

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
STEVEN L. YARMY, BAR NO. 8733.

No. 90185

FILED

AUG 07 2025

ELIZABETH 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 attorney Steven L. Yarmy be suspended from the practice of law in Nevada for 12 months, to run concurrent to the 36-month suspension imposed by this court in *In re Discipline of Yarmy*, No. 88758, 2024 WL 5000832 (Nev. Dec. 5, 2024) (Order Approving Conditional Guilty Plea Agreement). The recommendation is based on violations of RPC 1.3 (diligence), RPC 1.4 (communication), RPC 1.5(a) (fees), RPC 1.16 (declining or terminating representation), RPC 3.2 (expediting litigation), and RPC 8.1(b) (bar admission and disciplinary matters).

The State Bar has the burden of demonstrating by clear and convincing evidence that Yarmy committed the violations charged. *In re Discipline of Drakulich*, 111 Nev. 1556, 1566, 908 P.2d 709, 715 (1995). Here, however, the facts and charges alleged in the complaint are deemed admitted because Yarmy failed to answer the complaint and a default was entered against him.¹ SCR 105(2). The record therefore establishes that

¹The State Bar served Yarmy with the complaint and notice of intent to default by certified mail at his SCR 79 address and an alternative address

Yarmy violated the above-referenced rules by agreeing to represent two separate clients over a two-year period and then failing to perform the work he was retained to perform; failing to keep the clients informed as to the status of their matters; and failing to respond to the clients' efforts to contact him or recoup their money.

Turning to the appropriate discipline, we review the hearing panel's recommendation de novo. SCR 105(3)(b). In determining the appropriate discipline, we weigh four factors: "the duty violated, the lawyer's mental state, the potential or actual injury caused by the lawyer's misconduct, and the existence of aggravating or mitigating factors." *In re Discipline of Lerner*, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (2008).

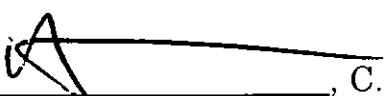
Yarmy knowingly violated duties owed to a client (diligence, communication, fees, and declining or terminating representation) and the profession (expediting litigation and bar admission and disciplinary matters). His conduct caused injury or potential injury to his clients and the profession. The baseline sanction for the misconduct, before consideration of aggravating and mitigating circumstances, is suspension. *See Standards for Imposing Lawyer Sanctions, Compendium of Professional Responsibility Rules and Standards*, Standard 4.42 (Am. Bar Ass'n 2023) ("Suspension is generally appropriate when . . . a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client."); Standard 7.2 (providing that suspension is appropriate "when a lawyer knowingly engages in conduct that is a violation of a duty owed as a professional and causes injury or potential injury to a client, the public, or the legal system"). The panel found and the record supports four

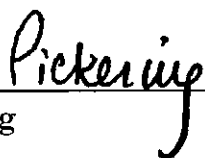
Yarmy had provided to the State Bar. The State Bar also emailed those documents to Yarmy's email address.

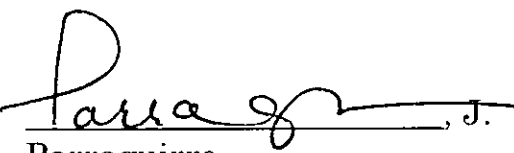
aggravating circumstances (prior disciplinary offenses, pattern of misconduct, multiple offenses, and substantial experience in the practice of law) and no mitigating circumstances.

Considering the factors, we agree with the panel's recommendation for a 12-month suspension. *See In re Discipline of Arabia*, 137 Nev. 568, 571, 495 P.3d 1103, 1109 (2021) (stating the purpose of attorney discipline is "to protect the public, the courts, and the legal profession," not to punish the attorney). Accordingly, we hereby suspend attorney Steven L. Yarmy from the practice of law in Nevada for 12 months, to run concurrent to the 36-month suspension imposed in Docket No. 88758. Yarmy shall pay restitution in the amount of \$2,000 to the client identified in the panel's decision, or to the Clients Security Fund under RPC 1.15(f) should the client receive compensation from the fund before Yarmy's reinstatement. Yarmy shall also pay the actual costs of the disciplinary proceedings, including \$2,500 under SCR 120, within 30 days from the date of this order. The parties shall comply with SCR 115 and SCR 121.1.

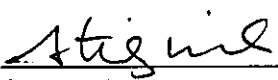
It is so ORDERED.



_____, C.J.
Herndon



_____, J.
Pickering


_____, J.
Parraguirre


_____, J.
Bell


_____, J.
Stiglich


_____, J.
Cadish


_____, J.
Lee

cc: Chair, Southern Nevada Disciplinary Board
Steven L. Yarmy
Bar Counsel, State Bar of Nevada
Executive Director, State Bar of Nevada
Admissions Office, U.S. Supreme Court