IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF REUBEN JORDAN GARDNER, BAR NO. 13337.

No. 86227

FILED

APR 21 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
CHIEF DEPUTY CLERK

ORDER IMPOSING RECIPROCAL DISCIPLINE

This is a petition under SCR 114 for reciprocal discipline of attorney Reuben Jordan Gardner based on his reprimand in Arizona. Gardner self-reported his Arizona discipline as required by SCR 114(1) but has not responded to the petition. *See* SCR 114(3).

Gardner was reprimanded in Arizona on December 5, 2022. Gardner represented to the Arizona district court in a divorce proceeding that the wife was his client when he actually represented both the husband and wife, who had conflicting interests. Gardner did not obtain a conflict waiver. Based on Gardner's representation that the wife was his client, the district court entered a consent decree that was favorable to the husband without questioning the wife. On the wife's later petition, the district court vacated the decree. Based on these facts, Gardner admitted to having violated Arizona rules of professional conduct equivalent to Nevada's RPC 1.5 (fee agreements); RPC 1.7 (conflict of interest: current clients); and RPC 8.4(d) (misconduct prejudicial to the administration of justice). The Arizona court found six mitigating factors (absence of a prior disciplinary record, absence of a dishonest or selfish motive, full and free disclosure in responding to the State Bar, inexperience in the practice of law, character or reputation, and remorse) and one aggravating factor (vulnerability of

victim). The Arizona court further found that Gardner acted knowingly and that there was potential harm to the client.

SCR 114(4) provides that this court shall impose identical reciprocal discipline unless the attorney demonstrates or this court finds that at least one of four factors is present: (1) the procedure in the other jurisdiction denied the attorney due process; (2) there is such an infirmity of proof of the misconduct in the other jurisdiction that this court cannot accept the other court's decision; (3) substantially different discipline is warranted in this state; or (4) the established misconduct does not constitute misconduct under the rules of this state. None of the exceptions apply to this case and so we grant the petition for reciprocal discipline. Accordingly, we hereby publicly reprimand Gardner for his violations of the rules of professional conduct. The State Bar shall comply with SCR 121.1.

It is so ORDERED.

_____, C.J.
Stiglich

_____, J.
Bell

_____, J.
Lee

cc: Chair, Southern Nevada Disciplinary Board
R. Jordan Gardner
Bar Counsel, State Bar of Nevada
Executive Director, State Bar of Nevada
Admissions Office, U.S. Supreme Court