

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE REINSTATEMENT
OF PAUL FITZGERALD.

No. 36471

FILED

OCT 23 2000

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. R. [Signature]*
CHIEF DEPUTY CLERK

ORDER OF REINSTATEMENT

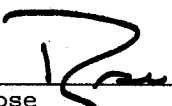
On April 28, 1995, this court entered an order suspending attorney Paul Fitzgerald from the practice of law for six months and one day. On March 13, 2000, Fitzgerald filed a petition for reinstatement. In accordance with SCR 116(3), a hearing panel of the Southern Nevada Disciplinary Board of the State Bar of Nevada conducted a hearing on the petition. The panel determined that Fitzgerald had met his burden of proof pursuant to SCR 116(3) and therefore recommended that Fitzgerald be reinstated to the practice of law, on certain conditions: (1) that Fitzgerald attend monthly Alcoholics Anonymous meetings and submit quarterly reports to bar counsel for two years from the date of reinstatement; and (2) that Fitzgerald take and pass the Multi-State Professional Responsibility Examination within one year from the date of reinstatement. The panel also recommended that it retain jurisdiction over Fitzgerald for two years following his reinstatement, so that in the event Fitzgerald failed to meet either condition, the panel may reconvene and make appropriate recommendations to this court.

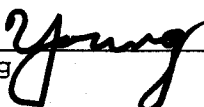
Having reviewed the record of the reinstatement proceedings and the documents submitted in support of the petition, we conclude that clear and convincing evidence supports the panel's findings and recommendations. We further conclude that Fitzgerald's resumption of the practice of law will not be detrimental to the integrity and standing of the bar, to the administration of justice, or to the public


interest. See SCR 116(3). However, we modify the conditions of reinstatement, and require the following: (1) that Fitzgerald attend weekly Alcoholics Anonymous meetings (rather than monthly, as recommended by the panel) and submit quarterly reports to bar counsel for two years from the date of reinstatement; (2) that Fitzgerald abstain from the use of alcohol; (3) that Fitzgerald be subject to random testing for alcohol at the request of bar counsel, at his own expense, and that he provide a copy of the test results to bar counsel, for a period of two years from the date of reinstatement; and (4) that Fitzgerald take and pass the Multi-State Professional Responsibility Examination within one year from the date of reinstatement. We further approve the panel's recommendation that it retain jurisdiction over Fitzgerald for a period of two years.

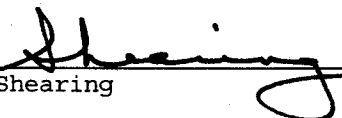
Accordingly, we reinstate Fitzgerald to the practice of law in this state upon the conditions stated above.

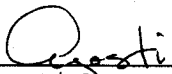
It is so ORDERED.¹



_____, C.J.
Rose


_____, J.
Young


_____, J.
Maupin


_____, J.
Shearing


_____, J.
Agosti


_____, J.
Leavitt

¹The Honorable Nancy A. Becker, Justice, voluntarily recused herself from participation in the decision of this matter.

cc: Richard Pocker, Chair,
Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Wayne Blevins, Executive Director
Dee Shore, Admissions Office,
Supreme Court of the United States
Kelly & Sullivan, Ltd.