

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: DISCIPLINE OF LAURENCE A.
HECKER.

No. 37738

FILED

JUL 11 2001

JANEITE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER GRANTING PETITION FOR RECIPROCAL DISCIPLINE AND
SUSPENDING ATTORNEY HECKER

This is a petition for reciprocal discipline pursuant to SCR 114. Attorney Laurence H. Hecker is licensed in Nevada and New Jersey. On March 8, 2001, the Supreme Court of New Jersey suspended Hecker for three months and required him to pay the costs of the New Jersey disciplinary proceeding.

The New Jersey discipline was based on violations of New Jersey's counterparts to SCR 153 (diligence), SCR 165 (safekeeping property) and SCR 187 (failure to supervise nonlawyer assistants). The discipline was based on three episodes of misconduct.

First, the record reflects that Hecker failed to maintain proper trust account records and had not reconciled his trust account since 1994. Because of these failures, a \$3,000 overpayment from the trust account was not discovered until approximately three years later, when a disciplinary audit revealed the discrepancy.

Additionally, in 1967, Hecker became responsible for disbursing \$471 to the heirs of an estate that he represented.

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It appears that the heirs could not be located at that time. Rather than make efforts to locate the heirs, or to petition the court for instructions, Hecker simply left the funds in the bank and did nothing for over thirty years. The amount was discovered in the disciplinary audit.

Finally, Hecker rehired a former employee whom Hecker knew had previously stolen from the trust account, and took inadequate safeguards to protect his clients' funds from this employee. Previously, the employee had forged Hecker's signature on a trust account check; Hecker knew this. The employee was then arrested for an unrelated bank robbery and was sentenced to five years in prison. He was released early, in 1996, and informed Hecker that he was a "changed person." Hecker rehired him based on this statement and his knowledge of the employee's drug and alcohol problems, which the employee claimed to have caused his criminal activities. About five months later, the employee forged several checks on the account of an estate Hecker represented. The only safeguard taken by Hecker to prevent this repeated criminal activity was to instruct his secretary to keep the firm's checkbooks locked in her desk drawer. It appears that Hecker forgot that the estate account checkbook was in the client file, where the employee found and took it.

SCR 114(3) provides that, with few exceptions, this court shall impose identical discipline. We conclude that none of the exceptions applies, and so the petition should be granted. Accordingly, Hecker is suspended for three months. As the suspension is for a period of less than six months, Hecker shall not be required to comply with the reinstatement

provisions of SCR 116. Hecker and the state bar shall comply with the provisions of SCR 115.

It is so ORDERED.

Maupin, C.J.
Maupin

Young, J.
Young

Agosti, J.
Agosti

Leavitt, J.
Leavitt

Shearing, J.
Shearing

Rose, J.
Rose

Becker, J.
Becker

cc: Richard J. Pocker, Chair,
Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Allen W. Kimbrough, Executive Director
Perry Thompson, Admissions Office, U.S. Supreme Court
Laurence H. Hecker