

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
RONALD GELLER, ESQ.

No. 50752

FILED

APR 10 2008

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER APPROVING PANEL'S RECOMMENDATION

This is an automatic appeal from a Southern Nevada Disciplinary Board hearing panel's recommendation that attorney Ronald A. Geller be conditionally allowed to apply for readmission or reinstatement to the State Bar of Nevada after five years.

Geller was conditionally admitted to the Nevada bar in 2004, subject to a two-year probation with several conditions. In 2006, he was involuntarily placed on inactive status based on his failure to comply with his 2005 continuing legal education (CLE) requirements. From that point, Geller was not authorized to practice law. He nevertheless failed to inform his employer of his license status and he continued to practice law. Based on his failure to abide by his probation conditions, we revoked Geller's conditional admission. We also referred Geller to the state bar for

possible discipline arising from his unauthorized practice of law while on CLE inactive status.

The state bar filed a complaint against Geller, which he failed to answer. Consequently, the formal hearing was conducted on a default basis.¹ Following a formal hearing, attended by Geller, the panel issued its findings of fact, conclusions of law, and recommendation. By a unanimous decision, the disciplinary panel rejected Geller's arguments that the panel had no jurisdiction over him as his conditional admission had already been revoked,² that his failure to file an answer was due to mistake, inadvertence, surprise, or excusable neglect,³ and that mitigating circumstances should lessen any sanctions. While the panel found no evidence of actual client harm, it concurred with the complaint's allegations that the potential client harm was great. Therefore, as charged in the bar's complaint, the panel concluded that Geller violated RPC 3.4(c) (fairness to opposing party and counsel: knowingly disobeying an obligation of a tribunal); RPC 5.5 (unauthorized practice of law); RPC 8.1(a) (bar admission and disciplinary matters); and RPC 8.4 (misconduct).

¹See SCR 105(2).

²We agree that we have jurisdiction in this case. Matter of Discipline of Droz, 123 Nev. ___, 160 P.3d 881 (2007).

³SCR 105(2).

Geller has not filed a brief contesting the panel's findings, conclusions, or recommendations.

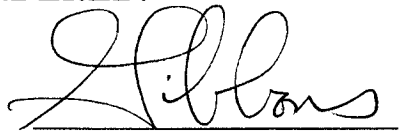
Having reviewed the record, we conclude that clear and convincing evidence supports the panel's recommendations and are appropriate.⁴ Accordingly, we approve the panel's recommendations as follows:

1. Geller shall be enjoined from applying for readmission to the practice of law in Nevada for five years from the date of this order;
2. If Geller applies for readmission after the five-year period, then he shall demonstrate, as a condition precedent to his application, that he has completed 12 units of live CLE credits per year for a total of 60 units;
3. If Geller applies for readmission after the five-year period, then his application shall be subject to review by the Moral Character and Fitness Committee and the Board of Bar Examiners. Following that review, if permitted, Geller must take and pass the Nevada bar examination and the multistate professional responsibility examination; and

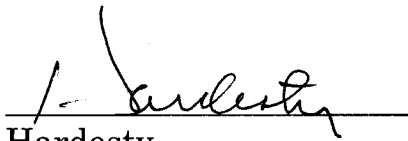
⁴See SCR 116(2).

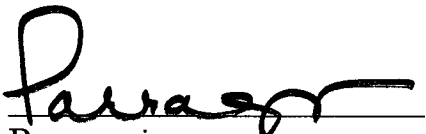
4. Geller shall be assessed the costs of the disciplinary proceedings, which must be paid before he may apply for readmission.

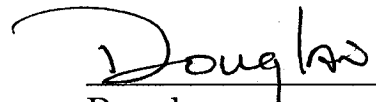
It is so ORDERED.⁵

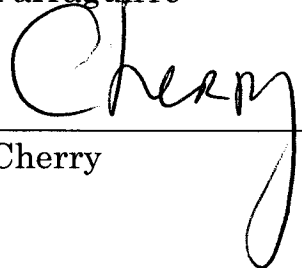

Gibbons, C.J.
Gibbons


Maupin, J.
Maupin


Hardesty, J.
Hardesty


Parraguirre, J.
Parraguirre


Douglas, J.
Douglas


Cherry, J.
Cherry


Saitta, J.
Saitta

cc: Jeffrey D. Albregts, Chair, Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Kimberly Farmer, Executive Director
Perry Thompson, Admissions Office, United States Supreme Court
Ronald A. Geller

⁵This is our final disposition of this matter. Any further proceedings concerning Geller shall be filed under a new docket number.