

SUPREME COURT OF KENTUCKY

Kentucky Bar Association v. Suzanne Prieur Land

2014-SC-000300-KB · No. 2014-SC-000300-KB · Decided February 18, 2015

SUMMARY

The Kentucky Supreme Court imposed reciprocal discipline on Suzanne P. Land after the Ohio Supreme Court indefinitely suspended her for misconduct involving three estates, fraudulent documents, and related federal criminal conduct. The court suspended Land from practicing law in Kentucky until her Ohio suspension is lifted and imposed associated notice and cost obligations.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Chief Justice Minton; Justice Abramson; Justice Cunningham; Justice Keller; Justice Noble; Justice Venters
JURISDICTION	Kentucky
DECIDED	February 18, 2015
DOCKET	2014-SC-000300-KB
DISPOSITION	other
PROCEDURAL POSTURE	The Kentucky Bar Association petitioned the Supreme Court of Kentucky for reciprocal discipline after the Ohio Supreme Court indefinitely suspended Land from practicing law. Land did not respond to the Kentucky show-cause order.
STANDARD OF REVIEW	Under SCR 3.435(4), reciprocal discipline is imposed unless the attorney proves by substantial evidence a lack of jurisdiction or fraud in the foreign disciplinary proceeding, or that the misconduct warrants substantially different discipline in Kentucky.
PRECEDENTIAL VALUE	Published Kentucky Supreme Court disciplinary opinion; precedential under Kentucky law.
PARTIES	Kentucky Bar Association v. Suzanne Prieur Land

TOPICS

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QUESTIONS PRESENTED

1. Whether Kentucky should impose reciprocal discipline after the Ohio Supreme Court indefinitely suspended Land from the practice of law.
2. Whether Land established by substantial evidence either a lack of jurisdiction or fraud in the Ohio disciplinary proceeding, or that her misconduct warranted substantially different discipline in Kentucky.

HOLDINGS

1. Kentucky must impose reciprocal discipline because Land did not show a lack of jurisdiction or fraud in the Ohio proceeding and her misconduct did not warrant substantially different discipline in Kentucky.
2. Land is suspended from practicing law in Kentucky until her suspension by the Ohio Supreme Court is lifted, after which she may seek reinstatement subject to Kentucky's reinstatement procedures and the specified probation, treatment, and professional-assistance conditions.

KEY QUOTATIONS

“Land is indefinitely suspended from the practice of law in Kentucky. If Land seeks and receives reinstatement of her license in Ohio, she may seek reinstatement of her license in the Commonwealth.” (at 5)

FACTUAL BACKGROUND

Land represented clients in three Ohio estate matters. In the Hassman matter, she fabricated an email to defend against a malpractice claim concerning advice about paying an approximately \$800,000 mortgage. In the Lienhart and Schloss matters, she created fraudulent amendments to deficient estate-planning agreements, forged signatures, submitted false affidavits and documents to the IRS, and caused substantial additional estate tax liabilities. She later admitted the fraud and was convicted federally for obstructing the administration of the Internal Revenue Code.

PROCEDURAL HISTORY

Land was convicted in federal court of corruptly endeavoring to obstruct and impede the due administration of the Internal Revenue Code and received five years of probation. The Ohio disciplinary authorities found violations of several Ohio professional-conduct rules and imposed an indefinite suspension subject to conditions. After Kentucky automatically suspended Land following notice of her felony conviction, the KBA sought reciprocal discipline under SCR 3.435. Land did not respond, and the Kentucky Supreme Court granted the petition.

DISPOSITION

other

CASES CITED

- Disciplinary Counsel v. Land, 6 N.E.3d 1183 (Ohio 2014)

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