

Presentation Conducted By: Abby M. Halle
Date of Board: _____

Applicant's/Candidate's Name: _____

File #: 67B-HQ- _____

DOB: _____

POB: (if foreign-born, provide naturalization information): _____

Original Recommendation/Date of Adjudicative Summary: Discontinue/06/30/2009

Summary of Case: (include issues, mitigation, etc.)

Applicant has been employed as a lawyer since February 2006. In May 2008 (1 year 5 months ago), the applicant disclosed that he assisted in negotiating the price of a marijuana purchase between two friends. The applicant stated that he "acted as a 'representative' of the buyer of the marijuana to the seller." The applicant stated that "he was involved in the decision to travel to the house to buy the drugs, and the negotiation of the purchase price." OGC was contacted in regards to this issue, and stated that the applicant is a lawyer and was acting as a lawyer when he engaged in the behavior, and therefore recommended that he be discontinued. Additionally, per OGC, "as a lawyer, he has been admitted to the state bar and therefore is a sworn officer of the court, with all the legal and ethical obligations his state bar imposes on him. Whether he bought/used the drugs himself is irrelevant. He was a party to the sale of drugs and he allowed himself to be a party/witness to a criminal act which shows poor judgement and disregard for this legal/ethical obligations as a lawyer." Additionally, the applicant disclosed that from 2006-2008, alcohol had a negative impact on the applicant's work performance, due to the applicant arriving to work hung over from drinking too much. This would make the applicant unable to work as many hours in a day as usual and the applicant would become irritable. The applicant also disclosed that he would occasionally need to take a morning or a whole day off because of this. The applicant stated that "he believes that he was drinking to escape the pressure and demands of his career."

Current Recommendation: Discontinue

Basis for conclusion:

The applicant partook in a criminal activity, while under oath as a lawyer to uphold his legal/ethical obligations. OGC was contacted in regards to this issue and recommended discontinuance. Additionally, due to the pressure and demands of the applicant's employment as a lawyer, the applicant turned to alcohol, which negatively impacted his work performance. The issues above can not be mitigated, due to the fact that both happened in the recent past.

Board's Decision: _____

Unit Representative

Date

Program Manager

Date