

SUPREME COURT OF WISCONSIN

In the Matter of Disciplinary Proceedings Against Matthew O. Olaiya

2001 WI 116, 247 Wis. 2d 1001, 635 N.W.2d 283 · No. No. 00-3352-D · Decided October 30, 2001

SUMMARY

The Supreme Court of Wisconsin imposed a six-month suspension on Attorney Matthew O. Olaiya for professional misconduct arising from his abandonment of his law practice and mishandling of four immigration-related client matters. The court adopted the referee's findings and ordered restitution totaling \$4,200, reimbursement of \$1,000 in travel expenses, and payment of proceeding costs as conditions related to reinstatement.

CASE DETAILS

COURT	Supreme Court of Wisconsin
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Wisconsin
DECIDED	October 30, 2001
DOCKET	No. 00-3352-D
DISPOSITION	other
PROCEDURAL POSTURE	The Wisconsin Supreme Court reviewed a referee's recommendation in an attorney-discipline proceeding and determined the appropriate discipline for established professional misconduct.
STANDARD OF REVIEW	The Supreme Court independently reviewed the referee's recommendation and determined the appropriate discipline.
PRECEDENTIAL VALUE	Published Wisconsin Supreme Court opinion; precedential

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Olaiya committed the professional-misconduct violations found by the referee.

2. Whether a six-month suspension of Olaiya's Wisconsin law license was the appropriate discipline.
3. Whether restitution and payment of proceeding costs should be imposed as recommended by the referee.
4. Whether payment of restitution should be made a condition of reinstatement.

HOLDINGS

1. The court adopted the referee's findings of fact and conclusions of law that Olaiya violated Wisconsin's professional-conduct rules by abandoning his practice, failing to protect clients' interests, failing to return unearned fees, acting without reasonable diligence and promptness, failing to keep clients informed, failing to cooperate with the disciplinary investigation, failing to provide full and fair information, making a misrepresentation to the Board, and revealing client-related information without consent.
2. A six-month suspension of Olaiya's license to practice law in Wisconsin was warranted by the seriousness of his professional misconduct and failure to cooperate with the disciplinary investigation.
3. Olaiya was ordered to refund \$700 to the first client, refund \$2,500 to the fourth client, reimburse the fourth client \$1,000 in travel expenses, and pay the costs of the proceeding.
4. Payment of the ordered restitution was made a condition of reinstatement, and the license would remain suspended if the refunds and reimbursement were not made within 60 days.

KEY QUOTATIONS

"We determine that the seriousness of Attorney Olaiya's professional misconduct warrants a six-month suspension of his license to practice law in Wisconsin and we adopt the referee's recommendations." (247 Wis. 2d 1002)

"We adopt the referee's findings of fact and conclusions of law and determine that to be the appropriate discipline for Attorney Olaiya's professional misconduct." (247 Wis. 2d 1011)

FACTUAL BACKGROUND

Matthew O. Olaiya left Wisconsin for Nigeria without notifying his clients, closed his law office, and did not return to Wisconsin. In four client matters involving immigration services, he failed to complete or monitor required filings, failed to communicate with clients, failed to return unearned fees, and failed to appear at an asylum hearing. He also failed to cooperate with the disciplinary investigation, comply with discovery, or appear for his deposition and final scheduling conference.

PROCEDURAL HISTORY

The Office of Lawyer Regulation filed a disciplinary complaint alleging fourteen violations arising from four client matters and Olaiya's failure to cooperate with the investigation. After Olaiya failed to comply with discovery and a referee's order, the referee struck his answer, adopted findings and conclusions consistent with the complaint, and recommended a six-month suspension, restitution, and costs. The Supreme Court adopted the referee's findings, conclusions, and recommendations.

DISPOSITION

other

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