

January 22, 2019



**LETTER OF REPRIMAND**

Joseph Wirth, Esq.  
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RE: Case No. OBC18-0991

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Dear Mr. Wirth:

A Screening Panel of the Southern Nevada Disciplinary Board (the "Panel") convened on January 22, 2019 to consider the above-referenced grievance against you. The Panel concluded that you violated the Rules of Professional Conduct ("RPC") and that you should be reprimanded. This letter constitutes delivery of that reprimand.

On January 9, 2014 Tara Grant ("Grant") retained you to represent her and her son Javon Grant ("Javon") after they were injured in a car accident. Javon was a minor at the time they retained your services.

You settled both Grant and Javon's case. You also filed a Petition for Compromise of Disputed Claim of Minor with the court because Javon was a minor. You filed the Petition on February 19, 2016. The Petition set forth "[t]hat the remaining balance of the settlement proceeds... shall be paid to Petitioner for the establishment of a blocked account for the minor child."

You never sent a proposed order to the court and never placed the settlement proceeds into a blocked account. Due to lack of activity, the court statistically closed the Petition in April 2017.

You became aware in December 2017 that the case was statistically closed and that the settlement proceeds intended for Javon were not placed in a blocked account. You did not inform your client about this issue until April 2018.

Nevada Rule of Professional Conduct 1.3 (Diligence) requires that a lawyer act with reasonable diligence and promptness in representing a client. Your failure to follow up with the Petition for Compromise of Disputed Claim of Minor and failure to place the minor's settlement proceeds in a blocked account falls below the professional standard required of you.

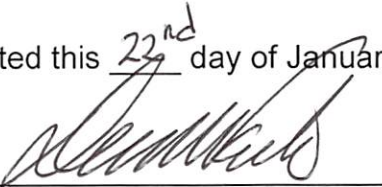
Nevada Rules of Professional Conduct 1.4(a)(3) (Communication) requires that a lawyer keep the client reasonably informed about the status of the matter. Your failure to

keep Grant and Javon reasonably informed about the status of the minor child's matter falls below the professional standard required of you.

Nevada Rules of Professional Conduct 1.15(e) (Safekeeping) requires a lawyer to promptly distribute all portions of the funds that are not in dispute. Your failure to place the funds into a blocked trust account to accrue interest until the child reached the age of majority falls below the professional standard required of you.

Accordingly, you are hereby REPRIMANDED. In addition, within 30 days of this Letter of Reprimand you are required to remit to the State Bar of Nevada the amount of \$1,500 pursuant to Supreme Court Rule 120(3). I trust that this reprimand will serve as a reminder to you of your ethical obligations, and that no such problems will arise in the future.

Dated this 23<sup>rd</sup> day of January, 2019



Dan Waite, Esq.  
Screening Panel Chair  
Southern Nevada Disciplinary Board