

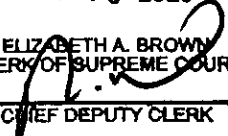
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
DOWON S. KANG, BAR NO. 7042.

No. 90679

FILED

AUG 15 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 this court suspend attorney Dowon S. Kang for two years, with the suspension stayed for two years, subject to certain probationary conditions. The recommendation is based on violations of RPC 1.3 (diligence), RPC 1.4(a) (communication), RPC 1.15(d) (safekeeping of property), RPC 1.15(e) (safekeeping of property), RPC 5.1 (responsibilities of supervising attorneys), and RPC 5.3 (responsibilities regarding nonlawyer assistants).

The State Bar generally has the burden of demonstrating by clear and convincing evidence that an attorney committed the violations charged. *In re Discipline of Drakulich*, 111 Nev. 1556, 1566, 908 P.2d 709, 715 (1995). Here, however, Kang stipulated to (1) the factual allegations contained in the disciplinary complaint, (2) the RPC violations, and (3) committing the violations with a knowing mental state.

The record therefore establishes Kang violated the above-referenced rules while representing two different clients. Kang represented the first client in a personal injury matter. Kang failed to communicate with the client's medical provider to resolve a medical lien despite the

lienholder's repeated inquiries over a six-month period and failed to properly supervise individuals who communicated with the lienholder on Kang's behalf. Kang also failed to hold the settlement funds in trust until the lien was resolved and failed to pay the lien. As to the second client, Kang failed to file a petition to seal criminal records and failed to keep the client reasonably informed about the status of the case. In particular, Kang failed to communicate with the client or respond to the client's multiple attempts to reach Kang to obtain information on the petition's status. This client incurred the expense of retaining new counsel, who ultimately filed the petition.

Turning to the appropriate discipline, we review the hearing panel's recommendation de novo. SCR 105(3)(b). The issue for this court is whether the recommended 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).

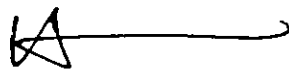
Kang stipulated to knowingly violating duties owed to clients. Kang's misconduct injured those clients. The baseline sanction for such violations, before considering the aggravating or mitigating circumstances, is suspension. *Standards for Imposing Lawyer Sanctions, Compendium of Professional Responsibility Rules and Standards*, Standard 4.12 (Am. Bar Ass'n 2023) (providing that suspension is appropriate when "a lawyer knows or should know that he is dealing improperly with client property

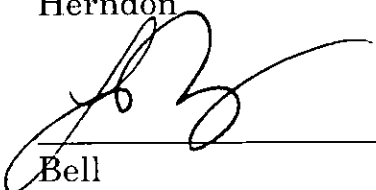
and causes injury or potential injury to a client”); Standard 4.42(a) (providing that suspension is appropriate when “a lawyer knowingly fails to perform services for a client and causes injury or potential injury to a client”). The record supports four aggravating circumstances (prior disciplinary offenses, pattern of misconduct, multiple offenses, and substantial experience in the law) and one mitigating circumstances (cooperative attitude toward the proceeding). Considering all four factors, we conclude that the recommended discipline is appropriate.


Accordingly, we hereby suspend attorney Dowon S. Kang from the practice of law for twenty-four months from the date of this order, with the suspension stayed in favor of a probationary period of twenty-four months. The probationary period will be subject to Kang’s full and good faith compliance with the conditions outlined in the panel’s disciplinary recommendation. Those conditions include the requirements that Kang obtain an attorney mentor approved by the State Bar; that he meet monthly with the attorney mentor regarding general legal practice management; that the mentor timely provide quarterly reports to the State Bar probation monitor, documenting Kang’s progress or lack thereof; that the mentor assist Kang in immediately satisfying or attempting resolution of Optimal Physical Therapy’s lien balance of over \$19,238 for Kang’s former client; and that Kang refund unearned legal fees in the amount of \$1,500 to former client Jennifer Rose. Kang must also complete 12 additional continuing legal education (CLE) hours to include 4 hours in records sealing; 6 hours in claim settlement, liens and trust account management; and 2 hours of law office management. Kang shall also pay the costs of the disciplinary proceedings, including \$2,500 under SCR 120, within 30 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: Dowon S. Kang
Chair, Southern Nevada Disciplinary Board
Bar Counsel, State Bar of Nevada
Executive Director, State Bar of Nevada
Admissions Office, U.S. Supreme Court