

Oregon  State Bar

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**2019** **Disciplinary  
Counsel's Office**  
Annual Report

December 2020

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## **I. INTRODUCTION**

This is the Annual Report of the Oregon State Bar Disciplinary Counsel's Office for 2019. The report provides an overview of Oregon's lawyer discipline system, an analysis of the caseload within the system, along with the dispositions in 2019, and a discussion of significant developments over the last year.

## **II. STATE PROFESSIONAL RESPONSIBILITY BOARD (SPRB)**

The principal responsibility of Disciplinary Counsel's Office is to serve as counsel to the State Professional Responsibility Board (SPRB), the body to which the investigative and prosecutorial functions within the discipline system are delegated by statute. The SPRB seeks to enforce the disciplinary rules in the Rules of Professional Conduct (the RPCs), while operating within the procedural framework of the Bar Rules of Procedure (the BRs). The SPRB is a ten-member board of unpaid volunteers, consisting of one lawyer each from Board of Governors (BOG) Regions 1 through 4, 6, and 7, two lawyers from Region 5, and two public members.

The SPRB met seven times in 2019 and considered approximately 213 case-specific agenda items during the year. This does not include any policy matters also considered by the board.

The Bar was fortunate to have the following individuals on the SPRB in 2019:

Carolyn Alexander (Portland) – Chairperson  
Joel Benton (Medford)  
David Carlson (Salem)  
Todd Grover (Bend)  
Kelly Lemarr (Hillsboro)  
Mary Moffitt (Portland) – Public Member  
Zena Polly (Lake Oswego) – Public Member  
Amanda Walkup (Eugene)  
Richard Weill (Portland)  
Michael Wu (Clackamas)

The terms of Carolyn Alexander and Richard Weill expired at the end of 2019. The new appointments for 2020 are Harry Auerbach (Portland) and Joshua Ross (Portland). Amanda Walkup is the SPRB Chairperson for 2020.

## **III. SYSTEM OVERVIEW**

### **A. Complaints Received**

The Bar's Client Assistance Office (CAO) handles the intake of all oral and written inquiries and complaints about lawyer conduct. Only when the CAO finds that there is sufficient evidence to support a reasonable belief that misconduct may have occurred is a matter referred to Disciplinary Counsel's Office for investigation. See BR 2.5.

The table below reflects the number of files opened by Disciplinary Counsel in recent years, including the 327 files opened in 2019.

<b>Files Opened by Disciplinary Counsel</b>					
<b>Month</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
January	19	30	17	34	13
February	28	38	49	25	20
March	22	30	20	33	24
April	17	26	22	32	44
May	24	30	51	39	36
June	31	39	20	37	20
July	27	42	31	42	25
August	29	28	27	14	25
September	21	25	15	19	41
October	39	39	37	36	39
November	25	27	40	24	31
December	20	28	28	14	9
<b>TOTAL</b>	<b>302</b>	<b>382</b>	<b>357</b>	<b>349</b>	<b>327</b>

Of the 327 files opened in 2019, 233 were referrals from the Client Assistance Office and 57 were trust account overdraft notices from financial institutions that came directly to Disciplinary Counsel's Office. Disciplinary Counsel opened another 37 matters on its own initiative.

For 2019, statistical information regarding complainant type and complaint subject matter is found in Appendix A to this report. Similar information for 2018 is found in Appendix B for comparison purposes.

Every complaint Disciplinary Counsel's Office received in 2019, was acknowledged in writing by staff and analyzed and investigated to varying degrees depending on the nature of the allegations. As warranted, staff corresponded with the complainant and the responding attorney, and obtained relevant information from other sources, to develop a "record" upon which a decision on merit could be made.

If, after investigation, staff determined that probable cause did not exist to believe that misconduct had occurred, the matter was dismissed by Disciplinary Counsel. BR 2.6(b). Complainants have the right under the Rules of Procedure to contest or appeal a dismissal by Disciplinary Counsel staff. In those cases, the matters are submitted to the SPRB for review. The SPRB considered 44 such appeals in 2019.

When Disciplinary Counsel determined from an investigation that there may have been probable cause of misconduct by a lawyer, the matter was referred to the SPRB for review and action. Each matter was presented to the board by means of a grievance summary (factual review, ethics analysis and

recommendation) prepared by staff. Each file also was made available to the SPRB. In 2019, the SPRB reviewed 127 of these probable cause investigations. The following section describes that process of review in more detail.

## **B. SPRB**

The SPRB acts as a grand jury in the disciplinary process, determining in each matter referred to it by Disciplinary Counsel whether probable cause of an ethics violation exists. Options available to the SPRB include dismissal if there is no probable cause of misconduct; referral of a matter back to Disciplinary Counsel for additional investigation; issuing a letter of admonition if a violation has occurred but is not of a serious nature; or authorizing a formal disciplinary proceeding in which allegations of professional misconduct are litigated. A lawyer who is offered a letter of admonition may reject the letter, in which case the Rules of Procedure require the matter to proceed to a formal disciplinary proceeding. Rejections are rare.

Beginning in 2018, as an alternative to seeking authority from the SPRB to offer an attorney an admonition or to file a formal complaint, Disciplinary Counsel's Office had the option of offering an attorney to divert a grievance on the condition that the attorney enter into a diversion agreement through which the attorney agrees to participate in a remedial program. There are criteria for eligibility set forth in BR 2.10(b) related to the type of misconduct, the perceived causes of the misconduct, and the likelihood that a remedial program will prevent a recurrence. Prior to 2018, the SPRB approved all requests for lawyers to enter into diversion agreements. In 2019, five lawyers entered into such agreements with the Bar.

A lawyer who is notified that a formal disciplinary proceeding will be instituted against him, her, or they, may request that the SPRB reconsider that decision. Such a request must be supported by new evidence not previously available that would have clearly affected the board's decision, or legal authority not previously known to the SPRB which establishes that the decision to prosecute is incorrect.

In 2019, the SPRB made probable cause decisions on 127 matters investigated by Disciplinary Counsel staff. Action taken by the SPRB in recent years and in 2019 is summarized in the following table:

<b>Actions taken by the SPRB</b>					
<b>Year</b>	<b>Pros.</b>	<b>Admon. Offered</b>	<b>Admon. Accepted</b>	<b>Dismissed</b>	<b>Diversion</b>
2015	83	39	39	34	7
2016	114	26	26	20	12
2017	75	16	16	26	9
2018	133	35	35	34	N/A
2019	58	34	34	16	N/A

Fifty-eight (58) cases were authorized for prosecution, not necessarily the number of lawyers being prosecuted. One lawyer may be the subject of numerous complaints that are consolidated into one disciplinary proceeding.

### **C. Formal Proceedings**

#### **(1) Prosecution Function**

After the SPRB authorizes formal proceedings in a given matter, attorneys in Disciplinary Counsel's Office draft and serve a formal complaint, and engage in appropriate discovery prior to trial.

Discovery methods in disciplinary proceedings are similar to those in civil litigation. Requests for admission, requests for production, and depositions are common. Disputes over discovery are resolved by the Disciplinary Board Adjudicator, Mr. Mark Turner.

Pre-hearing conferences to narrow the issues and to explore settlement are available at the request of either party. Upon request, the Adjudicator appoints a member of the Disciplinary Board to serve as the presiding member and conduct the conference.

#### **(2) Adjudicative Function**

The Adjudicator and two other members of the Disciplinary Board, appointed by the Supreme Court, sit in panels of three (two lawyers, one non-lawyer). The regional chairperson appoints the two other members to serve with the Adjudicator. The Adjudicator rules on all pretrial matters and is responsible for bringing each case to hearing within a specific time frame established by the rules.

After hearing, the panel is required to render its decision within 28 days (subject to time extensions), make findings of fact, conclusions of law, and arrive at a disposition. Panels rely on the ABA *Standards for Imposing Lawyer Sanctions* and Oregon case law in determining appropriate sanctions when misconduct has been found.

Thirty-two (32) disciplinary cases were tried in 2019. Some were single-day hearings; others were multi-day hearings extending over several weeks; still others went by default and did not require a full evidentiary hearing at all.

### **D. Dispositions Short of Trial**

Many of the disciplinary proceedings authorized by the SPRB are resolved short of trial with resignations or stipulations. Form B resignation (resignation "under fire") does not require an admission of ethics violations by a respondent but, because charges are either under investigation or are pending, is treated like a disbarment such that the lawyer is not eligible for reinstatement in the future. Four (4) lawyers submitted Form B resignations in 2019 that the court



accepted,<sup>1</sup> thereby eliminating the need for further prosecution in those cases. While a resignation ends an investigation or formal proceeding, it is often obtained only after a substantial amount of investigation, discovery, and trial preparation.

A significant number of cases are resolved by stipulations for discipline in which there is no dispute over material facts and both the Bar and the respondent lawyer agree on the violations committed and appropriate sanction. Stipulations must be approved by the SPRB or its chairperson on behalf of the Bar. Once that approval is obtained, judicial approval is required from the Disciplinary Board Adjudicator in cases where sanctions do not exceed a 6-month suspension, or from the Supreme Court for cases involving greater sanctions. Judicial approval is not always given, in which case the parties must negotiate further or proceed to trial.

### **E. Appellate Review**

The Supreme Court does not automatically review discipline cases in Oregon. Trial panel decisions, even those imposing disbarment, are final unless either the Bar or the respondent lawyer seeks Supreme Court review. Appellate review by the court is mandatory if requested by a party.

When there is an appeal, lawyers in Disciplinary Counsel's Office prepare the record for submission to the court, draft and file the Bar's briefs and present oral argument before the court. The SPRB decides for the Bar whether to seek Supreme Court review.

In 2019, the Supreme Court rendered one (1) discipline opinion in a contested case. The court also approved three (3) stipulations for discipline, suspended one (1) lawyer on an interim basis while disciplinary proceedings were pending, and transferred one (1) lawyer to involuntary inactive status after determining that he was disabled from practicing law.

Regarding the disciplinary system overall, 70 disciplinary proceedings were concluded in 2019: one (1) by a Supreme Court decision; 12 by a final trial panel decision; 52 by stipulation; four (4) by Form B resignation; and one (1) by transfer of the respondent to involuntary inactive status.<sup>2</sup>

### **F. Contested Admissions/Contested Reinstatements**

Disciplinary Counsel's Office also represents the Board of Bar Examiners (BBX) in briefing and arguing before the Supreme Court those cases in which the BBX has made an adverse admissions recommendation regarding an applicant. The actual investigation and hearing in these cases are handled by the BBX under

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1 One additional lawyer tendered a Form B resignation late in 2019 that the court accepted in 2020.

2 The transfer of a lawyer to involuntary inactive status is not a final disposition as the respondent has the opportunity to subsequently petition the court to be reinstated to active status. However, upon the effective date of the transfer, all disciplinary matters are stayed as to that respondent until the court reinstates the lawyer to active status.

a procedure different from that applicable to lawyer discipline cases. In 2019, there were no final contested admissions matters.

For reinstatements, Disciplinary Counsel’s Office is responsible for processing and investigating all applications. Recommendations are then made to the Bar’s Chief Executive Officer. Many reinstatements are approved without any further level of review.

For reinstatement applicants who have had significant, prior disciplinary problems or have been away from active membership status for more than five years, Disciplinary Counsel initially makes a recommendation to the Bar’s Chief Executive Officer regarding reinstatement. If the Chief Executive Officer cannot favorably recommend the applicant for reinstatement, the Chief Executive Officer refers the application to the Board of Governors. After review, the Board of Governors makes a recommendation to the Supreme Court. In cases when the board recommends against reinstatement of an applicant, the Supreme Court may refer the matter to the Disciplinary Board for a character and fitness hearing before a three-member panel much like a lawyer discipline matter. Disciplinary Counsel’s Office has the same responsibilities for prosecuting these contested cases as with disciplinary matters and handles the appeal of these cases, which is automatic, before the Supreme Court. In 2019, there were no contested reinstatement matters.

#### **IV. DISPOSITIONS**

Attached as Appendix C is a list of disciplinary dispositions from 2019. The following table summarizes dispositions in recent years:

<b>SANCTION TYPE</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Disbarment	2	5	3	4	4
Form B Resignation	3	12	8	7	4
Suspension	18	13	22	16	22
Suspension stayed/probation	12	12	4	18	14
Reprimand	14	14	11	16	24
Involuntary inactive Transfer	1	2	2	2	1
<b>TOTAL Lawyer Sanctions</b>	<b>50</b>	<b>58</b>	<b>51</b>	<b>63</b>	<b>68</b>
Dismissals after Adjudication <sup>3</sup>	1	0	1	1	2
Dismissed as moot	0	0	0	0	0
Diversion	7	11	11	13	5
Admonitions	39	27	21	37	34

<sup>3</sup> One of these dismissals was a determination by a trial panel not to impose reciprocal discipline pursuant to BR 3.5.

In conjunction with a stayed suspension or as a condition of admission or reinstatement, it is common for a period of probation to be imposed upon a lawyer. Disciplinary Counsel's Office was monitoring 32 lawyers on probation at the end of 2019, along with seven (7) lawyers in diversion. Most probations and diversions require some periodic reporting by the lawyer as well as active monitoring by a probation supervisor, typically another lawyer in the probationer's community.

The types of conduct for which a disciplinary sanction was imposed in 2019, or a Form B resignation was submitted, varied widely. The following table identifies the misconduct most often implicated in those proceedings that were concluded by decision, stipulation, order, or resignation in 2019:

<b>Type of misconduct</b>	<b>% of cases in which type of misconduct was present</b>
Inadequate client communication	37%
Trust account violation	34%
Failure to return property or funds	31%
Neglect of legal matter	23%
Dishonesty or misrepresentation	22%
Failure to respond to OSB	20%
Excessive or illegal fees	18%
Incompetence	17%
Unauthorized practice	14%
Conflicts of Interest	11%
Conduct prejudicial to justice	11%
Criminal conduct	9%
Disclosing confidential information	5%
Improper communication	3%
Advertising	3%
Other	2%

## **V. SUMMARY OF CASELOAD**

A summary of the pending caseload in Disciplinary Counsel's Office at the end of 2019 follows:

New complaints pending .....	218
Pending formal proceedings .....	40*
Probation/diversion matters .....	39
Contested admission/contested reinstatement matters .....	0
<b>TOTAL .....</b>	<b>297</b>

\*Reflects no. of lawyers; no. of complaints is greater.

In addition to disciplinary matters, Disciplinary Counsel's Office processed and investigated 327 reinstatement applications in 2019; processed approximately 974 membership status changes (inactive, retired, and active pro bono transfers and voluntary resignations); and issued 1,235 certificates of good standing.

## **VI. STAFFING/FUNDING**

In 2019, Disciplinary Counsel's Office employed 14 staff members, along with occasional temporary help. In addition to Disciplinary Counsel, there were six staff lawyer positions. Support staff included one investigator, one office administrator/manager, one full-time regulatory services coordinator, one part-time regulatory services coordinator, three legal assistants, and one paralegal. The staff members for 2019 include:

### **Disciplinary Counsel**

Dawn M. Evans<sup>4</sup>

#### **Assistants Disciplinary Counsel**

Amber Bevacqua-Lynott  
Angela W. Bennett  
Susan R. Cournoyer  
Courtney C. Dippel  
Stacy Owen  
Theodore Reuter

#### **Support Staff**

Lynn Bey  
Carrie Daugherty  
Emily Dougherty  
Karen Duncan  
R. Lynn Haynes  
Sergio Hernandez  
Brandi Norris

Disciplinary Counsel's Office is funded out of the Bar's general fund. Revenue is limited (roughly \$131,500 for 2019) and comes from cost bill collections, reinstatement fees, fees for certificates of good standing, arbitration registrations, and *pro hac vice* admissions.

Expenses for 2019 were \$1,753,000 with an additional \$446,000 assessed as a support services (overhead) charge. Of the actual program expenses, 92.6% consisted of salaries and benefits. An additional 3.7% of the expense budget went to out-of-pocket expenses for court reporters, witness fees, investigative expenses and related items. Approximately 3.7% of the expense budget was spent on general and administrative expenses such as copying charges, postage, telephone and staff travel expense.

## **VII. OTHER DEVELOPMENTS**

### **A. Ethics School**

Lawyers who have been reprimanded or suspended are required to attend a one day course of study presented by the Bar on topics of legal ethics, professional responsibility, and law office management. Two such programs were offered in 2019, one in May and one in November. Presenters included

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<sup>4</sup> Ms. Evans retired in September 2019.

staff from the Client Assistance Office, Disciplinary Counsel's Office, and the Professional Liability Fund.

## **B. Trust Account Overdraft Notification Program**

The Oregon State Bar has a Trust Account Overdraft Notification Program, pursuant to ORS 9.132 and RPC 1.152. Under the program, lawyers are required to maintain their trust accounts in financial institutions that have agreed to notify the Bar of any overdraft on such accounts.

In 2019, the Bar received notice of 57 trust account overdrafts. For each overdraft, Disciplinary Counsel staff requested a written explanation and supporting documentation from the lawyer, and made follow-up inquiries as necessary. Many overdrafts were the result of bank or isolated lawyer error and, once confirmed as such, were dismissed by staff. If circumstances causing an overdraft suggested an ethics violation, the matter was referred to the SPRB. A minor violation leading to an overdraft typically results in a letter of admonition issued to the lawyer. More serious or on-going violations result in formal disciplinary action. A summary of the disposition of trust account overdrafts received in 2019 follows:

<b>2019 Trust Account Overdrafts</b>	
Dismissed by staff	26
Dismissed by SPRB	6
Closed by admonition letter	5
Closed by diversion	1
Formal charges authorized	4
Closed by Form B resignation	0
Pending (as of 12/31/2019)	15
<b>Total Received</b>	<b>57</b>

## **C. Pro Hac Vice Admission and Arbitration Registration**

Uniform Trial Court Rule 3.170 provides that all applications by out-of-state lawyers for admission in a single case in Oregon (*pro hac vice* admission) must first be filed with the Oregon State Bar, along with a fee of \$500. Disciplinary Counsel's Office is responsible for reviewing each application and supporting documents (good standing certificate, evidence of professional liability coverage, etc.) for compliance with the UTCR. The filing fees collected, after a nominal administrative fee is deducted, are used to help fund legal service programs in Oregon.

In 2019, the Bar received and processed 588 *pro hac vice* applications, collecting \$294,000 for legal services.

In addition, RPC 5.5(e) requires outofstate lawyers who intend to participate in an Oregon arbitration to pay a fee and file a certificate with the Bar similar to that required for *pro hac vice* admission. Disciplinary Counsel's Office

administers this process, as well. In 2019, the Bar received and processed 40 of these applications and collected \$8,000 in fees.

#### **D. Continuing Legal Education Programs**

Throughout 2019, Disciplinary Counsel staff participated in numerous CLE programs dealing with ethics and professional responsibility issues. Staff spoke to law school classes, local bar associations, Oregon State Bar section meetings, specialty bar organizations and general CLE audiences.

### **VIII. CONCLUSION**

In 2019, the Oregon State Bar remained committed to maintaining a system of lawyer regulation that fairly but effectively enforces the disciplinary rules governing Oregon lawyers. Many dedicated individuals, both volunteers and staff, contributed significantly toward that goal throughout the year.

Respectfully submitted,

Courtney C. Dippel  
Disciplinary Counsel

## APPENDICES

## APPENDIX A - 2019

<b>COMPLAINANT TYPE</b>	<b>NUMBER</b>	<b>PERCENTAGE</b>
Respondent (self-reported)	11	3.36%
Client	123	37.62%
Judge	9	2.75%
Opposing Counsel	29	8.87%
Opposing Party	36	11.01%
Third Party	36	11.01%
Unknown	0	0%
OSB	83	25.38%
<b>TOTAL</b>	<b>327</b>	<b>100.0%</b>
<b>COMPLAINT SUBJECT MATTER</b>	<b>NUMBER</b>	<b>PERCENTAGE</b>
Adoption	0	0%
Advertisement	0	0%
Arbitration	0	0%
Bankruptcy	7	2.14%
Business	10	3.06%
Civil dispute (general)	13	3.98%
Conservatorship	4	1.22%
Criminal	55	16.82%
Domestic Relations	64	19.57%
Estate Planning	3	.092%
Guardianship	5	1.53%
Immigration	2	0.61%
Juvenile	0	0%
Labor Law	3	0.92%
Litigation (general)	13	3.97%
Land Use	0	0%
Other	34	10.40%
Paternity	0	0%
Personal injury	16	4.89%
Probate	16	4.89%
Real Estate	2	0.61%
Social Security	5	1.53%
Tenant/landlord	12	3.67%
Tax	1	0.31%
Trust Account Overdraft	57	17.43%
Workers Comp.	3	0.92%
Unknown	2	0.61%
<b>TOTAL</b>	<b>327</b>	<b>100.0%</b>



## APPENDIX B - 2018

<b>COMPLAINANT TYPE</b>	<b>NUMBER</b>	<b>PERCENTAGE</b>
Respondent (self-reported)	12	3.44%
Client	127	36.39%
Judge	8	2.29%
Opposing Counsel	36	10.31%
Opposing Party	46	13.18%
Third Party	33	9.46%
Unknown	1	0.29%
OSB	86	24.64%
<b>TOTAL</b>	<b>349</b>	<b>100.0%</b>
<b>COMPLAINT SUBJECT MATTER</b>	<b>NUMBER</b>	
Adoption	2	0.57%
Advertisement	2	0.57%
Arbitration	0	0.00%
Bankruptcy	0	0.00%
Business	3	0.86%
Civil dispute (general)	35	10.03%
Conservatorship	0	0.00%
Criminal	44	12.61%
Domestic Relations	61	17.48%
Estate Planning	10	2.86%
Guardianship	4	1.15%
Immigration	3	0.86%
Juvenile	4	1.15%
Labor Law	5	1.43%
Litigation (general)	10	2.86%
Land Use	0	0.00%
Other	50	14.33%
Paternity	0	0.00%
Personal injury	22	6.30%
Probate	15	4.30%
Real Estate	7	2.00%
Social Security	0	0.00%
Tenant/landlord	9	2.58%
Tax	0	0.00%
Trust Account Overdraft	61	17.48%
Workers Comp.	1	0.29%
Unknown	1	0.29%
<b>TOTAL</b>	<b>349</b>	<b>100.0%</b>

**OSB DISPOSITION LIST  
2019**

Case No.	Case Name/Cite	Disposition	CC/Stip	SCT/ DB	Date of Action	Effective Date	RPCs ORS	Bulletin Summary
1	18-181 Samuel A. RAMIREZ 33 DB Rptr	Reprimand	Stip	DB	1/11/2019	1/11/2019	1.5(c)(3)	Feb/Mar 2019
2	17-14 17-16 17-33 17-34 17-35 17-104 Dana C. HEINZELMAN 33 DB Rptr	Disbarment	CC	DB	12/18/2018	1/18/2019	1.1, 1.3, 1.4(a), 1.4(b), 1.5(a), 1.6(a), 1.15-1(d), 1.16(d), 5.5(a), 8.1(a)(1), 8.1(a)(2), 8.4(a)(3), ORS 9.160(1)	April 2019
3	18-166 Kit DONNELLY 33 DB Rptr	90-day suspension, formal reinstatement	Stip	DB	1/30/2019	1/30/2019	1.4(a), 1.4(b), 1.16(a)(2)	Feb/Mar 2019
4	18-187 18-188 18-189 18-190 Marianne G. DUGAN 33 DB Rptr	30-day suspension, all stayed, 1-year probation	Stip	DB	1/30/2019	1/30/2019	1.15-1(a), 1.15-1(b), 1.15-1(c)	Feb/Mar 2019
5	16-136 Walter LEDESMA 33 DB Rptr	3-month suspension, formal reinstatement	CC	DB	1/7/2019	2/7/2019	1.4(a), 1.15-1(a), 1.15-1(c)	April 2019
6	18-37 Tony F. DE ALICANTE 33 DB Rptr	Reprimand	Stip	DB	2/22/2019	2/22/2019	1.8(h)(1)	April 2019
7	19-01 Krista L. WHITE 33 DB Rptr	30-day suspension, all stayed, 1-year probation	RD	DB	2/22/2019	2/22/2019	1.15-1(a), 1.15-1(d)	May 2019
8	18-38 Will DENNIS 33 DB Rptr	Reprimand	Stip	DB	3/1/2019	3/1/2019	1.6(a)	May 2019
9	19-03 M. Christian BOTTOMS 33 DB Rptr	30-day suspension	Stip	DB	3/1/2019	3/10/2019	1.5(c)(3)	May 2019
10	19-07 Kevin W. LUBY 33 DB Rptr	Reprimand	Stip	DB	3/1/2019	3/1/2019	4.2	May 2019
11	19-13 Christian V. DAY	BR 7.1 suspension	--	DB	3/8/2019	3/8/2019		NA
12	17-38 17-106 Jennifer BARRETT 33 DB Rptr	5-month suspension	Stip	DB	3/11/2019	3/21/2019	8.1(a)(2)	May 2019
13	18-180 Kathleen MERCER 33 DB Rptr	30-day suspension	Stip	DB	3/13/2019	4/11/2019	3.3(a)(1)	June 2019
14	18-193 Sandra P. NARANJO 33 DB Rptr	Reprimand	Stip	DB	3/13/2019	3/13/2019	1.5(c)(3), 1.15-1(a), 1.15-1(c), 5.3(a)	May 2019
15	18-94 Paul F. SHERMAN 33 DB Rptr	Reprimand	Stip	DB	3/18/2019	3/18/2019	8.4(a)(4)	June 2019
16	17-123 18-155 Rankin JOHNSON 33 DB Rptr	6-month suspension	Stip	DB	3/29/2019	5/13/2019	1.4(a), 1.15-1(a), 1.15-1(b), 8.1(a)(2)	June 2019

OSB DISPOSITION LIST  
2019

Case No.	Case Name/Cite	Disposition	CC/Stip	Sct/ DB	Date of Action	Effective Date	RPCs ORS	Bulletin Summary
17	19-17 Timothy MPM PIZZO	BR 7.1 suspension	--	DB	3/29/2019	3/29/2019		NA
18	18-131 Robert D. OLSEN 33 DB Rptr	30-day suspension	Stip	DB	4/3/2019	4/13/2019	1.1, 1.5(c)(3), 1.15-1(c), 1.16(d)	May 2019
19	17-56 Ioan Terri MYZAK 33 DB Rptr	Dismissed	CC	DB	3/6/2019	4/6/2019	NG – 8.4(a)(3)	June 2019
20	19-04 Michael J. KAVANAUGH 33 DB Rptr	Reprimand	Stip	DB	4/12/2019	4/12/2019	1.1, 8.4(a)(4)	Aug/Sept 2019
21	18-39 18-70 18-71 19-15 Justin M. KEPPINGER SC S066566	Form B resignation	--	Sct	4/18/2019	4/18/2019	1.3, 1.4(a), 1.4(b), 1.16(a)(2), 8.1(a)(1), 8.4(a)(3)	June 2019
22	18-162 18-163 Scott P. BOWMAN SC S066603 33 DB Rptr	1-year suspension	Stip	Sct	4/18/2019	4/18/2019	8.1(c)(3), 8.1(c)(4), 8.4(a)(2)	June 2019
23	19-25 Sara Lynn ALLEN GLASCOCK	BR 7.1 suspension	--	DB	4/19/2019	4/19/2019		NA
24	18-191 Theresa M. WADE 33 DB Rptr	60-day suspension, all but 30 days stayed, 1-year probation	Stip	DB	5/1/2019	5/1/2019	1.7(a)(1), 1.7(a)(2), 8.4(a)(4)	June 2019
25	18-46 18-50 18-51 18-52 Sean Michael HANDLERY 33 DB Rptr	Disbarment	CC	DB	4/1/2019	5/2/2019	1.1, 1.3, 3.3(a)(1), 3.4(b), 8.1(a)(2), 8.4(a)(2)	June 2019
26	18-196 Elizabeth FARRELL 33 DB Rptr	Reprimand	Stip	DB	5/17/2019	5/17/2019	1.16(d)	July 2019
27	19-44 Alexander GREGORY 33 DB Rptr	Reprimand	Stip	DB	5/17/2019	5/17/2019	1.4(b), 5.3(a), 8.4(a)(4)	Aug/Sept 2019
28	19-58 Thomas Daniel O'NEIL	BR 7.1 suspension	--	DB	5/20/2019	5/20/2019		NA
29	18-117 Gregory Mark ABEL 33 DB Rptr	Reprimand	Stip	DB	5/24/2019	5/24/2019	1.7(a), 1.9(a)	July 2019
30	19-48 Kirkland T. ROBERTS 33 DB Rptr	Reprimand	Stip	DB	6/5/2019	6/5/2019	1.16(d), 4.2	Oct 2019
31	19-30 Timothy MPM PIZZO	BR 7.1 suspension	--	DB	6/10/2019	6/10/2019		NA
32	19-43 William John EDGAR 33 DB Rptr	Reprimand	Stip	DB	6/10/2019	6/10/2019	1.7(a)(2)	Aug/Sept 2019

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Case No.	Case Name/Cite	Disposition	CC/Stip	Sct/ DB	Date of Action	Effective Date	RPCs ORS	Bulletin Summary
33	Elizabeth D. LOGSDON 33 DB Rptr	1-year suspension	CC	DB	5/15/2019	6/15/2019	1.3, 1.4(a), 1.4(b), 1.15-1(a), 1.15-1(c), 1.15-1(d), 1.16(a)(2), 8.1(a)(2), 8.4(a)(3)	Aug/Sept 2019
34	Penny L. DAVIS SC S066736	Form B resignation	--	Sct	6/20/2019	6/20/2019	1.3, 1.4(a), 1.4(b), 1.16(a)(1), 8.4(a)(4)	Aug/Sept 2019
35	Ross A. DAY 33 DB Rptr	30-day suspension, all stayed, 1-year probation	Stip	DB	6/21/2019	7/1/2019	1.1, 1.7(a), 1.16(a)(1), 8.4(a)(4)	Aug/Sept 2019
36	M. Ian REINER 33 DB Rptr	30-day suspension	Stip	DB	6/21/2019	7/1/2019	8.4(a)(2)	Aug/Sept 2019
37	Russell A. SANDOR 33 DB Rptr	30-day suspension, all stayed, 1-year probation	Stip	DB	6/28/2019	7/8/2019	1.5(a)	Aug/Sept 2019
38	Gerald NOBLE 33 DB Rptr	120-day suspension	Stip	DB	7/3/2019	7/3/2019	1.4(a), 1.4(b), 1.5(a), 1.6(a), 1.8(a), 5.5(a), 8.4(a)(3)	Aug/Sept 2019
39	Nicholas A. HEYDENRYCH 33 DB Rptr	7-month suspension	CC	DB	6/26/2019	7/27/2019	1.2(a), 1.3, 1.4(a), 1.4(b), 1.5(a), 1.5(c)(3), 1.15-1(a), 1.15-1(c), 1.15-1(d), 1.16(d)	Oct 2019
40	David Winston GILES 33 DB Rptr	120-day suspension with formal reinstatement	Stip	DB	7/29/2019	7/29/2019	1.4(a), 8.1(a)(2)	Oct 2019
41	Abigail MOLINA 33 DB Rptr	6-month suspension, all stayed, 3-year probation	Stip	DB	7/29/2019	8/1/2019	1.15-1(a), 1.15-1(c)	Oct 2019
42	Michael SCHOCKET 33 DB Rptr	6-month suspension with formal reinstatement	Stip	DB	7/29/2019	10/14/2019	1.3, 1.4(a), 1.4(b), 1.5(a), 1.15-1(a), 1.15-1(c), 1.15-1(d), 1.16(d), 8.1(a)(1), 8.4(a)(3)	Dec 2019
43	Carol J. FREDRICK	BR 7.1 suspension	--	DB	7/29/2019	7/29/2019		NA
44	Karen MW KNAUERHASE 33 DB Rptr	Reprimand	Stip	DB	7/29/2019	7/29/2019	1.15-1(d)	Oct 2019
45	Sandra J. OSTER SC S066852	Form B resignation	--	Sct	8/1/2019	8/1/2019	1.5(a), 1.8(a), 3.3(a)(1)	Oct 2019
46	Ronald L. SPERRY 33 DB Rptr	Reprimand	Stip	DB	8/7/2019	8/7/2019	1.2(a), 1.4(a), 1.4(b)	Oct 2019
47	Elizabeth D. LOGSDON 33 DB Rptr	Disbarment	CC	DB	7/10/2019	8/10/2019	1.1, 1.3, 1.4(a), 1.4(b), 1.15-1(a), 1.15-1(c), 1.15-1(d), 1.16(a)(1), 1.16(a)(2), 1.16(a)(3), 8.1(a)(2), 8.4(a)(3)	Oct 2019
48	Channah ROSE 33 DB Rptr	Reprimand	Stip	DB	8/14/2019	8/14/2019	5.5(a), ORS 9.160(1)	Oct 2019
49	Lynn Earl SMITH 33 DB Rptr	90-day suspension, all stayed, 2-year probation	Stip	DB	8/19/2019	9/1/2019	1.1, 5.5(a)	Oct 2019

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Case No.	Case Name/Cite	Disposition	CC/Stip	Sct/DB	Date of Action	Effective Date	RPCs ORS	Bulletin Summary
50	19-89 David J. KELLER	BR 7.1 suspension	--	DB	8/21/2019	8/21/2019		NA
51	19-42 Thomas K. DOYLE 33 DB Rptr	Reprimand	Stip	DB	8/23/2019	8/23/2019	1.4(a), 1.4(b)	Nov 2019
52	19-78 Mary J. GRIMES 33 DB Rptr	30-day suspension	Stip	DB	8/23/2019	9/1/2019	1.15-1(d), 1.16(a)(3)	Nov 2019
53	19-90 Leslie MARTINEZ	BR 7.1 suspension	--	DB	8/26/2019	8/26/2019		NA
54	19-13 Christian V. DAY 33 DB Rptr	60-day suspension	Stip	DB	8/28/2019	9/7/2019	1.16(a), 8.1(a)(2)	Nov 2019
55	17-85 Robert T. MAUTZ 33 DB Rptr	30-day suspension	CC	DB	7/29/2019	8/29/2019	1.9(a), 3.3(a)(1), 3.3(a)(4) NG – 8.4(a)(1)	Nov 2019
56	19-65 Billie TARASCIO 33 DB Rptr	BR 3.5 denied Reciprocal Discipline (Arizona)	RD	DB	7/31/2019	8/31/2019	NG – 4.4(a)	Dec 2019
57	19-68 Samuel A. RAMIREZ 33 DB Rptr	60-day suspension	Stip	DB	9/11/2019	9/11/2019	1.3, 1.4(a), 1.4(b), 1.16(d)	Nov 2019
58	17-45 18-66 18-67 18-68 18-161 Ronald M. JOHNSON SC S066917 33 DB Rptr	18-month suspension, all stayed, 3-year probation	Stip	Sct	9/12/2019	10/1/2019	1.3, 1.4(a), 1.5(a), 1.8(a), 1.15-1(d), 1.16(d), 8.1(a)(2)	Nov 2019
59	19-91 J. Mathew DEVORE	BR 7.1 suspension	--	DB	9/16//2019	9/16/2019		NA

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Case No.	Case Name/Cite	Disposition	CC/Stip	Sct/ DB	Date of Action	Effective Date	RPCs ORS	Bulletin Summary
60	17-79 17-86 17-87 17-88 18-09 18-31 18-32 18-33 18-64 18-75 18-76 18-77 18-86 18-87 18-88 18-129 18-170	Andrew LONG	BR 3.1 suspension	--	DB	9/19/2019		NA
61	19-95	Suzanne K. TAYLOR 33 DB Rptr	Reprimand	Stip	DB	9/23/2019	1.4(a), 1.4(b), 1.16(d)	Nov 2019
62	19-98	Mark KRAMER 33 DB Rptr	Reprimand	Stip	DB	9/27/2019	1.6(a)	Dec 2019
63	18-69	Mareesa M. ELMQUIST 33 DB Rptr	Reprimand	Stip	DB	9/27/2019	5.5(a), 7.1, ORS 9.160(1)	Dec 2019
64	19-29	Anthony Alexander BEHRENS SC S066670	BR 3.2 transfer to inactive status	--	Sct	10/3/2019		NA
65	19-80	Douglas V. OSBORNE 33 DB Rptr	Reprimand	Stip	DB	10/4/2019	1.15-1(d)	Dec 2019
66	18-201	James M. MALDONADO 33 DB Rptr	90-day suspension, 60 days stayed, 3-year probation	Stip	DB	11/4/2019	5.5(a), 5.5(b)(2), ORS 9.160(1)	Jan 2020
67	18-137 18-174	Ronalee M. FACHNER 33 DB Rptr	Disbarment	CC	DB	11/5/2019	1.1, 1.3, 1.4(a), 1.5(a), 1.15-1(d), 1.16(d), 5.5(a), 8.1(a)(2), ORS 9.160(1)	Jan 2020
68	19-05 19-06 19-90	Leslie MARTINEZ SC S066992	Form B resignation	--	Sct	11/14/2019	1.3, 1.4(a), 1.4(b), 1.15-1(a), 1.15-1(c), 1.16(d), 8.4(a)(2), 8.4(a)(3)	Jan 2020
69	19-72	Kelly GRANT 33 DB Rptr	Reprimand	No Contest Plea	DB	11/18/2019	5.5(a)	Feb/Mar 2020
70	19-17	Timothy MPM PIZZO 33 DB Rptr	2-year suspension	CC	DB	11/23/2019	8.1(a)(2), 8.4(a)(2)	Jan 2020

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Case No.	Case Name/Cite	Disposition	CC/Stip	SCT/ DB	Date of Action	Effective Date	RPCs ORS	Bulletin Summary
71	18-198 Angela Therese LEE-MANDLIN 33 DB Rptr	30-day suspension, all stayed, 2-year probation	Stip	DB	12/4/2019	12/14/2019	1.1, 1.16(a)(1)	May 2020
72	19-35 19-36 Nicole E. SCHAEFER 33 DB Rptr	90-day suspension, all stayed, 3-year probation	Stip	DB	12/4/2019	12/9/2019	1.1, 7.1, 8.1(a)(1), 8.4(a)(4)	May 2020
73	16-167 Eric J. NISLEY SC S066100 33 DB Rptr	60-day suspension	CC	Sct	12/12/2019	2/10/2020	8.1(a)(1)	June 2020
74	17-79 17-86 17-87 17-88 18-09 18-31 18-32 18-33 18-64 18-75 18-76 18-77 18-86 18-87 18-88 18-129 18-170 Andrew LONG SC S067087	BR 3.1 suspension (DB decision upheld)	--	Sct	12/12/2019	12/12/2019		NA
75	19-81 Craig WYMETALEK	BR 3.1 suspension	Stip	DB	12/18/2019	12/23/2019		NA
76	19-76 Carol J. FREDRICK 33 DB Rptr	Reprimand	Stip	DB	12/18/2019	12/18/2019	1.4(a)	May 2020
77	19-39 Roger F. ANDERSON 33 DB Rptr	Reprimand	Stip	DB	12/23/2019	12/23/2019	1.1, 3.3(d), 8.4(a)(4)	Feb/Mar 2020
78	19-105 Keith Y. BOYD 33 DB Rptr	6-month suspension, all stayed, 3-year probation	Stip	DB	12/23/2019	12/24/2019	1.15-1(a), 1.15-1(c), 5.3(a)	Feb/Mar 2020
79	18-194 Theodore C. CORAN 33 DB Rptr	30-day suspension	Stip	DB	12/23/2019	1/3/2020	1.4(b), 1.5(a), 1.7(a)(2), 1.8(a)	Feb/Mar 2020
80	19-26 Mark John HOLADY 33 DB Rptr	60-day suspension	Stip	DB	12/23/2019	12/23/2019	1.3, 1.15-1(d)	April 2020
81	19-02 Shannon M. KMETIC 33 DB Rptr	Reprimand	Stip	DB	12/23/2019	12/23/2019	1.5(a), 1.16(d)	Feb/Mar 2020

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Case No.	Case Name/Cite	Disposition	CC/Stip	SCT/ DB	Date of Action	Effective Date	RPCs ORS	Bulletin Summary
82	17-12 17-83 17-108 18-97 Erika HUEBSCHMAN SC S067110 33 DB Rptr	12-month suspension, 6 months stayed, 3-year probation	Stip	Sct	12/26/2019	1/5/2020	1.3, 1.4(a), 1.4(b), 1.5(a), 1.15-1(a), 1.15-1(c), 1.15-1(d), 1.16(a)(1), 1.16(d), 5.5(a), 8.1(a)(1), 8.1(a)(2), 8.4(a)(3), 8.4(a)(4), ORS 9.160(1)	April 2020
83	18-128 19-61 19-62 19-63 Clayton J. LANCE SC S067038 33 DB Rptr	28-month suspension, 26 months stayed, 3-year probation	Stip	Sct	12/26/2019	12/26/2019	1.3, 1.4(a), 1.5(a), 1.5(c)(3), 1.15-1(a), 1.15-1(c), 1.15-1(d), 1.16(d), 8.1(a)(2)	May 2020



# APPENDIX D





