

BOARD REPORT

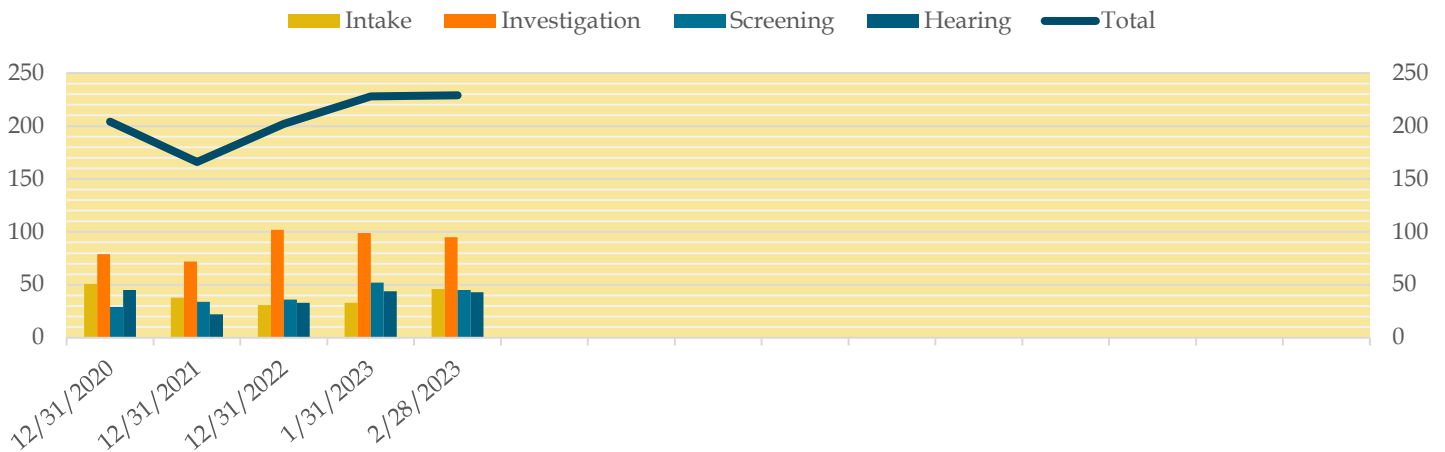
April 2023

OFFICE OF BAR COUNSEL

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BAR COUNSEL

DISCIPLINE STATISTICS

ALL ACTIVE CASES



- The OBC aims to keep active cases under 250. This allows for about half (125) in investigations and half (125) split between intake, screening, and hearing.
- The OBC works efficiently with active cases below 250. We are within that range.
- Active cases fell significantly during the COVID pandemic, but in 2022 active cases trended upward. Active cases in early 2023 have leveled off at 230.

INTAKE

	New Grievances	Grievances Reviewed	Grievances Pending	Over 90 Days
End of 2021			38	0
2022	1353	1360	31	0
January	105	103	33	1
February	101	88	46	0

GOAL – Review grievances within 90 days and have no more than 100 pending at any time.

- Intake staff continues to process files efficiently to keep pending grievances well below 100.
- Grievances pending bumped up in February 2023. Intake staff used vacation time and the primary attorney over intake attended the National Organization of Bar Counsel conference in February. Grievances pending are still at healthy levels.
- New grievances have stabilized around 100 per month.
- Intake staff recently began tracking 1) the firm size of the respondent attorney and 2) the relationship of the grievant to the respondent attorney to provide better analysis to the Board on grievances received and referred to investigation.

INVESTIGATION

	New Invest.	Invest. Completed	Invest. Pending	Over 6 Months
End of 2021			72	2
2022	250	220	102	5
January	25	27	100	5
February	16	21	95	9

GOAL – Investigate grievances within 6 months and keep active investigations under 125.

- Six-month investigations keep an efficient balance in the active caseload.
- Pending investigations continue to remain below 125.
- Prolonged investigations have increased but pending investigations under 6 months remains above 90%. We currently have 9 investigations over 6 months.
- These prolonged investigations are a mix of complex cases (4) and a residual effect from the spike in investigations added in August 2022 (5). Complex cases address grievances of misappropriation, fraud, or criminal conduct, which can require more time. OBC investigators will prioritize these investigations.

HEARINGS

	New Filings	Hearings Resolved	Hearings Pending	Over 8 Months
End of 2021			14 (21 files)	1
End of 2022			26 (33 files)	1
January	7	3	30 (44 files)	2
February	2	4	30 (43 files)	2

GOAL – Prosecute 80 % of disciplinary hearings within 8 months

- After a screening panel approves a formal hearing, Bar Counsel files a complaint and the case moves into the prosecution/pending hearing stage.
- The OBC presses for a hearing within 8 months whenever possible. It has 2 cases pending over 8 months.
- Approximately half of respondents are now requesting in-person hearings but will often agree to convert back to a remote hearing if a plea is reached.

OTHER OBC ACTIVITIES

- The OBC monitors 46 attorneys: 7 in diversion, 27 on probation, and 12 conditional admittees.
- The OBC pursues civil injunctions against unauthorized practice of law by non-attorneys.
 - OBC has one case pending in the 8th Judicial District Court.
- OBC educates the bar. From January-March 2023, OBC attorneys have presented on ethics at the American Immigration Lawyers conference, the Family Law Conference, the Carson City Bar Association, and the State Bar’s trial academy.

2023 DISCIPLINE

S U S P E N S I O N (1)

Mitchell Wright 6 months (appearing in multiple matters while administratively suspended)

S T A Y E D S U S P E N S I O N (2)

Carrie Hurtik 2 years stayed for 2 years (improper accounting practices/conversion of client funds)

Christine Owen 6 month + 1 day suspension stayed for 1 year (improper accounting practices/conversion of client funds)

T E M P O R A R Y S U S P E N S I O N (2)

Kerry Faughnan – criminal conviction for conspiracy to commit theft

Christopher Henderson – criminal conviction for assault with a deadly weapon

P U B L I C R E P R I M A N D (1)

Leila Hale for violations of RPC 1.15 (Safekeeping Property) and RPC 1.16 (Declining or Terminating Representation)

R E S I G N A T I O N S (1 3)

P E N D I N G W I T H T H E C O U R T (7)