017. On August 31, 2018, you presented a demand letter to the adverse insurance carrier. On March 5, 2019, that carrier closed their file as your office had not responded to their responsive replies.

On August 2, 2019 and August 19, 2019, you filed a complaint and amended complaint respectively. The complaint was not timely served upon the defendant in accord with the time frame of NRCP 4, nor did you seek a time extension under NRCP 4. Months later, our courts were impacted with the Governor's emergency orders of March 12 and March 30, 2020. The defendant was ultimately served on June 28, 2020.

On July 20, 2020 defense counsel filed a motion to dismiss the complaint. You did not file a timely opposition. The court granted you an extension of time of two weeks for you to file an opposition by September 3, 2020. You again did not timely file an opposition.

NRPC 1.3 states: "A lawyer shall act with reasonable diligence and promptness in representing a client." In a similar vein, NRPC 3.2(a) states "A lawyer shall make reasonable efforts to expedite litigation consistent with the interests of the client." Here, you negligently failed to act with reasonable diligence and promptness and did not take reasonable efforts to expedite litigation. You did not attempt or seek timely service of your complaint and amended complaint upon the defendant. Thereafter, you negligently failed to provide the court with a timely opposition to the defendant's motion to dismiss on two successive occasions. While your client ultimately obtained a recovery, despite the court granting the defendant's motion to dismiss, potential injury occurred in that recovery could have been precluded by your successive late filings.

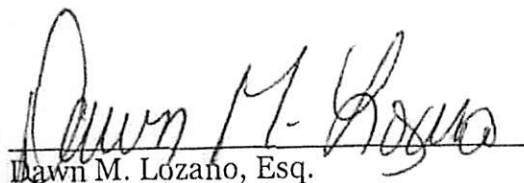
ABA Standards for Imposing Lawyer Sanctions, (2nd Ed. 2019), Standard 4.43 (Violation of duties to clients) states: "Reprimand is generally appropriate when a lawyer is negligent and does not act with reasonable diligence in representing a client, and causes injury or potential injury to a client." Similarly, Standard 6.23 (Abuse of Legal Process) applicable to 3.2(a) states: "Reprimand is generally appropriate when a lawyer negligently fails to comply with a court order or rule, and causes injury or potential injury to a client or other party, or causes interference or potential interference with a legal proceeding."

Here, you were on notice of concerns from former client's grievances in 2017 and 2018 involving diligence under NRPC 1.3 along with other NRPC rules. These grievances were founded in that you received a Letter of Reprimand and a Public Reprimand from this Board.

Based on the foregoing, you are hereby REPRIMANDED for a violation of NRPC 1.3 and 3.2(a). Please promptly conclude this matter by remitting the cost of \$1,500 within 30 days of the issuance of this sanction. SCR 120(3).

Please allow this reprimand to serve as a thoughtful reminder of the practitioner's professional ethical obligations. We wish you well in your new role serving the public from the bench and trust that no similar problems will arise in the future.

By:



Dawn M. Lozano, Esq.
Screening Panel Chair

SOUTHERN NEVADA DISCIPLINARY BOARD