

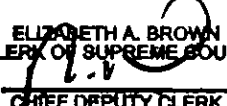
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF  
BYRON BERGERON, BAR NO. 7598.

No. 90433

**FILED**

AUG 15 2025

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

*ORDER APPROVING CONDITIONAL ADMISSION AGREEMENT*

This is an automatic review of a Northern Nevada Disciplinary Board hearing panel's recommendation that this court approve, pursuant to SCR 113, a conditional admission agreement in exchange for a stated form of discipline for attorney Byron Bergeron. Under the agreement, Bergeron admitted to violating RPC 1.3 (diligence) and RPC 1.4 (communication). Bergeron agreed to a six-month suspension, stayed for 18 months subject to certain conditions.

Bergeron admitted to the facts and violations as part of the admission agreement. Bergeron repeatedly failed to attend scheduled hearings in a client's criminal case, failed to respond to the client's efforts to communicate, and failed to advance the representation of the client over the course of two months. As a result, the case was delayed and Bergeron was replaced with a public defender.

The issue for this court is whether the agreed-upon discipline sufficiently protects the public, the courts, and the legal profession. *See In re Discipline of Arabia*, 137 Nev. 568, 571, 495 P.3d 1103, 1109 (2021) (stating the purpose of attorney discipline). 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).


Bergeron admitted to knowingly violating duties owed to the client (diligence and communication). Bergeron further admitted the conduct caused injury to the client because of the delay in resolving the case and the anxiety associated with the lack of communication and appearing in court without counsel. The baseline sanction for such violations, before considering the aggravating or mitigating circumstances, is suspension. *See Standards for Imposing Lawyer Sanctions, Compendium of Professional Responsibility Rules and Standards*, Standard 4.42(a) (Am. Bar Ass'n 2023) (providing that suspension is appropriate when "a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client"). The record supports two aggravating circumstances (substantial experience in the practice of law and recent discipline for similar misconduct) and two mitigating circumstances (lack of selfish or dishonest motive and full disclosure and cooperation with the bar). Considering all four factors, we conclude that the agreed-upon discipline is appropriate.

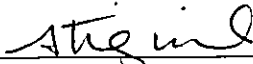
Accordingly, we hereby suspend attorney Byron Bergeron from the practice of law in Nevada for 6 months, with the suspension stayed for 18 months from the date of this order, subject to the conditions outlined in the conditional admission agreement. Those conditions include requirements that Bergeron return \$2,500 to the client within 30 days from the date of this order, engage in no professional misconduct following the date of this order that results in a screening panel imposing discipline or recommending that new disciplinary charges be filed, and pay the costs of the disciplinary proceedings, including \$2,500 under SCR 120, within 90

days from the date of this order. The State Bar shall comply with SCR 121.1.

It is so ORDERED.

  
\_\_\_\_\_, C.J.  
Herndon

  
\_\_\_\_\_, J.  
Bell

  
\_\_\_\_\_, J.  
Stiglich

cc: Chair, Northern Nevada Disciplinary Board  
Bar Counsel, State Bar of Nevada  
Silverman, Kattelman, Springgate, Chtd.  
Executive Director, State Bar of Nevada  
Admissions Office, U.S. Supreme Court