

Bar Counsel Report

In Re: DOUGLAS C. CRAWFORD
Bar No.: 181
Case No.: 89825
Filed: 01/13/2025

ORDER OF DISBARMENT

The State Bar has filed, under SCR 112, a petition for attorney Douglas C. Crawford's disbarment by consent. The petition has been approved by the chair of the Southern Nevada Disciplinary Board and is supported by a declaration from Crawford. The declaration states that Crawford freely and voluntarily consents to disbarment after having had the opportunity to consult with counsel. Crawford acknowledges that he violated the terms of a reinstatement order issued by this court and that the State Bar provided documentation with an SCR 102(4) petition that shows Crawford violated RPC 1.8(j) (conflict of interest: sexual relations with a client), RPC 8.4(a) (misconduct: violation or attempted violation of the RPCs), and RPC 8.4(b) (misconduct: criminal act that reflects adversely on fitness of a lawyer). Finally, Crawford concedes that the material facts in the petition for disbarment by consent are true and admits that he could not successfully defend against a disciplinary complaint.

SCR 112 provides that an attorney who is the subject of a proceeding involving allegations of misconduct may consent to disbarment by delivering an affidavit to bar counsel, who must file it with this court. Crawford's declaration meets the requirements of SCR 112(1). *See* NRS 53.045. We thus conclude that the petition must be granted. SCR 112(2). Accordingly, attorney Douglas C. Crawford is disbarred from the practice of law in Nevada. The provisions of SCR 115 and SCR 121.1 governing notice and publication of orders of disbarment shall apply to this order.

It is so ORDERED.

In Re: DERRICK RABURN STURM
Bar No.: 8277
Case No.: 89331
Filed: 02/06/2025

ORDER DENYING PETITION AND SUSPENDING ATTORNEY FOR FIVE YEARS AND ONE DAY

This is a petition to impose reciprocal discipline on attorney Derrick Raburn Sturm pursuant to SCR 114, based on discipline imposed in California. Sturm was disbarred in California in 2016 and did not self-report the disbarment to the State Bar of Nevada. *See* SCR 114(1). Nor has he opposed this petition. *See* SCR 114(3).

The California State Bar's Notice of Disciplinary Charges alleged seven violations of the Rules of Professional Conduct and the Business and Professions Code. Sturm failed

to respond to the notice, resulting in a default. Based on his default, the factual allegations supporting the violations were deemed admitted. The admitted facts show that Sturm failed to competently represent two clients. In both cases he failed to appear at a case management conference, failed to respond to written discovery, and failed to perform any substantive legal services. He also failed to inform either client that he was withdrawing from representation and failed to take reasonable steps to avoid prejudicing their rights. One client requested the return of their property and papers, which Sturm failed to promptly release. Finally, Sturm failed to substantively respond to the California Bar's disciplinary investigation. Because Sturm did not move to set aside the default, he was disbarred pursuant to California State Bar Rule of Procedure 5.85.

SCR 114(4) mandates that the court impose the same discipline as the other jurisdiction unless the attorney demonstrates, or this court finds, that one of four exceptions apply, including when "the misconduct established warrants substantially different discipline in this state." SCR 114(4)(c). That exception applies here in two respects.

First, as bar counsel acknowledges, there is a marked difference between disbarment in California and Nevada. In California, disbarment is not permanent and the attorney may seek reinstatement after five years, whereas in Nevada disbarment is irrevocable. *Compare* SCR 102(1), with Cal. State Bar R. Proc. 5.442(B). For this reason, where a Nevada-licensed attorney has been disbarred in California, we have frequently imposed suspension as reciprocal discipline by applying SCR 114(4)(c). *See, e.g., In re Discipline of VanderSchuit*, No. 87175, 2023 WL 6940752, *1 (Nev. Oct. 19, 2023) (Order Denying Reciprocal Discipline and Suspending Attorney) ("[W]e conclude that disbarment is not warranted because it is irrevocable in Nevada, while in California a disbarred attorney may seek reinstatement after five years."); *In re Discipline of Cantor*, No. 83736, 2022 WL 419901 (Nev. Feb. 10, 2022) (Order Denying Petition for Reciprocal Discipline and Suspending Attorney) (same); *In re Discipline of Freedman*, No. 80276, 2020 WL 1972331 (Nev. Apr. 23, 2020) (Order Denying Petition for Reciprocal Discipline and Suspending Attorney) (same).

Second, suspension is the appropriate discipline for Sturm's misconduct. Sturm's California violations correspond to Nevada's Rules of Professional Conduct 1.1 (competence), 1.16(b)(1) (declining or terminating representation), 1.16(d) (surrendering client property upon terminating representation), and 8.1(b) (failing to respond to a lawful demand for information). And the baseline discipline for those violations is suspension. *See* Standards for Imposing Lawyer Sanctions, *Compendium of Professional Responsibility Rules and Standards*, Standard 4.12 (Am. Bar Ass'n 2023) ("Suspension is generally appropriate when a lawyer knows or should know that he is dealing improperly with client property and causes injury or potential injury to a client."); Standard 4.52 ("Suspension is generally appropriate when a lawyer engages in an area of practice in which the lawyer knows he or she is not competent, and causes injury or potential injury to a client."); *id.* at Standard 7.2. (recommending suspension where "a lawyer knowingly

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engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system”).

Accordingly, we deny the petition for reciprocal discipline but suspend Derrick Raburn Sturm from the practice of law in Nevada for five years and one day, commencing from the date of this order. The parties shall comply with SCR 115 and SCR 121.1.

It is so ORDERED.

In Re: JACQUE M. RAMOS
Bar No.: 11859
Case No.: 89054
Filed: 02/06/2025

ORDER IMPOSING RECIPROCAL DISCIPLINE AND SUSPENDING ATTORNEY FOR TWO YEARS

This is a petition under SCR 114 to reciprocally discipline attorney Jacque M. Ramos based on a two-year suspension from the practice of law in Utah for violating Utah Rules of Professional Conduct 1.1 (competence), 1.3 (diligence), 1.4 (communication), 1.16 (declining or terminating representation), 8.1(b) (bar admission and disciplinary matters), and 8.4(c) (misconduct).

The Third Judicial District Court of Salt Lake County, Utah found sufficient evidence to demonstrate that in Ramos’s representation of a client in a personal injury lawsuit, Ramos: (1) failed to adequately communicate with the client prior to or during the lawsuit, despite the client’s requests for information; (2) failed to competently or diligently file a complaint, seek evidence, prepare disclosures, respond to written discovery, and respond to a motion for summary judgment; (3) failed to inform the client that the client’s case had been summarily adjudicated and dismissed; (4) misrepresented the case status to the client; (5) refused to provide the client’s file to new counsel after Ramos’s representation was terminated; and (6) failed to respond to the disciplinary authority’s requests for information regarding the underlying representation. The Utah court found that Ramos knowingly violated the Rules of Professional Conduct, causing injury to the client and the profession, and it suspended Ramos from the practice of law in Utah for two years. The State Bar of Nevada filed a petition under SCR 114, and Ramos did not respond to the petition.

Under SCR 114(4), this court must impose identical reciprocal discipline unless the attorney demonstrates, or this court determines, that (1) the other jurisdiction failed to provide adequate notice, (2) “there was such an infirmity of proof establishing the misconduct” in the other jurisdiction that this court could not accept the decision of that jurisdiction, (3) the established misconduct warrants sufficiently different discipline in this jurisdiction, or (4) the established misconduct does not constitute misconduct under Nevada’s professional conduct

rules. None of these exceptions apply here, and “[i]n all other respects, a final adjudication in another jurisdiction that an attorney has engaged in misconduct conclusively establishes the misconduct for the purposes of a disciplinary proceeding in this state.” SCR 114(5).

Accordingly, we grant the petition for reciprocal discipline and hereby suspend Jacque M. Ramos from the practice of law in Nevada for two years from the date of this order. The parties shall comply with SCR 115 and SCR 121.1.

It is so ORDERED.

In Re: DAVID A. RIGGI
Bar No.: 4727
Case No.: 89426
Filed: 01/16/2025

ORDER APPROVING CONDITIONAL ADMISSION AGREEMENT

This is an automatic review of a Southern Nevada Disciplinary Board hearing panel’s recommendation that this court approve, pursuant to SCR 113, a conditional admission agreement in exchange for a stated form of discipline for attorney David A. Riggi. Under the agreement, Riggi admitted to violating RPC 1.3 (diligence) and RPC 1.4(a), (b) (communication). Riggi agreed to a six-month suspension, stayed, subject to certain conditions to be completed during a two-year probationary period.

Riggi admitted to the facts and violations as part of the admission agreement. Riggi failed to file necessary forms with the court in connection with a client’s bankruptcy proceedings, failed to respond to the client’s inquiries, and did not inform the client of a requirement to achieve bankruptcy discharge. As a result, the bankruptcy was closed without an order of discharge. Riggi eventually paid to reopen the case, filed the necessary forms, and the client received the order of discharge.

The issue for this court is whether the agreed-upon discipline sufficiently protects the public, the courts, and the legal profession. *See In re Discipline of Arabia*, 137 Nev. 568, 571, 495 P.3d 1103, 1109 (2021) (stating the purpose of attorney discipline). In determining the appropriate discipline, we weigh four factors: “the duty violated, the lawyer’s mental state, the potential or actual injury caused by the lawyer’s misconduct, and the existence of aggravating or mitigating factors.” *In re Discipline of Lerner*, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (2008).

Riggi admitted to knowingly violating duties owed to his client (diligence and communication). Riggi further admitted his conduct caused actual or potential injury to the client because the client’s bankruptcy proceeding was not timely resolved. The baseline sanction for such violations, before considering the aggravating or mitigating circumstances, is

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suspension. See *Standards for Imposing Lawyer Sanctions*, Compendium of Professional Responsibility Rules and Standards, Standard 4.42(a) (Am. Bar Ass'n 2023) (providing that suspension is appropriate when “a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client”). The record supports three aggravating circumstances (prior disciplinary offenses, pattern of misconduct, and substantial experience in the practice of law) and two mitigating circumstances (full and fair disclosure to disciplinary authorities or cooperative attitude toward the proceedings and physical disability). Considering all four factors, we conclude that the agreed-upon discipline is appropriate.

Accordingly, we hereby suspend attorney David A. Riggi from the practice of law in Nevada for six months, with the suspension stayed for two years from the date of this order subject to the conditions outlined in the conditional admission agreement. Those conditions include requirements that Riggi obtain a law practice mentor pre-approved by the State Bar; consult with and retain a professional, practice-oriented bookkeeping agency or CPA at his own expense; adopt a legal practice succession plan; engage in the fee dispute process should the named clients seek fee dispute relief; successfully complete twelve (12) continuing legal education units in the field of law office management; and engage in no professional misconduct following the date of this order that results in a screening panel recommending that new disciplinary charges be filed. Riggi shall also pay the costs of the disciplinary proceedings, including \$2,500 under SCR 120, within 30 days from the date of this order. The State Bar shall comply with SCR 121.1.

It is so ORDERED.

In Re: BRYAN J. BLEHM
Bar No.: 9975
Case No.: 89587
Filed: 01/16/2025

ORDER IMPOSING RECIPROCAL DISCIPLINE

This is a petition under SCR 114 for reciprocal discipline of attorney Bryan J. Blehm based on his discipline in Arizona. Blehm self-reported the Arizona discipline as required by SCR 114(1) but has not responded to the petition. See SCR 114(3).

Blehm was suspended in Arizona for 60 days beginning on July 7, 2024, followed by a one-year probation. Blehm represented defeated Arizona gubernatorial candidate, Kari Lake, in a petition for review of adverse election rulings. Blehm made false assertions to Arizona’s appellate courts concerning alleged voting fraud activities at the Runbeck vote processing facility. Blehm frivolously argued that it was an “undisputed fact” that 35,663 unaccounted-for ballots were added to the total number of ballots at a third-party processing facility. Blehm again misrepresented that “the

record indisputably reflects” at least 35,563 election day early ballots were added at Runbeck. Based on these facts, the Arizona hearing panel found Blehm violated Arizona rules of professional conduct equivalent to Nevada’s RPC 3.1 (meritorious claims); RPC 3.5(d) (tribunal decorum); RPC 8.2(a) (judicial and legal officials); and RPC 8.4(d) (misconduct). The Arizona panel found five aggravating factors (dishonest or selfish motive, multiple offenses, bad faith obstruction of the disciplinary proceeding by intentionally failing to comply with rules or orders of the disciplinary agency, refusal to acknowledge wrongful nature of conduct, and substantial experience in the practice of law) and two mitigating factors (absence of a prior disciplinary record and imposition of other penalties or sanctions). The Arizona panel further found that Blehm acted knowingly and caused injury to his client, the public, and the legal system.

SCR 114(4) provides that this court shall impose identical reciprocal discipline unless the attorney demonstrates or this court finds that at least one of four exceptions is present: (1) the procedure in the other jurisdiction denied the attorney due process; (2) there is such an infirmity of proof of the misconduct in the other jurisdiction that this court cannot accept the other court’s decision; (3) substantially different discipline is warranted in this state; or (4) the established misconduct does not constitute misconduct under the rules of this state. None of the exceptions apply, so we grant the petition for reciprocal discipline. Accordingly, we hereby suspend Blehm for 60 days commencing from the date of this order. Upon completion of the suspension, Blehm shall be placed on probation for one year subject to the terms set forth in the Arizona discipline order. The State Bar shall comply with SCR 121.1.

It is so ORDERED.

TIP

FROM THE BAR COUNSEL

Sex With Clients Isn't Just a Bad Idea, It's a Breach of Ethics

**It is paramount that an attorney acts in a client's best interest.
Nothing should interfere with the lawyer's judgment.**

Getting personally – or emotionally – involved with a client can blur that judgment and lead to problems for both: possibly less-effective representation for the client and ethical issues for the lawyer.

Rule of Professional Conduct 1.8(j) states that a lawyer must not have sexual relations with a client unless a sexual relationship existed *before* the attorney-client relationship. So, representing a spouse or intimate partner may comply with the rule, but lawyers cannot treat the client list as a dating pool.

Lawyers sometimes disagree with RPC 1.8(j) and believe that consenting adults should be allowed to make grown-up decisions about their personal lives. This rule, however, was crafted to protect vulnerable clients from predatory lawyers taking advantage of the underlying legal situation.

The American Bar Association adopted RPC 1.8(j) in 2002, and more than half of jurisdictions in the U.S. have adopted it. In Nevada, the rule does not apply if the client is an organization.

Courts and the legal establishment recognize that the attorney-client relationship includes a power imbalance that is heavily weighted in favor of the lawyer. The client is the one with a problem and comes to the attorney for help, not the other way around.

Cases involving RPC 1.8(j) can occur in any area of legal practice. However, criminal law and domestic relations – which often involve especially vulnerable clients – is where RPC 1.8(j) violations usually occur.

In a criminal case, the possibility of imprisonment and large fines can leave a client fearful and worried about the future. Divorce and child custody cases involve highly emotional issues that can stress clients and impair their judgment. Such scenarios often leave clients vulnerable to manipulation.

That vulnerability only increases if the client is poor and doesn't have the financial resources usually needed for legal representation.

In such situations, lawyers can take advantage of an imbalance of power within the attorney-client relationship. If a client comes to the lawyer for help but might not be able

to afford it, this situation can open a door for a lawyer to offer legal work in exchange for sex.

The judgment of a vulnerable client also can be clouded, allowing the lawyer to take advantage of the situation.

RPC 1.8(j) is meant to protect such clients. Seeking legal representation shouldn't include victimization from the legal community itself.

Here are a few practical tips to protect yourself and your clients:

- 1. Establish Clear Boundaries Early:** Set professional boundaries with clients from the beginning of the attorney-client relationship. Emphasize the importance of maintaining a strictly professional relationship.
- 2. Implement a Policy on Social Interactions:** Create a formal policy that prohibits social or personal interactions with clients outside of the professional relationship. Share this policy with clients to establish transparency.
- 3. Disclose and Recuse if Necessary:** If personal feelings for a client develop, recognize the conflict of interest early. Disclose the situation to the client and withdraw yourself from the representation.
- 4. Document All Client Interactions:** Keep thorough records of all interactions with clients. Documentation helps ensure that the professional nature of the relationship is preserved and can be reviewed if any concerns arise.
- 5. Protect Confidentiality:** Never let a personal relationship with a client interfere with confidentiality. Reiterate the importance of confidentiality in every client interaction and avoid discussing personal matters during legal consultations.