

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
DARLA RAE ANDERSON, ESQ., BAR
NO. 2283.

No. 53453

FILED

NOV 09 2009

TRACIE L. LINDEMAN
CLERK OF SUPREME COURT
BY *[Signature]*
CHIEF DEPUTY CLERK

ORDER IMPOSING RECIPROCAL DISCIPLINE

This is a petition under SCR 114 to reciprocally discipline attorney Darla Rae Anderson, based on discipline imposed upon her in California. Anderson did not file a response to the petition.

Anderson's underlying disciplinary matter involved two different clients. In the first case, Anderson's misconduct was found to have violated California Rules of Professional Conduct 3-110(A) and 3-700(D)(1), and California Business and Professions Code section 6106. In the second case, Anderson's misconduct was found to have violated California Business and Professions Code sections 6106 and 6068(m), and California Rule of Professional Conduct 3-110(A). Anderson failed to inform bar counsel of the discipline as required by SCR 114(1).

The California Supreme Court ordered Anderson suspended from the practice of law in California for three years and until she provides proof satisfactory to the bar court of her rehabilitation, fitness to practice and present learning and ability in the general law. Execution of the suspension was stayed and Anderson was placed on probation for five years on condition that she be actually suspended for one year. Additional conditions of her probation require her to: comply with the professional

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Bar Number: 2283

conduct rules; report any changes of information within 10 days; meet promptly with the probation deputy and respond truthfully to inquiries regarding compliance; submit written quarterly probation reports; successfully complete ethics school; if still in the Lawyer's Assistance Program, comply with the agreement and report any non-compliance to the probation office, or, if terminated from the program, promptly obtain a mental/physical exam and comply with the treatment plan; comply with all sanctions orders in the first client's case; pass the MPRE; comply with court rules regarding notice to clients, and pay costs of the disciplinary proceedings.

SCR 114(4) provides that this court shall impose identical reciprocal discipline unless the attorney demonstrates, or this court finds, that one of four exceptions applies. None of the exceptions is present in this case.

Accordingly, we grant the petition for reciprocal discipline. Attorney Darla Rae Anderson is hereby suspended from the practice of law in Nevada for three years.¹ Her suspension is stayed and she is placed on probation for five years, subject to the conditions imposed upon her by California, including actual suspension for one year. Anderson is required to provide proof to Nevada bar counsel of compliance with the conditions of probation imposed upon her by California. Failure to do so constitutes a violation of probation and could subject Anderson to further discipline.

¹ This suspension is separate from and in addition to Anderson's suspension ordered by the State Bar for non-payment of 1997 dues. It is also separate from and in addition to her suspension by this court for failure to comply with the rules regarding continuing legal education. In re: Continuing Legal Education, Docket No. 34572 (Order, July 19, 2000).

Anderson and the Nevada State Bar shall comply with SCR 115 and SCR 121.1.

It is so ORDERED.

Hardesty, C.J.
Hardesty

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

Cherry, J.
Cherry

Saitta, J.
Saitta

Gibbons, J.
Gibbons

Pickering, J.
Pickering

cc: Rob W. Bare, Bar Counsel
Kimberly K. Farmer, Executive Director
Darla Rae Anderson
Perry Thompson, Admissions Office, United States Supreme Court