

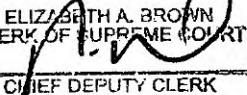
IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
CHRISTINE OWEN, BAR NO. 9141

No. 85852

FILED

FEB 17 2023

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY 
CHIEF DEPUTY CLERK

ORDER APPROVING CONDITIONAL GUILTY PLEA AGREEMENT

This is an automatic review of a Southern Nevada Disciplinary Board hearing panel's recommendation that this court approve, pursuant to SCR 113, a conditional guilty plea agreement in exchange for a stated form of discipline for attorney Christine Owen. Under the agreement, Owen admitted to violating RPC 1.15 (safekeeping property) and SCR 78 (maintenance of trust funds). She agreed to a six-month-and-one-day suspension, stayed for one year subject to certain conditions.

Owen has admitted to the facts and violations as part of her guilty plea agreement. The record therefore establishes that Owen violated the above-listed rules by failing to keep client ledgers and, through poor accounting, failing to properly keep safe approximately \$40,000 of her clients' funds. However, the record also demonstrates that Owen has repaid all of the missing client funds.

The issue for this court is whether the agreed-upon discipline sufficiently protects the public, the courts, and the legal profession. *See In re Discipline of Arabia*, 137 Nev., Adv. Op. 59, 495 P.3d 1103, 1109 (2021) (stating the purpose of attorney discipline). 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.” *In re Discipline of Lerner*, 124 Nev. 1232, 1246, 197 P.3d 1067, 1077 (2008).

Owen admitted to knowingly violating a duty owed to her clients (safekeeping property). Her clients were injured when their funds were not timely provided to them or their lienholders. The baseline sanction for such misconduct, before considering the aggravating or mitigating circumstances, is suspension. Standards for Imposing Lawyer Sanctions, *Compendium of Professional Responsibility Rules and Standards*, Standard 4.12 (Am. Bar Ass’n 2017) (providing that suspension is appropriate “when a lawyer knows or should know that he is dealing improperly with client property and causes injury or potential injury to a client”). The record supports the panel’s findings of one aggravating circumstance (substantial experience in the practice of law) and three mitigating circumstances (absence of prior disciplinary record, timely good faith effort to make restitution, and cooperative attitude towards the disciplinary proceeding). Considering all four factors, we conclude that the agreed-upon discipline is appropriate.

Accordingly, we hereby suspend attorney Christine Owen from the practice of law for six months and one day from the date of this order, stayed for one year subject to the conditions outlined in the conditional guilty plea agreement. Those conditions include the requirement that Owen submit monthly trust account reconciliation reports, review the Nevada State Bar’s Trust Accounting Manual, and engage in no conduct involving client funds that results in the issuance of a Letter of Reprimand

