

SUPREME COURT OF NEVADA

In the Matter of Discipline of Melissa F. Mack

No. 85326 (Nev. Nov. 22, 2022) · No. No. 85326 · Decided November 22, 2022

SUMMARY

The Supreme Court of Nevada grants reciprocal discipline against Melissa F. Mack, who had been disbarred in California for misconduct involving client representation, misrepresentations, and mishandling client funds. Because no exception to mandatory reciprocal discipline applied, the court disbarred Mack from practicing law in Nevada.

CASE DETAILS

COURT	Supreme Court of Nevada
WRITING FOR THE COURT	Chief Justice Parraguirre; Justice Hardesty; Justice Stiglich; Justice Cadish; Justice Pickering; Justice Herndon
JURISDICTION	Nevada
DECIDED	November 22, 2022
DOCKET	No. 85326
DISPOSITION	other
PROCEDURAL POSTURE	The State Bar of Nevada petitioned for reciprocal discipline under Nevada Supreme Court Rule 114 after California disbarred Mack. Mack did not self-report the California discipline and did not respond to the Nevada reciprocal-discipline petition.
STANDARD OF REVIEW	Under SCR 114(4), Nevada imposes identical reciprocal discipline unless the attorney demonstrates, or the court finds, one of the specified exceptions.
PRECEDENTIAL VALUE	Published opinion
PARTIES	State Bar of Nevada v. Melissa F. Mack

TOPICS

appellate procedure

PRACTICE AREAS

legal ethics attorney discipline reciprocal discipline

QUESTIONS PRESENTED

1. Whether Nevada should impose reciprocal discipline after California disbarred Mack.
2. Whether any of the exceptions to mandatory identical reciprocal discipline under SCR 114(4) applied.

HOLDINGS

1. Nevada must impose identical reciprocal discipline because Mack was disbarred in California and no exception under SCR 114(4) applies.
2. The final California adjudication conclusively established Mack's misconduct for purposes of the Nevada disciplinary proceeding.

KEY QUOTATIONS

“SCR 114(4) mandates the imposition of identical reciprocal discipline unless the attorney demonstrates, or this court finds, that one of four exceptions applies.” (at 2)

“In all other respects a final adjudication in another jurisdiction that an attorney has engaged in misconduct conclusively establishes the misconduct for the purpose of a disciplinary proceeding in this state.” (at 2)

“Accordingly, we grant the petition for reciprocal discipline and hereby disbar Melissa F. Mack from the practice of law in Nevada.” (at 2-3)

FACTUAL BACKGROUND

While representing personal-injury clients, Mack failed to file and serve documents, attend conferences and hearings, negotiate medical liens, and maintain client funds in a trust account. She made false statements to a judge and court clerk, impersonated another attorney, sent correspondence purportedly signed by another attorney, and misrepresented the status of cases and medical liens. California disbarred her after she failed to participate in the disciplinary proceedings, and she did not report that discipline or respond to the Nevada petition.

PROCEDURAL HISTORY

California disciplinary authorities charged Mack with multiple acts of professional misconduct. After Mack failed to participate in the California proceedings, the factual allegations were deemed admitted and the California Supreme Court entered an order disbaring her. The State Bar of Nevada then sought reciprocal discipline, and the Nevada Supreme Court granted the petition and disbarred Mack in Nevada.

DISPOSITION

other