

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
DON AIMAR, ESQ.

No. 46516

FILED

MAR 29 2006

JANET M. BLOOM
CLERK OF SUPREME COURT
DEPUTY CLERK

ORDER APPROVING CONDITIONAL GUILTY PLEA
IN EXCHANGE FOR STATED FORM OF DISCIPLINE

This is an automatic appeal from a Southern Nevada Disciplinary Board hearing panel's recommendation that we approve attorney Don Aimar's conditional guilty plea in exchange for a stated form of discipline, under SCR 113.

The conditional guilty plea agreement reflects that Aimar admits to violating several Supreme Court Rules, including SCR 153 (diligence), SCR 154 (communication), SCR 165 (safekeeping of property), SCR 166 (declining or terminating representation), SCR 187 (responsibilities regarding nonlawyer assistants), and SCR 189 (unauthorized practice of law). The plea agreement provides that (1) Aimar is suspended from the practice of law for six months and one day, (2) the suspension is stayed pending Aimar's successful completion of a one-year probationary period, subject to several conditions, and (3) after


successfully completing the probationary period, Aimar will be publicly reprimanded.

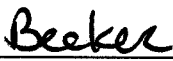
Having reviewed the record, we conclude that the agreement should be approved. The record reflects, among other things, that Aimar allowed a nonlawyer to initiate and maintain the attorney-client relationship, that Aimer never directly communicated with his clients during the time he represented them, and that he enabled a nonlawyer to negotiate his clients' settlement and to disburse the settlement funds. But the record also contains evidence of mitigating factors, including Aimar's cooperation with bar counsel and a lack of any prior discipline. In addition, the agreement's probationary conditions are appropriate and tailored to remedy Aimar's misconduct.


Accordingly, the plea agreement is approved in full. Aimar is suspended from the practice of law for six months and one day. This suspension shall be stayed pending Aimar satisfying the following conditions of a one-year probationary period: 1) no further state bar grievances, resulting in a screening panel recommending a disciplinary sanction or formal hearing, may be filed against Aimar; (2) he may not accept or handle plaintiff personal injury cases; (3) he may not contract with or utilize in his law practice independent paralegals or nonlawyer assistants who deal directly with the public; (4) he must submit quarterly affidavits to the office of bar counsel affirming his compliance with the probationary conditions and detailing the number and type of active cases he is handling; (5) he must submit monthly statements from all trust and operating accounts related to his law practice; and (6) he must pay the

costs of the disciplinary proceedings and the costs of any publication. Finally, at the successful completion of his one-year probationary period, we authorize the panel to issue a public reprimand that is substantially similar to the one submitted to this court in this automatic appeal.

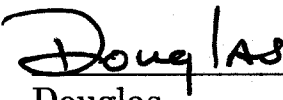
It is so ORDERED.¹


_____, C.J.
Rose

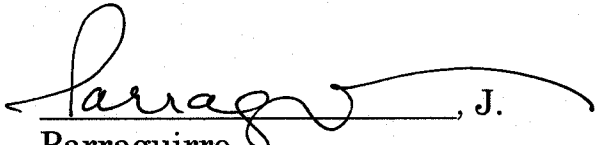

_____, J.
Becker


_____, J.
Maupin


_____, J.
Gibbons


_____, J.
Douglas


_____, J.
Hardesty


_____, J.
Parraguirre

cc: Howard Miller, Chair, Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Allen W. Kimbrough, Executive Director
Benjamin B. Childs
Perry Thompson, Admissions Office, U.S. Supreme Court

¹This constitutes our final order in this matter. Any new proceedings, including proceedings related to any failure by Aimar to satisfy the probationary conditions, shall be filed under a new docket number.