


IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE-
PROBATION BREACH OF PATRICIA
A. ROSS, BAR NO. 9901.

No. 74860

FILED

JUN 19 2018

EDY BETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK


ORDER OF SUSPENSION

This is an automatic review of a Southern Nevada Disciplinary Board hearing panel's recommendation that this court revoke attorney Patricia Ross's disciplinary probation and impose the stayed two-year suspension based on her failure to comply with probation conditions. Because no briefs have been filed, this matter stands submitted for decision based on the record. SCR 105(3)(b).

On May 18, 2017, this court approved Ross's amended conditional guilty plea agreement and suspended her for two years, the entire term of which was stayed, for seven violations of RPC 1.3 (diligence), nine violations of RPC 1.4 (communication), seven violations of RPC 1.5 (fees), one violation of RPC 1.16 (declining or terminating representation), and seven violations of RPC 8.1(b) (bar admission and disciplinary matters). The stayed suspension was conditioned on Ross's compliance with probation terms, which included the condition that she "immediately begin psychotherapy for one year." Ross did not commence psychotherapy until more than four months after entry of this court's order, and only after the State Bar notified her that she was not in compliance with her probation conditions. Thus, substantial evidence supports the panel's finding that Ross violated the terms of her probation by failing to immediately begin psychotherapy. Because the stay of Ross's two-year suspension was subject

to her compliance with the conditions of her probation, we revoke Ross's probation and suspend her for two years commencing from the date of this order. The parties shall comply with SCR 115 and SCR 121.1.

It is so ORDERED.¹


Douglas

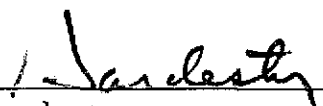
, C.J.


Gibbons

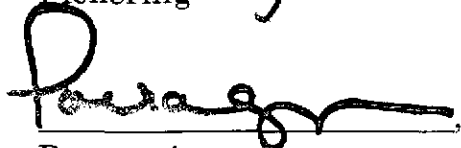
, J.


Pickering

, J.


Hardesty

, J.


Parraguirre

, J.

STIGLICH, J., with whom CHERRY, J., agrees, dissenting:

I respectfully dissent. The requirement that Ross "immediately" commence counseling did not provide her with sufficient notice as to when she was required to start counseling or when counseling had to be completed. Further, Ross's receipt of the Order Approving Amended Conditional Guilty Plea, *In re Discipline of Ross*, Docket No. 70985 (May 18, 2017), and of the notice regarding the deadline for submittal of her first quarterly probation report were delayed. Considering these

¹We grant Ross's April 5, 2018, motion to seal records in part and deny it in part. Because the record does not appear to include any correspondence from Dr. Peter Mansky, we deny Ross's motion to seal that correspondence. We grant Ross's motion to seal her medical test results. Because the entire record is currently filed under seal, we direct the clerk's office to refile the record not under seal, except for pages 447-72, which should be filed separately under seal. Otherwise this matter is public. See SCR 121(12).

delays and the insufficient notice as to when she had to start and complete counseling, I would not revoke her probation.

Stiglich, J.
Stiglich

I concur:

Cherry, J.
Cherry

cc: Chair, Southern Nevada Disciplinary Panel
Lynn Conant
C. Stanley Hunterton, Bar Counsel, State Bar of Nevada
Kimberly K. Farmer, Executive Director, State Bar of Nevada
Perry Thompson, Admissions Office, U.S. Supreme Court