

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE: DISCIPLINE OF ROBERT J.
HANDFUSS.

No. 38827

FILED

JAN 09 2002

JANETTE M. BLOOM
CLERK OF THE SUPREME COURT
BY *J. Richards*
CHIEF DEPUTY CLERK

ORDER GRANTING PETITION FOR RECIPROCAL DISCIPLINE

This is a petition for reciprocal discipline pursuant to SCR 114. Attorney Robert J. Handfuss is licensed in Nevada and New Jersey. On October 5, 2001, the Supreme Court of New Jersey suspended Handfuss for three months, required him to submit to an audit by the New Jersey Office of Attorney Ethics, and required him to pay the costs of the New Jersey disciplinary proceeding. Handfuss is currently on administrative suspension in Nevada for failure to comply with continuing legal education requirements. On December 7, 2001, we entered an order directing the clerk of this court to serve Handfuss with a copy of the petition, and instructed Handfuss to file a response, if any, within ten days. No response has been filed.

The New Jersey discipline was based on violations of New Jersey's counterparts to SCR 153 (diligence), SCR 154 (communication), SCR 165 (safekeeping property), SCR 200(2) (failure to respond to disciplinary authority) and SCR 203(3) (misconduct involving dishonesty,

fraud, deceit or misrepresentation). The discipline was based on Handfuss' representation of two clients in a real estate transaction.

The transaction closed in August 1999, but over three months later, Handfuss had still not recorded the deed. He also failed to keep his clients informed of the status of the matter, and failed to promptly provide them with a complete package of the closing documents. Handfuss failed to timely pay the home warranty insurance premium, which resulted in the clients' claims being denied. While the premium was eventually paid, the clients were forced to compromise their claims with the insurance company. Handfuss also failed to pay the real estate tax and sewer fees, which resulted in penalties and interest being assessed against the clients. When questioned about some of these matters, Handfuss lied to the clients and falsely stated that the deed had been recorded, and that the warranty insurance premium had been paid. Handfuss later failed to provide the file to the clients, and failed to provide an accounting for the escrow. Finally, when contacted by the New Jersey bar counsel, Handfuss failed to respond in any way, resulting in a default being entered against him.

SCR 114(3) provides that, with few exceptions, this court shall impose identical discipline. We conclude that none of the exceptions applies, and so the petition should be granted. Accordingly, Handfuss is suspended for three months. As the suspension is for a period of less than six months, Handfuss shall not be required to comply with the

reinstatement provisions of SCR 116.¹ Handfuss and the state bar shall comply with the notice provisions of SCR 115.

It is so ORDERED.²

Maupin, C.J.
Maupin

Young, J.
Young

Shearing, J.
Shearing

Agosti, J.
Agosti

Rose, J.
Rose

Leavitt, J.
Leavitt

Becker, J.
Becker

cc: Rob W. Bare, Bar Counsel
Allen W. Kimbrough, Executive Director
Perry Thompson, Admissions Office,
Supreme Court of the United States
Robert J. Handfuss

¹Handfuss' administrative suspension shall continue until he complies with SCR 213 (reinstatement following involuntary transfer to inactive status for failure to meet CLE requirements).

²This order constitutes our final disposition of this matter. Any additional proceedings concerning Handfuss shall be filed under a new docket number.