

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
ANN G. RICHARD, BAR NO. 10202.

No. 56572

FILED

SEP 14 2010

TRADIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER DECLINING TO IMPOSE TEMPORARY SUSPENSION

This is a petition by bar counsel pursuant to SCR 111(4) concerning attorney Ann G. Richard, based on Richard's conviction of first offense driving under the influence, a misdemeanor. Richard informed bar counsel (albeit in an untimely manner) of her conviction. See SCR 111(2). Because Richard's crime is not one of those specifically enumerated in SCR 111(6) as "serious" crimes, which require automatic referral to the disciplinary board, temporary suspension and referral to the disciplinary board are discretionary with this court. SCR 111(9).

The seriousness of drinking and driving cannot be minimized; however, first offense driving under the influence is not the type of offense for which professional discipline is typically imposed. 1 Geoffrey C. Hazard, Jr. & W. William Hodes, The Law of Lawyering § 65.4 (3d. ed. Supp. 2009); In the Matter of Respondent I, 2 Cal. State Bar Ct. Rptr. 260, 266 n.6, 272 (Rev. Dept. 1993).

Accordingly, having considered the petition and Richard's lack of a prior disciplinary history, we conclude that Richard's offense does not warrant the imposition of a temporary suspension or referral to the disciplinary board.

It is so ORDERED.

Hardesty, J.
Hardesty

Douglas, J.
Douglas

Pickering, J.
Pickering

cc: Rob W. Bare, Bar Counsel
State Bar of Nevada/Las Vegas
Cremen Law Offices