

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: DISCIPLINE OF RONALD A.
COLQUITT.

No. 38706

FILED

APR 03 2002

JY *J. Smith*
JANET M. BLOOM
CLERK OF SUPREME COURT
DEPUTY CLERK

ORDER APPROVING CONDITIONAL GUILTY PLEA
IN EXCHANGE FOR STATED FORM OF DISCIPLINE

This is an automatic appeal from a Southern Nevada Disciplinary Board hearing panel's recommendation that we approve a conditional guilty plea in exchange for a stated form of discipline, as amended. The plea agreement, as amended, provides: (1) that Colquitt be suspended from the practice of law for nine months from the effective date of his temporary suspension;¹ (2) that he complete an inventory of active files existing at the time of his temporary suspension, with proof that each file has either been returned to the client or surrendered to substitute counsel, and submit the inventory to bar counsel within 45 days; (3) that he prepare an accounting of the funds remaining in his trust account identifying to whom the funds belong and proposing a distribution in accordance with his records, and submit the accounting to bar counsel within 30 days, and that he disburse the funds as directed by bar counsel; (4) that he pay all sanctions imposed by this court in Docket No. 32173, Guerrero v. State, within ten days; (5) that he may not seek reinstatement until he completes a course in trust account record keeping and provides

¹Colquitt was temporarily suspended pending the resolution of formal disciplinary proceedings by our May 10, 2001 order which, under SCR 115, took effect on May 25, 2001.

proof of completion to bar counsel; (6) that he pay the costs of the disciplinary proceeding; and (7) that the same hearing panel conduct the hearing on any reinstatement petition by Colquitt.

The plea agreement resolved a disciplinary complaint based on over seven grievances received against Colquitt. The conditional guilty plea agreement reflects that Colquitt admits to committing several rule violations, including violations of SCR 79 (address of member), SCR 151 (competence), SCR 153 (diligence), SCR 154 (communication), SCR 165 (safekeeping property), SCR 166 (declining or terminating representation), SCR 173 (fairness to opposing party and counsel), SCR 200(2) (failure to respond to disciplinary authority), and SCR 203(4) (misconduct prejudicial to the administration of justice).

The record reflects that when Colquitt began practicing with a colleague, he and his partner went into debt. The firm dissolved, and Colquitt experienced cash flow problems. He had to vacate his offices and did not provide a valid address to the bar or to his clients. He boxed up his files, but he did not do so in an organized fashion, and so could not locate client files or firm records. The record also reveals that Colquitt did not misappropriate client funds.

Clients began to complain to the state bar, and this court referred Colquitt to the state bar based on his dilatory conduct in an appeal docketed as No. 32173. Colquitt failed to respond to the state bar's inquiries, and so the state bar filed a petition seeking to temporarily suspend him from the practice of law. We granted the petition on May 10, 2001.

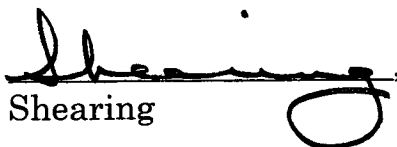
Colquitt and bar counsel reached a plea agreement, which was approved by the panel with minor modifications to which Colquitt agreed. Having reviewed the record, we conclude that the agreement, as modified, should be approved. Colquitt's conduct was serious, and resulted in harm


to his clients, and so a more lengthy suspension would not be excessive. But the record also contains evidence of several mitigating factors, including cooperation with bar counsel and lack of any prior discipline. In addition, the agreement's conditions are appropriate and are tailored to remedy any remaining effects of Colquitt's misconduct, as well as to ensure that if he is reinstated, he will not repeat his misconduct.

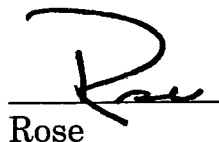
Accordingly, the plea agreement, as modified, is approved in full. Colquitt is suspended for nine months from the date of his temporary suspension, and shall satisfy the requirements set forth in the panel's recommendation. Also, any reinstatement is subject to the conditions in the agreement. To the extent not already completed for the temporary suspension, Colquitt and the state bar shall comply with the notice provisions of SCR 115.

It is so ORDERED.²

_____, J.
Young

_____, J.
Shearing

_____, J.
Agosti

_____, J.
Rose

_____, J.
Becker

²The Honorable A. William Maupin, Chief Justice, and the Honorable Myron Leavitt, Justice, voluntarily recused themselves from participation in the decision of this matter.

This constitutes our final order in this matter. Any new proceedings concerning Colquitt shall be filed under a new docket number.

cc: Richard J. Pocker, Chair,
Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Allen W. Kimbrough, Executive Director
Perry Thompson, Admissions Office,
Supreme Court of the United States
Andrew M. Leavitt