

APPELLATE DIVISION OF THE SUPREME COURT OF THE STATE OF NEW YORK, FOURTH JUDICIAL DEPARTMENT

Matter of Jacqueline B. Jones

2018 NY Slip Op 777 (N.Y. Ct. App. 2018) · Decided February 2, 2018

SUMMARY

The Appellate Division, Fourth Department suspended Jacqueline B. Jones from practicing law for one year, effective October 25, 2017, or until the termination of her federal probation, whichever was shorter. The suspension followed her guilty plea to falsely reporting a bomb threat, and the court considered the seriousness of the misconduct, her mitigation, mental health treatment, lack of prior discipline, and remorse.

CASE DETAILS

COURT	Appellate Division of the Supreme Court of the State of New York, Fourth Judicial Department
WRITING FOR THE COURT	Per Curiam; Centra, J.P.; Peradotto, J.; Lindley, J.; Curran, J.; Winslow, J.
JURISDICTION	New York
DECIDED	February 2, 2018
DISPOSITION	other
PROCEDURAL POSTURE	Attorney-discipline proceeding following respondent's federal misdemeanor conviction and the court's interim suspension and show-cause order.
PRECEDENTIAL VALUE	Published New York Appellate Division opinion
PARTIES	Grievance Committee of the Fifth Judicial District v. Jacqueline B. Jones

TOPICS

appellate procedure probation criminal procedure

PRACTICE AREAS

Attorney discipline Legal ethics

QUESTIONS PRESENTED

1. What disciplinary sanction should be imposed after respondent's conviction of a serious crime?
2. What conditions should govern respondent's potential reinstatement after suspension?

HOLDINGS

1. Respondent should be suspended from the practice of law for one year, effective October 25, 2017, or until termination of her federal probation, whichever period is shorter.
2. Any application for reinstatement must comply with 22 NYCRR 1240.16 and must additionally include a report from respondent's mental-health treatment provider confirming continued treatment and compliance with treatment recommendations.

FACTUAL BACKGROUND

Respondent, an attorney admitted in New York, pleaded guilty in federal court to falsely reporting the presence of a bomb at the James M. Hanley Federal Building in Syracuse. The federal court imposed one year of probation, a \$20,000 fine, 250 hours of community service, and mental-health treatment. In mitigation, respondent cited extreme work and family stress, an otherwise unblemished disciplinary history, ongoing mental-health treatment, and sincere remorse.

PROCEDURAL HISTORY

Respondent pleaded guilty in the United States District Court for the Northern District of New York to falsely reporting an incident in the third degree. The Appellate Division determined that the conviction constituted a serious crime, suspended respondent on an interim basis effective October 25, 2017, and directed her to show cause why a final disciplinary order should not be entered. After respondent submitted mitigation and appeared before the court, the court imposed a final one-year suspension, subject to an earlier termination upon the end of federal probation.

DISPOSITION

other