

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: REINSTATEMENT OF  
MITCHELL POSIN, ESQ., BAR NO.  
2840.

No. 53711

**FILED**

JUL 08 2009

ORDER OF REINSTATEMENT

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

This is a petition for reinstatement to the practice of law by suspended attorney Mitchell Posin. On July 2, 2008, this court suspended Posin from the practice of law for one year. In the Matter of Discipline of Mitchell Posin, Docket No. 51207 (Order of Suspension, July 2, 2008). On January 23, 2009, Posin filed with the state bar a petition for reinstatement pursuant to SCR 116. On March 5, 2009, a hearing was held before a Southern Nevada Disciplinary Board reinstatement hearing panel, which issued its findings of fact, conclusions of law and recommendation on April 24, 2009.

The panel found that Posin had complied with the prior disciplinary panel's recommendations, and concluded that he had demonstrated by clear and convincing evidence that he has the moral qualifications, competency and learning in law required for admission to practice law and that his resumption of the practice of law will not be detrimental to the integrity and standing of the bar, to the administration of justice, or to the public interest. The panel recommended that Posin's petition be granted, subject to conditions that Posin: (1) submit to the state bar, prior to resuming practice, an office management plan and

procedure which should include, and not be limited to: his procedures for calendaring of matters, file maintenance, maintaining a trust account and reports, and engagement and disengagement procedures with clients; (2) enroll in a mentoring program for two years with a mentor, other than his prior mentor, who is a managing partner of a law firm or has at least 15 years of experience and who shall submit quarterly reports to the state bar regarding Posin's calendaring procedures, file maintenance procedures, trust account reporting procedures, engagement and disengagement with client procedures, client communication procedures, the number of files Posin is handling, his areas of practice, and his communications with clients; (3) be on probation during the two-year mentoring period; and (4) pay the costs of the proceedings within thirty days of this court's order directing him to do so.

SCR 116(2) requires that an attorney seeking reinstatement must:

demonstrate[e] by clear and convincing evidence that he or she has the moral qualifications, competency, and learning in law required for admission to practice law in this state, and that his or her resumption of the practice of law will not be detrimental to the integrity and standing of the bar, to the administration of justice, or to the public interest.

Having reviewed the record, we conclude that clear and convincing evidence supports the panel's findings and conclusions. We therefore approve the panel's recommendation that the petition be granted subject to conditions. Accordingly, Mitchell Posin is hereby reinstated to the practice of law, subject to the conditions set forth above, including

payment of the cost of the proceedings within thirty days of the date of this order.

IT IS SO ORDERED.

Hardesty, C.J.  
Hardesty

Parraguirre, J.  
Parraguirre

Douglas, J.  
Douglas

Cherry, J.  
Cherry

Saitta, J.  
Saitta

Gibbons, J.  
Gibbons

Pickering, J.  
Pickering

cc: Jeffrey R. Albregts, Chair, Southern Nevada Disciplinary Board  
Kimberly Farmer, Executive Director, State Bar of Nevada  
Rob Bare, Bar Counsel  
Cremen Law Offices  
Perry Thompson, Admissions Office, U.S. Supreme Court