

SUPREME COURT OF NEVADA

In re Discipline of Jude E. Nazareth

In re Nazareth · No. 85325 · Decided November 17, 2022

SUMMARY

The Supreme Court of Nevada reviewed a disciplinary hearing panel's recommendation concerning attorney Jude E. Nazareth. The court imposed a six-month suspension, ordered payment of \$1,500 in disciplinary costs, and required compliance with applicable State Bar rules.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Justice Parraguirre; Justice Stiglich; Senior Justice Mark Gibbons
JURISDICTION	Nevada
DECIDED	November 17, 2022
DOCKET	85325
DISPOSITION	other
PROCEDURAL POSTURE	Automatic review of a Southern Nevada Disciplinary Board hearing panel's recommendation that attorney Jude E. Nazareth be suspended from practicing law for six months.
STANDARD OF REVIEW	Automatic review of attorney discipline; the court independently determines whether the discipline sufficiently protects the public, the courts, and the legal profession.
PRECEDENTIAL VALUE	Published Nevada Supreme Court disciplinary order; precedential value not otherwise specified in the text.
PARTIES	Jude E. Nazareth v. State Bar of Nevada

TOPICS

- appellate procedure
- remedies

PRACTICE AREAS

- legal ethics
- attorney discipline
- professional responsibility

QUESTIONS PRESENTED

1. Whether the discipline agreed upon and accepted at the disciplinary hearing sufficiently protects the public, the courts, and the legal profession.
2. What sanction is appropriate in light of Nazareth's admitted violations, the duty violated, his mental state, the injury caused, and the aggravating and mitigating circumstances.

HOLDINGS

1. Because Nazareth admitted the facts and violations alleged in the disciplinary complaint and accepted the hearing panel's proposed change to the conditional guilty plea agreement, the court treated the facts and violations as admitted.
2. A six-month suspension from the practice of law was appropriate when an attorney knowingly violated duties to clients and the profession, caused actual or potential client injury, and had the stated aggravating and mitigating circumstances.

KEY QUOTATIONS

"In determining the appropriate discipline, we weigh four factors: "the duty violated, the lawyer's mental state, the potential or actual injury caused by the lawyer's misconduct, and the existence of aggravating or mitigating factors."" (at 2)

FACTUAL BACKGROUND

Nazareth admitted that he violated multiple Nevada Rules of Professional Conduct by failing to perform work for two clients, including appearing at a court hearing and filing documents. He failed to keep the clients apprised of their cases and did not respond to client communications or State Bar inquiries. One client was fully refunded, but two clients suffered actual or potential injury; aggravating factors included substantial experience and multiple offenses, while mitigating factors included no prior discipline, no dishonest or selfish motive, personal problems, and remorse.

PROCEDURAL HISTORY

Nazareth and the State Bar entered a conditional guilty plea agreement proposing a stayed six-month suspension. The hearing panel rejected the agreed discipline and recommended an actual six-month suspension, which Nazareth accepted at the hearing. The Nevada Supreme Court conducted automatic review and imposed the six-month suspension, along with disciplinary costs.

DISPOSITION

other

CASES CITED

- State Bar of Nev. v. Claiborne, 104 Nev. 115, 213, 756 P.2d 464, 527-28 (1988)
- In re Discipline of Lerner, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (2008)

