

SUPREME COURT OF WYOMING

Board of Professional Responsibility, Wyoming State Bar v. Mary M. Dunn

262 P.3d 1268 (Wyo. 2011) · No. D-11-0004 · Decided November 2, 2011

SUMMARY

The Supreme Court of Wyoming approved and adopted the Wyoming State Bar Board of Professional Responsibility's report and recommendation concerning Mary M. Dunn. The court publicly censured Dunn for violating Wyoming Rules of Professional Conduct 1.1, 1.3, and 1.4 after failing to preserve a client's claim, and ordered her to pay \$550 in fees and costs. The order and incorporated report were directed to be docketed and published.

CASE DETAILS

COURT	Supreme Court of Wyoming
WRITING FOR THE COURT	Marilyn S. Kite
JURISDICTION	Wyoming
DECIDED	November 2, 2011
DOCKET	D-11-0004
DISPOSITION	approved
PROCEDURAL POSTURE	The Wyoming Supreme Court reviewed the Board of Professional Responsibility's report and recommendation in an attorney-discipline matter and considered the stipulated motion for public censure.
STANDARD OF REVIEW	The court conducted a review of the Board of Professional Responsibility's report and recommendation, the stipulated motion, the respondent's affidavit, and the record.
PRECEDENTIAL VALUE	Published disciplinary order
PARTIES	Board of Professional Responsibility, Wyoming State Bar v. Mary M. Dunn

TOPICS

administrative law

remedies

appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Board of Professional Responsibility's recommendation for public censure and monetary assessments should be approved.
2. Whether Dunn's failure to draft the governmental claims act notice and complaint violated Wyoming Rules of Professional Conduct 1.1, 1.3, and 1.4.

HOLDINGS

1. The court approved, confirmed, and adopted the Board of Professional Responsibility's Report and Recommendation and publicly censured Mary M. Dunn.
2. Dunn was ordered to reimburse the Wyoming State Bar \$50 in costs and pay a \$500 administrative fee, for a total of \$550.

KEY QUOTATIONS

“The Court, after a careful review of the Board of Professional Responsibility's Report and Recommendation, the “Stipulated Motion for Public Censure and to File a Report and Recommendation,” Respondent's Affidavit, and the file, finds that the Report and Recommendation should be approved, confirmed and adopted by the Court, and that Respondent Mary M. Dunn should be publicly censured for her conduct, which is described in the Report and Recommendation.” (262 P.3d at 1269)

“Respondent did not draft a governmental claims act notice on Complainant's behalf, nor did she draft a complaint. Respondent did nothing to preserve Complainant's claim.” (262 P.3d at 1270)

FACTUAL BACKGROUND

Mary M. Dunn agreed to provide limited legal representation concerning a client's injury claim and, among other things, to draft a governmental claims act notice and a complaint. Although the client signed the agreement shortly before the limitations period was expected to expire, Dunn drafted neither document and took no action to preserve the claim. Dunn acknowledged violations of Wyoming Rules of Professional Conduct 1.1, 1.3, and 1.4, expressed remorse, and agreed to public censure.

PROCEDURAL HISTORY

The Board of Professional Responsibility filed its Report and Recommendation with the Wyoming Supreme Court on October 12, 2011. The Board recommended public censure of Mary M. Dunn for violations of Wyoming Rules of Professional Conduct 1.1, 1.3, and 1.4, together with payment of a \$500 administrative fee and \$50 in costs. The Supreme Court approved, confirmed, and adopted the report and recommendation and entered an order of public censure.

DISPOSITION

approved

