CASE ANNOTATIONS

FOR RULES ADOPTED BY THE KANSAS SUPREME COURT

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RULES RELATING TO
SUPREME COURT, COURT OF APPEALS,
AND APPELLATE PRACTICE

GENERAL AND ADMINISTRATIVE

Rule 1.01 PREFATORY RULE

Case Annotations

1. Effective date of Rules. *Security National Bank v. City of Olathe,* 225 Kan. 220, 221, 589 P.2d 589 (1979).

2. In criminal case wherein appellant seeks entitlement to original sentencing hearing transcript on appeal of denial of motion to modify sentence, section (e) of rule cited in holding appellate practice rules apply to both civil and criminal appeals. *State v. Duckett,* 13 Kan. App. 2d 122, 764 P.2d 134 (1988).

3. Appellate practice rules apply to civil and criminal appeals in both Court of Appeals and Supreme Court. *State v. Ji,* 255 Kan. 101, 872 P.2d 748 (1994).

4. The statutes and rules governing appellate procedure in civil cases also control appeals in criminal cases unless otherwise provided. *City of Derby v. Haskins*, 27 Kan. App. 2d 250, 3 P.3d 557 (2000).

Rule 1.03 JUDICIAL ADMINISTRATION

Case Annotations

1. Where district court judge is acting within the same judicial department, Rule 1.03(e), there is no absolute constraint on judge's extraterritorial functioning in authorizing use of a pen register. *State v. Gibson*, 255 Kan. 474, 874 P.2d 1122 (1994).

2. Judicial administrator's duties are specified in Rule 1.03(c); trial court's holding affirmed that Schwartz had no legal duty to train, supervise, or staff any office of the district court; thus no legal duty to appellant. *Schultz v. Schwartz*, 28 Kan. App. 2d 84, 11 P.3d 530 (2000).

Rule 1.05 FORM AND SERVICE OF PAPERS GENERALLY

Case Annotations

1. Applied; appeal not filed within time prescribed by 60-2103; dismissed. *Kittle v. Owen,* 1 Kan. App. 2d 748, 749, 573 P.2d 1115 (1977).

2. Rule applies to petitions and papers required and regulated by other Supreme Court rules, not to those required and regulated by statute such as Workers Compensation Act. *Jones v. Continental Can Co.*, 260 Kan. 547, 920 P.2d 939 (1996).

3. Rule mentioned in discussion of *Jones v. Continental Can Co.*, 260 Kan. 547, 920 P.2d 939 (1996). *McIntyre v. A.L. Abercrombie, Inc.*, 23 Kan. App. 2d 204, 929 P.2d 1386 (1996).

4. Rule does not apply to time lines for appeal in workers compensation cases. *Schmidtlien Electric, Inc. v. Greathouse*, 278 Kan. 810, 104 P.3d 378 (2005).

INITIATION AND DOCKETING OF APPEAL

Rule 2.01 FORM OF NOTICE OF APPEAL, SUPREME COURT

Case Annotations

1. Rule 2.01 and Rule 2.02 requirements for notices of appeal discussed. *State v. Hurla*, 274 Kan. 725, 56 P.3d 252 (2002).

2. Appellants' notice of appeal failed to specify judgment appealed from, thus pursuant to Rule 2.01 and Rule 2.02, the appeal is dismissed. *Gates v. Goodyear*, 37 Kan. App. 2d 623, 155 P.3d 1196 (2007).

3. Differences between Rule 2.01 and 2.02 requirements for notice of appeal discussed. *State v. Allen*, 49 Kan. App. 2d 162, 305 P.3d 702 (2013).

4. Rule 2.01 cited in noting defendant failed to provide a statutory basis for appeal; appellate jurisdiction upheld. *State v. Laurel*, 299 Kan. 668, 325 P.3d 1154 (2014).

Rule 2.02 FORM OF NOTICE OF APPEAL, COURT OF APPEALS

Case Annotations

1. Requirements of notice of appeal discussed. *State v. Boyd*, 268 Kan. 600, 999 P.2d 265 (2000).

2. Defendant is not required to specifically mention the errors he was appealing from; Rule requires substantial compliance. *State v. Ransom*, 268 Kan. 653, 999 P.2d 272 (2000).

3. Rule 2.01 and Rule 2.02 requirements for notices of appeal discussed. *State v. Hurla*, 274 Kan. 725, 56 P.3d 252 (2002).

4. Appellants' notice of appeal failed to specify judgment appealed from, thus pursuant to Rule 2.01 and Rule 2.02, the appeal is dismissed. *Gates v. Goodyear*, 37 Kan. App. 2d 623, 155 P.3d 1196 (2007).

5. Differences between Rule 2.01 and 2.02 requirements for notice of appeal discussed. *State v. Allen*, 49 Kan. App. 2d 162, 305 P.3d 702 (2013).

6. Rules 2.02, 2.04, and 2.041 cited in discussion of procedure for filing appeal in criminal case. *State v. Walker*, 50 Kan. App. 2d 900, 334 P.3d 901 (2014).

Rule 2.03 PREMATURE NOTICE OF APPEAL

Case Annotations

1. Notice of appeal timely filed; former Rule 16 applied. *Security National Bank v. City of Olathe*, 225 Kan. 220, 221, 589 P.2d 589 (1979).

2. If premature notice filed, time for docketing under Rule 2.04 begins to run when judgment entered; purpose of rule discussed. *Carson v. Eberth*, 3 Kan. App. 2d 183, 186-87, 592 P.2d 113 (1979).

3. Premature notice of appeal dormant until time judgment or appealable order entered; certified copy of notice of appeal timely filed under Rule 4.02. *State v. Bohannon*, 3 Kan. App. 2d 448, 451, 596 P.2d 190 (1979).

4. Cited in holding court had jurisdiction under 59-2401(a)(1) even though notice of appeal prematurely filed. *In re Estate of Phillips*, 4 Kan. App. 2d 256, 258, 604 P.2d 747 (1980).

5. Where no fatal jurisdictional defects exist, appeal will be determined on merits. *Cornett v. Roth*, 233 Kan. 936, 939-40, 666 P.2d 1182 (1983).

6. Rule will not save appeal where notice filed from interlocutory decision which later becomes part of final judgment. *Miller v. Safeco Ins. Co. of America*, 11 Kan. App. 2d 91, 94, 712 P.2d 1282 (1986).

7. Journal entry barring bankruptcy trustee from contesting probate of will (59-2224) is not judgment on admission of will itself. *In re Estate of Williams*, 238 Kan. 651, 656, 714 P.2d 948 (1986).

8. Appeal notice filed before journal entry, although premature, is deemed by rule to be effective when journal entry filed. *Denno v. Denno*, 12 Kan. App. 2d 497, 749 P.2d 46 (1988).

9. Where attorney fees issue pending and not finalized as of filing of appeal, party's appeal as to said fees held premature; no jurisdiction; rule cited. *Haney v. Hamilton*, 13 Kan. App. 2d 269, 768 P.2d 832 (1989).

10. Juvenile's appeal of his adjudication as a juvenile offender, filed after the adjudication but before disposition contrary to K.S.A. 38-1681, analogous to Rule 2.03 premature notice of appeal under Chapter 60; notice of appeal effective. *In re M.O.*, 13 Kan. App. 2d 381, 770 P.2d 856 (1989).

11. Premature notice of appeal becomes effective when journal entry is filed. *Uhock v. Sleitweiler*, 13 Kan. App. 2d 621, 778 P.2d 559 (1988).

12. Notice of appeal filed after the filing of the journal entry of judgment but before resolution of K.S.A. 40-256 attorney fees request held not to be premature notice of appeal. *Snodgrass v. State Farm Mut. Auto. Ins. Co.*, 246 Kan. 371, 374, 789 P.2d 211 (1990).

13. Rule construed in holding that a final judgment disposing of all claims and all parties validates a premature notice of appeal, filed after entry of judgment disposing of all claims against one of multiple parties, as to the matters appealed. *Honeycutt v. City of Wichita*, 251 Kan. 451, 836 P.2d 1128 (1992).

14. Rule validates premature notice of appeal filed after a motion to alter or amend judgment is filed but before motion is denied. *Resolution Trust Corp. v. Bopp*, 251 Kan. 539, 836 P.2d 1142 (1992).

15. Premature notice of appeal "ripens" into validity upon the resolution of all the claims against the parties; notice filed pending motion for reconsideration falls within rule. *Hundley v. Pfuetze*, 18 Kan. App. 2d 755, 858 P.2d 1244 (1993).

16. Rule not applicable where notice of appeal is from a finding of guilty; finding of guilty is not a judgment. *State v. Rios*, 19 Kan. App. 2d 350, 869 P.2d 755 (1994).

17. Local court rules shall be effective upon filing with the Supreme Court Clerk; unfiled local rule regarding filing notice of appeal prior to judgment ineffective; fundamental fairness doctrine applied to case involving premature notice of appeal. *State v. McGraw*, 19 Kan. App. 2d 1001, 879 P.2d 1147 (1994).

18. Premature notice of appeal becomes effective when motion to amend the judgment is ruled. *Federal Land Bank of Wichita v. Vann*, 20 Kan. App. 2d 635, 890 P.2d 1242 (1995).

19. Premature notice of appeal becomes effective when entry of judgment filed. *State v. Huff*, 278 Kan. 214, 92 P.3d 604 (2004).

20. Defendants' notice of appeal not effective since their motion and court's ruling were made after notice of appeal was filed. *L.P.P. Mortgage, Ltd. v. Hayse*, 32 Kan. App. 2d 579, 87 P.3d 976 (2004).

21. Court of Appeals has jurisdiction since appellants' premature notice of appeal became effective upon filing of journal entry. *Ramsey v. Lee Builders, Inc.*, 32 Kan. App. 2d 1147, 95 P.3d 1033

(2004).

22. Appellants' premature notice of appeal became valid when the trial court filed its final judgment that finally disposed of all claims in the case. *Newcastle Homes v. Thye*, 44 Kan. App. 2d 774, 241 P.3d 988 (2010).

23. Appellant's notice of appeal timely per Rule 2.03 even though it was filed 8 days before trial court filed order denying his post-trial motion, but after trial court had announced judgment on the order. *Bank of America v. Inda*, 48 Kan. App. 2d 658, 303 P.3d 696 (2013).

24. Premature notice of appeal in criminal case not jurisdictionally barred but rather lies dormant until final judgment; Rule 2.03 similarly allows premature notices of appeal in civil matters. *State v. Hall*, 298 Kan. 978, 319 P.3d 506 (2014).

25. Where appeal filed after district judge announced assessment of attorney fees but before journal entry filed, premature appeal became effective under Rule 2.03(a) at filing of journal entry. *Ohlmeier v. Jones*, 51 Kan. App. 2d 1014, 360 P.3d 447 (2015).

Rule 2.04 DOCKETING AN APPEAL

Case Annotations

1. If premature notice filed under Rule 2.03, time for docketing begins to run when judgment entered. *Carson v. Eberth*, 3 Kan. App. 2d 183, 185-87, 592 P.2d 113 (1979).

2. Mentioned in action contesting will; judgment affirmed. *In re Estate of Giacomini*, 4 Kan. App. 2d 126, 603 P.2d 218 (1979).

3. Court notes indigent status of natural mother in termination of parental rights case, appoints appellate counsel. *In re S.R.H.*, 15 Kan. App. 2d 415, 418, 809 P.2d 1 (1991).

4. No district court jurisdiction to dismiss appeal per Rule 5.051 for failure to timely docket appeal per Rule 2.04 where motion filed with appellate court to docket appeal out of time. *Sanders v. City of Kansas City*, 18 Kan. App. 2d 688,858 P.2d 833 (1993).

5. Pursuant to rule, journal entry must be filed prior to docketing an appeal. *State v. Ji*, 255 Kan. 101, 872 P.2d 748 (1994).

6. The fundamental fairness exception previously applied in criminal appeals is equally applicable in termination of parental rights proceedings; appellant is directed to docket her appeal per Rule 2.04. *In re T.M.C.*, 26 Kan. App. 2d 297, 988 P.2d 241 (1999).

7. Failure to docket the appeal in compliance with Rule 2.04 shall be deemed abandonment of the appeal; an application for reinstatement of an appeal shall be made per Rules 2.04 and 5.01; no district court jurisdiction to dismiss appeal per Rule 5.051. *City of Kansas City v. Lopp*, 269 Kan. 159, 4 P.3d 592 (2000).

8. Under this rule, the appellant is the party required to file a notice of appeal, a docketing statement, and a brief. *In re C.B.*, 34 Kan. App. 2d 317, 117 P.3d 888 (2005).

9. Rule cited by defendant, arguing out-of-time appeal should be dismissed. *Vorhees v. Baltazar*, 283 Kan. 389, 153 P.3d 1227 (2007).

10. If the 21-day docketing requirements of Rule 2.04 are not met, an appellate court may dismiss the appeal as untimely docketed without regard to any substantive arguments that may be presented by movant. *Fowler v. State*, 37 Kan. App. 2d 477, 154 P.3d 550 (2007).

11. Although the State moved to dismiss defendant's appeal based on his appointed counsel's failure to file a docketing statement within 21 days as required by Rule 2.04, defendant was allowed to file a direct appeal of his sentence out of time due to the third *Ortiz* exception being met. *State v. Unruh*, 39 Kan. App. 2d 125, 177 P.3d 411 (2008).

12. Rules 2.02, 2.04, and 2.041 cited in discussion of procedure for filing appeal in criminal case. *State v. Walker*, 50 Kan. App. 2d 900, 334 P.3d 901 (2014).

Rule 2.041 DOCKETING STATEMENT

Case Annotations

1. Docketing statement looked at to determine whether instant appeal is upon a question reserved or an appeal from an order of dismissal. *State v. Craig*, 254 Kan. 575, 867 P.2d 1013 (1994).
2. Issues stated in an appellant's brief are binding; issues presented in docketing statement are not binding. *Bryson v. Wichita State University*, 19 Kan. App. 2d 1104, 880 P.2d 800 (1994).
3. Rules 2.02, 2.04, and 2.041 cited in discussion of procedure for filing appeal in criminal case. *State v. Walker*, 50 Kan. App. 2d 900, 334 P.3d 901 (2014).

Rule 2.05 MULTIPLE APPEALS

Case Annotations

1. Both initial judgment and order denying relief under K.S.A. 60-260(b)(4) appealed from; appeals consolidated. *Garden Nat'l Bank v. Cada*, 11 Kan. App. 2d 562, 565, 729 P.2d 1252 (1986).

Rule 2.06 CONSOLIDATION OF APPEALS

Case Annotations

1. Appeal of judgment and subsequent garnishment action joined; garnishee may obtain stay. *Cansler v. Harrington*, 231 Kan. 66, 69, 643 P.2d 110 (1982).
2. Two cases dealing with statute of limitations in negligence action are consolidated for argument and decision. *Davidson v. Denning*, 259 Kan. 659, 914 P.2d 936 (1996).
3. Two cases dealing with workers compensation claim are consolidated for review. *Injured Workers of Kansas v. Franklin*, 262 Kan. 840, 942 P.2d 591 (1997).
4. Two cases involving a will and codicil were consolidated on appeal pursuant to Rule 2.06. *In re Estate of Haneberg*, 270 Kan. 365, 14 P.3d 1088 (2000).
5. Three cases dealing with a sheriff department's policy of requiring DUI arrestees to remain in jail for 12 hours before being allowed to post bond were consolidated for purposes of argument and review. *State v. Cuchy*, 270 Kan. 763, 19 P.3d 152 (2001)

RECORD ON APPEAL

Rule 3.01 CONTENT OF RECORD

Case Annotations

1. Appropriate procedure for presenting new factual information to the court on appeal is to file a

motion to add to the record on appeal per Rules 3.01 and 3.02. *Hankin v. Graphic Technology, Inc.,* 43 Kan. App. 2d 92, 222 P.3d 523 (2010).

2. The "entire record," as used in Rules 3.01 and 3.02 does not include those legal documents not filed in district court. *State v. Brownlee*, 302 Kan. 491, 354 P.3d 525 (2015).

Rule 3.02 PREPARATION OF RECORD ON APPEAL FOR FILING

Case Annotations

1. Court misled on appeal by incomplete record. *Denison State Bank v. Madeira,* 230 Kan. 815, 816, 640 P.2d 1235 (1982).

2. Appellant's duty to designate record on appeal sufficient to establish claimed error. *Pate v. Riverbend Mobile Home Village, Inc.*, 25 Kan. App. 2d 48, 955 P.2d 1342 (1998).

3. Appellant has the duty to compile a record on appeal sufficient to support its arguments, not those of its opponents. *Nold v. Binyon*, 272 Kan. 87, 31 P.3d 274 (2001).

4. Appellant failed to include photograph in record on appeal; per Rule 3.02 appellant has burden of furnishing record on appeal which affirmatively shows prejudicial error occurred in trial court. *State v. Decker,* 275 Kan. 502, 66 P.3d 915 (2003).

5. Audio tapes and transcript were submitted to the Supreme Court as part of the record on appeal per Rules 3.02 and 3.04. *State v. Northcutt*, 290 Kan. 224, 224 P.3d 564 (2010).

6. Appropriate procedure for presenting new factual information to the court on appeal is to file a motion to add to the record on appeal per Rules 3.01 and 3.02. *Hankin v. Graphic Technology, Inc.,* 43 Kan. App. 2d 92, 222 P.3d 523 (2010).

7. Defendant did not properly file a motion with this court per Rules 3.02 and 5.01 to show that his criminal history score had been amended; without such a record, the claim of alleged error fails. *State v. England*, 45 Kan. App. 2d 33, 40, 245 P.3d 1076 (2010).

8. Journal entry added to record on appeal per Rule 3.02(d)(3) in child custody case. *In re A.E.S.*, 48 Kan. App. 2d 761, 298 P.3d 386 (2013).

9. The "entire record," as used in Rules 3.01 and 3.02 does not include those legal documents not filed in district court. *State v. Brownlee*, 302 Kan. 491, 354 P.3d 525 (2015).

Rule 3.03 TRANSCRIPT IN RECORD ON APPEAL

Case Annotations

1. Time requirements for ordering transcript after filing notice of appeal are not jurisdictional. *Crumpacker v. Crumpacker,* 239 Kan. 183, 184, 718 P.2d 295 (1986).

Rule 3.03

2. Defendant cites to 1990 version of rule requiring inclusion of closing arguments of counsel in transcript of record on appeal; 1989 version of rule in effect at time of trial had no such requirement. *State v. Humphrey,* 252 Kan. 6, 20-21, 845 P.2d 592 (1992).

3. Rule in effect at time of trial required inclusion of closing arguments of counsel in transcript on appeal; rule since amended; rule applies to transcripts of record on appeal. *State v. Lumbrera,* 252 Kan. 54, 72-73, 845 P.2d 609 (1992).

4. The appellate court must presume the sentencing court's findings are properly supported if no adequate record is submitted upon appeal per Rule 3.03. *State v. Ussery,* 34 Kan. App. 2d 250, 116 P.3d 735 (2005).

5. Without an adequate record, the appellate court must presume that the district court's findings are properly supported. *State v. Haney*, 34 Kan. App. 2d 232, 116 P.3d 747 (2005).

Rule 3.04 UNAVAILABILITY OF TRANSCRIPT OR EXHIBIT

Case Annotations

1. Although record did not indicate approval of statement by trial judge; assumption of approval where no objection. *In re Hambleton*, 2 Kan. App. 2d 68, 71, 574 P.2d 982 (1978).

2. Question raised concerning compliance with rule; appeal heard on merits. *Albertson v. Travis*, 2 Kan. App. 2d 153, 154, 576 P.2d 1090 (1978).

3. Applied; incomplete transcript did not make appellate review impossible; conviction under 21-3402 upheld. *State v. Stafford*, 223 Kan. 62, 64, 573 P.2d 970 (1977).

4. Failure to record the probable cause hearing was not fatal to the warrant. *State v. Knox*, 4 Kan. App. 2d 87, 92, 603 P.2d 199 (1979).

5. Statement of proceedings and proposed amendments not submitted to judge; case remanded for various reasons. *Pottratz v. Firkins*, 4 Kan. App. 2d 469, 609 P.2d 185 (1980).

6. Court will not review evidence where appellant failed to attempt to reconstruct lost testimony. *First Nat'l Bank & Trust Co. v. Lygrisse*, 231 Kan. 595, 603, 647 P.2d 1268 (1982).

7. Not grounds for new trial where trial stipulation eliminated need for record and appellants cannot reconstruct. *McBride Electric, Inc. v. Putt's Tuff, Inc.*, 9 Kan. App. 2d 548, 550-51, 685 P.2d 316 (1984).

8. Rule cited in discussion of making record of closing arguments. *State v. Lumbrera*, 252 Kan. 54, 72-73, 845 P.2d 609 (1992).

9. Statement of proceedings prepared by appellant but not served on or approved by adverse party or district court cannot be considered by appellate court. *Dillon's Food Stores, Inc. v. Brosseau*, 17 Kan. App. 2d 657, 842 P.2d 319 (1992).

10. No provision in rule to allow administrative hearing officer rather than judge to settle and approve statement of the evidence when parties cannot reach agreement and no transcript or official record is available. *In re Marriage of Case*, 18 Kan. App. 2d 457, 856 P.2d 169 (1993).

11. Appellant failed to include a reconstructed statement of the evidence or proceedings per Rule 3.04, when the trial transcript is incomplete. *In re Adoption of C.R.D.*, 21 Kan. App. 2d 94, 897 P.2d 181 (1995).

12. Motion to add records per Rule 3.04 discussed in relation to State's failure to comply with mandatory notice requirements for imposition of hard 40 sentence. *State v. Collier*, 259 Kan. 346, 913 P.2d 597 (1996).

13. Record on appeal is inadequate to support claims of error and no statement was added per Rules 3.04 and 3.05. *State v. Mincey*, 24 Kan. App. 2d 418, 945 P.2d 884 (1997).

14. State's improper attempt to supplement the record under Rule in *Collier I* mentioned. *State v. Collier*, 263 Kan. 629, 952 P.2d 1326 (1998).

15. Rule 3.04 sets forth a method through which a party to an appeal may proceed with reconstructing a transcript. *State v. Coyote*, 268 Kan. 726, 1 P.3d 836 (2000).

16. Court notes the appellant failed to comply with Rule 3.04. *State v. Stuber*, 27 Kan.App.2d 160, 1 P.3d 333 (2000).

17. Court notes the appellant made no effort to reconstruct the record per Rule 3.04. *State v. Martinez*, 27 Kan.App.2d 9, 996 P.2d 371 (2000).

18. Defendant's admission of his unredacted videotaped interview by district court under Rule

3.04 allowed; limiting instruction lessened prejudicial effect of the erroneously admitted evidence; convictions affirmed. *State v. Gonzalez*, 282 Kan. 73, 97, 145 P.3d 18 (2006).

19. Appellant failed to include a statement or record of telephone conference hearing on appeal as provided in Rule 3.04. *Dillon Companies v. Davis*, 39 Kan. App. 2d 444, 181 P.3d 570 (2008).

20. Audio tapes and transcript were submitted to the Supreme Court as part of the record on appeal per Rules 3.02 and 3.04. *State v. Northcutt*, 290 Kan. 224, 224 P.3d 564 (2010).

21. Held that record on appeal insufficient to ascertain basis of trial court ruling, despite earlier remand to trial court for construction of record under Rule 3.04(a); reversed and remanded for new trial. *State v. Holt*, 298 Kan. 531, 314 P.3d 870 (2013).

22. No transcript of jury view of locations was made, or later constructed under Rule 3.04(a); absence of such transcript did not establish constitutional violation. *State v. Carr*, 300 Kan. 340, 329 P.3d 1195 (2014).

Rule 3.05 APPEAL ON AGREED STATEMENT

Case Annotations

1. Appeal presented pursuant to rule; action to recover judgment for deficiency from sale under security agreement. *Jackson County State Bank v. Williams*, 1 Kan. App. 2d 649, 573 P.2d 1092 (1977).

2. Appeal submitted on agreed statement; court without jurisdiction where administrative remedies not exhausted. *Short v. Witwer*, 2 Kan. App. 2d 441, 581 P.2d 399 (1978).

3. Procedural requirements of rules may be waived; are not jurisdictional. *Szoboszlay v. Glessner*, 233 Kan. 475, 480-81, 664 P.2d 1327 (1983).

4. Appellate case submitted on agreed statement pursuant to rule. *State v. Ward*, 11 Kan. App. 2d 147, 147, 716 P.2d 594 (1986).

5. Case submitted on agreed facts. *City of Ottawa v. Brown*, 11 Kan. App. 2d 581, 581, 730 P.2d 364 (1986).

6. Case submitted on agreed statement of facts. *City of Salina v. Star B, Inc.*, 11 Kan. App. 2d 639, 640, 731 P.2d 1290 (1987).

7. Case submitted on agreed statement. *In re A.W.*, 241 Kan. 810, 810, 740 P.2d 82 (1987).

8. Question of law decided on agreed-upon facts, stipulated to pursuant to rule. *Golay v. Kansas State Board of Nursing*, 15 Kan. App. 2d 648, 814 P.2d 970 (1991).

9. Appeal submitted on agreed statement. *Kilner v. State Farm Mut. Auto. Ins. Co.*, 252 Kan. 675, 847 P.2d 1292 (1993).

10. Appeal submitted on agreed statement of facts. *City of Dodge City v. Downing*, 257 Kan. 561, 894 P.2d 206 (1995).

11.Appeal submitted on agreed statement of facts. *In re Marriage of Brane*, 21 Kan. App. 2d 778, 908 P.2d 625 (1995).

12. Appeal submitted on agreed statement of facts. *Graham v. Lambeth*, 22 Kan. App. 2d 805, 921 P.2d 850 (1996).

13. Record on appeal is inadequate to support claims of error and no statement was added per Rules 3.04 and 3.05. *State v. Mincey*, 24 Kan. App. 2d 418, 945 P.2d 884 (1997).

14. Parties submitted an agreed statement of facts per Rule 3.05. *In re One 1993 Chevrolet Corsica*, 268 Kan. 759, 999 P.2d 927 (2000).

15. Appeal submitted on agreed statement of facts. *In re Estate of Steward*, 32 Kan. App. 2d 134, 79 P.3d 791 (2003).

INTERLOCUTORY APPEALS

Rule 4.01 INTERLOCUTORY APPEAL IN CIVIL CASE UNDER K.S.A. 60-2102(c)

Case Annotations

1. Interlocutory appeal only permitted on matter determined by trial court (remote sellers-buyers; implied warranties-privity). *Professional Lens Plan, Inc. v. Polaris Leasing Corp.,* 234 Kan. 742, 743, 757, 675 P.2d 887 (1984).

2. Compliance with rule and K.S.A. 60-2102(b) not necessary in appeal of order denying application to compel arbitration (K.S.A. 5-418). *Kansas Gas & Electric Co. v. Kansas Power & Light Co.,* 12 Kan. App. 2d 546, 751 P.2d 146 (1988).

3. Plaintiff's petition in mandamus asking the Supreme Court to set aside the trial court's disqualification of counsel, which order had been certified per K.S.A. 60-2102(b), treated as interlocutory appeal; petition in mandamus complied with requirements of Rule 4.01. *Parker v. Volkswagenwerk Aktiengesellschaft,* 245 Kan. 580, 585, 781 P.2d 1099 (1989).

4. Interlocutory appeal taken from trial court order disqualifying law firm from representation; affirmed. *Lansing-Delaware Water District v. Oak Lane Park, Inc.,* 248 Kan. 563, 808 P.2d 1369 (1991).

5. Court of Appeals granted a party's application for an interlocutory appeal of the district court's grant of partial summary judgment. *Dean Operations, Inc. v. One Seventy Assocs.,* 257 Kan. 676, 896 P.2d 1012 (1995).

6. Interlocutory appeal taken from unpublished opinion of Court of Appeals. *Davidson v. Denning,* 259 Kan. 659, 914 P.2d 936 (1996).

7. Interlocutory appeal taken per Rule 4.01. *Hamtil v. J.C. Nichols Real Estate,* 22 Kan. App. 2d 809, 923 P.2d 513 (1996).

8. Appellant failed to comply with the procedure of Rule 4.01. *State ex rel. Board of Healing Arts v. Beyrle,* 262 Kan. 507, 941 P.2d 371 (1997).

9. It is within the court's discretion to consider the appeal where the notice for interlocutory appeal is untimely. *Adams v. St. Francis Regional Med. Center,* 264 Kan. 144, 955 P.2d 1169 (1998).

10. Parties never requested or received permission to file interlocutory appeal per Rule 4.01; appeal dismissed. *Wilkinson v. Shoney's, Inc*., 265 Kan. 141, 958 P.2d 1157 (1998)

11. Interlocutory appeal taken per Rule 4.01. *Zimmerman v. Mahaska Bottling Co.,* 270 Kan. 810, 19 P.3d 784 (2001).

12. Rule 4.01 cited in case law discussing failure to comply with procedure of Rule. *Plains Petroleum Co. v. First National Bank of Lamar,* 274 Kan. 74, 49 P.3d 432 (2002).

13. Interlocutory appeal per Rule 4.01 allowed by district judge. *Williams v. Lawton,* 288 Kan. 768, 207 P.3d 1027 (2009).

14. Interlocutory appeal dismissed in case where Rule 4.01 and statutory certification requirements not met; prior caselaw establishing common-law authority for jurisdiction overruled. *Wiechman v. Huddleston,* 304 Kan. 80, 370 P.3d 1194 (2016).

Rule 4.02 INTERLOCUTORY APPEAL BY PROSECUTION

Case Annotations

1. Certified copy of notice of appeal timely filed; premature notice of appeal dormant until time judgment or appealable order entered. *State v. Bohannon,* 3 Kan. App. 2d 448, 450-51, 596 P.2d 190 (1979).

2. Improper for trial court to call hearing with counsel after notice of filing of interlocutory appeal. *State v. Galloway,* 235 Kan. 70, 79, 680 P.2d 268 (1984).

3. Meaning of phrase "entry of the order" discussed. *State v. Michel,* 17 Kan. App. 2d 265, 834 P.2d 1374 (1992).

MOTIONS

Rule 5.01 APPELLATE COURT MOTION

Case Annotations

1. Failure to comply with rule grounds for declining motion for costs and fees under Rule 7.07. *Henderson v. Ripperger,* 3 Kan. App. 2d 303, 309, 594 P.2d 251 (1979).

2. Motions asserted solely within the text of an appellate brief do not comply with rule and will not be considered. *Muzingo v. Vaught,* 18 Kan. App. 2d 823, 859 P.2d 977 (1993).

3. Remand cannot be granted when a motion per Rule 5.01 has not been filed. *State v. Duke,* 256 Kan. 703, 887 P.2d 110 (1994).

4. Party's requests for attorney fees not considered on appeal because of failure to follow necessary procedures in Rule 5.01 and Rule 7.07. *In re Marriage of Patterson,* 22 Kan. App. 2d 522, 920 P.2d 450 (1996).

5. Request for attorney fees on appeal must comply with Rules 5.01 and 7.07(b). *C.M. Showroom, Inc. v. Boes,* 23 Kan. App. 2d 647, 933 P.2d 793 (1997).

6. Party's requests for attorney fees and cost of reproduction of brief not considered because of failure to file motion. *Conner v. Janes,* 267 Kan. 427, 981 P.2d 1169 (1999).

7. Failure to docket the appeal in compliance with Rule 2.04 shall be deemed abandonment of the appeal; an application for reinstatement of an appeal shall be made per Rules 2.04 and 5.01; no district court jurisdiction to dismiss appeal per Rule 5.051. *City of Kansas City v. Lopp,* 269 Kan. 159, 4 P.3d 592 (2000).

8. Appellees' request for attorney fees not allowed because of failure to file motion per Rules 5.01 and 7.07(b). *Stramel v. Bishop,* 28 Kan. App. 2d 262, 15 P.3d 368 (2000).

9. Rule cited in case involving request for attorney fees and costs; argument by appellee that appeal was frivolous; request was denied. *Subway Restaurants, Inc. v. Kessler,* 273 Kan. 969, 46 P.3d 1113 (2002).

10. State failed to file a motion and affidavit detailing costs and attorney fees incurred as a result of appeal under 5.01 and Rule 7.07; State's request fails without the proper motion and affidavit. *Gibson v. Cummings,* 31 Kan. App. 2d 957, 78 P.3d 1174 (2003).

11. Appellee's request for assessing costs and attorney fees will not be considered when appellee does not follow requirements of Rule 7.07 or Rule 5.01. *Smith v. McKune,* 31 Kan. App. 2d 984, 76 P.3d 1060 (2003).

12. Failure to comply with Rule 7.07(b) and Rule 5.01 prevents this court from awarding attorney fees and expenses authorized by statute. *Fisher v. Kansas Crime Victims Comp. Bd.,* 280 Kan. 601, 124 P.3d 74 (2005).

13. Supreme Court discourages the filing of pleadings on date of oral argument or at any time that does not allow opposing party to file a response per Rule 5.01. *In re Sylvester,* 282 Kan. 391, 144 P.3d 697 (2007).

14. Appellants' motion per Rule 5.01 and Rule 7.07 is granted for attorney fees incurred during this appeal. *Hodges v. Johnson*, 288 Kan. 56, 199 P.3d 1251 (2009).

15. Plaintiffs filed request with this court to stay district court action per Rule 5.01. *Harsch v. Miller*, 288 Kan. 280, 200 P.3d 467 (2009).

16. Party's jurisdictional issue not properly before this court per Rule 5.01. *Johnson Co. Developmental Supports v. Kansas Dept of SRS*, 42 Kan. App. 2d 570, 216 P.3d 658 (2009).

17. Defendants cite Rules 5.01 and 5.05 contending present appeal should be dismissed for lack of jurisdiction; motion denied. *Newcastle Homes v. Thye*, 44 Kan. App. 2d 774, 241 P.3d 988 (2010).

18. Defendant did not properly file a motion with this court per Rules 3.02 and 5.01 to show that his criminal history score had been amended; without such record, the claim of alleged error fails. *State v. England*, 45 Kan. App. 2d 33, 40, 245 P.3d 1076 (2010).

19. Motion was wrong procedural vehicle to raise new issue for first time on appeal; Rules 5.01(a), 6.01(b), 6.02, 6.05, and 6.09(b) cited; new issue considered due to unique circumstances. *State v. Cheever*, 304 Kan. 866, 375 P.3d 979 (2016).

Rule 5.02 EXTENSION OF TIME

Case Annotations

1. Lateness of filing motion for attorney fees does not meet any standard of relief under circumstances per Rule 5.02; request denied. *Evenson Trucking Co. v. Aranda*, 280 Kan. 821, 127 P.3d 292 (2006).

2. Timeliness of filing briefs and extensions discussed under Rules 5.02 and 6.01; defendant failed to file reply brief regarding applicability of 2009 amendment to K.S.A. 60-455. *State v. Hart*, 44 Kan. App. 2d 986, 242 P.3d 1230 (2010).

3. Request for attorney fees and costs pursuant to Rule 7.07(b) denied as untimely since no explanation of the necessity for delay pursuant to Rule 5.02 was offered. *Osterhaus v. Toth*, 291 Kan. 759, 249 P.3d 888 (2011).

Rule 5.03 CLERK'S AUTHORITY ON MOTION

Case Annotations

1. Section (c) of rule cited in case finding substitution defective, appeal dismissed for lack of standing. *Army Nat'l Bank v. Equity Developers, Inc.*, 245 Kan. 3, 774 P.2d 919 (1989).

Rule 5.05 INVOLUNTARY DISMISSAL

Case Annotations

1. If appeal docketed late, remedy lies hereunder where dismissal is discretionary rather than under Rule 5.051 where dismissal is mandatory. *Carson v. Eberth*, 3 Kan. App. 2d 183, 185, 592 P.2d 113 (1979).

2. Procedural requirements of rules may be waived; are not jurisdictional. *Szoboszlay v. Glessner*, 233 Kan. 475, 480-81, 664 P.2d 1327 (1983).

3. Dismissal of an appeal is discretionary pursuant to Rule 5.05; plaintiff's out-of-time appeal

allowed. *Voorhees v. Baltazar*, 283 Kan. 389, 153 P.3d 1227 (2007).

4. Appellate court may dismiss appeal for any other reason which by law requires dismissal. *State v.Raiburn*, 289 Kan. 319, 212 P.3d 1029 (2009).

5. Defendants cite Rules 5.01 and 5.05 contending present appeal should be dismissed for lack of jurisdiction; motion denied. *Newcastle Homes v. Thye*, 44 Kan. App. 2d 774, 241 P.3d 988 (2010).

6. State's failure to provide citations to the record in its appellate brief in the location required by Rule 6.02(a)(5) was not a substantial failure to comply sufficient to warrant dismissal under Rule 5.05(a). *State v. Allen*, 49 Kan. App. 2d 162, 305 P.3d 702 (2013).

Rule 5.051 DISMISSAL OF APPEAL BY DISTRICT COURT

Case Annotations

1. No jurisdiction to dismiss hereunder once appeal docketed even if docketed late; remedy lies under Rule 5.05 where dismissal is discretionary rather than mandatory as hereunder. *Carson v. Eberth*, 3 Kan. App. 2d 183, 184-85, 592 P.2d 113 (1979).

2. Appeal dismissed pursuant to rule led to public censure of attorney who failed to perfect appeal. *In re Powers*, 239 Kan. 394, 394, 720 P.2d 668 (1986).

3. Appellate jurisdiction challenged due to previous 5.051 dismissal of appeal from grant of summary judgment; such dismissal not appealed, but appeal filed from grant of summary judgment to remaining defendant. *Crockett v. Medicalodges, Inc.*, 247 Kan. 433, 434, 799 P.2d 1022 (1990).

4. No district court jurisdiction to dismiss appeal per Rule 5.051 for failure to timely docket appeal per Rule 2.04 where motion filed with appellate court to docket appeal out of time. *Sanders v. City of Kansas City*, 18 Kan. App. 2d 688, 858 P.2d 833 (1993).

5. Failure to docket the appeal in compliance with Rule 2.04 shall be deemed abandonment of the appeal; an application for reinstatement of an appeal shall be made per Rules 2.04 and 5.01; no district court jurisdiction to dismiss appeal per Rule 5.051. *City of Kansas City v. Lopp*, 269 Kan. 159, 4 P.3d 592 (2000).

6. Rule 5.051 does not give trial court express authority to dismiss an appeal for failure to file a verified notice; trial court allowed to dismiss an appeal only when a docketing statement has not been filed. *In re J.A.*, 30 Kan. App. 2d 416, 42 P.3d 215 (2002).

7. Rule 5.051 cited by the State in motion to dismiss; the issue was whether district court had authority to reinstate the appeal under Rule 5.051 after previously dismissing the appeal for failing to timely docket the case in the appellate courts; State withdrew motion on appeal. *State v. Abbott*, 31 Kan. App. 2d 706, 71 P.3d 1173 (2003).

8. Plaintiff's appeal initially dismissed for failing to timely docket appeal pursuant to Rule 5.051; motion to reinstate the appeal was granted. *Jones v. Kansas State University*, 279 Kan. 128, 106 P.3d 10 (2005).

9. Dismissal of an appeal pursuant to Rule 5.051 and a subsequent denial of a motion to docket an appeal out of time by the Court of Appeals does not necessarily bar an appeal under 60-1507 for ineffective assistance of counsel if the facts warrant. *Fowler v. State*, 37 Kan. App. 2d 477, 154 P.3d 550 (2007).

10. Rule 5.051 allows an appellate court to reinstate a dismissed appeal for good cause shown when an appellant makes application to the court within 30 days of the dismissal order by a trial court; defendant allowed to appeal his sentence out of time since an *Ortiz* exception was met in this case. *State v. Unruh*, 39 Kan. App. 2d 125, 177 P.3d 411 (2008).

BRIEFS

Rule 6.01 TIME SCHEDULE FOR BRIEFS

Case Annotations

1. Time requirements for serving and filing briefs are not jurisdictional. *Crumpacker v. Crumpacker*, 239 Kan. 183, 184, 718 P.2d 295 (1986).

2. Failure to comply with rule results in dismissal of appeal. *G. v. State Dept. of SRS*, 251 Kan. 179, 833 P.2d 979 (1992).

3. Timeliness of filing briefs and extensions discussed under Rules 5.02 and 6.01; defendant failed to file reply brief regarding applicability of 2009 amendment to K.S.A. 60-455. *State v. Hart*, 44 Kan. App. 2d 986, 242 P.3d 1230 (2010).

4. A motion to file a supplemental brief submitted after oral arguments is not timely per Rule 6.01. *State v. Tague*, 296 Kan. 993, 298 P.3d 273 (2013).

5. Motion was wrong procedural vehicle to raise new issue for first time on appeal; Rules 5.01(a), 6.01(b), 6.02, 6.05, and 6.09(b) cited; new issue considered due to unique circumstances. *State v. Cheever*, 304 Kan. 866, 375 P.3d 979 (2016).

Rule 6.02 CONTENT OF APPELLANT'S BRIEF

Case Annotations

1. Material annexed to appellate briefs by way of an appendix is not a substitute for the record itself. *In re Appeal of News Publishing Co.*, 12 Kan. App. 2d 328, 743 P.2d 559 (1987).

2. Court cites 6.02(e) in noting failure of State to properly brief issue raised on appeal. *State v. Trudell*, 243 Kan. 29, 755 P.2d 511 (1988).

3. Violations of appellate practice rules noted: no citations in briefs to record as required by sections (d) and (f). *Southern American Ins. v. Gabbert-Jones, Inc.*, 13 Kan. App. 2d 324, 769 P.2d 1194 (1989).

4. Appellant's failure to comply with (c), (d), and (e) noted by court. *Jack v. City of Olathe*, 245 Kan. 458, 781 P.2d 1069 (1989).

5. Appendix to appellant's brief cannot be used as substitute for record. *D.M. Ward Constr. Co. v. Electric Corp. of Kansas City*, 15 Kan. App. 2d 114, 121, 803 P.2d 593 (1990).

6. Court notes parties' fact statements not in compliance with Rule 6.02(d) or 6.03(c). *Anderson v. Heartland Oil & Gas, Inc.*, 249 Kan. 458, 459, 819 P.2d 1192 (1991).

7. Issue raised by appellant with no supporting argument or authority is not addressed by appellate court, citing Rule 6.02(e). *Enlow v. Sears, Roebuck & Co.*, 249 Kan. 732, 744, 822 P.2d 617 (1991).

8. Opinion notes appellants' failure to comply with Rule 6.02(c), (e). *Lytle v. Stearns*, 250 Kan. 783, 803, 830 P.2d 1197 (1992).

9. Factual statements in both parties' briefs are to be keyed to the record; material without such reference is presumed to be without such support. *Kenyon v. Kansas Power & Light Co.*, 17 Kan. App. 2d 205, 836 P.2d 1193 (1992).

10. Court notes parties' noncompliance with Rules 6.02 and 6.03. *In re Hood*, 252 Kan. 689, 847

P.2d 1300 (1993).

11. Material statement of fact without record reference presumed to be unsupported per Rule 6.02(d). *McCaffree Financial Corp. v. Nunnink*, 18 Kan. App. 2d 40, 48, 847 P.2d 1321 (1993).

12. Appendix to brief on appeal limited to extracts from the record on appeal. *Thompson v. KFB Ins. Co.*, 252 Kan. 1010, 1015, 850 P.2d 773 (1993).

13. Court notes appellant's failure to comply with Rule 6.02(a). *Dunn v. Hindman*, 18 Kan. App. 2d 537, 855 P.2d 994 (1993).

14. Issues stated in an appellant's brief are binding; issues presented in docketing statement are not binding. *Bryson v. Wichita State University*, 19 Kan. App. 2d 1104, 880 P.2d 800 (1994).

15. Material annexed to appellate briefs by way of an appendix is not a substitute for the record itself, citing 6.02(f). *Cline v. Tittel*, 20 Kan. App. 2d 695, 891 P.2d 1137 (1995).

16. Court notes appellant's failure to comply with 6.02(d). *Dickey v. Daughety*, 21 Kan. App. 2d 655, 905 P.2d 697 (1995).

17. Court notes party's appellate brief relies on facts not in record; presumed to be without support. *In re J.D.D.*, 21 Kan. App. 2d 871, 908 P.2d 633 (1995).

18. Court disregards party's allegations in brief which are not cited to the record on appeal per Rule 6.02(d). *Beebe v. Fraktman*, 22 Kan. App. 2d 493, 921 P.2d 216 (1996).

19. Domestic relations affidavit appended to brief is not part of record on appeal; therefore, not considered by the court. *State ex rel. Secretary of SRS v. Huffman*, 22 Kan. App. 2d 577, 920 P.2d 965 (1996).

20. Appellant's failure to state standard of review in violation of Rule 6.02(e) noted by court. *In re Marriage of Beardslee*, 22 Kan. App. 2d 787, 922 P.2d 1128 (1996).

21. Court notes appellants' failure to provide any citations to the record to support their claim. *In re Adoption of A.M.M.*, 24 Kan. App. 2d 605, 949 P.2d 1155 (1997).

22. Appellant's contentions were made without being keyed to the record on appeal and are presumed to be without support in the record. *In re Care & Treatment of Hay*, 263 Kan. 822, 953 P.2d 666 (1998).

23. Court notes that plaintiffs failed to set out standard of review as required under Rule 6.02(e). *Smith v. State*, 264 Kan. 348, 955 P.2d 1293 (1998).

24. The briefs should list all issues and contain arguments and authorities for each issue. *State v. Boyd*, 268 Kan. 600, 999 P.2d 265 (2000).

25. Court assumes there is no evidence in the record to support that part of the case that is not properly keyed to the record per Rule 6.02(d). *State v. Drach*, 268 Kan. 636, 1 P.3d 864 (2000).

26. Court notes Rules 6.02 and 6.03 in discussing sufficiency of notice of appeal filed by the defendant. *State v. Wilkins*, 269 Kan. 39, 5 P.3d 520 (2000).

27. Factual allegations made without being keyed to the record on appeal are presumed to be without support per Rule 6.02(d). *State v. Kee*, 27 Kan.App.2d 677, 6 P.3d 938 (2000).

28. Appellant fails to set out appropriate standard of review as required under Rule 6.02(e). *Gatlin v. Hartley, Nicholson, Hartley & Arnett, P.A.*, 29 Kan. App. 2d 318, 26 P.3d 1284 (2001).

29. Appellant fails to set out appropriate standard of review as required under Rule 6.02(e). *Hogan v. State*, 30 Kan. App. 2d 151, 38 P.3d 746 (2002).

30. Court notes appellant's failure to comply with Rule 6.02(e) requirements as to setting out the issues and the appropriate standard of review. *State v. Seck*, 274 Kan. 961, 58 P.3d 730 (2002).

31. Material attached to appellate brief is not a substitute for the record and will not be considered by this court. *In re Marriage of Brotherton*, 30 Kan. App. 2d 1298, 59 P.3d 1025 (2003).

32. Rule 6.02(e) cited for rule that appellant is required to include his or her arguments in his or her brief; Court of Appeals notes appellant's failure to comply with Rule 6.02(e) by not specifying the amount of additional compensation and reimbursement of executor fees he is claiming. *In re Estate of*

Petesch, 31 Kan. App. 2d 241, 62 P.3d 674 (2003).

33. Appellant's allegations in her brief were not keyed to the record on appeal and are presumed to be without support in the record per Rule 6.02(d). *Goodman v. Wesley Med. Center*, 276 Kan. 586, 78 P.3d 817 (2003).

34. Material statement not keyed to record on appeal presumed unsupported by record. *State v. Scheuerman*, 32 Kan. App. 2d 208, 82 P.3d 515 (2003).

35. Appellate counsel reminded to set forth all arguments within the briefs and to cite to the record for support in compliance with Rule 6.02 and Rule 6.03. *Ferguson v. State*, 276 Kan. 428, 78 P.3d 40 (2003).

36. Court notes appellant failed to comply with Rule 6.02(f) requirement; appendix is not considered as a substitute for the record itself. *Blue v. Tos*, 33 Kan. App. 2d 404, 102 P.3d 1190 (2004).

37. Factual allegations made without being keyed to the record on appeal presumed to be without support per Rule 6.02(d). *Bayless v. Dieckhaus*, 33 Kan. App. 2d 620, 106 P.3d 83 (2005).

38. Party failed to comply with Rule 6.02(f) requirement that appendix consist of "limited extracts from the record on appeal," thus, the court disregarded the material. *Brewer v. Schalansky*, 278 Kan. 734, 102 P3d. 1145 (2004).

39. Pursuant to Rule 6.02(d), facts not keyed to the record on appeal are presumed to be without support. *Ortiz v. Biscanin*, 34 Kan. App. 2d 445, 122 P.3d 365 (2004).

40. State fails to comply with Rule 6.02(f); material attached to appellate brief is not a substitute for record and will not be considered by this court. *Leffel v.Kansas Dept. Of Revenue*, 35 Kan. App. 2d 244, 138 P.3d 784 (2006).

41. Appellant failed to include copy of amended petition in record on appeal; appendix cannot be used as a substitute for the record on appeal. *City of Mission Hills v. Sexton*, 284 Kan. 414, 160 P.3d 812 (2007).

42. Attorney violated KRPC 1.15 in handling informal traffic diversion funds in his capacity as county attorney; Supreme Court cites Rule 6.02(e) in noting failure of respondent to properly brief issue; hearing panel notes Rule 701(f)(2) permits disclosure of honor violation in law school to the Disciplinary Administrator; recommendation of hearing panel advisory only per Rule 212; published censure per Rule 203(a)(3). *In re Black*, 283 Kan. 862, 156 P.3d 641 (2007).

43. Appellee filed motion requesting appellate court assess costs and attorney fees against appellant, claiming he failed to follow Rule 6.02 and, also, his appeal was frivolous in violation of Rule 7.07(c); motion for costs and attorney fees denied. *In re Marriage of Cox*, 36 Kan. App. 2d 550, 143 P.3d 677 (2006).

44. Supreme Court cites Rule 6.02(e) in noting that appellant failed to properly cite to the record on appeal as well as to cite the proper standard of review. *State v. Davis*, 284 Kan. 728, 163 P.3d 1224 (2007).

45. K.S.A. 60-1507 movant fails to comply with Rule 6.02(d), thus court disregarded the statements. *Porter v. State*, 37 Kan. App. 2d 220, 152 P.3d 89 (2007).

46. Appendix to an appellate brief not a substitute for the record on appeal per Rule 6.02. *Haddock v. State*, 282 Kan. 475, 146 P.3d 187 (2006).

47. Defendants in summary judgment action failed to provide relevant legal authority and gave only a conclusory argument; pursuant to Rule 6.02(e), appellants' brief must include the arguments and authorities relied upon. *Brennan v. Kunzle*, 37 Kan. App. 2d 365, 154 P.3d 1094 (2007).

48. Defendant failed to cite to the portion of the record on appeal that supported his claim that criminal charges were dismissed; facts in the brief not keyed to the record on appeal are presumed to be without support per Rule 6.02(d). *State v. Inkelaar*, 38 Kan. App. 2d 312, 164 P.3d 844 (2007).

49. Supreme Court notes that an appendix is limited to containing extracts from the record on appeal and cannot serve as a substitute for the record itself. *Edwards v. Anderson Engineering, Inc.*, 284

Kan. 892, 166 P.3d 1047 (2007).

50. Factual allegation made without reference to the record will not be considered on appeal per Rule 6.02(d). *Potts v. Board of Leavenworth County Comm'rs*, 39 Kan. App. 2d 71, 81-82, 176 P.3d 988 (2008).

51. Review of defendant's argument on appeal hampered by failure to include it in the record on appeal; an appellate brief does not substitute for the record on appeal per Rule 6.02(f). *State v. Edwards*, 39 Kan. App. 2d 300, 279 P.3d 472 (2008).

52. Per Rules 6.02 and 6.03 the briefs list all of the issues to be argued by the parties and contain the arguments and authorities for each issue. *State v. Unruh*, 39 Kan. App. 2d 125, 177 P.3d 411 (2008).

53. Defendant's claims that are not properly keyed to the record will not be considered on appeal. *State v. Bryant*, 285 Kan. 970, 179 P.3d 1122 (2008).

54. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2, 3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan. 708, 188 P.3d 1 (2008).

55. Plaintiffs' statements made without citation to the record on appeal is deemed to be without evidentiary support. *Bonura v. Sifers*, 39 Kan. App. 2d 617, 181 P.3d 1277 (2008).

56. A factual assertion without an evidentiary basis in the record is deemed to be unsupported; summary judgment affirmed. *Johannes v. Idol*, 39 Kan. App. 2d 595, 181 P.3d 574 (2008).

57. Factual assertion that judge improperly participated in plea negotiations for which no meaningful citation to the record is provided will not be considered on appeal. *State v. Oliver*, 39 Kan. App. 2d 1045, 186 P.3d 1220 (2008).

58. When appellant adds an appendix to its brief, the appendix is not to be considered as a substitute for the record itself per Rule 6.02(f). *State v. Hall*, 287 Kan. 139, 195 P.3d 220 (2008).

59. Material annexed to an appellate brief by way of an appendix that does not appear in the record on appeal cannot be considered. *State v. Jones*, 287 Kan. 547, 198 P.3d 756 (2008).

60. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule 207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

61. Factual allegations made without being keyed to the record are presumed to be without support under Rule 6.02. *Corter v. Cline*, 42 Kan. App. 2d 721, 217 P.3d 991 (2009).

62. Factual allegations made without being keyed to the record are presumed to be without support under Rule 6.02(d). *National Bank of Andover v. Kansas Bankers Surety*, 290 Kan. 247, 225 P.3d 707 (2010).

63. Per Rule 6.02(d), appellant did not provide a sufficient factual record on appeal to support his allegation that the trial court used an improper legal standard in its determination of custody. *Harrison v. Tauheed*, 44 Kan. App. 2d 235, 235 P.3d 547 (2010).

64. Compliance with Rules 6.02 and 6.03 discussed and applied. *Frick v. City of Salina*, 290 Kan. 869, 235 P.3d 1211 (2010).

65. Compliance with Rule 6.02(d) and (e) is discussed regarding party's duty to provide specific citations to the record on appeal by volume and page number. *Kansas Medical Mut. Ins. Co. v. Svaty*, 291 Kan. 597, 244 P.3d 642 (2010).

66. Statements of fact in an appellate brief must be keyed to the record on appeal; any factual representation without such a reference may be disregarded. *Thoroughbred Assocs. v. Kansas City Royalty Co.*, 45 Kan. App. 2d 312, 248 P.3d 758 (2011).

67. Per Rule 6.02(e), Supreme Court declines defendant's request to consider constitutional issue for the first time on appeal. *State v. Perez*, 294 Kan. 38, 261 P.3d 532 (modified opinion filed March 23,

2011).

68. Compliance with Rules 6.02(d) and 6.03(c) discussed and applied. *Wolfe Electric, Inc. v. Duckworth*, 293 Kan. 375, 266 P.3d 516 (2011).

69. Under Rule 6.02, an appellate court presumes the district court did not rule on an issue when an appellant fails to provide a record citation to the ruling in its brief. *Manhattan Ice & Cold Storage v. City of Manhattan*, 294 Kan. 60, 274 P.3d 609 (2012).

70. Rule 6.02(e) provides that if an issue was not raised in district court, the appellant must explain why that issue was not considered for the first time on appeal. *State v. Anderson*, 294 Kan. 450, 276 P.3d 200 (2012).

71. In appellate briefs, facts necessary to support an argument must be included in the record on appeal and their location specifically cited per Rule 6.02(a)(4). *Friedman v. Kansas State Bd. of Healing Arts*, 296 Kan. 636, 294 P.3d 287 (2013). 72. Appellant failed to cite authority to support her argument as required per Rule 6.02(a)(5). *State v. Tague*, 296 Kan. 993, 298 P.3d 273 (2013).

73. Court notes appellant's failure to identify which Rule 6.02 exception applies to allow issue to be raised for the first time on appeal. *State v. J.D.H.*, 48 Kan. App. 2d 454, 294 P.3d 343 (2013).

74. Supreme Court refused to hear issues appellant raised on appeal per Rule 6.02(a)(5). *State v. Breeden*, 297 Kan. 567, 574, 304 P.3d 660 (2013).

75. State's failure to provide citations to the record in the location required by Rule 6.02(a)(5) was not a substantial failure, and thus it did not abandon its issues on appeal. *State v. Allen*, 49 Kan. App. 2d 162, 305 P.3d 702 (2013).

76. Court notes appellant's failure to key factual assertions in appellate brief to the record on appeal per Rule 6.02(a)(4). *State v. Stevenson*, 297 Kan. 49, 298 P.3d 303 (2013).

77. Concurrence notes grounds for disagreement with Court of Appeals over waiver of issue on appeal under Rule 6.02(a)(5), noting alternative theory was argued and adequately supported. *State v. Stovall*, 298 Kan. 362, 312 P.3d 1271 (2013).

78. Under Rule 8.03(g)(1) Supreme Court had discretion to address issues previously raised but not decided by Court of Appeals; resolution of case did not require decision on those issues and one issue abandoned by failure adequately brief under Rule 6.02(a)(5). *Via Christi Regional Med. Center, Inc. v. Reed*, 298 Kan. 503, 314 P.3d 852 (2013).

79. Party cited prior EPA order from different case but failed to provide citation to record showing present case to be factually similar; cases presumed factually distinguishable under Rule 6.02(a)(4). *Sierra Club v. Moser*, 298 Kan. 22, 310 P.3d 360 (2013).

80. Appellant's argument regarding provision in power plant permit deemed waived by failure to adequately brief as required by Rule 6.02(a)(5). *Sierra Club v. Moser*, 298 Kan. 22, 310 P.3d 360 (2013).

81. Appellant waived theories of recovery by failing to adequately brief as required by Rule 6.02(a)(5). *University of Kansas Hosp. Auth. v. Board of Wabaunsee County Comm'rs*, 299 Kan. 942, 327 P.3d 430 (2014).

82. Under Rule 6.02(a)(5), argument regarding untimely request for relief waived, as appellant failed to mention time limitation of K.S.A. 60-1507(f) and did not allege exception applied or explain 19-year delay. *State v. Kingsley*, 299 Kan. 896, 326 P.3d 1083 (2014).

83. Under Rule 6.02(a)(4), appellant's argument failed due to failure to provide citations to record. *State v. Kettler*, 299 Kan. 448, 325 P.3d 1075 (2014).

84. Rule 6.02(a)(5) cited by State in contending defendant waived issue by failure to first raise issue at district court or brief any exceptions allowing review on appeal. *State v. Bowen*, 299 Kan. 339, 323 P.3d 853 (2014).

85. Because appellant did not properly preserve issue under Rule 6.02(a)(5) by explaining why it should be heard for the first time on appeal, court declined to address issue. *Lehman v. City of Topeka*, 50 Kan. App. 2d 115, 323 P.3d 867 (2014).

86. Finding Rule 6.02(a)(5) did not bar review, Supreme Court reviewed issue not previously considered by Court of Appeals; Rule 8.03(a)(4)(C) also argued as basis for review. *Bussman v. Safeco Ins. Co. of America*, 298 Kan. 700, 317 P.3d 70 (2014).

87. Future litigants warned they must comply with Rule 6.02(a)(5) and explain why an issue is properly before the court if it was not raised below. *State v. Williams*, 298 Kan. 1075, 319 P.3d 528 (2014).

88. Inclusion of e-mails in appendix to appellate brief insufficient to make them part of record for review under Rule 6.02(b). *Romkes v. University of Kansas*, 49 Kan. App. 2d 871, 317 P.3d 124 (2014).

89. Despite failure of appellant to explain why issue should be considered for the first time on appeal as required by Rule 6.02(a)(5), exception to the general rule allowed review since issue involved only a question of law determinative case. *In re Adoption of P.Z.K.*, 50 Kan. App. 2d 617, 332 P.3d 187 (2014).

90. Defendant's constitutional challenges failed under Rule 6.02(a)(4) by failure to cite record to support facts in brief and by failure to ensure adequate findings and conclusions by district judge to support appellate argument; if necessary defendant must file motion under Rule 165 invoking judge's duty to state findings of fact and conclusions of law. *State v. Reed*, 300 Kan. 494, 332 P.3d 172 (2014).

91. Although noting it could decline to consider issue under Rule 6.02(a)(5) since appellant failed to explain why it should be considered for the first time on appeal, court decides to address issue in case of review. *Ribeau v. Russell Stover Candies*, 50 Kan. App. 2d 824, 333 P.3d 921 (2014).

92. Document not included in record and attached to brief in disciplinary proceeding not properly before court under Rule 6.02(b). *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

93. Issue not preserved under Rule 6.02(a)(5) due to failure to provide explanation why issue not raised below was properly before court. *State v. Longoria*, 301 Kan. 489, 343 P.3d 1128 (2015).

94. State's argument not properly before court where, contrary to Rule 6.02(a)(5), no explanation given why issue should be considered for first time on appeal. *State v. Cox*, 51 Kan. App. 596, 352 P.3d 580 (2015).

95. Rule 6.02(a)(5) cited in analyzing whether party sufficiently preserved argument on appeal. *Siruta v. Siruta*, 301 Kan. 757, 348 P.3d 549 (2015).

96. Appellant failed to demonstrate district court error, where brief contained no pinpoint reference to location in record where issue was raised, contrary to Rule 6.02(a)(5). *Evergreen Recycle v. Indiana Lumbermens Mut. Ins. Co.*, 51 Kan. App. 2d 459, 350 P.3d 1091 (2015).

97. Where argument raised for first time on appeal, case was sufficiently post-*Williams* that appellate litigant had no excuse for noncompliance with Rule 6.02(a)(5). *State v. Godfrey*, 301 Kan. 1041, 350 P.3d 1068 (2015).

98. Under Rules 8.03, Rule 6.02(b), and 6.03(b), portion of appendix to appellate brief not considered since not part of record. *Rodriguez v. U.S.D. No. 500*, 302 Kan. 134, 351 P.3d 1243 (2015).

99. Court considers issue for first time on appeal despite party's failure to comply with Rule 6.02(a)(5), where State did not raise any objection, the appeal predated the *Williams* decision, and the challenge had been previously considered by both appellate courts. *State v. Jones*, 302 Kan. 111 351 P.3d 1228 (2015).

100. Issue not considered for first time on appeal where party failed in violation of Rule 6.02(a)(5) to explain why issue was properly before court and failed in violation of Rule 8.03(a)(4)(C) to advance on petition for review any substantive reason why the Court of Appeals erred. *State v. Swint*, 302 Kan. 326, 352 P.3d 1014 (2015).

101. Argument rejected under Rule 6.02(a)(5) because raised for first time on appeal without explanation why properly before court. *Ruhland v. Elliott*, 302 Kan. 405, 353 P.3d 1124 (2015).

102. Appellant's argument rejected under Rule 6.02(a)(5) due to failure to cite supporting authority or explain why argument sound despite lack of supporting authority. *Manco v. State*, 51 Kan.

App. 2d 733, 354 P.3d 551 (2015).

103. Under Rule 6.02(b), document included in brief appendix not considered on appellate review if not also contained in record. *Hajda v. University of Kan. Hosp. Auth.*, 51 Kan. App. 2d 761, 356 P.3d 1 2015).

104. Rule 6.02(a)(5) requires appellant to explain why issue not raised below should be considered for first time on appeal; appellant's constitutional claims abandoned. *State v. Dwigans*, 51 Kan. App. 2d 790, 356 P.3d 412 (2015).

105. Under Rule 6.02(a)(5), party wishing to raise constitutional issue for first time on appeal must proactively invoke exception to general rule and argue why issue is properly before appellate court; issue abandoned by failure to adequate brief. *State v. Ochoa-Lara*, 52 Kan. App. 2d 86, 362 P.3d 606 (2015).

106. Defendant appealing revocation of probation met requirements for retroactive application of intermediate sanction provisions; however, issue raised for first time on appeal not preserved due to failure to comply with Rule 6.02(a)(5). *State v. Battle*, 52 Kan. App. 2d 149, 363 P.3d 424 (2015).

107. Defendant's ex post facto challenge to statute not considered due to failure to comply with Rule 6.02(a)(5) and explain why issue not argued below was properly before appellate court. *State v. Hayden*, 52 Kan. App. 2d 202, 364 P.3d 962 (2015).

108. Challenge to sufficiency of evidence to support UCCJEA jurisdiction dismissed where testimony not included in record on appeal; Rule 6.02(a)(4) cited. *In re N.U.*, 52 Kan. App. 2d 561, 369 P.3d 984 (2016).

109. Dismissal under Rule 6.02(a)(5) not required where illegal sentence claim raised for first time on appeal, as K.S.A. 22-3504(1) authorizes court to correct illegal sentence any time. *State v. Gray*, 303 Kan. 1011, 368 P.3d 1113 (2016).

110. Court deems abandoned those objections in appellate brief not identified in record by pinpoint cite in violation of Rule 6.02(a)(5). *State v. Logsdon*, 304 Kan. 3, 371 P.3d 836 (2016).

111. Appellant makes explanation that court precedent permitted *Apprendi* issue to be raised for first time on appeal; Rule 6.02 cited. *State v. Potts*, 304 Kan. 687, 374 P.3d 639 (2016).

112. Motion was wrong procedural vehicle to raise new issue for first time on appeal; Rules 5.01(a), 6.01(b), 6.02, 6.05, and 6.09(b) cited; new issue considered due to unique circumstances. *State v. Cheever*, 304 Kan. 866, 375 P.3d 979 (2016).

Rule 6.03 CONTENT OF APPELLEE'S BRIEF

Case Annotations

1. Violations of appellate practice rules noted: no citations in briefs to record as required by section (c). *Southern American Ins. v. Gabbert-Jones, Inc.*, 13 Kan. App. 2d 324, 769 P.2d 1194 (1989).

2. Section (f) of rule cited in discussion of failure to brief cross-appeal. *Crawford v. Board of Johnson County Comm'rs*, 13 Kan. App. 2d 592, 776 P.2d 832 (1989).

3. Court notes parties' fact statements not in compliance with Rule 6.02(d) or 6.03(c). *Anderson v. Heartland Oil & Gas, Inc.*, 249 Kan. 458, 459, 819 P.2d 1192 (1991).

4. Factual statements in both parties' briefs are to be keyed to the record; material without such reference is presumed to be without such support. *Kenyon v. Kansas Power & Light Co.*, 17 Kan. App. 2d 205, 836 P.2d 1193 (1992).

5. Court notes parties' noncompliance with Rules 6.02 and 6.03. *In re Hood*, 252 Kan. 689, 847 P.2d 1300 (1993).

6. The briefs should list all issues and contain arguments and authorities for each issue. *State v.*

Boyd, 268 Kan. 600, 999 P.2d 265 (2000).

7. Court notes Rules 6.02 and 6.03 in discussing sufficiency of notice of appeal filed by the defendant. *State v. Wilkins*, 269 Kan. 39, 5 P.3d 520 (2000).

8. Appellate counsel reminded to set forth all arguments within the briefs and to cite to the record for support in compliance with Rule 6.02 and Rule 6.03. *Ferguson v. State*, 276 Kan. 428, 78 P.3d 40 (2003).

9. Supreme Court notes that an appendix is limited to containing extracts from the record on appeal and cannot serve as a substitute for the record itself. *Edwards v. Anderson Engineering, Inc.*, 284 Kan. 892, 166 P.3d 1047 (2007).

10. Per Rules 6.02 and 6.03 the briefs list all of the issues to be argued by the parties and contain the arguments and authorities for each issue. *State v. Unruh*, 39 Kan. App. 2d 125, 177 P.3d 411 (2008).

11. Rule 6.03(e) allows appendix to appellee's brief and incorporates requirements and restrictions of Rule 6.02(f). *State v. Hall*, 287 Kan. 139, 195 P.3d 220 (2008).

12. Compliance with Rules 6.02 and 6.03 are discussed and applied. *Frick v. City of Salina*, 290 Kan. 869, 235 P.3d 1211 (2010).

13. Appellee's brief shall contain arguments and authorities relied upon per Rule 6.03(d). *Osterhaus v. Toth*, 291 Kan. 759, 249 P.3d 888 (2011).

14. Statements of fact in an appellate brief must be keyed to the record on appeal; any factual representation without such a reference may be disregarded. *Thoroughbred Assocs. v. Kansas City Royalty Co.*, 45 Kan. App. 2d 312, 248 P.3d 758 (2011).

15. Compliance with Rules 6.02(d) and 6.03(c) discussed and applied. *Wolfe Electric, Inc. v. Duckworth*, 293 Kan. 375, 266 P.3d 516 (2011).

16. Rule 6.03(b) cited in support of ruling that information in appendix of appellate brief not contained in record is disregarded. *Gold Mine Investments v. Mount Vernon Fire Ins. Co.*, 48 Kan. App. 2d 818, 300 P.3d 1113 (2013).

17. Under Rules 8.03, Rule 6.02(b), and 6.03(b), portion of appendix to appellate brief not considered since not part of record. *Rodriguez v. U.S.D. No. 500*, 302 Kan. 134, 351 P.3d 1243 (2015).

Rule 6.05 REPLY BRIEF

Case Annotations

1. Reply brief inappropriate vehicle for raising additional issues; use is confined to responding to issues already raised. *In re Marriage of Powell*, 13 Kan. App. 2d 174, 766 P.2d 827 (1988).

2. Lack of cross-appeal does not hinder appellant's opportunity to respond in reply brief to issue argued by appellee. *Ellis v. State Farm Mut. Auto. Ins. Co.*, 249 Kan. 599, 603-04, 822 P.2d 35 (1991).

3. Issues raised in reply brief are not properly before the court per Rule 6.05. *Cessna Aircraft Co. v. Metropolitan Topeka Airport Authority*, 23 Kan. App. 2d 1038, 940 P.2d 84 (1997).

4. Reply brief is appropriate to rebut new material. *City of Wichita v. McDonald's Corp.*, 266 Kan. 708, 971 P.2d 1189 (1999).

5. Issue raised in reply brief not properly before this court per Rule 6.05. *Ortiz v. Biscanin*, 34 Kan. App. 2d 445, 122 P.3d 365 (2004).

6. Reply brief is not intended to be used to reiterate arguments from the initial brief but may be used to address new issues or material raised for the first time in the appellee's brief. *Edwards v. Anderson Engineering, Inc.*, 284 Kan. 892, 166 P.3d 1047 (2007).

7. Pursuant to Rule 6.05, a reply brief is reserved for responses to new material contained in appellee's brief, not for the assertion of new matters by the appellant. *State ex rel. Secretary of SRS v.*

White, 42 Kan. App. 2d 756, 216 P.3d 727 (2009).

8. A reply brief is reserved for responding to new material contained in the appellee's brief; appellant may not raise new issues in reply brief per Rule 6.05. *State v. McCullough*, 293 Kan. 970, 270 P.3d 1142.

9. Motion was wrong procedural vehicle to raise new issue for first time on appeal; Rules 5.01(a), 6.01(b), 6.02, 6.05, and 6.09(b) cited; new issue considered due to unique circumstances. *State v. Cheever*, 304 Kan. 866, 375 P.3d 979 (2016).

Rule 6.06 BRIEF OF *AMICUS CURIAE*

Case Annotations

1. Rule cited in dissenting opinion, noting the absence of *amicus curiae* briefs filed in premises liability case. *Jones v. Hansen*, 254 Kan. 499, 867 P.2d 303 (1994) (Six, J., dissenting).

2. Although school district was denied permissive intervention in lawsuit, it still maintained option of filing brief as *amicus curiae* under Rule 6.06. *Gannon v. State*, 302 Kan. 739, 357 P.3d 873 (2015).

Rule 6.07 FORMAT FOR BRIEFS

Case Annotations

1. Appellant's brief exceeds 50-page limit under Rule 6.07. *Cessna Aircraft Co. v. Metropolitan Topeka Airport Authority*, 23 Kan. App. 2d 1038, 940 P.2d 84 (1997).

Rule 6.09 SERVICE OF BRIEF AND ADDITIONAL AUTHORITY

Case Annotations

1. Motion granted to strike an issue which was not included in the certified questions from the U.S. Court of Appeals. *Resolution Trust Corp. v. Scaletty*, 257 Kan. 348, 891 P.2d 1110 (1995).

2. Letter of additional authority per Rule 6.09 cited. *Jackson v. Browning*, 21 Kan. App. 2d 845, 908 P.2d 641 (1995).

3. Party is allowed to rely on new authorities not previously cited even after briefs are filed. *Murphy v. Nelson*, 260 Kan. 589, 921 P.2d 1225 (1996).

4. Defendant submitted per Rule 6.09 a copy of federal court of appeals' opinion which concerns similar situation involving same highway patrol officer. *State v. Chapman*, 23 Kan. App. 2d 999, 939 P.2d 950 (1997).

5. Defendant submitted per Rule 6.09(b) a United States Supreme Court decision to support his claim of void for vagueness. *State v. Rucker*, 267 Kan. 816, 987 P.2d 1080 (1999).

6. Defendant submitted per Rule 6.09(b) additional authority to support his claim of vagueness, arguing the stalking statute is unconstitutional. *State v. Whitesell*, 270 Kan. 259, 13 P.3d 887 (2000).

7. Party submitted per Rule 6.09(b) to the court statutory authority to show that under the provisions of the Kansas Revised Limited Liability Company Act, derivative suits by members are authorized. *Halley v. Barnabe*, 271 Kan. 652, 24 P.3d 140 (2001).

8. Defendant submitted per Rule 6.09(b) further argument to support his claim that he did not receive

a qualified panel of jurors upon which to exercise his preemptory strikes. *State v. Manning*, 270 Kan. 674, 19 P.3d 84 (2001).

9. Parties both submitted pursuant to Rule 6.09(b) a recent Kansas Supreme Court case which applied to this issue. *Connelly v. Kansas Highway Patrol*, 271 Kan. 944, 26 P.3d 1246 (2001).

10. Parties submitted pursuant to Rule 6.09(b) a United States Supreme Court decision which controlled and resolved the issues presented in this appeal. *In re Tax Appeal of Farm Credit Svcs. Of Central Kansas*, 271 Kan. 805, 26 P.3d 695 (2001).

11. Petitioner submitted pursuant to Rule 6.09(b), a recent Oklahoma Supreme Court case to support their claim. *Ward v. Ward*, 272 Kan. 12, 30 P.3d 1001 (2001).

12. Defendant submitted per Rule 6.09(b) a recent Kansas Supreme Court case which applied to his lack of objection to the trial court. *State v. Dean*, 272 Kan. 429, 33 P.3d 225 (2001).

13. Defendants submitted pursuant to Rule 6.09(b) additional authority. *Canaan v. Bartee*, 272 Kan. 720, 35 P.3d 841 (2001).

14. Defendant submitted per Rule 6.09(b) a recent Kansas Supreme Court case in support of his argument regarding the order of the jury instructions. *State v. Winter*, 276 Kan. 34, 72 P.3d 564 (2003).

15. Appellant submitted per Rule 6.09 an additional authority letter regarding resentencing. *State v. Layton*, 276 Kan. 777, 80 P.3d 65 (2003).

16. Party submitted pursuant to Rule 6.09(b) a recent United States Supreme Court case in support of its argument. *City of Topeka v. Grabauskas*, 33 Kan. App. 2d 210, 99 P.3d 1125 (2004).

17. Defendant submitted letter pursuant to Rule 6.09. *State v. Lawrence*, 281 Kan. 1081, 135 P.3d 1211 (2006).

18. Appellant submitted pursuant to Rule 6.09(b) a letter requesting adjustments to his sentences; sentencing issue properly raised per Rule 8.03(g)(1); case remanded for resentencing. *State v. Wendler*, 280 Kan. 753, 126 P.3d 1124 (2006).

19. Defense counsel submitted pursuant to Rule 6.09(b) a letter informing court of recent United States Supreme Court decision regarding inadmissible hearsay. *State v. Lackey*, 280 Kan. 190, 120 P.3d 332 (2005).

20. Appellee files Rule 6.09 letter in regard to district court judge's reconsideration of a prior order of a different judge; Court of Appeals applies the doctrine of unique circumstances to save plaintiff's service of process and her cause of action and reverses the district court's dismissal of appellant's suit and remands with directions. *Finley v. Estate of DeGrazio*, 36 Kan. App. 2d 844, 850, 148 P.3d 1284 (2006).

21. State filed a statement of additional authorities pursuant to Rule 6.09(b). *State v. McCarley*, 38 Kan. App. 2d 165, 166 P.3d 418 (2007).

22. Plaintiffs submitted per Rule 6.09 additional authority concerning similar case involving fraud by silence claim brought by buyer against seller, real estate agency, and realtor. *Brennan v. Kunzle*, 37 Kan. App. 2d 365, 154 P.3d 1094 (2007).

23. Defendant submitted letter of additional authority under Rule 6.09(b) arguing *State v. Gunby*, 282 Kan. 39, 47-48, 144 P.3d 647 (2006), applied to his case since it was on direct appeal when *Gunby* was decided. *State v. Boggs*, 38 Kan. App. 2d 683, 171 P.3d 646 (2007).

24. Defendant submitted a Rule 6.09 letter of additional authority contending the charge against him was duplicitous. *State v. Stevens*, 285 Kan. 307, 172 P.3d 570 (2007).

25. State filed Rule 6.09 letter of additional authority regarding defendant's failure to raise a timely objection. *State v. Drayton*, 285 Kan. 689, 175 P.3d 861 (2008).

26. A new issue raised in a letter of additional authority submitted by appellant pursuant to Rule 6.09 is generally not preserved for review before an appellate court. *State v. Greever*, 286 Kan. 124, 183 P.3d 788 (2008).

27. Appellants file Rule 6.09 letter of additional authority. *Kansas Heart Hospital v. Idbeis*, 286 Kan. 183, 184 P.3d 866 (2008).

28. Plaintiffs submitted by letter of additional authority pursuant to Rule 6.09; summary judgment upheld. *Bonura v. Sifers*, 39 Kan. App. 2d 617, 181 P.3d 1277 (2008).

29. Parties filed letters regarding revisions to Code of Judicial Conduct; however, Surpeme Court held that this decision is based on present Code of Judicial Conduct. *Kansas Judicial Review v. Stout*, 287 Kan. 450, 196 P.3d 1162 (2008).

30. Defendant filed a Rule 6.09 letter of additional authority raising multiplicity issue. *Trotter v.*

State, 288 Kan. 112, 200 P.3d 1236 (2009).

31. Defendant submitted a Rule 6.09 letter of additional authority raising an issue not argued before the district court. *State v. Thomas*, 288 Kan. 157, 199 P.3d 1265 (2009).

32. Plaintiffs provided a letter of additional authority per Rule 6.09. *Harsch v. Miller*, 288 Kan. 280, 200 P.3d 467 (2009).

33. Both parties provided letters of additional authority per Rule 6.09. *State v. Deal*, 41 Kan. App. 2d 866, 206 P.3d 529 (2009).

34. Rule 6.09 is not intended to be used as another briefing opportunity and appellate courts will not consider those parts of a Rule 6.09 letter that fail to comply with the rule. *State v. Houston*, 289 Kan. 252, 213 P.3d 728 (2009).

35. Per Rule 6.09, State raised issue whether failing to register for the Kansas Offender Registration Act is a strict liability offense; Supreme Court ruled specific intent does not have to be proven. *In re C.P.W.*, 289 Kan. 448, 213 P.3d 413 (2009).

36. Defendant filed two Rule 6.09 letters of additional authority. *State v. Seward*, 289 Kan. 715, 217 P.3d 443 (2009).

37. A letter of additional authority pursuant to Rule 6.09(b) is reserved for citing authorities not previously cited before, not for raising new issues. *State* ex rel. *Secretary of SRS v. White*, 42 Kan. App. 2d 756, 216 P.3d 727 (2009).

38. Defendant filed a Rule 6.09 letter of additional authority. *State v. Morlock*, 289 Kan. 980, 218 P.3d 801 (2009).

39. Defendant filed Rule 6.09 letters of additional authority. *State v. Appleby*, 289 Kan. 1017, 221 P.3d 525 (2009).

40. Neither party filed a Rule 6.09 letter of additional authority regarding the amendment of K.S.A. 60-455 and its relevance. *State v. Wells*, 289 Kan. 1219, 221 P.3d 561 (2009).

41.Rule 6.09(b) is not to be used to raise new issues or present new factual information. *Hankin v. Graphic Technology, Inc.*, 43 Kan. App. 2d 92, 222 P.3d 523 (2010).

42. Defendant filed per Rule 6.09 a letter of additional authority challenging the State's authority to file an interlocutory appeal pursuant to K.S.A. 22-3603. *State v. Sales*, 290 Kan 130, 224 P.3d 546 (2010).

43. Defendant filed a Rule 6.09 letter of additional authority regarding giving the intervening cause instruction. *Puckett v. Mt. Carmel Regional Med. Center*, 290 Kan. 406, 228 P.3d 1048 (2010).

44. Plaintiff submitted a Rule 6.09 letter of additional authority, citing K.S.A. 60-1202 and K.S.A. 60-1203. *Board of Sumner Commr's v. City of Mulvane*, 43 Kan. App. 2d 500, 227 P.3d 997 (2010).

45. Defendant filed a Rule 6.09 letter of additional authority citing recent holdings that the defendant's age is an element of the offense that must be determined by the jury to sentence for an off-grid offense; Supreme Court upheld his conviction. *State v. Garza*, 290 Kan. 1021, 236 P.3d 501 (2010).

46. Defendant failed to file a Rule 6.09(b) supplementation of authority to consider his argument under the Eighth Amendment; point deemed abandoned. *State v. Gomez*, 290 Kan.858, 235 P.3d 1203 (2010).

47. Defendant filed a Rule 6.09 letter of additional authority regarding the giving of the "deadlocked" jury instruction; conviction reversed and remanded for further proceedings. *State v. Baughman*, 44 Kan. App. 2d 878, 242 P.3d 196 (2010).

48. Defendant submitted letter of additional authority to add psychological evidence; appellate court declined to consider such evidence. *State v. Edwards*, 291 Kan. 532, 243 P.3d 683 (2010).

49. Neither party in this case submitted a letter of additional authority under Rule 6.09 addressing recently issued Supreme Court cases or the application of those cases to the facts here. *State v. Berriozabal*, 291 Kan. 568, 243 P.3d 352 (2010).

50. Rule 6.09 allows for the submission of supplementing authority in support of issues raised in a brief, but it is not a mechanism for raising new issues. *Wright v. Sourk*, 45 Kan. App. 2d 860, 258 P.3d 981 (2011).

51. Appellant filed additional authority pursuant to Rule 6.09(b). *State v. Roberts*, 293 Kan. 29, 259 P.3d 691
(2011).

52. State submitted letter of additional authority under Rule 6.09(b), which this court considered.

State v. Inkelaar, 293 Kan. 414, 264 P.3d 81 (2011).

53. State submitted a letter under Rule 6.09 requesting court find an error harmless by applying a new version of K.S.A. 60-455; Court of Appeals declines and case is reversed and remanded for new trial. *State v. Torres*, 294 Kan. 135, 273 P.3d 729 (2012).

54. Appellate court will not consider new issues raised for the first time in a party's Rule 6.09(b) letter; such letter should not be used as another briefing opportunity. *State v. Tague*, 296 Kan. 993, 298 P.3d 273 (2013).

55. Letters of additional authority can only contain authorities published no later than 14 days before oral argument per Rule 6.09(b)(1)(A); submitting three letters, each under the 350-word requirement, still violates Rule 6.09(b)(1)(C). *State v. Herbel*, 296 Kan. 1101, 299 P.3d 292 (2013).

56. Rule 6.09(b) letter of additional authority is sufficient to assure awareness of new statutory amendments despite party's failure to file supplemental brief. *State v. Wells*, 297 Kan. 741, 752, 305 P.3d 568 (2013).

57. State filed Rule 6.09(b) letter of additional authority acknowledging appellate court not deprived of jurisdiction to hear case where premature notice of appeal had been filed. *State v. Brown*, 299 Kan. 1021, 327 P.3d 1002 (2014).

58. State filed Rule 6.09(b) letter of additional authority contending timeliness rules of K.S.A. 60-206(b) do not apply to K.S.A. 60-1507 motions; held K.S.A. 60-1507(f) alone controls under Rule 183(a). *Vontress v. State*, 299 Kan. 607, 325 P.3d 1114 (2014).

59. Defendant filed Rule 6.09(b) letter of additional authority citing recent U.S. Supreme Court opinion to support position that hard 50 sentence unconstitutional. *State v. DeAnda*, 299 Kan. 594, 324 P.3d 1115 (2014).

60. Court decides issue of retroactive application of amended statute, noting parties did not file Rule 6.09(b) letter of additional authority or supplemental brief on the issue. *State v. Todd*, 299 Kan. 263, 323 P.3d 829 (2014).

61. Defendant's alternative means argument not considered by court because raised for first time in Rule 6.09(b) letter. *State v. Littlejohn*, 298 Kan. 632, 316 P.3d 136 (2014).

62. Defendant filed Rule 6.09(b) letter of additional authority citing new case warning prosecutors to avoid use of "puzzle analogy" in describing State's burden of proof. *State v. Crawford*, 300 Kan. 740, 334 P.3d 311 (2014).

63. In Rule 6.09(b) letter, State conceded recent decisions negated its reliance on search incident to arrest exception. *State v. Overman*, 301 Kan. 704, 348 P.3d 516 (2015).

64. Court declined to analyze new argument proffered for first time in Rule 6.09(b) letter where letter contained no references to argument being supplemented and failed to make sufficient argument. *State v. Vrabel*, 301 Kan. 797, 347 P.3d 201 (2015).

65. Generally appellate court will not consider new issues raised for first time in Rule 6.09(b) letter; Court of Appeals erred in not considering merits of Rule 6.09(b) letter raising illegal sentence issue for first time. *State v. Fisher*, 304 Kan. 242, 373 P.3d 781 (2016).

66. Motion was wrong procedural vehicle to raise new issue for first time on appeal; Rules 5.01(a), 6.01(b), 6.02, 6.05, and 6.09(b) cited; new issue considered due to unique circumstances. *State v. Cheever*, 304 Kan. 866, 375 P.3d 979 (2016).

Rule 6.10 BRIEF IN CRIMINAL OR POSTCONVICTION CASE

Case Annotations

1. Attorney general's approval of brief of city on appeal from conviction under city ordinance not required. *City of Overland Park v. Sandy*, 2 Kan. App. 2d 176, 177, 576 P.2d 1097 (1978).

ORAL ARGUMENT, DECISION, AND REHEARING

Rule 7.01 HEARING IN THE SUPREME COURT

Case Annotations

1. County attorney failed to appear for oral arguments before Supreme Court; oral argument waived under Rule 7.01(d). *State v. Hurd*, 298 Kan. 555, 316 P.3d 696 (2013).

RULE 7.04 OPINION OF APPELLATE COURT

Case Annotations

1. Publication upon request hereunder of opinion interpreting collective bargaining agreement and reviewing arbitrator's award. *Weems v. Buildex, Inc.*, 8 Kan. App. 2d 321, 326, 657 P.2d 72 (1983).

2. Opinion affirming pretrial suppression order published upon request hereunder. *State v. Goering*, 8 Kan. App. 2d 338, 339, 656 P.2d 790 (1983).

3. Rule expressly forbids use of unpublished appellate opinions except as stated. *State v. Bryan*, 12 Kan. App. 2d 206, 210, 738 P.2d 463 (1987).

4. Unpublished appellate opinions may not be cited as precedent except as rule narrowly permits. *Barker v. Boyer*, 14 Kan. App. 2d 502, 794 P.2d 322 (1990).

5. Unpublished opinions are not binding precedent. *Hile v. DeVries*, 17 Kan. App. 2d 373, 836 P.2d 121 (1992).

6. Where summary judgment against plaintiff in disability action affirmed by Court of Appeals in unpublished Rule 7.042(d) and (e) opinion, unpublished opinion's precedential value limited to support res judicata, collateral estoppel, or law of the case in subsequent legal malpractice claim based on previous disability action representation. *Veatch v. Beck*, 252 Kan. 1081, 850 P.2d 923 (1993).

7. Plaintiff's appeal based on unpublished Kansas Court of Appeals opinion, which by rule may not be cited as precedent except as law of the case, res judicata, or collateral estoppel may require. *Ellis v. Berry*, 19 Kan. App. 2d 105, 867 P.2d 1063 (1993).

8. Rule cited in reference to reliance on unpublished opinions. *Blythe v. Blythe*, 19 Kan. App. 2d 427, 870 P.2d 705 (1994).

9. Parties improperly cited to unpublished opinion. *Farris v. McKune*, 259 Kan. 181, 911 P.2d 177 (1996).

10. Unpublished opinion cited by appellant will not be considered per Rule 7.04. *League of Kansas Municipalities v. Board of Shawnee County Comm'rs*, 24 Kan. App. 2d 294, 944 P.2d 172 (1997).

11. Party's reliance on an unpublished Court of Appeals opinion is misplaced per Rule 7.04(f)(2)(i) and (ii). *Riverside Drainage Dist. of Sedgwick County v. Hunt*, 33 Kan. App. 2d 225, 99 P.3d 1135 (2004).

12. Plaintiff attached copy of unpublished opinion of the Court of Appeals in the appendix of his brief pursuant to Rule 7.04(f)(2)(iii). *State v. Stevens*, 278 Kan. 441, 101 P.3d 1190 (2004).

13. Court discusses Rule 7.04(f)(2) regarding use of unpublished opinions by parties. *Casco v. Armour Swift-Echrich*, 34 Kan. App. 2d 670, 680, 128 P.3d 401 (2005).

14. Pursuant to Rule 7.04(f)(2)(ii), the State furnished an unpublished opinion to be considered in this appeal regarding restitution. *State v. Bryant*, 37 Kan. App. 2d 924, 163 P.3d 325 (2007).

15. Unpublished opinion relied upon by the State will not be considered due to its lack of publication and pursuant to Rule 7.04(f)(2)(i) and (ii). *State v. McCarley*, 38 Kan. App. 2d 165, 166 P.3d 418 (2007).

16. Supreme Court upholds the State's principal argument that an unpublished opinion should not be treated as controlling precedent per Rule 7.04(f). *State v. Urban*, 291 Kan. 214, 239 P.3d 837 (2010).

17. Rule 7.04(f) discussed; Court of Appeals finds appellant's argument to be meritless and that this decision carries the full force of precedent. *DeLong v. Kansas Dept. of Revenue*, 45 Kan. App. 2d 454, 252 P.3d 582 (2011).

18. Unpublished opinion cited by party in appellate brief held to not be binding precedent per Rule

7.04(g)(2)(A). *Graham v. Herring*, 297 Kan. 847, 855, 305 P.3d 585 (2013).

19. Party on appeal cited unpublished opinions in brief but failed to attach copies as required by Rule 7.04(g)(2)(C). *Smith v. Philip Morris Companies*, 50 Kan. App. 2d 535, 335 P.3d 644 (2014).

20. Under Rule 7.04(g)(2), holdings of unpublished appellate decisions from other cases not binding precedent for district courts. *State v. Bolze-Sann*, 302 Kan. 198, 352 P.3d 511 (2015).

21. Motion for summary disposition under Rule 7.041(b) filed while petition for review was pending is considered by Supreme Court and its argument rejected. *State v. Corey*, 304 Kan. 721, 374 P.3d 654 (2016).

22. Unpublished opinion cited in brief not binding precedent under Rule 7.04(g)(2). *State v. Wissing*, 52 Kan. App. 2d 918, 379 P.3d 413 (2016).

Rule 7.041 SUMMARY DISPOSITION

Case Annotations

1. In absence of prior controlling decision, summary disposition not allowed. *Eaton v. Johnston*, 235 Kan. 323, 325-26, 681 P.2d 606 (1984).

2. Defendant/appellant moved for summary disposition pursuant to rule. *State v. Chandler*, 17 Kan. App. 2d 512, 839 P.2d 551 (1992).

3. Rule cited in affirming Kansas Corporation Commission's order and incorporating prior Court of Appeals' order in earlier appeal involving five identical issues. *Kansas Energy Group v. Kansas Corporation Comm'n*, 30 Kan. App. 2d 57, 40 P.3d 310 (2002).

4. Rule cited in affirming Kansas Corporation Commission's order and incorporating prior Court of Appeals' order in earlier appeal involving same issue. *Midwest Gas Users' Assoc. v. Kansas Corporation Comm'n*, 30 Kan. App. 2d 61, 40 P.3d 313 (2002).

5. Supreme Court cited Rule 7.041, finding defendant's appeal not subject to summary disposition. *State v. Patten*, 280 Kan. 385, 122 P.3d 350 (2005).

6. Supreme Court discussed Rule 7.041 in holding that when a late appeal is granted by the district court under *State v. Ortiz*, 230 Kan. 733, 640 P.3d 1255 (1982), the appeal is subject to the law in effect at the time of its granting rather than the law in effect when the defendant should have filed his or her direct appeal and during its pendency. *State v. Thomas*, 283 Kan. 796, 156 P.3d 1261 (2007).

7. State filed motion for summary disposition pursuant to Rule 7.041. *State v. Patton*, 285 Kan. 779, 176 P.3d 151 (2008).

8. State moved for summary disposition pursuant to Rule 7.041, but motion was denied. *State v. Bowers*, 42 Kan. App. 2d 739, 216 P.3d 715 (2009).

9. In response to motion for summary disposition under Rule 7.041, Court of Appeals summarily dismissed appeal for lack of jurisdiction; Supreme Court reversed dismissal, remanded for consideration of merits. *State v. Looney*, 299 Kan. 903, 327 P.3d 425 (2014).

10. After Court of Appeals summarily reversed suppression order under Rule 7.041, on review Supreme Court applied new caselaw issued during pendency of appeal and reversed and remanded. *State v. Pettay*, 299 Kan. 763, 326 P.3d 1039 (2014).

RULE 7.041A SUMMARY DISPOSITION OF SENTENCING APPEAL

Case Annotations

1. Petitioner in 60-1507 action moved for summary disposition per Rule 7.041a. *McKinney v. State*, 27 Kan.App.2d 803, 9 P.3d 600 (2000).

2. Defendant moves for summary disposition per Rule 7.041a. *State v. McCoin*, 32 Kan. App. 2d 638, 87 P.3d 325 (2004).

3. Rule cited for example of summary disposition of sentencing appeal; defendant failed to show modification of his sentence should be done under this Rule. *State v. Smith*, 33 Kan. App. 2d 554, 105 P.3d

738 (2005).

4. Defendant moved for summary disposition pursuant to Rule 7.041a or for alternative expedited resolution under Rule 7.041; Supreme Court affirmed Court of Appeals' remand for resentencing. *State v. Thomas*, 283 Kan. 796, 156 P.3d 1261 (2007).

Rule 7.042 AFFIRMANCE BY SUMMARY OPINION

Case Annotations

1. Trial court decision affirmed without written opinion by Court of Appeals. *Lightner v. Frank*, 240 Kan. 21, 23, 727 P.2d 430 (1986).

2. Trial court affirmed without written opinion under rule; reversed. *In re Marriage of Sommers*, 246 Kan. 652, 792 P.2d 1005 (1990).

3. Where summary judgment against plaintiff in disability action affirmed by Court of Appeals in unpublished Rule 7.042(d) and (e) opinion, unpublished opinion's precedential value limited to support res judicata, collateral estoppel, or law of the case in subsequent legal malpractice claim based on previous disability action representation. *Veatch v. Beck*, 252 Kan. 1081, 850 P.2d 923 (1993).

4. Workers Compensation Board decision affirmed under rule by Court of Appeals. *Frazier v. Mid-West Painting, Inc.*, 268 Kan. 353, 995 P.2d 855 (2000).

Rule 7.043 REFERENCE TO CERTAIN PERSONS

Case Annotations

1. Rule invoked to preserve anonymity of minors subject to juvenile proceedings. *C.J.W. v. State*, 253 Kan. 1, 3, 853 P.2d 4 (1993).

2. Children in adoption case are referred to by their initials. *In re Adoption of S.E.B.*, 257 Kan. 266, 891 P.2d 440 (1995).

3. Rule invoked to preserve anonymity of minor in child in need of care case. *In the Interest of M.M.L.*, 258 Kan. 254, 900 P.2d 813 (1995).

4. Rule invoked to preserve anonymity of victims of sexual misconduct by attorney. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

5. Rule invoked to preserve anonymity of a victim of sexual misconduct by doctor. *Turner & Boisseau, Chtd. v. Kansas Bd. of Healing Arts*, 26 Kan. App. 2d 36, 978 P.2d 288 (1998).

6. Rule discussed in anonymous pleading case, anonymity requested although not an action involving a juvenile or a victim of sexual crime. *Unwitting Victim v. C.S.*, 273 Kan. 937, 47 P.3d 392 (2002).

Rule 7.05 REHEARING OR MODIFICATION IN COURT OF APPEALS

Case Annotations

1. Motion for reinstatement different from rehearing motion; 59-2401(b) does not fix time for filing appeal bond. *In re Estate of Kern*, 239 Kan. 8, 19, 716 P.2d 528 (1986).

2. In criminal case before Supreme Court on review of Court of Appeals decision, issues are limited to those in the petition and cross-petition for review, pursuant to Rule 8.03(g)(1). *State v. Blockman*, 255 Kan. 953, 881 P.2d 561 (1994).

Rule 7.06 REHEARING OR MODIFICATION IN SUPREME COURT

Case Annotations

1. Opinion modified to reflect inadequacy of record attributed to court officials rather than counsel. *State v. White,* 246 Kan. 393, 789 P.2d 1175 (1990).

2. Appellate opinion is modified following defendant's motion for rehearing and clarification. *Pizel v. Zuspann*, 247 Kan. 699, 803 P.2d 205 (1990).

3. Motion for rehearing/modification per Rule 7.06 was filed by defendant and opinion was modified. *State v. Humphrey*, 258 Kan. 372, 905 P.2d 664 (1995).

4. Opinion modified to correct the inadvertent misstatement by the counsel during oral argument. *Investcorp, L.P. v. Simpson Investment Company, L.C.*, 267 Kan. 885, 983 P.2d 265 (1999).

5. Appellant, in previous litigation, failed to file motion for rehearing or modification per Rule 7.06; attempt to revisit sanctions already imposed barred by doctrine of res judicata. *Subway Restaurants, Inc. v. Kessler*, 273 Kan. 969, 46 P.3d 1113 (2002).

6. Appellate opinion is modified following defendant's motion for clarification. *State v. Martens,* 274 Kan. 459, 54, P.3d 960 (2002).

7. Attorney misconduct in numerous bankruptcy cases violates KRPC 1.4, 3.3, 8.4(c) and (d); Supreme Court granted attorney"s motion for rehearing which suspended effect of our original decision until rehearing per Rule 7.06; 1-year suspension and Rule 218 compliance ordered. *In re Wagle*, 275 Kan. 543, 66 P.3d 884 (2003).

Rule 7.07 APPELLATE COSTS AND FEES AND ATTORNEY FEES

Case Annotations

1. Motion for costs and fees under subsection (b) declined for failure to comply with Rule 5.01. *Henderson v. Ripperger,* 3 Kan. App. 2d 303, 309, 594 P.2d 251 (1979).

2. Motion for attorney fees under (b) denied; appeal not frivolous or solely for purpose of harassment or delay. *Nolan v. Auto Transporters,* 226 Kan. 176, 185, 597 P.2d 614 (1979).

3. Where appeal not shown to be frivolous, attorney fees and expenses not allowed. *Geiger v. Wallace,* 233 Kan. 656, 662, 664 P.2d 846 (1983).

4. Attorney fees and costs assessed against complaining witness proper where frivolous appeal taken from dismissal of complaint. *State ex rel. Rome v. Fountain,* 234 Kan. 943, 952, 678 P.2d 146 (1984).

5. Where state of law uncertain, appeal not frivolous. *Blank v. Chawla,* 234 Kan. 975, 982, 678 P.2d 162 (1984).

6. Attorney fees and cost of printing briefs awarded to appellee where appeal recognized as devoid of merit. *Peoples Nat'l Bank of Liberal v. Molz,* 239 Kan. 255, 257, 718 P.2d 306 (1986).

7. Attorney fees denied where issues not frivolous and no evidence of harassment or delay. *Anderson v. National Carriers, Inc.,* 11 Kan. App. 2d 190, 197, 717 P.2d 1068 (1986).

8. Attorney fees denied; appeal not frivolous. *In re Marriage of Arndt,* 239 Kan. 355, 357, 719 P.2d 1236 (1986).

9. Appeal not frivolous; attorney fees denied. *Rosson v. Cutshall,* 11 Kan. App. 2d 267, 273, 719 P.2d 23 (1986).

10. Attorney fees allowed "to effectuate the purpose" of the Kansas Small Claims Procedure Act. *Vogel v. Haynes,* 11 Kan. App. 2d 454, 457-58, 730 P.2d 1096 (1986).

11. Costs and attorney fees denied where some merit is found in appeal. *Bair v. Bair,* 242 Kan. 629, 750 P.2d 994 (1988).

12. Rule cited in affirming sanctions against plaintiff attorney under K.S.A. 60-2007 for pursuing frivolous claim of punitive damages. *Rood v. Kansas City Power & Light Co.,* 243 Kan. 14, 755 P.2d 502 (1988).

13. Plaintiff/appellant's reliance on 7.07(b) misplaced; rule inapplicable to party appealing. *Stang v. Caragianis,* 243 Kan. 249, 757 P.2d 279 (1988).

14. Appellant's reliance on 7.07(b) misplaced; rule inapplicable to party appealing; rule allows recovery of costs of frivolous appeals, not frivolous trial motions. *Hetzel v. Clarkin,* 244 Kan. 698, 772 P.2d 800 (1989).

15. Appellee's request for attorney fees is denied; appeal not frivolous. *Uhock v. Sleitweiler,* 13 Kan.

App. 2d 621, 778 P.2d 359 (1988).

16. Attorney fee request filed pursuant to section (c) of rule denied; finding of "justiciable question." *Wright v. Brotherhood Bank & Tr. Co.,* 14 Kan. App. 2d 71, 782 P.2d 70 (1989).

17. Costs, fees, and expenses granted pursuant to 7.07(b). *In re Estate of Raney,* 247 Kan. 359, 376, 799 P.2d 986 (1990).

18. Costs and fees denied on appeal not found to be frivolous or to delay or harass. *Troyer v. Gilliland,* 247 Kan. 479, 483, 799 P.2d 501 (1990).

19. Trial court's order included attorney fees for services in pursuing appeal; order not appealed; additional fees pursuant to 7.07(b) denied. *Snodgrass v. State Farm Mut. Auto. Ins. Co.,* 15 Kan. App. 2d 153, 173, 804 P.2d 1012 (1991).

20. Attorney fees denied where no claim of frivolous appeal. *City of Overland Park v. Pavelcik,* 248 Kan. 444, 806 P.2d 969 (1991).

21. The appellate court in which attorney services were rendered is to determine attorney fees for appellate services, pursuant to Rule 7.07(b). *Evans v. Provident Life & Accident Ins. Co.,* 249 Kan. 248, 815 P.2d 550 (1991).

22. Where precise issue on appeal not previously decided on appeal, appeal is not frivolous and motion for costs and fees is denied. *Foveaux v. Smith,* 17 Kan. App. 2d 685, 843 P.2d 283 (1992).

23. Attorney fees on appeal denied where no finding of frivolous appeal. *Halloran v. North Plaza State Bank,* 17 Kan. App. 2d 840, 844-45, 844 P.2d 764 (1993).

24. Fees on appeal denied per Rule 7.07(c) where no finding of frivolous appeal or motives of harassment or delay. *Grove v. Orkin Exterminating Co.,* 18 Kan. App. 2d 369, 855 P.2d 968 (1993).

25. Party's requests for attorney fees not considered on appeal because of failure to follow necessary procedures in Rule 5.01 and Rule 7.07. *In re Marriage of Patterson,* 22 Kan. App. 2d 522, 920 P.2d 450 (1996).

26. Request for attorney fees on appeal must comply with Rules 5.01 and 7.07(b). *C.M. Showroom, Inc. v. Boes,* 23 Kan. App. 2d 647, 933 P.2d 793 (1997).

27. Rule 7.07(b) applies to claims for attorney fees on appeal arising out of contract, as well as those claims for fees pursuant to statute. *Shughart Thomson & Kilroy, P.C. v. Max Rieke & Bros., Inc.,* 24 Kan. App. 2d 205, 943 P.2d 508 (1997).

28. Appellees' request for attorney fees and expenses per Rule 7.07 granted. *Farm Bur. Mut. Ins. Co. v. Kurtenbach,* 265 Kan. 465, 961 P.2d 53 (1998).

29. Party's requests for attorney fees and cost of reproduction of brief not considered because of failure to file motion. *Conner v. Janes,* 267 Kan. 427, 981 P.2d 1169 (1999).

30. Appellees' request for attorney fees not allowed because of failure to file motion per Rules 5.01 and 7.07(b). *Stramel v. Bishop,* 28 Kan. App. 2d 262, 15 P.3d 368 (2000).

31. Per Section II.E.1.a and b; income may be imputed to noncustodial parent in appropriate circumstances; motion for attorney fees and costs pursuant to Rule 7.07(c) is denied since appeal raised question of statutory interpretation. *In re Marriage of Hoffman,* 28 Kan. App. 2d 156, 12 P.3d 905 (2000).

32. State requested attorney fees and costs in this frivolous appeal; costs awarded but no statutory basis for attorney fees. *State v. Dugan,* 29 Kan. App. 2d 71, 25 P.3d 145 (2001).

33. Appellate costs and fees and attorney fees shall be considered when properly requested by the father per Rule 7.07. *In re Application to Adopt H.B.S.C.,* 28 Kan. App. 2d 191, 12 P.3d 916 (2000).

34. Request for attorney fees on appeal denied; no attorney fees can be awarded under K.S.A. 60-1610(b)(4) in garnishment action. *Saroff v. Haun,* 28 Kan. App. 2d 471, 17 P.3d 943 (2001).

35. Motion for attorney fees and costs denied; appeal not frivolous. *In re Marriage of Ricci,* 28 Kan. App. 2d 495, 18 P.3d 255 (2001).

36. Appellee's request for attorney fees and costs on appeal per Rule 7.07 granted. *Doty v. Frontier Communications, Inc.,* 272 Kan. 880, 36 P.3d 250 (2001).

37. Request for attorney fees and costs on appeal denied although a close call. *Subway Restaurants, Inc. v. Kessler,* 273 Kan. 969, 46 P.3d 1113 (2002).

38. Party's request for attorney fees and expenses denied due to failure to attach affidavit per Rule 7.07(b). *Roof-Techs International, Inc. v. State of Kansas,* 30 Kan. App. 2d 1184, 57 P.3d 538 (2002).

39. Request for attorney fees granted; appellate attorney fees and costs also awarded since appeal

was frivolous. *In re Marriage of Brotherton*, 30 Kan. App. 2d 1298, 59 P.3d 1025 (2002).

40. Rule 7.07(b) cited by executor asserting that court must award attorney fees to executor; Court of Appeals holds that when litigation is carried on for the benefit of the executor or administrator personally and not for the benefit of the estate, costs should be paid by the administrator or executor personally. *In re Estate of Petesch*, 31 Kan. App. 2d 241, 62 P.3d 674 (2003).

41. Appellant's request for attorney fees failed to comply with requirements of Rule 7.07(b); KRPC 1.5(a) cited to discuss factors used in assessing the reasonableness of a fee. *Ferguson v. Smith*, 31 Kan. App. 2d 311, 63 P.3d 1119 (2003).

42. State failed to file a motion and affidavit detailing costs and attorney fees incurred as a result of appeal under Rule 5.01 and Rule 7.07; State's request fails without the proper motion and affidavit. *Gibson v. Cummings*, 31 Kan. App. 2d 957, 78 P.3d 1174 (2003).

43. Appellee's request for assessing costs and attorney fees will not be considered when appellee does not follow requirements of Rule 7.07 or Rule 5.01. *Smith v. McKune*, 31 Kan. App. 2d 984, 76 P.3d 1060 (2003).

44. Appellees' motion pursuant to Rule 7.07(b) for appellate attorney fees and expenses denied; reasonable sum awarded by district court and Court of Appeals. *Johnson v. Westhoff Sand Co.*, 281 Kan. 930, 135 P.3d 1127 (2006).

45. Failure to comply with Rule 7.07(b) and Rule 5.01 prevents this court from awarding attorney fees and expenses authorized by statute. *Fisher v. Kansas Crime Victims Comp. Bd.*, 280 Kan. 601, 124 P.3d 74 (2005).

46. Request for attorney fees and expenses granted per Rule 7.07(b) on appeal. *Lee Builders, Inc. v. Farm Bureau Mutual Insurance Co.*, 281 Kan. 844, 137 P.3d 486 (2006).

47. Appellee's late request for appellate attorney fees denied per Rule 7.07(b). *Evenson Trucking Co. v. Aranda*, 280 Kan. 821, 127 P.3d 292 (2006).

48. Appellee's request for appellate costs and attorney fees on appeal pursuant to Rule 7.07 denied. *In re Estate of Pritchard*, 37 Kan. App. 2d 260, 282, 154 P.3d 24 (2007).

49. Appellee's request for costs and attorney fees denied; appeal not frivolous under Rule 7.07(c). *Ayalla v. Southridge Presbyterian Church*, 37 Kan. App. 2d 312, 152 P.3d 670 (2007).

50. Rule 7.07(b) grants appellate court authority to award attorney fees for services on appeal in cases in which the district court had authority to award attorney fees; appellees' request for attorney fees on appeal denied. *Wilson v. Wilson*, 37 Kan. App. 2d 564, 154 P.3d 1136 (2007).

51. Appellee filed motion requesting appellate court assess costs and attorney fees against appellant, claiming he failed to follow Rule 6.02 and also, his appeal was frivolous in violation of Rule 7.07(c); motion for costs and attorney fees denied. *In re Marriage of Cox*, 36 Kan. App. 2d 550, 554-55, 143 P.3d 677 (2006).

52. Appellant moved pursuant to Rule 7.07 for attorney fees and expenses incurred on appeal. *In re Estate of Hjersted*, 285 Kan. 559, 175 P.3d 810 (2008).

53. Appellants' motion per Rule 5.01 and Rule 7.07 is granted for attorney fees incurred during this appeal. *Hodges v. Johnson*, 288 Kan. 56, 199 P.3d 1251 (2009)

54. Court of Appeals awarded attorney fees for services on appeal since district court had authority to award fees per Rule 7.07(b). *In re Adoption of J.M.D.*, 41 Kan. App. 2d 157, 202 P.3d 27 (2009).

55. An appellate court has authority to award attorney fees under Rule 7.07(b) on appeal in cases where the trial court had authority to award attorney fees. *Mercy Regional Health Center v. Brinegar*, 43 Kan. App. 2d 156, 223 P.3d 311 (2010).

56. Appellee's motion for appellate attorney fees under Rule 7.07(b) is denied. *National Bank of Andover v. Kansas Bankers Surety*, 290 Kan. 247, 225 P.3d 707 (2010).

57. Per Rule 7.07(a), appellee is entitled to recover docket fee and any transcript expenses incurred in this appeal. *L.E.H. v. Kansas Dept. of SRS*, 44 Kan. App. 2d 798, 241 P.3d 167 (2010).

58. Request for attorney fees and costs pursuant to Rule 7.07(b) denied as untimely since no explanation of the necessity for delay pursuant to Rule 5.02 was offered. *Osterhaus v. Toth*, 291 Kan. 759, 249 P.3d 888 (2011).

59. Civil appellate attorney fee awards are to be determined by the appellate court hearing the appeal. *Snider v. American Family Ins. Co.*, 45 Kan. App. 2d 196, 244 P.3d 1281 (2011).

60. Per Rule 7.07(b), attorney fees on appeal are awarded to father but at reduced rate. *In re*

Adoption of J.M.D., 293 Kan. 153, 260 P.3d 1196 (2011).

61. Request for appellate attorney fees denied, applying the language of Rule 7.07(b). *Waste Connections of Kansas, Inc. v. Ritchie Corp.*, 296 Kan. 943, 298 P.3d 250 (2013).

62. Supreme Court denied award of appellate attorney fees for previous appeal because requesting party had failed to file timely Rule 7.07(b) motion in that case; Supreme Court also denied request for appellate attorney fees related to current case's proceedings before the Supreme Court because the requesting party did not prevail in those proceedings. *Snider v. American Family Mut. Ins. Co.*, 297 Kan. 157, 298 P.3d 1120 (2013).

63. Rule 7.07(b) does not provide greater authority to award attorney fees than K.S.A. 50-634(e). *Rinehart v. Morton Buildings, Inc.*, 297 Kan. 926, 942, 305 P.3d 622 (2013).

64. Party not entitled to entire amount of appellate attorney fees requested since no timely Rule 7.07(b) motion filed for Court of Appeals portion of attorney fees. *In re Estate of Strader*, 301 Kan. 50, 339 P.3d 769 (2014).

65. Because appellate attorney fees awarded under Rule 7.07 were premised on panel's mistaken determination that appellate jurisdiction existed, award reversed. *Kaelter v. Sokol*, 301 Kan. 247, 340 P.3d 1210 (2015).

66. Appellate attorney fees granted under Rule 7.07(b)(1) where caused by defendant's failure to comply with child support orders despite having means to do so. *Cain v. Jacox*, 302 Kan. 431, 354 P.3d 1196 (2015).

67. Rule 7.07(a)(5) does not provide appellant recovery of docket fee and expenses when decision of district court only reversed in part. *Ruhland v. Elliott*, 302 Kan. 405, 353 P.3d 1124 (2015).

68. Request for attorney fees under Rule 7.07(c) denied where appellee did not file motion within 14 days of oral argument as required by Rule 7.07(b); inclusion of request in appellate brief insufficient to preserve issue. *In re Estate of Clare*, 51 Kan. App. 2d 886, 357 P.3d 303 (2016).

69. Language of Rule 7.07(b) does not allow appellate courts to award attorney fees in workers compensation cases since Workers Compensation Board is not a district court. *Rogers v. ALT-A&M JV*, 52 Kan. App. 2d 213, 364 P.3d 1206 (2015).

70. Attorney fees denied in school finance case where no record of claim for attorney fees made in district court; appellate fees denied for lack of specific request and lack of affidavit required by Rule 7.07(b). *Gannon v. State*, 303 Kan. 682, 368 P.3d 1024 (2016).

71. Attorney fees denied where motion for attorney fees had not been ruled on by district court and no motion for appellate attorney fees filed under Rule 7.07(b). *Gannon v. State*, 304 Kan. 490, 372 P.3d 1181 (2016).

72. Where appellant prevailed on all relevant issues on appeal, appellee's motion for appellate attorney fees under Rule 7.07(b) and (c) denied. *In re Marriage of Knoll*, 52 Kan. App. 2d 930, ___ P.3d___, 2016 WL 4413142 (2016).

TRANSFER TO AND REVIEW BY SUPREME COURT

Rule 8.02 TRANSFER TO SUPREME COURT ON MOTION

Case Annotations

1. Appeal transferred to the Supreme Court at appellant's request. *In re Estate of Reynolds*, 266 Kan. 449, 970 P.2d 537 (1998).

2. Appeal transferred to the Supreme Court at appellant's request. *In re Estate of Haneberg*, 270 Kan. 365, 14 P.3d 1088 (2000).

3. Appeal transferred to the Supreme Court at party's request. *State ex rel. Stovall v. Meneley*, 271 Kan. 355, 22 P.3d 124 (2001).

4. Appeal transferred to Kansas Supreme Court at party's request. *In re Harris Testamentary Trust*,

275 Kan. 946, 69 P.3d 1109 (2003).

5. Appeal transferred to Kansas Supreme Court at appellant's request. *Kesterson v. State*, 276 Kan. 732, 79 P.3d 1074 (2003).

6. Appeal transferred to the Supreme Court upon natural father's request. *In re Adoption of A.A.T.*, 287 Kan. 590, 196 P.3d 1180 (2008).

7. Appeal transferred to Supreme Court at appellant's request. *Martel v. Driscoll*, 297 Kan. 524, 302 P.3d 375 (2013); *Hamel v. Hamel*, 296 Kan. 1060, 299 P.3d 278 (2013).

8. Request for transfer of appeal under Rule 8.02 from Court of Appeals to Supreme Court granted to parties in consolidated tax appeal case. *In re Property Valuation Appeals of Various Applicants*, 298 Kan. 439, 313 P.3d 789 (2013).

Rule 8.03 SUPREME COURT REVIEW OF COURT OF APPEALS DECISION

Case Annotations

1. Material appended to petition for review is not part of "record . . . previously filed with the Court of Appeals" and thus not considered. *State v. Getz*, 250 Kan. 560, 571, 830 P.2d 5 (1992).

2. Decision of Court of Appeals on which petition for review has been granted is not binding pursuant to Rule 8.03(i); trial court reliance on analysis in Court of Appeals decision. *State Bank Commissioner v. Emery*, 19 Kan. App. 2d 1063, 880 P.2d 783 (1994).

3. Defendant did not respond to the State's single-issue petition for review; issue considered abandoned; Court of Appeals' rationale and findings controlling. *State v. Bell*, 258 Kan. 123, 899 P.2d 1000 (1995).

4. Rule 8.03(a)(5)(c) and (b)(1) cited; issues in cross-petition for review not considered. *Jones v. Sigg*, 261 Kan. 614, 930 P.2d 1077 (1997).

5. Issue before the Supreme Court; "fairly included" in petition for review under Rule 8.03(a)(5)(c). *Gassman v. Evangelical Lutheran Good Samaritan Society, Inc.*, 261 Kan. 725, 933 P.2d 743 (1997).

6. Appellant's failure to cross-petition for review of the Court of Appeals' decision on admissibility of evidence constitutes a failure to preserve the issue for Supreme Court's review pursuant to Rule 8.03(g)(1). *Shirley v. Smith*, 261 Kan. 685, 933 P.2d 651 (1997).

7. Any party aggrieved by a decision of the Court of Appeals may petition the Supreme Court for discretionary review. *State v. Hardyway*, 264 Kan. 451, 958 P.2d 618 (1998).

8. State's petition for review granted per Rule 8.03. *State v. Wakole*, 265 Kan. 53, 959 P.2d 882 (1998).

9. Father's petition for review granted per Rule 8.03. *In re Adoption of K.J.B.*, 265 Kan. 90, 959 P.2d 853 (1998).

10. Review as a matter of right under Rule 8.03(e)(1) does not apply. *In re Tax Appeal of Alsop Sand Co., Inc.*, 265 Kan. 510, 962 P.2d 435 (1998).

11. Court notes its jurisdiction under Rule 8.03. *State v. Bolin*, 266 Kan. 18, 968 P.2d 1104 (1998).

12. Court's jurisdiction under Rule 8.03. *Landry v. Graphic Technology, Inc.*, 268 Kan. 359, 2 P.3d 758 (2000).

13. Defendant did not file a cross-petition for review of any of the issues decided by the Court of Appeals per Rule 8.03(a)(5)(c) and (b)(1). *Reynolds-Rexwinkle Oil, Inc. v. Petex, Inc.*, 268 Kan. 840, 1 P.3d 909 (2000).

14. Court's scope of review is limited per Rule 8.03(g)(1). *State v. Shively*, 268 Kan. 589, 999 P.2d 259 (2000).

15. Court notes its jurisdiction under Rule 8.03. *State v. Belcher*, 269 Kan. 2, 4 P.3d 1137 (2000).

16. Court notes its jurisdiction under Rule 8.03. *State v. Chaney*, 269 Kan. 10, 5 P.3d 492 (2000).

17. Department of Corrections' petition for review granted per Rule 8.03. *Parsons v. Bruce*, 270 Kan. 839, 19 P.3d 127 (2000).

18. Rule 8.03(g)(1) cited; appellate court's review unlimited in this case. *GT, Kansas, L.L.C. v. Riley County Register of Deeds*, 271 Kan 311, 22 P.3d 600 (2001).

19. Rule 8.03(a)(5)(c) cited; issues not presented in petition for review will not be considered by

appellate court. *State v. Hunziker*, 274 Kan. 655, 56 P.3d 202 (2002).

20. Rule 8.03(a)(5)(c) cited; appellant's petition for review timely and granted for three issues briefed to Supreme Court. *State v. McIntosh*, 274 Kan. 939, 58 P.3d 716 (2002).

21. Court of Appeals decision on case cited by party not binding since petition for review has been granted; no precedential value per Rule 8.03(i). *Halsey v. Farm Bureau Mut. Ins. Co.*, 275 Kan. 129, 60 P.3d 691 (2003).

22. Supreme Court granted the State's petition for review per Rule 8.03(g). *State v. Walker*, 275 Kan. 46, 60 P.3d 937 (2003).

23. Rule 8.03(i) cited for rule that a decision in this case in the Court of Appeals was not binding since petition for review was pending decision. *O'Donoghue v. Farm Bureau Mut. Ins. Co.*, 275 Kan. 430, 66 P.3d 822 (2003).

24. Rule 8.03(g)(1) and (h)(3) cited; appellate court's review not limited. *State ex rel. Morrison v. Oshman Sporting Goods Co. Kansas*, 275 Kan 763, 69 P.3d 1087 (2003).

25. Order granting review limited the question on review per Rule 8.03(g)(1) to defendant's sentence for violation of K.S.A. 65-4159. *State v. Layton*, 276 Kan. 777, 80 P.3d 65 (2003).

26. Rule cited in granting appellant's petition for review. *State v. Barnes*, 278 Kan. 121, 92 P.3d 578 (2004).

27. Supreme Court granted appellant's petition for review per Rule 8.03. *Foos v. Terminix*, 277 Kan. 687, 89 P.3d 546 (2004).

28. Rule 8.03(h)(3) cited; Supreme Court's review not limited to issues addressed by the Court of Appeals. *Alires v. McGehee*, 277 Kan. 398, 85 P.3d 1191 (2004).

29. Supreme Court granted defendant's petition for review under Rule 8.03(g). *State v. McAdam*, 277 Kan. 136, 83 P.3d 161 (2004).

30. Petition for review granted under Rule 8.03(g)(1); appellant did not include short statement of facts per Rule 8.03(a)(5)(d); thus, facts in the Court of Appeals opinion are correct as stated. *State v. Cordray*, 277 Kan. 43, 82 P.3d 503 (2004).

31. Pursuant to Rule 8.03(h)(2), remaining issues of defendant are remanded to the Court of Appeals for determination following Supreme court's granting of petition for review. *State v. Beauclair*, 281 Kan. 230, 130 P.3d 40 (2006).

32. Issues not raised in petition for review are not considered per Rule 8.03(a)(5)(c); party failed to file cross-petition for review on certain issues, thus, those issues will not be considered per Rule 8.03(b). *Lee Builders, Inc. v. Farm Bureau Mutual Insurance Co.*, 281 Kan. 844, 137 P.3d 486 (2006).

33. Plaintiff's failure to raise certain issue in earlier brief or petition prevents its consideration per Rule 8.03(g). *Griffin v. Suzuki Motor Corp.*, 280 Kan. 447, 124 P.3d 57 (2005).

34. State failed to preserve an issue of error in Court of Appeals decision by filing a cross-petition for review pursuant to Rule 8.03(b) and (g)(1). State v. Unruh, 281 Kan. 520, 133 P.3d 35 (2006).

35. Supreme Court is free to consider issues which were presented to but not addressed by the Court of Appeals pursuant to Rule 8.03(h)(3). *Pittsburg State Univ. v. Kansas Bd. of Regents*, 280 Kan. 408, 122 P.3d 336 (2005).

36. Rule 8.03(f) states that denial of a petition for review imports no opinion on the merits of the case; movant's request granted on remand. *Laymon v. State*, 280 Kan. 430, 122 P.3d 326 (2005).

37. Appellant submitted pursuant to Rule 6.09(b) a letter requesting adjustments to his sentences; sentencing issue properly raised per Rule 8.03(g)(1); case remanded for resentencing. *State v. Wendler*, 280 Kan. 753, 126 P.3d 1124 (2006).

38. Supreme Court cites Rule 8.03 regarding 30-day time period for petition for review and concludes defendant was denied effective assistance of counsel; reversed and remanded for evidentiary hearing. Swenson v. State, 284 Kan. 931, 169 P.3d 298 (2007).

39. If a defendant can establish ineffective assistance of counsel in the failure to file a petition for review in his direct appeal, the appropriate remedy is to allow the filing of a petition for review per Rule 8.03 out of time. *Kargus v. State*, 284 Kan. 980, 169 P.3d 307 (2007).

40. Defendant was denied effective assistance of counsel by his counsel's failure to timely file a petition for review per Rule 8.03; discussion of Rule 183 requirements. *Penn v. State*, 38 Kan. App. 2d 943, 173 P.3d 1172 (2008).

41. Plaintiff's petition for review granted without limitation per Rule 8.03(g)(1). *Troutman v. Curtis*, 286 Kan. 452 , 185 P.3d 930 (2008).

42. Per Rule 8.03(f) and (i), any decision of the appellate courts denying review shall be final as of the date of decision, not from the date the mandate was issued. *Wilson v. State*, 40 Kan. App. 2d 170, 192 P.3d 1121 (2008).

43. Pursuant to Rule 8.03(g), Supreme court typically requires issues addressed on petition for review to have been preserved in the Court of Appeals, if not decided there. *In re Care & Treatment of Miller*, 289 Kan. 218, 210 P.3d 625 (2009).

44. The denial of a petition for review of a Court of Appeals' decision imports no decision on the merits of the case per Rule 8.03(f). *McCabe v. Hoch*, 42 Kan. App. 2d 747, 216 P.3d 720 (2009).

45. Under Rule 8.03(g)(1), the Kansas Supreme Court granted review on all issues. *Unruh v. Purina*, 289 Kan. 1185, 221 P.3d 1130 (2009).

46. Per Rule 8.03(g)(1), State did not seek review of argument that Court of Appeals erred in addressing speedy trial issue for first time on appeal. *State v. Pressley*, 290 Kan. 24, 223 P.3d 299 (2010).

47. If appellant petitions for review with Supreme Court, the provisions of Rule 8.03(i) will take effect. *Friends of Bethany Place v. City of Topeka*, 43 Kan. App. 2d 182, 222 P.3d 535 (2010).

Supreme Court's scope of review is limited per Rule 8.03(g)(1)and (h)(3). *In re M.F.*, 290 Kan. 142, 225 P.3d 1177 (2010).

48. Supreme Court granted defendant's petition for review and remanded case to Court of Appeals for reconsideration in light of *State v. Youngblood*, 288 Kan 659, Syl. ¶¶ 2, 3, 206 P.3d 518 (2009), pursuant to Rule 8.03(h)(2). *State v. Long*, 43 Kan. App. 2d 328, 225 P.3d 754 (2010).

49. In plaintiff's response to petition for review per Rule 8.03(c)(3), response may also present for review adverse rulings or decisions of the district court that should be considered by the Supreme Court. *Puckett v. Mt. Carmel Regional Med. Center*, 290 Kan. 406, 228 P.3d 1048 (2010)

50. Issues not raised in petition for review will not be considered per Rule 8.03(a)(5)(c). *Chism v. Protective Life Insurance Co*., 290 Kan. 645, 234 P.3d 780 (2010).

51. Issues not presented in the petition, or fairly included therein, will not be considered per Rule 8.03(a)(5)(c). *State v. Ward*, 292 Kan. 541, 256 P.3d 801 (2011).

52. District court is not required to entertain a second or successive motion for similar relief filed by the same prisoner absent a showing of exceptional circumstances per Rule 183(c) and (d). *Wimbley v. State*, 292 Kan. 796, 257 P.3d 328 (2011).

53. Appellant abandoned all issues related to K.S.A. 60-260(b) since those issues were not presented in its petition for review and, thus will not be considered by the court per Rule 8.03(a)(5)(c). *Board of Sedgwick County Comm'rs v. City of Park City*, 293 Kan. 107, 260 P.3d 387 (2011).

54. Although Rule 8.03(i) limits the effect of a case pending review, the reasoning of a case pending review was applied under these facts in holding for the taxpayer. *In re Tax Complaint of Wine*, 46 Kan. App. 2d 134, 260 P.3d 1234 (2011).

55. Supreme Court granted petition for review and found Court of Appeals erred in part of its jurisdictional ruling; remanded for determination of merits on surviving issues. *Barnes v. Board of Cowley County Comm'rs*, 293 Kan. 11, 259 P.3d 725 (2011).

56. Supreme Court will not review issues not presented in petition for review under Rule 8.03(a)(5)(c); under Rule 8.03(g)(1), a party must allege that an issue was erroneously decided by the Court of Appeals in order for the issue to be properly before the Supreme Court on petition for review. *State v. Allen*, 293 Kan. 793, 268 P.3d 1198 (2012).

57. Supreme Court granted defendant's petition for review per Rule 8.03. *State v. Deal*, 293 Kan. 872, 269 P.3d 1282 (2012).

58. Appellate court can draw guidance from reasoning of a case in which petition for review is pending per Rule 8.03(i), but the case is not binding precedent. *State v. Behrendt*, 47 Kan. App. 2d 396, 274 P.3d 704 (2012).

59. Appellant's petition for review did not challenge Court of Appeals' holdings; thus, issues deemed abandoned per Rule 8.03(a)(5)(c). *State v. Sanchez-Loredo*, 294 Kan. 50, 272 P.3d 34 (2012). \

60. Appellant's issues not presented in the petition for review are not before the Supreme Court for review per Rule 8.03(a)(5)(c). *State v. Snellings*, 294 Kan. 149, 273 P.3d 739 (2012).

61. Issues not presented in petition for review or fairly included therein will not be considered by Supreme Court. *State v. Trujillo*, 296 Kan. 625, 294 P.3d 281 (2013).

62. Rule 8.03 cited in noting that several recently filed Court of Appeals opinions lacked precedential value since petitions for review had either been granted or were pending. *State v. Davis*, 48 Kan. App. 2d 573, 294 P.3d 353 (2013).

63. Under Rule 8.03(g)(1) Supreme Court had discretion to address issues previously raised but not decided by Court of Appeals; resolution of case did not require decision on those issues and one issue abandoned by failure adequately brief under Rule 6.02(a)(5). *Via Christi Regional Med. Center, Inc. v. Reed*, 298 Kan. 503, 314 P.3d 852 (2013).

64. Although appellant raised additional issues on petition for review and in supplemental brief, under Rule 8.03(g)(1) review is limited only to those issues alleged to be wrongly decided by Court of Appeals. *State v. Morningstar*, 299 Kan. 1236, 329 P.3d 1093 (2014).

65. On review by Supreme Court, portion of supplemental brief struck that raised issue not previously raised before Court of Appeals. *State v. Edwards*, 299 Kan. 1008, 327 P.3d 469 (2014).

66. Supreme Court review limited by Rule 8.03 to issues alleged decided erroneously by Court of Appeals. *Denning v. Johnson County Sheriff's Civil Service Bd*., 299 Kan. 1070, 329 P.3d 440 (2014).

67. Under Rule 8.03(g)(1), appeal limited to considering actions of officers after entry into residence, because rationale for initial entry not raised in petition for review. *State v. Neighbors*, 299 Kan. 234, 328 P.3d 1081 (2014).

68. Under Rule 8.03(g)(1), issue of whether claim arose out of contract rather than tort not considered on appeal since review of Court of Appeals decision on that issue not sought. *Sleeth v. Sedan City Hospital*, 298 Kan. 853, 317 P.3d 782 (2014).

69. After finding Rule 6.02(a)(5) did not bar to review, Supreme Court reviewed issue not previously considered by Court of Appeals; Rule 8.03(a)(4)(C) also argued as basis for Supreme Court review. *Bussman v. Safeco Ins. Co. of America*, 298 Kan. 700, 317 P.3d 70 (2014).

70. Under Rule 8.03(g)(1), because party did not cross-petition for review of Court of Appeals decision, issues not before court on review. *Stanley Bank v. Parish*, 298 Kan. 755, 317 P.3d 750 (2014).

71. Citing Rule 8.03(i), Court of Appeals states that issue of determination of proper amount of restitution lacked any effective appellate ruling due to case being accepted for review and then remanded to Court of Appeals for reconsideration of different issue. *State v. Davis*, 50 Kan. App. 2d 725, 333 P.3d 190 (2014).

72. Rule 8.03 cited in noting Supreme Court review of cases on petition for review is discretionary. *State v. Hollister*, 300 Kan. 458, 329 P.3d 1220 (2014).

73. Although appellant filed petition for review of two issues, Supreme Court, in granting review under Rule 8.03, limited its grant of review to a single issue. *State v. Andrew*, 300 Kan. 616, 333 P.3d 140 (2014).

74. Supreme Court granted petition for review under Rule. 8.03. *State v. Jones*, 300 Kan. 630, 333 P.3d 886 (2014).

75. Although issue of standing of social guest not raised in petition for review, considered as part of Fourth Amendment issue raised by defendant; Rule 8.03 cited. *State v. Talkington*, 301 Kan. 453, 345 P.3d 258 (2015).

76. Concurrence contended issue not properly preserved since not briefed in petition for review; Rule 8.03(a)(4)(C) and (h)(1) cited. S*tate v. Overman*, 301 Kan. 704, 348 P.3d 516 (2015).

77. Under Rule 8.03, denial of petition for review imports no opinion on merits of that case. *State v. Spencer Gifts, LLC*, 51 Kan. App. 2d 437, 348 P.3d 611 (2015).

78. Where petition for review failed to adequately address constitutional issue, issue deemed abandoned; Rule 8.03 cited. *State v. Funk*, 301 Kan. 925, 349 P.3d 1230 (2015).

79. Despite lack of cross-petition for review of the panel's holding, Supreme Court review of issue was permitted by Rule 8.03(h)(1). *Rodriguez v. U.S.D. No. 500*, 302 Kan. 134, 351 P.3d 1243 (2015).

80. Under Rules 8.03, Rule 6.02(b), and 6.03(b), portion of appendix to appellate brief not considered since not part of record. *Rodriguez v. U.S.D. No. 500*, 302 Kan. 134, 351 P.3d 1243 (2015).

81. Under Rule 8.03(g) Supreme Court had no jurisdiction to reconsider denial of petition for review of attorney fees issue. *Ruhland v. Elliott*, 302 Kan. 405, 353 P.3d 1124 (2015).

82. Issue not considered for first time on appeal where party failed in violation of Rule 6.02(a)(5) to explain why issue was properly before court and failed in violation of Rule 8.03(a)(4)(C) to advance on petition for review any substantive reason why the Court of Appeals erred. *State v. Swint*, 302 Kan. 326, 352 P.3d 1014 (2015).

83. Under Rule 8.03, Supreme Court could only consider narrow issue raised in petition for review. *State v. Dull*, 302 Kan. 32, 351 P.3d 641 (2015).

Published Court of Appeals decision cited in brief lacked precedential value under Rule 8.03(j) where Supreme Court had granted review but parties later dismissed case by stipulation. *Wimp v. American Highway Technology*, 51 Kan. App. 2d 1073, 360 P.3d 1100 (2015).

84. If State prevails on issue but disagrees with Court of Appeals rationale, under Rule 8.03(a) such disagreement is not proper grounds for cross-petition for review. *State v. Laborde*, 303 Kan. 1, 360 P.3d 1080 (2015).

85. In workers compensation case Supreme Court reviewed equal protection claim presented to but not reached by Court of Appeals; Rule 8.03(h)(1) cited. *Hoesli v. Triplett, Inc.*, 303 Kan. 358, 361 P.3d 504 (2015).

86. Sufficiency of evidence issue not before Supreme Court on review where State did not file cross-petition for review; Rule 8.03(a)(4)(C), (b)(2) cited. *State v. Williams*, 303 Kan. 750, 368 P.3d 1065 (2016).

87. Because the State did not contest Court of Appeals ruling on identical offense doctrine, issue not reviewed by Supreme Court; Rule 8.03(a)(4)(C) cited. *State v. Perry*, 303 Kan. 1053, 370 P.3d 754 (2016).

88. Where State did not cross-appeal finding of instructional error, despite contrary Supreme Court authority, Supreme Court confined to harmless error review; Rule 8.03(h)(1) cited. *State v. Corey*, 304 Kan. 721, 374 P.3d 654 (2016).

89. Court of Appeals preservation ruling in favor of defendant not considered by Supreme Court where State failed to file cross-petition for review under Rule 8.03(h)(1). *State v. Keenan*, 304 Kan. 986, 377 P.3d 439 (2016).

ORIGINAL ACTIONS

Rule 9.01 ORIGINAL ACTION

Case Annotations

1. Denial of relief to news reporter; no testimonial privilege to withhold testimony in criminal proceeding. *In re Pennington*, 1 Kan. App. 2d 682, 573 P.2d 1099 (1977).

2. Petition for reinstatement of order of probation; judgment for petitioner; terms of probation complied with. *Swope v. Musser*, 223 Kan. 133, 573 P.2d 587 (1977).

3. Habeas corpus proceeding properly commenced under subsection (a) after motion to dismiss for double jeopardy denied and appeal thereof dismissed. *In re Berkowitz*, 3 Kan. App. 2d 726, 729, 602 P.2d 99 (1979).

4. Section (b) construed in determining necessary parties in an original action in mandamus against a judge but not involving pending litigation. *State ex rel. Stephan v. Smith*, 242 Kan. 336, 747 P.2d 816 (1987).

5. Criminal defendant's appeal of pretrial denial of dismissal based on double jeopardy appropriately filed as original action under 9.01(a) and K.S.A. 22-2710. *In re Habeas Corpus Petition of Mason*, 245 Kan. 111, 775 P.2d 179 (1989).

6. Case filed in Supreme Court as original class action dismissed on grounds adequate relief available in district court. *Dean v. State*, 250 Kan. 417, 826 P.2d 1372 (1992).

7. Court of Appeals does not exercise original jurisdiction in habeas cases where relief is available in district court per Rule 9.01(a). *Krogen v. Collins*, 21 Kan. App. 2d 723, 907 P.2d 909 (1995).

8. Section (c) cited for authority by the court in hearing petition for writ of mandamus filed by news media for purposes of intervening in criminal proceedings to prevent trial judge from sealing records from the public. *Wichita Eagle Beacon Co. v. Owens*, 271 Kan. 710, 27 P.3d 881 (2001).

9. Criminal defendant's appeal of pretrial denial of dismissal based on double jeopardy appropriately filed under 9.01. *In re Habeas Corpus Petition of Minnis*, 29 Kan. App. 2d 644, 29 P.3d 462 (2001).

10. Per Rule 9.01(a), our Supreme Court has discretion to exercise its original jurisdiction even if relief also is available in the district court. *Comprehensive Health of Planned Parenthood v. Kline*, 287 Kan. 372, 405, 197 P.3d 370 (2008).

11. Rule 9.01(c) cited by district judge, advising that all court proceedings in case are stayed since jurisdiction resides in appellate court. Kansas Medical Mut. Ins. Co. v. Svaty, 291 Kan. 597, 244 P.3d 642 (2010).

12. Dissent argues normal rule for avoiding unnecessary constitutional rulings should not apply in *quo warranto* action where jurisdiction retained to decide questions of public concern; Rule 9.01(b) cited. *State ex rel. Schmidt v. City of Wichita*, 303 Kan. 650, 367 P.3d 282 (2016).

13. Rule 9.01(b) cited in noting Supreme Court should exercise its original jurisdiction cautiously; writ of mandamus issued. *Board of Johnson County Comm'rs v. Jordan*, 303 Kan. 844, 370 P.3d 1170 (2016).

14. Respondent in mandamus action argued that disputed facts required fact-finding proceeding; Rule 9.01(d) cited. *Board of Johnson County Comm'rs v. Jordan*, 303 Kan. 844, 370 P.3d 1170 (2016).

15. Respondent's request for extension of time to respond to petition for mandamus denied due to looming statutory deadline in case; Rule 9.01(c)(3) cited. *Board of Johnson County Comm'rs v. Jordan*, 303 Kan. 844, 370 P.3d 1170 (2016).

16. Need for speedy adjudication and issue of statewide importance accepted as reasons mandamus action should be heard by Supreme Court under Rule 9.01(b). *Ambrosier v. Brownback*, 304 Kan. 907, 375 P.3d 1007 (2016).

RULE 9.04 WORKERS COMPENSATION CASE

Case Annotations

1. Appeal dismissed when not filed within 30 days; 3 additional mailing days not permitted. *Jones v. Continental Can Co.*, 260 Kan. 547, 920 P.2d 939 (1996).

2. Rule mentioned in discussion of *Jones v. Continental Can Co.*, 260 Kan. 547, 920 P.2d 939 (1996). *McIntyre v. A.L. Abercrombie, Inc.*, 23 Kan. App. 2d 204, 929 P.2d 1386 (1996).

EXPEDITED APPEALS

Rule 10.01 EXPEDITED APPEAL FOR WAIVER OF PARENTAL CONSENT REQUIREMENT

Case Annotations

1. Opinion prepared in accordance with Rule 10.01(b). *In re Doe*, 17 Kan. App. 2d 567, 843 P.2d 735 (1992).

2. Opinion prepared in accordance with Rule 10.01(b). *In re Doe*, 19 Kan. App. 2d 204, 866 P.2d 1069 (1994).

RULES RELATING TO DISTRICT COURTS

STANDARDS RELATING TO JURY USE AND MANAGEMENT

STANDARD 3: RANDOM SELECTION PROCEDURES

Case Annotations

1. Standards examined and held constitutional in criminal appeal challenging jury panel as not representative of community. *State v. Baker,* 249 Kan. 431, 819 P.2d 1173 (1991).

STANDARD 4: ELIGIBILITY FOR JURY SERVICE

Case Annotations

1. Standards examined and held constitutional in criminal appeal challenging jury panel as not representative of community. *State v. Baker,* 249 Kan. 431, 819 P.2d 1173 (1991).

STANDARD 6: EXEMPTION, EXCUSE, AND DEFERRAL

Case Annotations

1. Standards examined and held constitutional in criminal appeal challenging jury panel as not representative of community. *State v. Baker,* 249 Kan. 431, 819 P.2d 1173 (1991).

2. Excuses and deferrals from jury service should be determined by published local court rules adopted by the judges. *State v. Smith,* 16 Kan. App. 2d 478, 487, 825 P.2d 541 (1992).

3. Defendant objected to trial court's excusing potential jurors for economic reasons; Standard 6(d) cited for rule that the judge in each judicial district shall set the guidelines for determining requests for the excusing and deferral. *State v. Martis,* 277 Kan. 267, 83 P.3d 1216 (2004).

PART B. STANDARDS RELATING TO SELECTION OF A PARTICULAR JURY

STANDARD 10: ADMINISTRATION OF THE JURY SYSTEM

Case Annotations

1. Standards examined and held constitutional in criminal appeal challenging jury panel as not representative of community. *State v. Baker,* 249 Kan. 431, 819 P.2d 1173 (1991).

Kansas Child Support Guidelines

Case Annotations

1. Kansas Child Support Guidelines apply to child support orders governed by the Kansas Parentage Act, K.S.A. 38-1110 *et seq. State ex rel. Dix v. Plank,* 14 Kan. App. 2d 12, 780 P.2d 171 (1989).

2. Domestic Gross Income for purposes of child support is defined. *In re Marriage of McPheter,* 15 Kan. App. 2d 47, 803 P.2d 207 (1990).

3. Use of Kansas Child Support Guidelines is mandatory; rebuttable presumption of correctness of support amount determined by use of guidelines, and any deviation therefrom must be supported by written findings in journal entry. *In re Marriage of Schletzbaum*, 15 Kan. App. 2d 504, 809 P.2d 1251 (1991).

4. A child support order may include child care costs even though custodial parent is neither employed nor in search of employment. *In re Marriage of McNeely,* 15 Kan. App. 2d 762, 815 P.2d 1125 (1991).

5. Failure to follow guidelines is reversible error; absence of findings. *In re Marriage of Schwien,* 17 Kan. App. 2d 498, 839 P.2d 541 (1992).

6. Income may be imputed per II.E. of the guidelines to noncustodial parent upon a finding of deliberate un- or underemployment. *In re Marriage of Cray,* 18 Kan. App. 2d 15, 27, 846 P.2d 944 (1993).

7. Abatement of support per V.E. of the guidelines during visitation with noncustodial parent must be based on written findings or specific findings in the record; abatement may not reduce support paid to custodial parent to less than 33% of combined total. *In re Marriage of Cray,* 18 Kan. App. 2d 15, 28, 846 P.2d 944 (1993).

8. Trial court consideration of Kansas Child Support Guidelines is mandatory in determination of support; no findings in journal entry to justify deviations is reversible error. *In re Marriage of Emerson,* 18 Kan. App. 2d 277, 850 P.2d 942 (1993).

9. Section IV.D. requires use of two-child schedule in divided custody case where each party has custody of one of the parties' two children. *In re Marriage of Hansen,* 18 Kan. App. 2d 712, 858 P.2d 1240 (1993).

10. In an adoption proceeding, use of Kansas Child Support Guidelines to measure adequacy of natural father's support of mother six months prior to birth of child, in the absence of a support order, is rejected in favor of a "reasonable under all the circumstances" test. *In re Adoption of Baby Boy B,* 254 Kan. 454, 866 P.2d 1029 (1994).

11. Use of guidelines to compute child support mandatory; "Domestic Gross Income" is income from all sources, excluding public assistance; child support worksheet must be filed in every case where support ordered. *In re Marriage of Beacham,* 19 Kan. App. 2d 271, 867 P.2d 1071 (1994).

12. Use of guidelines mandatory; social security disability payments to be included as income. *In re Marriage of Callaghan,* 19 Kan. App. 2d 335, 869 P.2d 240 (1994).

13. Child support worksheet required to be filed in every case where support ordered; error to impute income based on AFDC payments received on behalf of other child; "Domestic Gross Income" defined; purpose and effect of "multi-family adjustment." *Shaddox v. Schoenberger,* 19 Kan. App. 2d 361, 869 P.2d 249 (1994).

14. Purpose of modification of child support orders to advance the welfare of the child; material changes of circumstance to warrant modification discussed; when imputation of income appropriate. *In re Marriage of Case,* 19 Kan. App. 2d 883, 879 P.2d 632 (1994).

15. If a noncustodial parent pays child support under another court order for children who do not reside with the noncustodial parent, those children are not counted for purposes of choosing a child support schedule as provided by the multiple-family adjustment. *Scruggs v. Chandlee,* 20 Kan. App. 2d 956, 894 P.2d 239 (1995).

16. In determining domestic gross income of a farmer under the Kansas Child Support Guidelines, a total disregard of depreciation in farming operations is an abuse of discretion by the court. *In re Marriage of Lewallen,* 21 Kan. App. 2d 73, 895 P.2d 1265 (1995).

17. Deviation from guidelines must serve best interests of children; consideration of party's bankruptcy filing in setting child support. *In re Marriage of Aubuchon,* 22 Kan. App. 2d 181, 913 P.2d 221 (1996).

18. No abuse of discretion by taking into account income tax considerations in deciding to modify

child support. *In re Marriage of Denning*, 22 Kan. App. 2d 226, 914 P.2d 576 (1996).

19. The extrapolation formula for income beyond the child support schedules is discretionary but must be considered by the trial court. *In re Marriage of Patterson*, 22 Kan. App. 2d 522, 920 P.2d 450 (1996).

20. Use of multiple family adjustment discussed in situation where support is not established until after the noncustodial parent has other children. *State ex rel. Secretary of SRS v. Huffman*, 22 Kan. App. 2d 577, 920 P.2d 965 (1996).

21. District court is required to compute child support using two child support worksheets in a divided custody situation. *In re Marriage of Cranston*, 23 Kan. App. 2d 350, 929 P.2d 820 (1997).

22. Income may be imputed to noncustodial parent in appropriate circumstances; child-related costs are limited to the children for whom both parties are legally responsible. *In re Marriage of Jones*, 23 Kan. App. 2d 858, 936 P.2d 302 (1997).

23. Voluntary conduct that results in an involuntary loss of income does not necessarily determine that a parent is deliberately unemployed or underemployed; for child support computations, where a parent is paying for family health insurance that covers individuals from more than one family, the cost of the family coverage should be divided among the number of individuals who are covered by the insurance and that the number should be multiplied by the number of children subject to the child support order. *In re Marriage of Johnson*, 24 Kan. App. 2d 631, 950 P.2d 267 (1997).

24. Income may be properly imputed to custodial parent based on reasonable interpretation of her job history and future prospects per II.E.2.; guidelines only require child care costs to be included in the child support calculations if the costs are (1) actual, reasonable, and necessary and (2) are incurred to permit employment or job search. *In re Marriage of Scott*, 263 Kan. 638, 952 P.2d 1318 (1998).

25. A parent's incarceration, standing alone, is not legal justification for the suspension or modification of child support obligation previously determined under Kansas Child Support Guidelines when obligation originally arose from paternity action. *Rupp v. Grubb*, 265 Kan. 711, 962 P.2d 1074 (1998).

26. A parent's incarceration, standing alone, is not legal justification for the suspension or modification of child support obligation previously determined under the Kansas Child Support Guidelines. *In re Marriage of Thurmond*, 265 Kan. 715, 962 P.2d 1064 (1998).

27. The trial court may use the Multiple Family Adjustment in reducing the support when such modification is sought by the noncustodial parent and child support was previously established using the Multiple Family Adjustment. *In re Marriage of Benoit*, 26 Kan. App. 2d 659, 992 P.2d 1259 (1999).

28. Child support may be modified at any time circumstances render such a change proper. *In re Marriage of Shoby*, 269 Kan. 114, 4 P.3d 604 (2000).

29. Per Section II.E.1a and b; income may be imputed to noncustodial parent in appropriate circumstances; motion for attorney fees and costs pursuant to Rule 7.07(c) is denied since appeal raised question of statutory interpretation. *In re Marriage of Hoffman*, 28 Kan. App. 2d 156, 12 P.3d 905 (2000).

30. Action to recover public assistance expended on child's behalf is not action to establish or review child support order; Administrative Order No. 128 does not apply in such an action. *State ex rel. Secretary of SRS v. Cook*, 29 Kan. App. 2d 292, 26 P.3d 76 (2001).

31. The automatic termination rule in K.S.A. 60-1601(a)(1) applies in all custody situations regarding child support for children reaching the age of 18 or upon graduation from high school, unless an agreement provides otherwise. *In re Marriage of Kasper*, 29 Kan. App. 2d 461, 27 P.3d 948 (2001).

32. The Kansas Child Support Guidelines are the basis for establishing and reviewing child support orders in Kansas. *In re Marriage of Burton*, 29 Kan. App. 2d 449, 28 P.3d 427 (2001).

33. Normal extracurricular activities are those activities that are frequently engaged in by normal, healthy children all across the state of Kansas and are accounted for in the Kansas Child Support Guidelines; these activities are not considered to be in the special needs category when figuring child support. *In re*

Marriage of Ronen, 29 Kan. App. 2d 443, 26 P.3d 1287 (2001).

34. Considerations for using shared custody provisions are set forth in the Kansas Child Support Guidelines, Supreme Court Administrative Order No. 128, II. M. and are cited and discussed. *In re Marriage of Karst*, 29 Kan. App. 2d 1000, 34 P.3d 1131 (2002).

35. The Kansas Child Support Guidelines define the type of proceeds which should be considered income for purposes of calculating support; domestic gross income for self-employed is discussed; no bright line rule regarding whether Subchapter S corporation earnings or distributions can be considered income for purposes of calculating support; case-by-case analysis required for determination. *In re Marriage of Brand*, 273 Kan. 346, 44 P.3d 321 (2002).

36. Under the Kansas Child Support Guidelines, income may be imputed to the noncustodial parent in appropriate circumstances, including when a parent is deliberately unemployed although capable of working full time. *In re Marriage of McCollum*, 30 Kan. App. 2d 651, 45 P.3d 398 (2002).

37. The supplemental visitation adjustment of the Kansas Child Support Guidelines provides no authority to increase a noncustodial parent's child support obligation based on the parent's failure to exercise visitation with a minor child. *Barnett v. Cusimano*, 30 Kan. App. 2d 680, 46 P.3d 568 (2002).

38. To compute child support obligations when children change child support guideline brackets, the remedy is for the parent to file a motion under K.S.A. 60-1610(a), alleging a material change of circumstances. *In re Marriage of Steven*, 30 Kan. App. 2d 794, 48 P.3d 1284 (2002).

39. Kansas Child Support Guidelines are applicable to paternity actions under Chapter 38 of the Kansas Statutes Annotated as well as to actions arising under Chapter 60. *Skillett v. Sierra*, 30 Kan. App. 2d 1041, 53 P.3d 1234 (2002).

40. Divided custody and shared custody discussed; gross income is income from all sources, including overtime and second jobs, at least when the overtime or second job has been historically relied on by the family. *In re Marriage of Gurtner*, 31 Kan. App. 2d 613, 69 P.3d 633 (2003).

41. Kansas Child Support Guidelines' definitions discussed; Subchapter S earnings not considered income for purpose of calculating child support in this case since parent was only a minority stockholder in the company. *In re Marriage of Unruh*, 32 Kan. App. 2d 770, 88 P.3d 1241 (2004).

42. District court did not err by not considering tuition reimbursement paid by an employer in calculating income under the Kansas Child Support Guidelines. *In re Marriage of Mellott*, 32 Kan. App. 2d 1031, 93 P.3d 1219 (2004).

43. Under the Kansas Child Support Guidelines, where income is imputed to the custodial parent but the generation of such income would necessitate child care expenses, the district court may impute such reasonably necessary child care expenses for purposes of determining support obligations of the noncustodial parent. *In re Marriage of Paul*, 32 Kan. App. 2d 1023, 93 P.3d 734 (2004).

44. Social Security retirement benefits paid to the subject children should be allowed as a credit against court-ordered child support payments. *In re Marriage of Martin*, 32 Kan. App. 2d 1141, 95 P.3d 130 (2004).

45. Supreme Court affirmed Court of Appeals holding that under Kansas Child Support Guidelines, district court may not only impute income to custodial parent, but may also impute child care expenses necessary to generate imputed income. *In re Marriage of Paul*, 278 Kan. 808, 103 P.3d 976 (2005).

46. Under Section V.A., a parent is required to notify the other parent of any change in financial circumstances, including change in child care costs. *In re Marriage of Leedy*, 279 Kan. 311, 109 P.3d 1130 (2005).

47. Consideration of shared residential custody issues discussed and applied from Section III.B.7; unlimited appellate review in interpreting and applying Kansas Child Support Guidelines. *Sparks v. Sparks*, 34 Kan. App. 2d 499, 120 P.3d 365 (2005).

48. Proceeds from a lump sum severance package are income for purposes of calculating child support; definition of domestic gross income under the Child Support Guidelines discussed and applied. *In re Marriage of Branch*, 37 Kan. App. 2d 334, 152 P.3d 1265 (2007).

49. In determining income of self-employed persons under the Kansas Child Support Guidelines, taxable income is not always an indication of domestic gross income; the trial court has discretion to determine whether depreciation is necessary for the production of income, and if so, it qualifies as a reasonable business expense and may be deducted from rental property income in determining child support. *In re Marriage of Cox*, 36 Kan. App. 2d 550, 553, 143 P.3d 677 (2006).

50. The Child Support Guidelines provide that a district court may use the table provided in the Guidelines to calculate the amount of parenting time adjustment, although the court is not required to do so; a district court may always deviate from the Guidelines provided that such deviation is justified by written findings in the journal entry; shared expense formula discussed. *In re Marriage of Atchison*, 38 Kan. App. 2d 1081, 176 P.3d 965 (2008).

51. The district court abused its discretion in applying the wrong legal standard in calculating the long-distance parenting time cost adjustment under the Kansas Child Support Guidelines; see Guidelines IV.E.1. *In re Parentage of Brown*, 39 Kan. App. 2d 26, 176 P.3d 242 (2008).

52. District court did not abuse its discretion in utilizing and applying the overall financial condition adjustment to establish the cap on the child support amounts. *In re Marriage of Leoni*, 39 Kan. App. 2d 312, 180 P.3d 1060 (2007).

53. Where district court interprets separation agreement to require one of the parents to pay child support, it must use the Child Support Guidelines to compute the obligation; when courts make deviation from the Guidelines, courts must show such deviation serves the best interests of the children. *In re Marriage of VanderVoort*, 39 Kan. App. 2d 724, 185 P.3d 289 (2008).

54. District court did not abuse its discretion in terminating parent's obligation to pay child support when the income is solely derived from public assistance. *State ex rel. Secretary, SRS v. Moses*, 39 Kan. App. 2d 1054, 186 P.3d 1216 (2008).

55. Under the Guidelines, the term "income" means every conceivable form of income, whether it be in the form of earnings, royalties, bonuses, dividends, interest, maintenance, or rent. *In re Marriage of Ormiston*, 39 Kan. Ap. 2d 1076, 188 P.3d 32 (2008).

56. District court did not abuse its discretion by using straight-line depreciation instead of accelerated depreciation to calculate child support income per Section II.E. of the Kansas Child Support Guidelines. *In re Marriage of Wiese*, 41 Kan. App. 2d 553, 203 P.3d 59 (2009).

57. Pursuant to KCSG, Section III.B.6., when an increase in child support is sought by a parent with primary residency, the Multiple-Family Application may be used by the opposing parent. *In re Marriage of Winsky*, 42 Kan. App. 2d 69, 208 P.3d 355 (2009).

58. Rule 164(a) requires domestic relations affidavit be in form found in Appendix III of Kansas Child Support Guidelines and information sworn by each party to be "true and complete." *In re Marriage of Wilson*, 43 Kan. App. 2d 258, 223 P.3d 815 (2010).

59. Under KCSG § II.D., adoption subsidies are excluded from parent income when calculating child support; KCSG § II.A., defining purpose of child support, also cited. *In re Marriage of Thomas*, 49 Kan. App. 2d 952, 318 P.3d 672 (2014).

60. Parent failure to disclose increased income over 9 months violated KCSG § V.B.1; under KCSG § V.B.2. district court had discretion to sanction parent by adding 9-month shortfall amount to child support payment obligation; limits on retroactive modification of child support under K.S.A. 2013 Supp. 23-3005(b) inapplicable to sanctions. *In re Marriage of Johnson*, 50 Kan. App. 2d 687, 336 P.3d 330 (2014).

61. In calculating child support, use of the equal parenting time formula of KCSG § IV.E.2.b. is discretionary even if affirmative findings are made under KCSG § III.B.7.b. *In re Marriage of Skoczek*, 51

Kan. App.2d 606, 351 P.3d 1287 (2015).

62. KCSG §§ V.A., V.B., V.B.1., V.B.3., V.B.4., II.D. cited in discussing likely unavailability of relief from motion to modify. *In re Marriage of Stephenson & Papineau*, 302 Kan. 851, 358 P.3d 86 (2015).

63. KCSG §§ I., II.A., V.B.2., and IV.E.6. cited in discussing legislative policy and proper factors for determining child support. *In re Marriage of Stephenson & Papineau*, 302 Kan. 851, 358 P.3d 86 (2015).

GENERAL AND ADMINISTRATIVE

PREFATORY RULE

Rule 105 LOCAL RULES

Case Annotations

1. Local court rules shall be effective upon filing with the Supreme Court Clerk; unfiled local rule regarding filing notice of appeal prior to judgment ineffective; fundamental fairness doctrine applied to case involving premature notice of appeal. *State v. McGraw*, 19 Kan. App. 2d 1001, 879 P.2d 1147 (1994

2. Judicial districts may make rules they find necessary for the administration of the district court's affairs to the extent that such rules are not inconsistent with applicable statutes and the Kansas Supreme Court Rules. *In re Marriage of Galvin*, 32 Kan. App. 2d 410, 83 P.3d 805 (2004).

3. Local district court rule conflicts with the clear language of K.S.A. 2004 Supp. 61-3608; thus, the local rule is invalid per Rule 105. *Nugyen v. Esplund*, 34 Kan. App. 2d 34, 114 P.3d 175 (2005).

4. Case remanded to determine if district magistrate judge was properly assigned to conduct felony arraignment. *State v. Valladarez*, 288 Kan. 671, 206 P.3d 879 (2009).

5. Rule 105 cited in discussion of duties of chief judge; contrasted with Rule 107. *Solomon v. State*, 303 Kan. 512, 364 P.3d 536 (2015).

Rule 107 DUTIES AND POWERS OF CHIEF JUDGE

Case Annotations

1. Rule 107 cited in discussion of duties of administrative judge; held no conflict for judge assigned two similar cases and did not require the judge to review his own orders. *Nat'l Compressed Steel Corp. v. Unified Gov't of Wyandotte Co.*, 272 Kan. 1239, 38 P.3d 723 (2002).

2. Under Rule 107, assignments of cases by the chief judge in a judicial district are not required to be in writing. *State v. Valladarez*, 288 Kan. 671, 206 P.3d 879 (2009).

3. Statutory amendment requiring district judges to elect chief judge conflicted with Rule 107; statutory amendment held unconstitutional, Rule 107 to remain in full effect. *Solomon v. State*, 303 Kan. 512, 364 P.3d 536 (2015).

Rule 110 CASA VOLUNTEERS AND PROGRAMS

Case Annotations

1. Volunteer court-appointed special advocates do not have interested party status under Rule 110 or K.S.A. 38-1505a. *In re D.D.P., Jr.*, 249 Kan. 529, 819 P.2d 1212 (1991).

Rule 114 SURETY ON BOND

Case Annotations

1. Attorney may not act as surety in a bond in a case in which the attorney is counsel. *Nicholas v. Nicholas*, 277 Kan. 171, 83 P.3d 214 (2004).

Rule 116 ADMISSION *PRO HAC VICE* OF OUT-OF-STATE ATTORNEY

Case Annotations

1. Duty of local counsel discussed in attorney discipline case finding attorney in violation of professional conduct rules by her handling of post-trial motions. *In re Jackson*, 254 Kan. 573, 866 P.2d 1048 (1994).

2. Rule requires local counsel to sign pleadings and briefs, to be actively involved in the case, and to be present at all appearances; error to dismiss case with prejudice for noncompliance with rule. *Architectural & Engineered Products Co. v. Whitehead*, 19 Kan. App. 2d 378, 869 P.2d 766 (1994).

3. Arkansas attorney admitted to practice in this post-divorce action per Rule 116. *In re Marriage of Stockham*, 23 Kan. App. 2d 197, 928 P.2d 104 (1996).

4. Out-of-state counsel's misunderstanding of Kansas law and Kansas counsel's failure to get involved in all aspects of defense are noted in discussion of defendant's ineffective assistance of counsel claim. *State v. Rice*, 261 Kan. 567, 932 P.2d 981 (1997).

5. A party's failure to comply with K.S.A. 7-104 and Rule 116 does not deprive the court of jurisdiction; the court is prohibited from entertaining any action or proceeding where a party fails or refuses to comply with the statute after notice. *Rafferty v. Land O'Lakes, Inc.*, 266 Kan. 64, 965 P.2d 825 (1998).

6. Rule 116 relating to disqualifying an out-of-state attorney from appearing as counsel discussed as an exception to the final decision requirement for purposes of an appeal pursuant to K.S.A. 60-2102(a)(4). *Flores Rentals v. Flores*, 283 Kan. 476, 153 P.3d 523 (2007).

7. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116, including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; one-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011).

8. District court orders granting pro hac vice admission to administratively suspended attorney held to be void ab initio; unauthorized practice of law violated Rule 116 and Rule 208(e). *In re Hall*, 304 Kan. 999, 1108-09, 377 P.3d 1149 (2016).

Rule 117 WITHDRAWAL OF ATTORNEY

Case Annotations

1. Mentioned; affirmed summary judgment dismissing attorney malpractice action. *Dings v. Callahan,* 4 Kan. App. 2d 36, 38, 602 P.2d 542 (1979).

2. Cited; attorney terminated by client and notice of termination given to the court and all parties; no formal order of withdrawal was required. *Alexander v. State Dept. of Social & Rehab. Serv.,* 4 Kan. App. 2d 57, 58-59, 602 P.2d 544 (1979).

3. Oral motion to withdraw made on the record followed by formal motion served on client and opposing counsel and filed with court held to be substantial compliance. *State v. Alsup,* 239 Kan. 673, 674-75, 722 P.2d 1100 (1986).

Rule 118 STATEMENT OF DAMAGES WHEN PLEADING DOES NOT DEMAND SPECIFIC AMOUNT

Case Annotations

1. Sets forth procedure to comply with 60-208(a) as to written statement of damages hereunder. *Ettus v. Orkin Exterminating Co.,* 233 Kan. 555, 564, 665 P.2d 730 (1983).

2. Ten-day notice provision applies to default judgment for any claim of unliquidated damages. *Winner v. Flory,* 11 Kan. App. 2d 263, 264-66, 719 P.2d 20 (1986).

3. Failure to comply with notice procedure renders default judgment voidable but not void. *Universal Modular Structures, Inc. v. Forrest,* 11 Kan. App. 2d 298, 300-02, 720 P.2d 1121 (1986).

4. Noncompliance with notice requirements of Rule 118(d) renders default judgment on claim for unliquidated damages voidable. *Producers Equip. Sales, Inc. v. Thomason,* 15 Kan. App. 2d 393, 402, 808 P.2d 881 (1991).

5. Unliquidated damages rule inapplicable to divorce and maintenance actions. *In re Marriage of Welliver,* 254 Kan. 801, 869 P.2d 653 (1994).

6. Attorney's failure to respond to discovery and Rule 118 requests, resulting in case being dismissed twice, is noted by court in attorney discipline case. *In re Jenkins,* 255 Kan. 797, 877 P.2d 423 (1994).

7. Statement of monetary damages per Rule 118 filed by plaintiff. *Jackson v. City of Kansas City,* 263 Kan. 143, 947 P.2d 31 (1997).

8. In a defamation case, rule is cited in arguments by defendants. *Moran v. State,* 267 Kan. 583, 985 P.2d 127 (1999).

9. Compliance with Rule 118(d) is mandatory and failure to comply with Rule 118 renders a defaulting judgment voidable. *First Nat'l Bank in Belleville v. Sankey Motors, Inc.,* 41 Kan. App. 2d 629, 204 P.3d 1167 (2009).

Rule 119 FAX FILING AND SERVICE

Case Annotations

1. Requirements of facsimile filing according to Rule 119 are discussed. *In re Care and Treatment of Goracke,* 27 Kan.App.2d 837, 9 P.3d 595 (2000).

Rule 123 COVER SHEET; PRIVACY POLICY REGARDING PERSONAL IDENTIFIERS

Case Annotations

1. Failure to include a cover sheet with the filing of a new case is similar to failure to pay a docket fee with a notice of appeal and is not a substantive statutory requirement; but a procedural deficiency that does not prejudice the State in any way. *Wilson v. State*, 40 Kan. App. 2d 170, 192 P.3d 1121 (2008).

MOTIONS, DISCOVERY, PRETRIAL PROCEDURES, AND RELATED MATTERS

Rule 132 ATTENDANCE AT DEFAULT JUDGMENT AND *EX PARTE* MATTER

Case Annotations

1. Notice requirement of Rule 131(b) not applicable to default judgments; Rule 132 allows court discretion to set hearing time. *In re Marriage of Welliver*, 254 Kan. 801, 869 P.2d 653 (1994).

2. Rule 132 requires ex parte applications to be presented by counsel in person to the court, although the better practice is by written motion pursuant to Rule 133 with a ruling made by the court documented pursuant to Rule 134. *Finley v. Estate of DeGrazio*, 285 Kan. 202, 170 P.3d 407 (2007).

Rule 133 MEMORANDUM AND ARGUMENT ON MOTION

Case Annotations

1. Failure to respond to, or request oral argument concerning, motion for summary judgment is tantamount to admission of uncontroverted facts. *Mangiaracina v. Gutierrez*, 11 Kan. App. 2d 594, 594-95, 730 P.2d 1109 (1986).

2. Delay in hearing motion for new trial not prejudicial; defendant failed to provide Rule 137 notification to trial judge and failed to request oral argument or provide supporting memorandum per Rule 133. *State v. Hall*, 252 Kan. 669, 673, 847 P.2d 1288 (1993).

3. No abuse of discretion by the trial court in dismissing motion filed under K.S.A. 60-260(b) when it fails to demonstrate right to relief and is not accompanied by memorandum per Rule 133. *In re Marriage of Bleich*, 23 Kan. App. 2d 982, 939 P.2d 966 (1997).

4. The trial court did not err in ruling on the motion without a hearing where oral argument hearing was not requested per Rule 133. *George v. Capital South Mtg. Investments, Inc.*, 265 Kan. 431, 961 P.2d 32 (1998).

5. Plaintiff failed to request an extension of time by written motion per Rule 133 with ruling by the court pursuant to Rule 134. *Blue v. Tos*, 33 Kan. App. 2d 404, 102 P.3d 1190 (2004).

6. Rule 132 requires ex parte applications to be presented by counsel in person to the court, although the better practice is by written motion pursuant to Rule 133 with a ruling made by the court documented pursuant to Rule 134. *Finley v. Estate of DeGrazio*, 285 Kan. 202, 170 P.3d 407 (2007).

7. Plaintiff failed to request extension to obtain service of process by written motion under Rule 133 with a ruling by the court documented under Rule 134. *Le v. Joslin*, 41 Kan. App. 2d 280, 202 P.3d 677

(2009).

8. District court can rule on a motion without a hearing if no party requests one under Rule 131(a) and Rule 133(c). *Graham v. Herring*, 44 Kan. App. 2d 1131, 242 P.3d 253 (2010).

9. District court's decision to hold a pretrial evidentiary hearing was improper under particular facts of case. *State v. Allen*, 49 Kan. App. 2d 162, 305 P.3d 702 (2013).

10. In determining whether motion for substitution was timely under K.S.A. 2012 Supp. 60-225(a)(1), delay caused by district judge in ruling on motion not to be counted. *Graham v. Herring*, 297 Kan. 847, 855, 305 P.3d 585 (2013).

11. Rule 133 does not require district court order confirming hearing date. *In re Estate of Rickabaugh*, 51 Kan. App. 2d 902, 358 P.3d 859 (2015).

Rule 134 NOTICE OF RULING

Case Annotations

1. Time for postjudgment remedies runs from date parties are notified of judgment. *Daniels v. Chaffee*, 230 Kan. 32, 36, 37, 630 P.2d 1090 (1981).

2. Notice of entry of judgment mailed pursuant to K.S.A. 60-258 and rule; 3-day extension of K.S.A. 60-206(e) applies. *Danes v. St. David's Episcopal Church*, 242 Kan. 822, 752 P.2d 653 (1988).

3. Counsel notified of summary judgment order. *Marinhagen v. Boster, Inc.*, 17 Kan. App. 2d 532, 840 P.2d 534 (1992).

4. Rule cited in holding notice of appeal filed within 30 days of notification by trial court of denial of motion for reconsideration is timely notice of appeal. *Nicklin v. Harper*, 18 Kan. App. 2d 760, 860 P.2d 31 (1993).

5. The time for filing post-judgment motions or taking an appeal from a final judgment entered without notice commences to run when there has been compliance with K.S.A. 60-258 and Rule 134. *McDonald v. Hannigan*, 262 Kan. 156, 936 P.2d 262 (1997).

6. Plaintiff failed to request an extension of time by written motion per Rule 133 with ruling by the court pursuant to Rule 134. *Blue v. Tos*, 33 Kan. App. 2d 404, 102 P.3d 1190 (2004).

7. Rule 132 requires ex parte applications to be presented by counsel in person to the court, although the better practice is by written motion pursuant to Rule 133 with a ruling made by the court documented pursuant to Rule 134. *Finley v. Estate of DeGrazio*, 285 Kan. 202, 170 P.3d 407 (2007).

8. Plaintiff failed to request extension to obtain service of process by written motion under Rule 133 with a ruling by the court documented under Rule 134. *Le v. Joslin*, 41 Kan. App. 2d 280, 202 P.3d 677 (2009).

9. Rule 134 allowed the 3-day mailing rule to extend the 10-day period for filing an application for interlocutory appeal. *Williams v. Lawton*, 288 Kan. 768, 207 P.3d 1027 (2009).

Rule 137 WRITTEN COMMUNICATION WITH COURT

Case Annotations

1. Delay in hearing motion for new trial not prejudicial; defendant failed to provide Rule 137 notification to trial judge and failed to request oral argument or provide supporting memorandum per Rule 133. *State v. Hall*, 252 Kan. 669, 673, 847 P.2d 1288 (1993).

Rule 139 DOMESTIC RELATIONS AFFIDAVIT; SUPPORT ORDER AND PAYMENT

Case Annotations

1. Parties' financial statements relied on by trial judge in denying motion to terminate alimony based on change of circumstances and legislative amendment. *Lambright v. Lambright*, 12 Kan. App. 2d 211, 213, 740 P.2d 92 (1987).

2. Rule's financial statement submitted for court's consideration, along with Order No. 59 Worksheet A, in proceeding under Kansas Parentage Act, K.S.A. 38-1110 *et seq. State ex rel. Dix v. Plank*, 14 Kan. App. 2d 12, 780 P.2d 171 (1989).

3. Rule cited in discussion of required domestic relations affidavit. *In re Marriage of Kirk*, 24 Kan. App. 2d 31, 941 P.2d 385 (1997).

4. The delay in filing the domestic relations affidavit and the child support worksheet required by the Rule 139(f) and (g) until sometime after a party files a motion for a modification of child support does not affect the fact the court may make the modification effective back to 1 month after the filing of the motion. *In re Marriage of Jones*, 45 Kan. App. 2d 854, 268 P.3d 494 (2010).

5. Father's long-distance parenting time cost adjustment held void due to lack of adequate notice; Rule 139 cited. *In re Marriage of Fuller*, 52 Kan. App. 2d 721, 371 P.3d 964 (2016).

Rule 140 FINAL PRETRIAL CONFERENCE PROCEDURE

Case Annotations

1. Failure to timely request conference hereunder acts as waiver of right thereto; due process not denied. *Mansfield Painting and Decorating, Inc. v. Budlaw Services, Inc.*, 3 Kan. App. 2d 77, 83, 589 P.2d 643 (1979).

2. When no attempt is made to modify pretrial order, such order controls the subsequent course of the litigation. *Sieben v. Sieben*, 231 Kan. 372, 376-77, 646 P.2d 1036 (1982).

3. No abuse of discretion where trial court chose to prevent excessive cumulative evidence from expert witnesses. *Powers v. Kansas Power & Light Co.*, 234 Kan. 89, 98, 99, 671 P.2d 491 (1983).

4. Discovery and pretrial utilized to formulate issues of fact and law for ultimate determination. *Oller v. Kincheloe's, Inc.*, 235 Kan. 440, 448, 681 P.2d 630 (1984).

5. Failure of trial court to prepare written pretrial order hampers appellate review. *Burkhart v. Philsco Products Co.*, 241 Kan. 562, 565, 738 P.2d 433 (1987).

6. Pretrial conference is not intended as a Rule 136 discovery conference. *Burkhart v. Philsco Products Co.*, 241 Kan. 562, 572, 738 P.2d 433 (1987).

7. Trial court's granting defense motion to dismiss with prejudice in the absence of pretrial conference and pretrial order reversed. *Boydston v. Kansas Board of Regents*, 242 Kan. 94, 744 P.2d 806 (1987).

8. Procedural steps of Rule 140(g) not followed, resulting in incomplete pretrial order. *Carnes v. Meadowbrook Executive Bldg. Corp.*, 17 Kan. App. 2d 292, 836 P.2d 1212 (1992).

9. Client may waive conflict of interest Rules 1.7 and 1.9 and consent to attorney's representation despite anticipated adverse testimony. *LeaseAmerica Corp. v. Stewart*, 19 Kan. App. 2d 740, 876 P.2d 184 (1994).

10. Failure of the court to issue a written pretrial order did not cause a disadvantage or deny due process to appellant. *In re D.R.R.*, 25 Kan. App. 2d 561, 965 P.2d 861 (1998).

11. No abuse of discretion by trial court in denying motion to amend pretrial order. *Norton Farms, Inc. v. Anadarko Petroleum Corp*., 32 Kan. App. 2d 899, 91 P.3d 1239 (2004).

12. Discussion of final pretrial conference under Rule 140; no abuse of discretion by district court in allowing defendant's motion to amend for punitive damages claims. *Gates v. Goodyear*, 37 Kan. App. 2d 623, 155 P.3d 1196 (2007).

13. Trial court abused its discretion by striking witnesses who were known to both parties where there was no specific order to file a final witness list before pretrial questionnaires were submitted; finalization of witnesses under Rule 140(b) and (g). *Canady v. Midway Denton U.S.D. No. 433*, 42 Kan. App. 2d 866, 218 P.3d 446 (2009).

14. Appellant failed to make a timely objection to the pretrial order under Rule 140(f). *Unruh v. Purina*, 289 Kan. 1185, 221 P.3d 1130 (2009).

15, Plaintiffs objected to defendant's motion to apply statutory caps on damages after trial, claiming motion should have been raised as a claim for relief under Rule 140(g)(2). McGinnes v. Wesley Medical Center, 43 Kan. App. 3d 227, 224 P.3d 581 (2010).

Rule 141 SUMMARY JUDGMENT

Case Annotations

1. Filing of uncontroverted contentions mentioned in granting summary judgment. *Henderson v. Ripperger*, 3 Kan. App. 2d 303, 594 P.2d 251 (1979).

2. Although rule not formally complied with, requisites for summary judgment were met by pretrial conference. *Hall v. Twin Caney Watershed Joint Dist. No. 34*, 4 Kan. App. 2d 202, 203-04, 604 P.2d 63 (1979).

3. Motion for summary judgment must contain uncontroverted contentions of fact. *Chute v. Old American Ins. Co.*, 6 Kan. App. 2d 412, 426, 629 P.2d 734 (1981).

4. Granting of summary judgment without oral argument upheld under case circumstances. *Bowen v. City of Kansas City*, 231 Kan. 450, 453, 646 P.2d 484 (1982).

5. Failure to comply herewith precludes entry of summary judgment. *McCullough v. Bethany Med. Center*, 235 Kan. 732, 736, 683 P.2d 1258 (1984).

6. Twenty-one day response time for party defending against motion held mandatory; premature ruling on motion reversed without showing of prejudice. *Munkers v. Pomerenke*, 11 Kan. App. 2d 569, 570-73, 730 P.2d 360 (1986).

7. Summary judgment procedures apply equally to pro se litigants as well as those represented by counsel. *Mangiaracina v. Gutierrez*, 11 Kan. App. 2d 594, 595, 730 P.2d 1109 (1986).

8. Response to summary judgment motion which does not summarize conflicting evidence but merely seeks to prolong discovery is insufficient to escape summary judgment. *In re Application for Incorporation as City*, 241 Kan. 396, 405-06, 763 P.2d 875 (1987).

9. Failure to timely respond to motion for partial summary judgment is deemed admission of uncontroverted contentions of facts set forth. *Slaymaker v. Westgate State Bank*, 241 Kan. 525, 529, 739 P.2d 444 (1987).

10. Failure of plaintiff to make precise references to material in transcripts in defending against summary judgment; no abuse of judicial discretion in granting motion. *Ruebke v. Globe Communications Corp.*, 241 Kan. 595, 597, 738 P.2d 1246 (1987).

11. Summary judgment for defendants upheld where trial judge properly considered plaintiff's untimely and unorthodox response. *Kee v. Lofton*, 12 Kan. App. 2d 155, 158, 737 P.2d 55 (1987).

12. Summary judgment premature where unresolved issues of fact. Dissent cites rule in noting that there was no discovery record and no statements of uncontroverted contentions of fact filed with court. *In re Adoption of Baby Girl H*, 12 Kan. App. 2d 223, 233, 739 P.2d 1 (1987) (Rees, J., dissenting).

13. Response to motion for summary judgment must conform to section (b); party opposing motion must produce something of evidentiary value to establish dispute of material fact. *Knight v. Myers*, 12 Kan. App. 2d 469, 748 P.2d 896 (1988).

14. Lack of citation to factual authority in plaintiff's response to defendant's summary judgment motion cited in affirming trial court's grant of summary judgment to defendant. *Danes v. St. David's Episcopal Church*, 242 Kan. 822, 752 P.2d 653 (1988).

15. Rule cited in affirming in part and reversing in part grant of summary judgment to defendant. *Noller v. General Motors Corp.*, 13 Kan. App. 2d 13, 760 P.2d 688 (1988), *aff'd in part and rev'd in part* 244 Kan. 612, 772 P.2d 271 (1989).

16. Rule cited; both parties' compliance with procedures noted; summary judgment affirmed. *Heinsohn v. Motley*, 13 Kan. App. 2d 66, 761 P.2d 796 (1988).

17. Defendant's grant of summary judgment affirmed; rule cited. *Rowland v. Val-Agri, Inc.*, 13 Kan. App. 2d 149, 766 P.2d 819 (1988).

18. Court notes plaintiff's failure to reply to defendant's statement of uncontroverted fact with a concise summary of conflicting testimony or evidence; defendant's grant of summary judgment affirmed. *Hammig v. Ford*, 246 Kan. 70, 785 P.2d 977 (1990).

19. Duty of party opposing motion discussed; 141(b). *Glenn v. Fleming*, 247 Kan. 296, 305, 799 P.2d 79 (1990).

20. Plaintiffs' summary judgment motion accompanied by memorandum with separately numbered paragraphs and keyed to record; defendants' response not in compliance with rule's requirements; summary judgment granted and affirmed. *City of Arkansas City v. Anderson*, 15 Kan. App. 2d 174, 177-82, 804 P.2d 1026 (1991).

21. Plaintiff's repeated failure to comply with Rule 141 in responding to summary judgment motion held to constitute admission of all uncontroverted facts as set forth in motion; affirmed on basis of trial court discretion. *Plummer Development, Inc. v. Prairie State Bank*, 248 Kan. 664, 809 P.2d 1216 (1991).

22. Summary judgment affirmed; lack of evidence by nonmoving party cited. *Collins v. Board of Douglas County Comm'rs*, 249 Kan. 712, 716-17, 822 P.2d 1042 (1991).

23. Party opposing summary judgment has duty to controvert movant's facts; relevancy of facts. *Akandas, Inc. v. Klippel*, 250 Kan. 458, 471, 827 P.2d 37 (1992).

24. Hearing on defendant's summary judgment motion before time had expired to respond to plaintiff's summary judgment motion conflicts with rule. *Bank IV Olathe v. Capitol Fed'l Savings & Loan Ass'n*, 250 Kan. 541, 556, 828 P.2d 355 (1992).

25. Opinion notes trial court's imperfect compliance with findings of fact and conclusions of law requirements of Rules 141 and 165. *Elite Professionals, Inc. v. Carrier Corp.*, 16 Kan. App. 2d 625, 827 P.2d 1195 (1992).

26. Defendant's objections to documentation supporting plaintiff's summary judgment motion without merit. *Ostmeyer v. Kansas Dept. of Revenue*, 16 Kan. App. 2d 639, 827 P.2d 780 (1992).

27. Compliance with rule is mandatory; evidence not before trial court at summary judgment stage not considered by appellate court. *McCaffree Financial Corp. v. Nunnink*, 18 Kan. App. 2d 40, 56-57, 847 P.2d 1321 (1993).

28. Plaintiff's failure to respond to defendant's memorandum of uncontroverted facts deemed admission of those facts. *Orlovetz v. Day & Zimmerman, Inc.*, 18 Kan. App. 2d 142, 143, 848 P.2d 463 (1993).

29. Habeas corpus petitioner fails to controvert movant's uncontroverted contentions of fact.

Fletcher v. Nelson, 253 Kan. 389, 855 P.2d 940 (1993).

30. Where opponents to motion agree to disposition at hearing prior to expiration of 21-day response period, opponents cannot claim prejudice on appeal; inclusion of more than one fact in each separately numbered paragraph, where each fact is referenced in record, is substantial compliance with rule; that some contentions of fact are subsequently controverted does not violate rule. *Finlay v. Finlay*, 18 Kan. App. 2d 479, 856 P.2d 183 (1993).

31. No support in record for movant's claim of trial court violation of rule by allowing opponent to wait until trial to controvert factual basis for motion. *Hurlbut v. Conoco, Inc.*, 253 Kan. 515, 856 P.2d 1313 (1993).

32. Jurisdiction is not proven or disproven because of assertions in a Rule 141 statement of uncontroverted facts. Effect of failure to follow summary judgment rule rests within trial court discretion. *Dickerson v. Kansas Dept. of Revenue*, 253 Kan. 843, 863 P.2d 364 (1993).

33. Rule cited in discussing appellant's failure to comply with rule. *Harris v. Richards*, 254 Kan. 549, 867 P.2d 325 (1994).

34. Facts are deemed uncontroverted where appellants have failed to comply with Rule 141(b). *Wiggins v. Housing Authority of Kansas City*, 19 Kan. App. 2d 610, 873 P.2d 1377 (1994).

35. Rule cited in discussion of appellant's failure to comply with rule. *In re Estate of Brodbeck*, 22 Kan. App. 2d 229, 915 P.2d 145 (1996).

36. Rule cited in discussion of technical compliance dispute. *Kelley v. Barnett*, 23 Kan. App. 2d 564, 932 P.2d 471 (1997).

37. Appellant's objection to documents relied on by the trial court in granting summary judgment without merit. *MLK, Inc. v. University of Kansas*, 23 Kan. App. 2d 876, 940 P.2d 1158 (1997).

38. Trial court's adopting a party's findings and conclusions in their entirety for granting of summary judgment discussed in light of Rules 141 and 165. *Stone v. City of Kiowa*, 263 Kan. 502, 950 P.2d 1305 (1997).

39. Rule 141 requires moving party for summary judgment to file memorandum setting forth uncontroverted contentions of fact with reference to supporting documents. *Key v. Hein, Ebert & Weir, Chtd.*, 265 Kan. 124, 960 P.2d 746 (1998).

40. Response to summary judgment motion did not comply with Rule 141(b). *Subway Restaurants, Inc. v. Kessler*, 266 Kan. 433, 970 P.2d 526 (1998).

41. A party failed to show cause of action for defamation per Rule 141 in order to overcome grant of summary judgment. *St. Catherine Hospital of Garden City v. Rodriguez*, 25 Kan. App. 2d 763, 971 P.2d 754 (1998).

42. Party's substantial compliance with the Rule noted. *Calver v. Hinson*, 267 Kan. 369, 982 P.2d 970 (1999).

43. Party is deemed to have admitted the facts not controverted in summary judgment motion per Rule 141. *Johnson v. Johnson*, 26 Kan. App. 2d 321, 988 P.2d 244 (1999).

44. Rule 141 is not just fluff--it means what it says and serves a necessary purpose. *Business Opportunities Unlimited, Inc. v. Envirotech Heating & Cooling, Inc.*, 26 Kan. App. 2d 616, 992 P.2d 1250 (1999).

45. District court denied summary judgment motion based on failure to comply with Rule 141. *Owen Lumber Co. v. Chartrand*, 27 Kan.App.2d 72, 998 P.2d 509 (2000).

46. District court properly denied summary judgment motion in which appellant was attempting to add evidence to the record to create issues of material fact; this would contravene the purpose of summary judgment. *M.S.W., Inc. v. Marion County Bd. of Zoning Appeals*, 29 Kan. App. 2d 139, 24 P.3d 175 (2001).

47. Affirmed trial court's decision that plaintiff failed to comply with Rule 141 by serving opposing counsel with a copy of responsive memorandum, and its decision to impose sanctions was neither arbitrary,

fanciful, nor unreasonable. *Molina v. Christensen*, 30 Kan. App. 2d 467, 44 P.3d 1274 (2002).

48. Plaintiffs' claim that district court entered decision without benefit of Rule 141; Supreme Court reverses and remands concluding there remain genuine issues of material fact. *Montoy v. State*, 275 Kan.145, 62 P.3d 228 (2003).

49. Court of Appeals affirmed district court's grant of summary judgment for defendant insurance agent, concluding affidavits filed provided substantial compliance with Rule 141 and K.S.A. 60-256; no facts in dispute. *Med James, Inc. v. Barnes*, 31 Kan. App. 2d 89, 61 P.3d 86 (2003).

50. Failure of appellants to timely respond to summary judgment motions resulted in appellee's uncontroverted statement of facts adopted as basis for district court's decision per Rule 141. *Money v. Fort Hays State Univ. Endowment Ass'n*, 31 Kan. App. 2d 322, 64 P.3d 458 (2003).

51. Court of Appeals affirmed district court's grant of summary judgment for defendant; plaintiff failed to come forward with anything of evidentiary value that would establish a disputed material fact. *Dawson v. Prager*, 276 Kan. 373, 76 P.3d 1036 (2003).

52. Appellant failed to comply with Rule 141(a) by providing references to the record to the district court and the Supreme Court and his response failed to comply with Rule 141(b). *Roy v. Young*, 278 Kan. 244, 93 P.3d 712 (2004).

53. Rule 141 cited in discussing facts; summary judgment reversed and remanded to district court for further proceedings. *Hershaw v. Farm & City Insurance Co.*, 32 Kan. App. 2d 684, 87 P.3d 360 (2004).

54. Plaintiff acknowledged she failed to comply with Rule 141 in responding to defendant's summary judgment motion outside of the 21-day time period. *Cunningham v. Riverside Health System, Inc.*, 33 Kan. App. 2d 1, 99 P.3d 133 (2003).

55. Rule 141 for summary judgment motion should be used instead of Rule 170 as an alternative to obtain judgment. Rule 141 is not fluff. *Lyndon State Bank. v. Price*, 33 Kan. App. 2d 629, 106 P.3d 511 (2005).

56. Summary judgment reversed and remanded to district court for further proceedings; cases not to be tried by summary judgment motions. *City of Arkansas City v. Bruton*, 35 Kan. App. 2d 42, 137 P.3d 508 (2006).

57. Rule 212(d) and Rule 141cited for use of the word "deemed" as in "deemed admitted" in clarifying statutory language in water rights case. *Hawley v. Kansas Dept. of Agriculture*, 218 Kan. 603, 132 P.3d 870 (2006).

58. Appellant failed to cite facts in the record as required by Rule 141; district court's dismissal of case affirmed. *Little v. State*, 34 Kan. App. 2d 557, 121 P.3d 990 (2005).

59. Appellant contends summary judgment should not have been granted due to noncompliance with Rule 141; incomplete discovery is no reason for district court to find a violation of Rule 141; summary judgment properly granted to appellees. *Odette Family Ltd. Partnership v. Agco Finance*, 35 Kan. App. 2d 1, 129 P.3d 95 (2005).

60. Appellants failed to provide concise summary of conflicting evidence or testimony as required by Rule 141(b). *Conner v. Occidental Fire & Casualty Co.*, 281 Kan. 875, 135 P.3d 1230 (2006).

61. Where party opposing summary judgment motion fails to timely object to violation of Rule 141 procedures, the purported violation is waived both in district court and for purposes of appeal. *Missouri Bank & Trust Co. v. Gas-Mart Development Co.*, 35 Kan. App. 2d 291, 130 P.3d 128 (2006).

62. Rule 141 cited in this appeal from summary judgment; reversed and remanded. *LDF Food Group, Inc. v. Liberty Mut. Fire Ins. Co.*, 36 Kan. App. 2d 853, 856, 146 P.3d 1088 (2006).

63. Appellee fully complied with Rule 141; Court of Appeals affirmed summary judgment. *Picard v. Sugar Valley Lakes Homes Ass'n*, 37 Kan. App. 2d 210, 151 P.3d 850 (2007).

64. Although the party opposing summary judgment may claim that more facts are uncontroverted than that required by Rule 141, summary judgment is still proper when the trial court undergoes the correct

legal analysis and identifies the facts necessary to decide that such legal questions have not been challenged; summary judgment affirmed. *City of Arkansas City v. Bruton*, 284 Kan. 815, 166 P.3d 992 (2007).

65. Competing motions for summary judgment filed by the parties; however, defendants failed to respond to plaintiffs' statement of uncontroverted facts as required by Rule 141(b); summary judgment granted to plaintiffs. *Dexter v. Brake*, 38 Kan. App. 2d 1005, 174 P.3d 924 (2008).

66. Plaintiff failed to provide contrary evidence to dispute factual claim in summary judgment motion; however, reversed on other ground. *Elstun v. Spangles, Inc*., 40 Kan. App. 2d 458, 193 P.3d 478 (2008).

67. Substantial compliance with Rule 141 was enough to avoid dismissal of a summary judgment motion. *Rhoten v. Dickson*, 40 Kan. App. 2d 433, 192 P.3d 679 (2008).

68. Defendants failed to specify which supplemental responses support their position or how, per Rule 141(b). *U.S.D. 232 v. CWD Investments*, 288 Kan. 536, 205 P.3d 1245 (2009).

69. The entry of summary judgment by district court was erroneous due to the existence of genuine issues of material fact and due to the inadequacy of uncontroverted facts to support the court's conclusion of law. *Snider v. MidFirst Bank*, 42 Kan. App. 2d 265, 211 P.3d 179 (2009).

70. Parties opposing summary judgment failed to make precise references to the record of the evidence pursuant to Rule 141(b). *Emprise Bank v. Rumisek*, 42 Kan. App. 2d 498, 215 P.3d 621 (2009).

71. A shift in theory proposed by a motion for reconsideration of summary judgment, unsupported by any factual statement as required by Supreme Court Rule 141 violated that Rule. *Russell v. Braden*, 42 Kan. App. 2d 811, 217 P.3d 997 (2009).

72. To assert the discretionary function exception in a summary judgment motion, the movant must comply with Rule 141(a); Rule 141 is not mere fluff; it serves a necessary purpose, and it means what it says. *Lovitt v. Board of Shawnee County Comm'rs*, 43 Kan. App. 2d 4, 221 P.3d 107 (2009).

73. There is no express provision in Rule 141 that provides that a party waives a legal argument by failing to address an issue in the summary judgment pleadings. *Steed v. McPherson Area Solid Waste Utility*, 43 Kan. App. 2d 75, 221 P.3d 1157 (2010).

74. Failure to comply with Rule 141 may constitute harmless error if subsequent filings of findings of fact allow for proper presentation of the uncontroverted facts establishing summary judgment is proper. *Rhoten v. Dickson*, 290 Kan. 92, 223 P.3d 786 (2010).

75. Rules regarding summary judgment per Rule 141 discussed and applied; failure to comply with Rule 141 may be fatal if nothing is cited to support a party's evidentiary allegations before the district court renders judgment. *Frick v. City of Salina*, 290 Kan. 869, 235 P.3d 1211 (2010).

76. Rule 141 discussed; the fact that a party has an explanation of the uncontroverted facts does not necessarily make them controverted. *Simmons v. Porter*, 45 Kan. App. 2d 177, 245 P.3d 1091 (2011).

77. In granting summary judgment to plaintiff, the trial court found no prejudice to either party from the shortcomings or omissions of the other to strictly observe the requirements of Rule 141. *Eggeson v. DeLuca*, 45 Kan. App. 2d 435, 252 P.3d 128 (2011).

78. Nothing in Rule 141 provides that facts deemed uncontroverted in a separate summary judgment proceeding are binding on the parties in another summary judgment proceeding. *CoreFirst Bank & Trust v. JHawker Capital*, 47 Kan. App. 2d 755, 282 P.3d 681 (2012).

79. Because party responding to motion for summary judgment failed to provide evidence that sufficiently disputed movant's claims, facts deemed admitted per Rule 141. *MetLife Home Loans v. Hansen*, 48 Kan. App. 2d 213, 286 P.3d 1150 (2012).

80. Party's substantial compliance with Rule 141 can be sufficient, despite technical violation. *Bank of America v. Inda*, 48 Kan. App. 2d 658, 303 P.3d 696 (2013).

81. Medical malpractice plaintiff failed to put forth sufficient evidence of causation to survive summary judgment; Rule 141 cited. *Drouhard-Nordhus v. Rosenquist*, 301 Kan. 618, 345 P.3d 281 (2015).

82. Plaintiff's response to defendant's sworn declaration in motion for partial summary judgment did not provide evidence sufficient to preclude partial summary judgment under Rule 141. *Evergreen Recycle v. Indiana Lumbermens Mut. Ins. Co.*, 51 Kan. App. 2d 459, 350 P.3d 1091 (2015).

83. Court rejects argument that Rule 141(d) did not permit trial court to rely on unauthenticated document in granting summary judgment. *Watco Companies, Inc. v. Campbell*, 52 Kan. App. 2d 602, 371 P.3d 360 (2016).

84. Affidavits supporting or opposing summary judgment motion must set forth evidence in form admissible at trial; Rule 141(d) cited. *Doe v. Thompson*, 304 Kan. 291, 373 P.3d 750 (2016).

Rule 142 MEDICAL AND PROFESSIONAL MALPRACTICE SCREENING PANELS

Case Annotations

1. Award of medical malpractice screening panel members' fees in excess of $35 reversed; rule is not ambiguous. *Smith v. Frazier*, 11 Kan. App. 2d 212, 212-15, 717 P.2d 531 (1986).

2. The parties' failure to complete the screening panel proceeding, and subsequent dismissal of such proceeding, does not alter the statute of limitations tolling provisions of K.S.A. 65-4908. *White v. VinZant*, 13 Kan. App. 2d 467, 773 P.2d 1169 (1989).

3. Plaintiff's filing of request for screening panel was sufficient to constitute a "claim filed" so as to toll the statute of limitations; 5-year delay in screening panel rendering opinion. *Martindale v. Tenny*, 250 Kan. 621, 829 P.2d 561 (1992).

4. Screening panel chairman dilatory in duties by failing to notify parties and obtain qualification statements of panel members; plaintiffs' designee excluded from participation; statute of limitations bars claim. *Lawless v. Cedar Vale Regional Hosp.*, 252 Kan. 1064, 850 P.2d 795 (1993).

5. Rule 142 plays a role in screening panel procedure, compensation, and expenses. *Johnson v. Mehta*, 266 Kan. 1060, 974 P.2d 597 (1999).

6. Rule 142(d)(8) cited by Supreme Court in affirming summary judgment for defendants and upholding district court's decision to strike depositions from submissions to the screening panel in malpractice action; deposition considered form of testimony to be excluded from consideration of medical malpractice screening panel. *Watkins v. McAllister*, 30 Kan. App. 2d 1255, 59 P.3d 1021 (2002).

7. Rule 142(a)(7) cited in holding that notification from a judge of the commencement of a panel is necessary to bring a case before a screening panel for a malpractice action; district court did not err in granting defendant's motion to dismiss. *Smith v. Graham*, 282 Kan. 651, 147 P.3d 859 (2006).

8. Rule 142 discussed and applied; district court did not violate due process by continuing the trial pending the report of the screening panel in this medical malpractice action. *Walker v. Regehr*, 41 Kan. App. 2d 352, 202 P.3d 712 (2009).

9. Appellate court lacked jurisdiction to review dismissal of screening panel in medical malpractice case where plaintiff failed to follow Rule 142 requirements. *Macias v. Correct Care Solutions, Inc*. 52 Kan. App. 2d 400, 367 P.3d 311 (2016).

Rule 143 PROBATE PROCEEDING: TIME FOR HEARING WHEN DEFENSE TO PETITION FILED

Case Annotations

1. Appellant filed written defense to petition for probate of a will per Rule 143; executor has burden of proof in will contest. *In re Estate of Broderick*, 34 Kan. App. 2d 695, 125 P.3d 564 (2005).

Rule 144 APPLICATION OF DISCOVERY TO K.S.A. CHAPTER 59 PROCEEDING

Case Annotations

1. Rule 144 cited in holding that appellant failed to comply with discovery procedure in requesting medical record of decedent. *In re Estate of Broderick*, 34 Kan. App. 2d 695, 125 P.3d 564 (2005).

Rule 145 USE OF TELEPHONE OR OTHER ELECTRONIC CONFERENCE

Case Annotations

1. Trial court did not err in denying appellant's participation in the trial by telephone pursuant to Rule 145. *In re Estate of Broderick*, 286 Kan. 1071, 191 P.3d 284 (2008).

2. Court of Appeals cites Rule 145 in ruling that movant should have been present at 60-1507 hearing since substantial issues had been raised regarding events in which the movant had participated. *Fisher v. State*, 41 Kan. App. 2d 764, 206 P.3d 13 (2009).

3, In a trial on the merits of a motion to terminate parental rights, strict application of Rule 145 and K.S.A. 60-243(c) to prohibit telephonic participation by the subject parent violates constitutional due process requirements. *In re J.O.*, 43 Kan. App. 2d 754, 232 P.3d 880 (2010).

4. Trial court decision to have defendant participate by telephone in K.S.A. 60-1507 hearing held to be not adequately supported; matter remanded for further proceedings. *Fischer v. State*, 296 Kan. 808, 295 P.3d 560 (2013).

Rule 146 CONSOLIDATION OF MULTIDISTRICT LITIGATION ON MOTION OF PARTY

Case Annotations

1. District court consolidated claims against various parties and transferred case to Stevens County District Court pursuant to Rule 146. *Plains Petroleum Co. v. First National Bank of Lamar*, 274 Kan. 74, 49 P.3d 432 (2002).

TRIALS AND RELATED MATTERS

Rule 161 COURTROOM DECORUM

Case Annotations

1. Only one attorney is permitted to examine or cross-examine a witness on behalf of all parties united in interest. *Butler v. HCA Health Svcs. of Kansas, Inc*., 27 Kan. App. 2d 403, 6 P.3d 871 (2000).

Rule 162 CONFLICT IN TRIAL SETTINGS IN DISTRICT COURT

Case Annotations

1. The term "trial setting" in Rule 131 and 162 is compared to trial assignment in K.S.A. 22-3404(1) in discussion of defendant's right to jury trial. *State v. Bell*, 20 Kan. App. 2d 193, 884 P.2d 1164 (1994).

Rule 163 INEFFECTIVE STIPULATION

Case Annotations

1. Trial court did not err in admitting testimony of polygraph test results pursuant to stipulation by parties. State v. Roach, 223 Kan. 732, 735, 576 P.2d 1082 (1978).2. Rule held not to prevent enforcement of oral settlement agreement. *Lewis v. Gilbert*, 14 Kan. App. 2d 201, 205, 785 P.2d 1367 (1990).

Rule 165 REASONS FOR DECISION

Case Annotations

1. No clear abuse of discretion; no error. *Walnut Valley State Bank v. Stovall*, 1 Kan. App. 2d 421, 424, 566 P.2d 33 (1977).

2. Applied; quiet title action; adverse possession requirements not met. *Renensland v. Ellenberger*, 1 Kan. App. 2d 659, 661, 574 P.2d 217 (1977).

3. Applied; case reversed to afford opportunity to have issues and finding of fact determined in accordance with rule. *LeCounte v. City of Wichita*, 225 Kan. 48, 55, 587 P.2d 310 (1978).

4. This rule and K.S.A. 60-252 applied; finding of trial court in a proceeding to deprive parents of parental rights inadequate; new hearing ordered. *In re Atwood*, 2 Kan. App. 2d 680, 681, 587 P.2d 1 (1978).

5. Requirement that judge state the legal principles controlling decision inapplicable to denial of motion to dismiss. *Chee-Craw Teachers Ass'n v. U.S.D. No. 247*, 225 Kan. 561, 563, 593 P.2d 406 (1979).

6. Reasons for decision need not be given in default judgments. *Celco, Inc. of America v. Davis Van Lines, Inc.*, 226 Kan. 366, 368, 598 P.2d 188 (1979).

7. Court noted no findings of fact and conclusions of law in trial court's sustaining of motion to suppress evidence; order granting motion reversed on other grounds. *State v. Mezins*, 4 Kan. App. 2d 292, 293, 605 P.2d 159 (1980).

8. Mandatory requirements of this rule not complied with by trial court; case remanded. *Pottratz v. Firkins*, 4 Kan. App. 2d 469, 609 P.2d 185 (1980).

9. Case remanded for further findings when appellate court finds them insufficient, even when not objected to before trial court. *Burch v. Dodge*, 4 Kan. App. 2d 503, 507, 608 P.2d 1032 (1980).

10. Trial court did not comply herewith in failing to make required findings of fact and conclusions of law controlling decision. *Hanks v. Riffe Constr. Co.*, 232 Kan. 800, 802, 658 P.2d 1030 (1983).

11. Dismissal of action under 60-237(d) not proper sanction for mere inability to permit discovery. *Locke v. Kansas Fire & Cas. Co.*, 8 Kan. App. 2d 678, 682, 665 P.2d 776 (1983).

12. Not abuse of discretion where findings not made on attorney fee issue, but failure to comply herewith. *Squires v. City of Salina*, 9 Kan. App. 2d 199, 203, 204, 675 P.2d 926 (1984).

13. No error where memorandum opinion and journal entry addressed each issue and set forth facts and legal principles. *Tip Top Credit Union v. Lies*, 234 Kan. 925, 930, 677 P.2d 540 (1984).

14. Rule cited in concluding that trial court found appellant's claims had been resolved adversely in

arbitration. *L.R. Foy Constr. Co. v. Professional Mechanical Contractors,* 13 Kan. App. 2d 188, 766 P.2d 196 (1988).

15. Rule quoted in discussion of adequacy of district court's journal entry of judgment dividing condemnation award. *City of Manhattan v. Signor,* 244 Kan. 630, 772 P.2d 753 (1989).

16. Use of collateral estoppel to grant partial summary judgment erroneous; trial court's failure to set out controlling facts as required by rule noted. *Waltrip v. Sidwell Oil & Gas, Inc.,* 245 Kan. 55, 774 P.2d 948 (1989).

17. Trial court's decision satisfied findings and conclusions requirements of rule. *Reyna v. General Group of Companies,* 15 Kan. App. 2d 591, 814 P.2d 961 (1991).

18. Rule does not require trial court explanation of mental processes employed in reaching decision. *Schad v. Hearthstone Nursing Center,* 16 Kan. App. 2d 50, 816 P.2d 409 (1991).

19. Trial court's summary judgment findings sufficient under rule. *Bank IV Wichita v. Arn, Mullins, Unruh, Kuhn & Wilson,* 250 Kan. 490, 827 P.2d 758 (1992).

20. Opinion notes trial court's imperfect compliance with findings of fact and conclusions of law requirements of Rules 141 and 165. *Elite Professionals, Inc. v. Carrier Corp.,* 16 Kan. App. 2d 625, 827 P.2d 1195 (1992).

21. In civil action to recover for worthless checks, journal entry fails to state reason for court's denial of treble damages as required by rule. *Dillon's Food Stores, Inc. v. Brosseau,* 17 Kan. App. 2d 657, 842 P.2d 319 (1992).

22. Trial court decision incorporating ALJ's award in workers compensation case satisfies requirements of rule. *Scharfe v. Kansas State Univ.,* 18 Kan. App. 2d 103, 111, 848 P.2d 994 (1992).

23. Litigant must object to inadequate Rule 165 findings to preserve issue on appeal. *Tucker v. Hugoton Energy Corp.,* 253 Kan. 373, 855 P.2d 929 (1993).

24. Rule requires judge, not administrative hearing officer, to state controlling facts and legal principles controlling decision. *In re Marriage of Case,* 18 Kan. App. 2d 457, 856 P.2d 169 (1993).

25. When the trial court findings under K.S.A. 60-252 and Rule 165 are objectionable on grounds other than sufficiency of evidence, an objection must be made to preserve the issue on appeal. *In re Marriage of Bradley,* 258 Kan. 39, 899 P.2d 471 (1995).

26. No other findings of facts or conclusions of law necessary where the only question before the court is the interpretation of a written instrument. *In re Estate of Cline,* 258 Kan. 196, 898 P.2d 643 (1995).

27. Rule cited in discussion of appropriate standard of review of controlling facts. *United Proteins, Inc. v. Farmland Industries, Inc.,* 259 Kan. 725, 915 P.2d 80 (1996).

28. Judge's consideration and adoption of summary judgment journal entry prepared by party not violation of rule. *In re Estate of Brodbeck,* 22 Kan. App. 2d 229, 915 P.2d 145 (1996).

29. Rule 165 requires judges to state legal principles controlling decision. *Jack v. City of Wichita,* 23 Kan. App. 2d 606, 933 P.2d 787 (1997).

30. Trial court's adopting a party's findings and conclusions in their entirety for granting of summary judgment discussed in light of Rules 141 and 165. *Stone v. City of Kiowa,* 263 Kan. 502, 950 P.2d 1305 (1997).

31. Rule mentioned as basis of appellant's claim of error. *In re Care & Treatment of Hay,* 263 Kan. 822, 953 P.2d 666 (1998).

32. Rule cited in discussion of district court's consideration of deposition testimony. *City of Topeka v. Watertower Place Dev. Group,* 265 Kan. 148, 959 P.2d 894 (1998).

33. Case remanded for clarification of what evidence was specifically excluded because the trial judge's ruling was ambiguous and defendant's motion and oral argument were inconsistent. *State v. Bennett,* 26 Kan. App. 2d 157, 980 P.2d 579 (1999).

34. Rule 165 cited by appellant as well as K.S.A. 60-252; judge's decision in the form of a letter to

the attorneys upheld on appeal. *Boyles v. City of Topeka*, 271 Kan. 69, 21 P.3d 974 (2001).

35. Rule 165 discussed and applied in finding litigant must object to inadequate Rule 165 findings to preserve issues on appeal or reviewing court will presume trial court's findings of fact and conclusions of law sufficient. *Blair Construction, Inc. v. McBeth*, 273 Kan. 679, 44 P.3d 1244 (2002).

36. Trial court's written order and oral statements are insufficient to comply with Rule 165; failed to set out applicable statute of limitations in its order. *University of Kansas Mem. Corp. v. The Kansas Power & Light Co.*, 31 Kan. App. 2d 177, 61 P.3d 741 (2003).

37. Rule cited by plaintiffs claiming district court failed to make specific findings of fact and conclusions of law. *Burcham v. Unison Bancorp, Inc*., 276 Kan 393, 77 P.3d 130 (2003).

38. Rule cited by appellant arguing trial court failed to make findings of fact and conclusions of law; failure to raise issue in court below precludes appellate review. *Ed Bozarth Chevrolet, Inc. v. Black*, 32 Kan. App. 2d 874, 96 P.3d 272 (2003).

39. Rule cited by dissent; when trial court has made findings it is unnecessary to object to such findings to question the sufficiency of the evidence on appeal. *In re Marriage of Williams*, 32 Kan. App. 2d 842, 90 P.3d 365 (2004).

40. The absence of any written or oral ruling or transcript of the trial court's hearing to address this case is in contravention of Rule 165, which requires the judge to state the controlling facts and the legal principles controlling the decision. *State v. Carver*, 32 Kan. App. 2d 1070, 95 P.3d 104 (2004).

41. Where a matter is not contested, a magistrate judge is not required to state in the order the controlling facts and legal principles controlling his decision as required under Rule 165. *State v. Davis*, 281 Kan. 169, 130 P.3d 69 (2006).

42. District court did not violate Rule 165 in adopting appellee's proposed findings of fact and conclusions of law. *Ortiz v. Biscanin*, 34 Kan. App. 2d 445, 122 P.3d 365 (2004).

43. Rule cited in discussing trial judge's adoption of party's findings of fact and conclusions of law; these should not be surrendered to counsel. *Town Center Shopping Center v. Premier Mortgage Funding, Inc.*, 37 Kan. App. 2d 1, 147 P.3d 565 (2006).

44. Rule 165 does apply to class certification orders in order to provide meaningful appellate review; case remanded for rigorous analysis of class certification factors as well as findings of fact and conclusions of law per Rule 165. *Dragon v. Vanguard Industries*, 282 Kan. 349, 356, 144 P.3d 1279 (2006).

45. Rule cited in concluding issue should have been raised at the district court. *State v. Thomas*, 288 Kan 157, 199 P.3d 1265 (2009).

46. When the district court's findings are objectionable on grounds other than sufficiency of the evidence, an objection is required to preserve the issue for appeal. *In re J.S.*, 42 Kan. App. 2d 113, 208 P.3d 802 (2009).

47. Rule 165 places the primary duty for arriving at adequate findings and conclusions on the district judge. *State v. Seward*, 289 Kan. 715, 217 P.3d 443 (2009).

48. A defendant who raises a constitutional challenge to the sentencing statute must ensure the findings and conclusions by the district judge are sufficient to support the appellate argument by filing a motion invoking the judge's duty under Rule 165. *State v. Oehlert*, 290 Kan. 189, 224 P.3d 561 (2010).

49. Litigant must ensure the findings and conclusions by the district judge are sufficient to support appellate argument, by filing a motion invoking the judge's duty under Rule 165, if necessary. *State v. Edwards*, 290 Kan. 330, 226 P.3d 1285 (2010).

50. Defendant who wishes to appeal on the basis of a constitutional challenge to a sentencing statute must ensure the findings and conclusions by the district judge are sufficient to support appellate argument by filing a Rule 165 motion. *State v. Gomez*, 290 Kan. 858, 235P.3d 1203 (2010).

51. Despite defendant's argument, Rule 165 is inapplicable in this case since it does not involve inadequate findings and conclusions by the district court. *State v. Baber*, 44 Kan. App. 2d 748, 240 P.3d 980

(2010).

52. Defendant who wishes to appeal on the basis of a constitutional challenge to a sentencing statute must ensure that the findings and conclusions by the district judge are sufficient to support appellate argument by filing a Rule 165 motion. *State v. Berriozabal*, 291 Kan. 568, 243 P.3d 352 (2010).

53. Rule 165 discussed in defendant's claim of cruel and unusual punishment; argument not preserved for appeal. *State v. Levy*, 292 Kan. 379, 253 P.3d 341 (2011).

54. Defendant appeals his sentence and argues district court failed to make adequate findings per Rule 165; sentence vacated and case remanded for resentencing. *State v. Jones*, 293 Kan. 757, 268 P.3d 491 (2012).

55. Trial court in its decision failed to satisfy findings and conclusions requirements of Rule 165; matter remanded for further proceedings. *Fischer v. State*, 296 Kan. 808, 295 P.3d 560 (2013).

56. Parties bear responsibility to ensure district court findings and conclusions required under Rule 165 are adequately made in order to preserve issues for appellate review. *State v. Boleyn*, 297 Kan. 610, 303 P.3d 680 (2013); *State v. Rogers*, 297 Kan. 83, 298 P.3d 325 (2013).

57. When party fails to object to adequacy of district judge's factual findings, appellate court can presume under Rule 165 that judge found all facts necessary to support judgment. *State v. Carr*, 300 Kan. 340, 329 P.3d 1195 (2014).

58. Rule 165(a) cited in noting duty is borne chiefly by district court to ensure adequacy of factual findings for appellate review, but party seeking to appeal issue also bears some responsibility. *State v. Gibson*, 299 Kan. 207, 322 P.3d 389 (2014).

59. In issuing decision consisting of checkmark on preprinted minutes sheet, district court did not satisfy Rule 165 obligation to state controlling facts and legal principles; reversed and remanded. *State v. Brown*, 299 Kan. 1021, 327 P.3d 1002 (2014).

60. Constitutional challenges failed under Rule 6.02(a)(4) by failure to cite record to support facts in brief and by failure to ensure adequate findings and conclusions by district judge; if necessary defendant must file motion under Rule 165 invoking judge's duty to state findings of fact and conclusions of law. *State v. Reed*, 300 Kan. 494, 332 P.3d 172 (2014).

61. Defendant must ensure district judge makes adequate findings and conclusions to allow for review; filing motion under Rule 165 invoking judge's duty to state findings of fact and conclusions of law may be necessary. *State v. Reed*, 50 Kan. App. 2d 1133, 336 P.3d 912 (2014).

62. Although district court has duty to provide adequate findings of fact and conclusions of law under Rule 165, issue not properly preserved where party fails to object. *Hooks v. State*, 51 Kan. App. 2d 527, 349 P.3d 476 (2015).

63. District court made sufficient findings and conclusions under Rule 165 in ruling on motion for new trial; Rule 183(j) requirements for K.S.A. 60-1507 motions held inapplicable to motion for new trial. *State v. Rodriguez*, 302 Kan. 85, 350 P.3d 1083 (2015).

64. In case where defendant did not object to district court's ruling on admission of evidence, it is presumed under Rule 165(b) that court found all facts necessary to support judgment. *State v. Dern*, 303 Kan. 384, 362 P.3d 566 (2015).

Rule 166 TIME FOR RULING ON MOTION; MATTER TAKEN UNDER ADVISEMENT

Case Annotations

1. Telephone conversations with State Judicial Administration staff member does not constitute compliance with rule; other violations; public censure. *In re Long*, 244 Kan. 719, 772 P.2d 814 (1989).

Rule 168 CLOSING ARGUMENT TO JURY

Case Annotations

1. Failure to comply with rule is grounds for new trial on issue covered in closing argument. *Doty v.Wells*, 9 Kan. App. 2d 378, 382, 383, 682 P.2d 672 (1984).

2. Per Rule 168, plaintiff presents the final argument to the jury in an eminent domain proceeding. *Miller v. Glacier Development*, 284 Kan. 476, 160 P.3d 730 (2007).

3. As general rule, prosecutors should not develop new arguments on rebuttal, but general rule not applied in rigid fashion; Rule 168(a)(2) cited. *State v. Robinson*, 303 Kan. 11, 363 P.3d 875 (2015).

Rule 169 POSTTRIAL COMMUNICATION WITH JURORS

Case Annotations

1. Cited in holding; motion to recall jury must be accompanied by evidence of reason for motion. Cornejo v. Probst, 6 Kan. App. 2d 529, 534, 630 P.2d 1202 (1981).

2. Rule quoted in discussion of trial judge's post trial restrictions on juror inquiry. *Miller v. Zep Mfg. Co*., 249 Kan. 34, 815 P.2d 506 (1991).

3. Rule 169 is primarily intended for the educational benefit of counsel and not for the purpose of "fishing" for grounds to impeach a verdict. *Williams v. Lawton*, 38 Kan. App. 2d 565, 170 P.3d 414 (2007).

4. Under Rule 169, attorneys may discuss a trial with jurors after their discharge from jury duty and may do so without seeking permission from the district judge unless contrary orders have been given. *Williams v. Lawton*, 288 Kan. 768, 207 P.3d 1027 (2009).

5. Prosecutor statements during voir dire to prospective jurors about speaking with them after trial not improper; speaking with jurors about trial after discharge permitted under Rule 169. *State v. Crawford*, 300 Kan. 740, 334 P.3d 311 (2014).

Rule 170 PREPARATION OF ORDER

Case Annotations

1. Noncompliance with rule cited in discussion of timeliness of an appeal. *Johnson v. American Cyanamid Co.*, 243 Kan. 291, 758 P.2d 206 (1988).

2. Waiver of argument by party obviates hearing requirement of rule. *Steele v. Guardianship & Conservatorship of Crist*, 251 Kan. 712, 722, 840 P.2d 1107 (1992).

3. Pretrial order granting motion to amend petition to include punitive damages claim not journalized. *Sullwold v. Barcus*, 17 Kan. App. 2d 410, 838 P.2d 908 (1992).

4. Attorney's failure to sign and return journal entry is noted by court in attorney discipline case. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

5. Attorney’s failure to sign and return journal entry is noted by court in attorney discipline case. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

6. Attorney’s erroneous belief that she could not sign journal entry while on suspension noted in attorney discipline case. *In re Gershater*, 263 Kan. 199, 946 P.2d 993 (1997).

7. Defendant's motion not properly appealed as a 60-1507 motion under Rule 183(b); State's

attorney drafted journal entry per Rule 170. *Miller v. State*, 28 Kan. App. 2d 39, 13 P.3d 13 (2000).

8. Appellant's first notice of appeal worded incorrectly; second appeal filed out of time; appellate review allowed since other party had notice. *Tullis v. Pittsburg State University*, 28 Kan. App. 2d 347, 16 P.3d 971 (2001).

9. Journal entries of judgment in 60-1507 cases are to be treated like other journal entries of judgment under Rule 170(a). *State v. Bolden*, 28 Kan. App. 2d 879, 24 P.3d 163 (2001).

10. Plaintiffs failed to object to the district court's journal entry pursuant to Rule 170. *Burcham v. Unison Bancorp, Inc.*, 276 Kan. 393, 77 P.3d 130 (2003).

11. Rule 170 may not be used as an alternative to summary judgment proceedings. *Lyndon State Bank v. Price*, 33 Kan. App. 2d 629, 106 P.3d 511 (2005).

12. State objected to the journal entry of the district court pursuant to Rule 170; remanded to district court for specific factual findings and legal conclusions as required per Rule 183. *Moll v. State*, 41 Kan. App. 2d 677, 204 P.3d 659 (2009).

13. District court did not err in settling the journal entry per Rule 170 by approving the reformed deed. *Unified Gov't of Wyandotte County v. Trans World Transp.Svcs*., 43 Kan. App. 2d 487, 222 P.3d 992 (2010).

Rule 171 BAILIFF'S OATH OR AFFIRMATION

Case Annotations

1. Delivery by bailiff of judge's written response to jury question not improper; bailiff's oath under Rule 171 cited. *State v. Bowen*, 299 Kan. 339, 323 P.3d 853 (2014).

Rule 172 EXPEDITED JUDICIAL PROCESS; SUPPORT; VISITATION

Case Annotations

1. Expedited judicial process authorizes hearing officers to determine child support issues; decisions subject to judicial review. *In re Marriage of Soden*, 251 Kan. 225, 228, 834 P.2d 358 (1992).

2. Rule quoted in reviewing judicial district's Family Law Guidelines. *In re Marriage of Case*, 18 Kan. App. 2d 457, 856 P.2d 169 (1993).

3. Court of Appeals has no jurisdiction over a hearing officer's order, which is not reviewed by the district court under Rule 172(g). *In re Marriage of Bock*, 20 Kan. App. 2d 218, 885 P.2d 400 (1994).

4. Expedited hearing was conducted to review child support issue per rule; decision was subject to judicial review. *State ex rel. Secretary of SRS v. Cook*, 29 Kan. App. 2d 292, 26 P.3d 76 (2001).

5. Pursuant to Rule 172, the hearing officer has the power to establish and modify child support or enforce support pursuant to the Kansas Parentage Act, K.S.A. 38-1110 *et seq.* *In re Marriage of Galvin*, 32 Kan. App. 2d 410, 83 P.3d 805 (2004).

Rule 173 EXPEDITED PETITION FOR WAIVER OF PARENTAL CONSENT REQUIREMENT

Case Annotations

1. Procedure followed as established by rule. *In re Doe*, 19 Kan. App. 2d 204, 866 P.2d 1069

(1994).

POSTTRIAL MATTERS

Rule 181 POSTTRIAL CALLING OF JURORS

Case Annotations

1. Violation of rule noted; no error in refusal to take judicial notice of annuity tables; damage action. *Gannaway v. Missouri-Kansas-Texas Rld. Co.,* 2 Kan. App. 2d 81, 84, 575 P.2d 566 (1978).

2. Motion to recall jury required to comply with 60-259 and be accompanied by evidence of reason for motion. *Cornejo v. Probst,* 6 Kan. App. 2d 529, 532-37, 630 P.2d 1202 (1981).

3. Court did not err in refusing to call jurors where record had no evidence to support claim of error. *State v. Kee,* 238 Kan. 342, 347-49, 711 P.2d 746 (1985).

4. Juror recall only by court order after hearing; burden on party seeking order to show necessity. *State v. Ruebke,* 240 Kan. 493, 513, 731 P.2d 842 (1987).

5. Appellant requesting new trial based on jury misconduct; Rule 181 discussed regarding request to recall jury rather than motion for new trial. *Erixson v. Ojeleye,* 35 Kan. App. 2d 72, 128 P.3d 426 (2006).

6. Jurors cannot be called for hearings on posttrial motions without an order of the court that is entered after a motion and a hearing per Rule 181. *Williams v. Lawton,* 38 Kan. App. 2d 565, 170 P.3d 414 (2007).

7. District court did not abuse discretion by failing to call the jury posttrial under Rule 181, where no clear evidence established prejudicial misconduct by jurors. *City of Neodesha v. BP Corporation,* 50 Kan. App. 2d 731, 334 P.3d 830 (2014).

Rule 183 PROCEDURE UNDER K.S.A. 60-1507

Case Annotations

1. Applied; relief not used as a substitute for second appeal. *Kirk v. State,* 220 Kan. 278, 552 P.2d 633 (1976).

2. Applied; petition under 60-1507; no trial errors affecting constitutional rights or exceptional circumstances excusing appeal. *Estes v. State,* 221 Kan. 412, 414, 559 P.2d 392 (1977).

3. Subsection (c)(3) applied; intervening change in law between direct appeal and collateral attack. *Lassley v. State,* 2 Kan. App. 2d 158, 159, 576 P.2d 1094 (1978).

4. Dismissal of direct appeal not exceptional circumstance excusing failure to perfect appeal under subsection (c)(3); post conviction relief denied. *Weser v. State,* 224 Kan. 272, 274, 579 P.2d 1214 (1978).

5. Subsection (c)(3) applied; record of proceedings not constitutional right and cannot be raised on 60-1507 motion where not appealed. *Jones v. State,* 3 Kan. App. 2d 578, 583, 598 P.2d 565 (1979).

6. Motion for transcripts did not comply with requirements for 60-1507 motion. *State v. McKinney,* 10 Kan. App. 2d 459, 701 P.2d 701 (1985).

7. Sentencing court's specifying amount of restitution owed for parole or probation purposes (22-3717) examined. *Tucker v. State,* 11 Kan. App. 2d 51, 53, 711 P.2d 1343 (1986).

8. Petitioner's presence at hearing required only when substantial issues of fact as to events in which he participated (section h) and right to counsel applies only when substantial questions of law or triable issues of fact (section i). *Robinson v. State,* 13 Kan. App. 2d 244, 767 P.2d 851 (1989).

9. Section (a) of rule does not excuse assessment of court costs against 60-1507 petitioner, but such costs shall not be required as a prerequisite to filing an action. *Fought v. State*, 14 Kan. App. 2d 17, 781 P.2d 742 (1989).

10. In criminal appeal of trial court's denial of motion to reduce life sentences to term of years, defendants argue motion should have been treated as a 60-1507 motion and counsel appointed under Rule 183(i); affirmed. *State v. Carmichael*, 247 Kan. 619, 621, 801 P.2d 1315 (1990).

11. Rule construed in holding a 60-1507 motion and a motion for new trial can proceed simultaneously. *State v. Harris*, 249 Kan. 410, 412-13, 819 P.2d 1169 (1991).

12. Section (c)(3) prohibits use of habeas proceeding as a substitute for a direct appeal; section (g) establishes preponderance of evidence as standard of proof required of movant. *Taylor v. State*, 251 Kan. 272, 834 P.2d 1325 (1992).

13. Sections (a), (g), and (j) cited in holding a K.S.A. 60-1507 proceeding is a civil proceeding governed by the rules of civil procedure in which movant has the burden of proof to establish claims by a preponderance of evidence; trial court duty to make findings and conclusions. *Taylor v. State*, 252 Kan. 98, 103, 843 P.2d 682 (1992).

14. Exceptional circumstances found to excuse failure to appeal, citing Rule 183(c)(3). *Crease v. State*, 252 Kan. 326, 334, 845 P.2d 27 (1993).

15. Terms "sentencing court" and "trial court" in rule refer to district court, not a specific judge. *Morrow v. State*, 18 Kan. App. 2d 236, 239, 849 P.2d 1004 (1993).

16. Exceptional circumstances excusing failure to raise issue on direct appeal must be shown only where trial error affected constitutional rights, not jurisdictional issues. *Carmichael v. State*, 18 Kan. App. 2d 435, 856 P.2d 934 (1993).

17. K.S.A. 60-1507 proceedings may be instituted to correct trial errors affecting constitutional rights, not to errors involving the imposition of sentence. *Carmichael v. State*, 255 Kan. 10, 872 P.2d 240 (1994).

18. Intervening change in the law of racially motivated peremptory jury challenges qualifies as exceptional circumstances under Rule 183(c)(3). *Alires v. State*, 21 Kan. App. 2d 676, 906 P.2d 172 (1995).

19. K.S.A. 60-1507 proceeding is civil in nature and is governed by rules of civil procedure. *Smith v. State*, 22 Kan. App. 2d 922, 924 P.2d 662 (1996).

20. Section (c) prohibits use of K.S.A. 60-1507 proceeding as a substitute for direct appeal. *Soto v. State*, 23 Kan. App. 2d 85, 927 P.2d 954 (1996).

21. Rule 183(k) does not preclude Supreme Court from exercising discretion and accepting the State's appeal. *Graham v. State*, 263 Kan. 742, 952 P.2d 1266 (1998).

22. Sections (f) and (i) cited in holding there was no error in denying pro se motion for sentence conversion and appointment of counsel. *State v. Jones*, 24 Kan. App. 2d 669, 951 P.2d 1302 (1998).

23. Court does not reach the issue of admission of evidence, which should have been raised on direct appeal, not in 1507 proceeding per Rule 183(c)(3). *Sanders v. State*, 26 Kan.App.2d 826, 995 P.2d 397 (1999).

24. The district court's ruling on defendant's motion for new trial does not comply with Rule 183(j). *State v. Moncla*, 269 Kan. 61, 4 P.3d 618 (2000).

25. Section (h) requires that the defendant be present for 60-1507 proceeding when substantial issues of fact are involved. *Lujan v. State*, 270 Kan. 163, 14 P.3d 424 (2000).

26. Section (c)(3) cited in holding K.S.A. 60-1507 proceeding is not a substitute for direct appeal. *Johnson v. State*, 271 Kan. 534, 24 P.3d 92 (2001).

27. Sections (c) and (i) cited and applied in holding trial court did not err in denying defendant's 60-1507 motion without appointing counsel. *Maggard v. State of Kansas*, 27 Kan. App. 2d 1060, 11 P.3d 89 (2000).

28. Defendant's motion not properly appealed as a 60-1507 motion under Rule 183(b); State's attorney drafted journal entry per Rule 170. *Miller v. State*, 28 Kan. App. 2d 39, 13 P.3d 13 (2000).

29. District court's order insufficient because it failed to make findings of fact and conclusions of law regarding each of movant's arguments. *State v. Bolden*, 28 Kan. App. 2d 879, 24 P.3d 163 (2001).

30. Sections (f), (g), and (i) cited in discussing defendant's burden of proof in 60-1507 proceeding; when evidentiary hearing is required and when defendant should be appointed counsel. *Hogan v. State*, 30 Kan. App. 2d 151, 38 P.3d 746 (2002).

31. Rule 183 (j) cited and discussed in finding district court's order insufficient because it failed to make findings of fact and conclusions of law regarding each of movant's arguments. *Stewart v. State*, 30 Kan. App. 2d 380, 42 P.3d 205 (2002).

32. Failure of district court under facts of this case to enter findings of fact and conclusions of law as required under Supreme Court Rule 183(j) precludes appellate review and necessitates a remand for compliance. *Littrice v. State*, 30 Kan. App. 2d 800, 48 P.3d 690 (2002).

33. Rule 183(j) cited and reviewed in remanding district court's summary dismissal of 60-1507 motion contending ineffective assistance of counsel for adequate findings of fact and conclusions of law as required by Rule 183. *Gilkey v. State*, 31 Kan. App. 2d 84, 60 P. 3d 347 (2003).

34. Rule 183(j) cited and discussed in finding district court made sufficient findings of fact and conclusions of law to permit appellate review; Court of Appeals upheld trial court's summary denial of defendant's K.S.A. 60-1507 motion. *Gillkey v. State*, 31 Kan. App. 2d 77, 60 P.3d 351 (2003).

35. District court's journal entry and oral transcript failed to comply with Rule 183(j); reversed and remanded for entry of findings of fact and conclusions of law as required by Rule 183(j). *Harris v. State*, 31 Kan. App. 2d 237, 62 P.3d 672 (2003).

36. Petitioner cites Rule 183 in appealing the summary dismissal of his 60-1501 action. *Laubach v. Roberts*, 32 Kan. App. 2d 863, 90 P.3d 961 (2004).

37. Rule 183 cited in affirming district court's denial of appellant's 60-1507 motion on ground that allocution issue should have been raised in a direct appeal from his resentencing. *State v. Mebane*, 278 Kan. 131, 91 P.3d 1175 (2004).

38. Rule 183 cited by dissent in a claim for ineffective assistance of counsel. *McCarty v. State*, 32 Kan. App. 2d 402, 83 P.3d 249 (2004).

39. Rule 183(j) cited and applied; case remanded to district court for findings of fact and conclusions of law consistent with Rule 183(j). *Gaudina v. State*, 278 Kan. 103, 92 P.3d 574 (2004).

40. Rule 183(h) and (i) cited in finding no abuse of discretion by district court in its summary dismissal of defendant's petition for writ of habeas corpus. *Ellibee v. Simmons*, 32 Kan. App. 2d 519, 85 P.3d 216 (2004).

41. Rule 183(h) cited in finding district court's dismissal of 60-1507 motion was valid; district court has discretion to ascertain whether claim is substantial before granting full evidentiary hearing. *Bradley v. State*, 32 Kan. App. 2d 178, 81 P.3d 444 (2003).

42. Case previously remanded to district court for findings of fact and conclusions of law; district court complied with the mandate and parties filed supplemental briefs. *Littrice v. State*, 31 Kan. App. 2d 846, 75 P.3d 292 (2003).

43. Rule 183(c)(3) and (d) cited in discussing defendant's appeal; 60-1507 appeal previously denied by this court; defendant fails to raise any exceptional circumstances excusing his failure to raise these issues in his direct appeal. *Bruner v. State*, 277 Kan. 603, 88 P.3d 214 (2004).

44. Rule 183(j) cited in finding district court made sufficient findings of fact and conclusions of law as required under the rule; Court of Appeals found that district court's summary denial of the 60-1507 motion was proper. *Snyder v. State*, 33 Kan. App. 2d 694, 107 P.3d 451 (2005).

45. Rule 183(c)(3) cited and applied in holding 60-1507 proceeding is not a substitute for direct

appeal; movant's motions were successive under Rule 183(d), thus no abuse of discretion by district court in dismissing 60-1507 motions on either basis. *Woodberry v. State*, 33 Kan. App. 2d 171, 101 P.3d 727 (2004).

46. Rule cited in reversing and remanding to district court to appoint new counsel and hold an evidentiary hearing in compliance with this opinion; district court is to comply with (h) by providing facts and conclusions of law. *Campbell v. State*, 34 Kan. App. 2d 8, 114 P.3d 162 (2005).

47. Defendant's motion, filed prior to sentencing, not properly appealed as a 60-1507 motion under Rule 183(c); Court of Appeals characterized it as a posttrial motion. *State v. Holmes*, 278 Kan. 603, 102 P.3d 406 (2004).

48. Movant in 60-1507 case has the burden to prove that representation of his trial counsel was deficient per Rule 183(g). *State v. Barahona*, 35 Kan. App. 2d 605, 132 P.3d 959 (2006).

49. District court not required to hold hearing if defendant's 60-1507 motion and files and records of the case conclusively show that he was not entitled to relief under Rule 183(h). *Tomlin v. State*, 35 Kan. App. 2d 398, 130 P.3d 1229 (2006).

50. Rule 183(h) states that sentencing court has discretion to ascertain whether 60-1507 claim is substantial before granting full evidentiary hearing and requiring prisoner to be present; movant's request granted on remand. *Laymon v. State*, 280 Kan. 430, 122 P.3d 326 (2005).

51. Rule 183(g) cited in dissent to emphasize that the movant has the burden of proof in a 60-1507 proceeding. *State v. Davis*, 281 Kan. 169, 130 P.3d 69 (2006).

52. Rule 183(h) and (j) discussed; Court of Appeals remanded case to district court for an evidentiary hearing to address ineffective assistance of counsel issue. *Swenson v. State*, 35 Kan. App. 2d 709, 135 P.3d 157 (2006).

53. Exceptional circumstance requirement imposed by Rule 183(c)(3) for motions brought under 60-1507 applies in this circumstance in which movant is requesting DNA testing; district court's summary dismissal reversed for evidentiary hearing. *Goldsmith v. State*, 34 Kan. App. 2d 789, 124 P.3d 516 (2005).

54. 60-1507 motion not usually a vehicle for a nonconstitutional claim of error per Rule 183(c)(3); however, movant's petition for review granted for evidentiary hearing regarding ineffective assistance of counsel. *State v. Swisher*, 281 Kan. 447, 132 P.3d 1274 (2006).

55. Defendant's motion is not a substitute for direct appeal; no constitutional issues raised and no showing of exceptional circumstances per Rule 183(c)(3); conviction affirmed. *Drach v. Bruce*, 281 Kan. 1058, 136 P.3d 390 (2006).

56. Rule 183(j) cited in holding summary denial of petitioner's motion did not constitute abuse of discretion by trial court. *Love v. State*, 280 Kan. 553, 124 P.3d 32 (2005).

57. Rule 183 discussed in reversing and remanding for further proceedings with regard to ineffective assistance of appellate counsel issue raised in 60-1507 proceeding. *Rice v. State*, 37 Kan. App. 2d 456, 154 P.3d 537 (2007).

58. Under Rule 183(h), district court has discretion to ascertain whether movant's 60-1507 claim is substantial before granting an evidentiary hearing and ordering the movant's presence at the hearing; since appellate counsel filed petition for review 1 day late, Supreme Court concludes defendant was denied effective assistance of counsel; reversed and remanded for an evidentiary hearing. *Swenson v. State*, 284 Kan. 648, 162 P.3d 808 (2007).

59. Rule 183(f), (g), and (j) cited in finding no abuse of discretion in district court's summary denial of defendant's claims under K.S.A. 60-1507. *McDermed v. State*, 36 Kan. App. 2d 806, 811-12, 146 P.3d 222 (2006).

60. Prosecutorial misconduct claim raised by defendant in 60-1507 motion denied under Rule 183(c)(3); Supreme Court resolved defendant's issues based on record, citing Rule 183(j). *Haddock v. State*, 282 Kan. 475, 146 P.3d 187 (2006).

61. Even though Rule 183(j) does not apply to a motion to correct an illegal sentence filed pursuant to K.S.A. 22-3504, a district court is required to make findings of fact and conclusions of law on all issues presented by the motion. *State v. Hoge*, 283 Kan. 219, 150 P.3d 905 (2007).

62. Prisoner's attendance at 60-1507 hearing is not mandatory but is within the court's discretion pursuant to Rule 183(h). *State v. Denney*, 283 Kan. 781, 156 P.3d 1275 (2007).

63. Defendant failed to assert exceptional circumstances to support a successive 60-1507 motion pursuant to Rule 183(c) and (d). *State v. Mitchell*, 284 Kan. 374, 162 P.3d 18 (2007).

64. Pursuant to Rule 183(c)(3), prosecutorial misconduct is not properly raised in a 60-1507 petition unless it affected a constitutional right and there is a showing of exceptional circumstances excusing the failure to appeal on that issue. *Bledsoe v. State*, 283 Kan. 81, 150 P.3d 868 (2007).

65. Rule 183 provides an action initiated by motion under Rule 60-1507 cannot be maintained while an appeal from defendant's conviction and sentence is pending. *State v. Barnes*, 37 Kan. 136, 149 P.3d 543 (2007).

66. Sections (f) and (h) cited in upholding district court's denial of defendant's 60-1507 motion. *Porter v. State*, 37 Kan. App. 2d 220, 152 P.3d 89 (2007).

67. Defendant's contention that district court failed to comply with Rule 183(j) requiring court to make findings of fact and conclusions of law on all issues found to have no merit. *Phillips v. State*, 282 Kan. 154, 179, 144 P.3d 48 (2006).

68. Rule 183(d) provides that a sentencing court is not required to entertain a second or successive 60-1507 motion that raises the same or substantially the same issues as a previous motion that was decided on the merits; motion denied. *McPherson v. State*, 38 Kan. App. 2d 276, 163 P.3d 1257 (2007).

69. Court cites Rule 183(c)(3) in stating a 60-1507 motion is not typically an acceptable instrument for a nonconstitutional claim of error that the defendant could have addressed on direct appeal. *State v. Harp*, 283 Kan. 740, 156 P.3d 1268 (2007).

70. Rule 183 procedures which implement K.S.A. 60-1507 discussed; movant's denial of habeas corpus relief by district court affirmed. *Ludlow v. State*, 37 Kan. App. 2d 676, 157 P.3d 631 (2007).

71. Although Rule 183 prohibits simultaneous pursuit of a direct appeal and a procedure under K.S.A. 60-1507, where the right to file a petition for review out of time is granted, proceedings on remand are to be stayed; Rule 183 does not require affidavits to be filed with the 60-1507 motion. *Swenson v. State*, 284 Kan. 931, 169 P.3d 298 (2007).

72. Per Rule 183(a), a 60-1507 motion is a civil proceeding and is governed by the rules of civil procedure, which requires an appeal to be filed within 30 days from the entry of judgment; movant's untimely appeal is dismissed. *Guillary v. State*, 285 Kan. 223, 170 P.3d 403 (2007).

73. Rule 183 requirements discussed in affirming district court's denial of defendant's 60-1507 motion. *Scott v. Werholtz*, 38 Kan. App. 2d 667, 171 P.3d 646 (2007).

74. Rule 183 discussion regarding proper standards of review for K.S.A. 60-1507 motions; language of 60-1507 controls the standard of review rather than Rule 183(h). *Bellamy v. State*, 285 Kan. 346, 172 P.3d 10 (2007).

75. District court abused its discretion in denying movant's 60-1507 motion regarding newly discovered evidence claims per Rule 183; reversed and remanded. *Moncla v. State*, 285 Kan. 826, 176 P.3d 954 (2008).

76. Defendant was denied effective assistance of counsel by his counsel's failure to timely file a petition for review per Rule 8.03; discussion of Rule 183 requirements. *Penn v. State*, 38 Kan. App. 2d 943, 173 P.3d 1172 (2008).

77. Defendant argues Rule 8.03(j) violated by the district court in his appeal. *State v. Hemphill*, 286 Kan. 583, 186 P.3d 777 (2008).

78. Defendant fails to show exceptional circumstances excusing his failure to raise the issue of

prosecutorial misconduct at trial or on direct appeal pursuant to Rule 183(c). *Wilkins v. State*, 286 Kan. 971, 190 P.3d 957 (2008).

79. A motion challenging the validity of a sentence is an independent civil action which should be separately docketed, and the procedure before the trial court is governed by the rules of civil procedure pursuant to Rule 183(a). *Hickson v. State*, 39 Kan. App. 2d 678, 182 P.3d 1269 (2008).

80. Rule 183 requirements discussed in affirming trial court's denial of defendant's 60-1507 motion as successive. *Toney v. State*, 39 Kan. App. 2d 944, 187 P.3d 122 (2008).

81. Rule 183 requirements discussed in affirming district court's denial of defendant's 60-1507 motion. *Pabst v. State*, 287 Kan. 1, 192 P.3d 630 (2008).

82. Under Rule 183(c), a movant must show exceptional circumstances excusing the failure to raise a multiplicity issue on direct appeal; district court upheld in denying defendant's 60-1507 motion under Rule 183(e). *Trotter v. State*, 288 Kan. 112, 200 P.3d 1236 (2009).

83. Findings and conclusions of the district court were sufficient for appellate review of defendant's claims requesting remand under Rule 183(j). *Robertson v. State*, 288 Kan. 217, 201 P.3d 691 (2009).

84. Movant should be produced at a 60-1507 hearing where substantial issues of fact involving the movant are to be explored under Rule 183(h). *Fisher v. State*, 41 Kan. App. 2d 764, 206 P.3d 13 (2009).

85. Rule 183(j) and (k) cited in remanding case to district court for specific factual findings and legal conclusions as required. *Moll v. State*, 41 Kan. App. 2d 677, 204 P.3d 659 (2009).

86. Appellant's 60-1507 motion fails to raise any exceptional circumstances pursuant to Rule 183(c) that would excuse his failure to raise issue in his direct appeal. *Alford v. State*, 42 Kan. App. 2d 392, 212 P.3d 250 (2009).

87. In making a summary determination under K.S.A. 2008 Supp. 59-29a11, the district court must enter findings and conclusions sufficient to enable meaningful appellate review; Rule 183(j) places similar requirement upon sentencing courts in 60-1507 motions. *In re Care & Treatment of Miles*, 42 Kan. App. 2d 471, 213 P.3d 1077 (2009).

88. Rules 183 requirements discussed; case remanded to determine if appellant's counsel was deficient. *LaPointe v. State*, 42 Kan. App. 2d 522, 214 P.3d 684 (2009).

89. Kansas courts have consistently maintained a movant's right to be present at an evidentiary hearing in a K.S.A. 60-1507 proceeding, pursuant to Rule 183(h). *State v. Webber*, 42 Kan. App. 2d 823, 218 P.3d 1191 (2009).

90. K.S.A. 60-1507 motion cannot serve as a vehicle to raise an issue that should have been raised on direct appeal. *Rowland v. State*, 289 Kan. 1076, 219 P.3d 1212 (2009).

91. Rule 183(d) cited regarding prohibitions against second or subsequent 60-1507 motions; defendant allowed to amend his 60-1507 motion to assert claims of ineffective assistance of appellate counsel. *Rice v. State*, 43 Kan. App. 2d 428, 225 P.3d 1200 (2010).

92. Court not required to entertain second or successive motion for similar relief on behalf of movant per Rule 183(d), but may not bar future 1507 motions for relief in his criminal case. *Holt v. State*, 290 Kan.491, 232 P.3d 848 (2010).

93. A district court is required to conduct a hearing on a K.S.A. 60-1507 motion unless the motion and the files and records of the case conclusively show that the prisoner is entitled to no relief, citing Rule 183(f). *Crowther v. State*, 45 Kan. App. 2d 559, 249 P.3d 1214 (2011).

94. Rule 183(a) and (m) discussed and applied in reversing and remanding movant's 60-1507 appeal to the Court of Appeals. *Albright v. State*, 292 Kan. 193, 251 P.3d 52 (2011).

95. Rule 183(c), (d) cited for rule that district court is not required to entertain a second or successive motion for similar relief filed by same prisoner absent a showing of exceptional circumstances. *Wimbley v. State*, 292 Kan. 796, 257 P.3d 328 (2011).

96. Court discusses Rule 183 and provides that rules of civil procedure are to govern 60-1507

proceedings only insofar as applicable. *Thompson v. State*, 293 Kan. 704, 270 P.3d 1089 (2011).

97. Rule 183(b) cited in support of rule that a motion under K.S.A. 60-1507 is the exclusive procedure for prisoners to collaterally attack criminal convictions and sentences. *State v. Mitchell*, 297 Kan. 118, 298 P.3d 349 (2013).

98. Court discusses Rule 183(c); holds that 1-year time limitation to file a K.S.A. 60-1507 motion does not begin until the time to appeal from the resentencing expires. *Baker v. State*, 297 Kan. 486, 303 P.3d 675 (2013).

99. K.S.A. 60-1507 motion denied as successive, citing Rule 183(d). *State v. Trotter*, 296 Kan. 898, 295 P.3d 1039 (2013).

100. Court discusses Rule 183(h) and lists seven nonexclusive factors for Kansas courts to consider in determining when prisoners should be present at K.S.A. 60-1507 hearings. *Fischer v. State*, 296 Kan. 808, 295 P.3d 560 (2013).

101. Per Rule 183(j) a district court holding a K.S.A. 60-1507 hearing must issue findings of fact and conclusions of law on all issues presented. *Wright v. State*, 48 Kan. App. 2d 593, 294 P.3d 1201 (2013).

102. Rule 183(c)(3) cited in noting that exceptions to the prohibition against successive motions have been interpreted to include intervening change in law. *Verge v. State*, 50 Kan. App. 2d 591, 335 P.3d 679 (2014).

103. State filed Rule 6.09(b) letter of additional authority contending timeliness rules of K.S.A. 60-206(b) do not apply to K.S.A. 60-1507 motions; held K.S.A. 60-1507(f) alone controls under Rule 183(a). *Vontress v. State*, 299 Kan. 607, 325 P.3d 1114 (2014).

104. Rule 183(j), requiring specific factual findings and conclusions of law in K.S.A. 60-1507 proceedings, held inapplicable to criminal proceedings. *State v. Dull*, 298 Kan. 832, 317 P.3d 104 (2014).

105. In diversion proceedings, no statutory provision provides for appointment of counsel for indigents; Rule 183(i) cited. *State v. Tims*, 49 Kan. App. 2d 845, 317 P.3d 115 (2014).

106. Motion to arrest judgment not jurisdictionally barred as means for collateral attack on conviction; Rule 183(b) cited. *State v. Sellers*, 301 Kan. 540, 344 P.3d 950 (2015).

107. Second K.S.A. 60-1507 motion held to be untimely amendment where original timely motion had failed to concisely state all grounds required by Rule 183(e). *Wahl v. State*, 301 Kan. 610, 344 P.3d 385 (2015).

108. After remand for resentencing, appellate jurisdiction not terminated under Rule 183(c); motion under K.S.A. 60-1507 barred until the conclusion of appellate jurisdiction. *Scaife v. State*, 51 Kan. App. 2d 577, 350 P.3d 1 (2015).

109. District court made sufficient findings and conclusions under Rule 165 in ruling on motion for new trial; Rule 183(j) requirements for K.S.A. 60-1507 motions held inapplicable to motion for new trial. *State v. Rodriguez*, 302 Kan. 85, 350 P.3d 1083 (2015).

110. Reasonable limits imposed on successive K.S.A. 60-1507 motions under Rule 183 do not unconstitutionally suspend writ of habeas corpus. *Manco v. State*, 51 Kan. App. 2d 733, 354 P.3d 551 (2015).

111. Where Court of Appeals opinion lacked effect under Rule 183(j), statutory stay of council member's ouster granted to prevent irreparable harm; propriety of granting stay held moot by Supreme Court reversal of ouster order. *State v. Morrison*, 302 Kan. 804, 359 P.3d 60 (2015).

112. Untimely appeal must be allowed where appointed counsel in civil commitment case fails to notify client of right to appeal; Rule 183(a) cited in analogizing 60-1507 cases. *In re Emerson*, 52 Kan. App. 2d 421, 369 P.3d 327 (2016)

113. District court did not err in summarily denying untimely and successive 60-1507 motion; Rule 183 (c)(3) and (d) cited. *Woods v. State*, 52 Kan. App. 2d 958, 379 P.3d 1134 (2016).

114. In 60-1507 case where motion, files, and records demonstrated summary disposition was

proper, no entitlement to appointment of counsel under Rule 183(i). *Woods v. State*, 52 Kan. App. 2d 958, 379 P.3d 1134 (2016).

RULES RELATING TO DISCIPLINE OF ATTORNEYS

Rule 201 JURISDICTION

Case Annotations

1. All lawyers, including those subject to investigation, have duty to cooperate with and respond to inquiries from disciplinary authorities; self-incrimination exception. *State v. Savaiano,* 234 Kan. 268, 271, 274, 670 P.2d 1359 (1983).

2. Rule cited in criminal case; Supreme Court has exclusive jurisdiction over attorney discipline. *State v. Goodnow,* 12 Kan. App. 2d 294, 740 P.2d 113 (1987).

3. Attorney continued to practice law in retirement and violated KRPC 5.5 and 8.4(c); law-related services defined per KRPC 5.7(b); Rules 201, 208 discussed; hearing panel's recommendation is advisory only per Rule 212(f); disbarment. *In re Rost*, 289 Kan. 290, 211 P.3d 145 (2009).

Rule 202 GROUNDS FOR DISCIPLINE

Case Annotations

1. Report and recommendations of board not binding on court; final conviction conclusive; court will not look behind it. *State v. Russo,* 230 Kan. 5, 6, 7, 8, 16, 630 P.2d 711 (1981).

2. Attorney under suspension in Kansas for nonpayment of fees and later disbarred in sister state for conduct which would be a violation in Kansas is disbarred. *In re Whiteside,* 243 Kan. 660, 762 P.2d 630 (1988).

3. Attorney suspended from federal court practice; six months' suspension. *In re Phelps,* 244 Kan. 596, 771 P.2d 936 (1989).

4. Attorney suspended from federal court practice; one year suspension. *In re Phelps,* 244 Kan. 600, 771 P.2d 934 (1989).

5. Attorney convicted in federal court of conspiracy to manufacture amphetamine and attempt to manufacture amphetamine; conviction affirmed; disbarment. *In re Savaiano,* 245 Kan. 116, 774 P.2d 982 (1989).

6. Attorney's mishandling of estate resulted in malpractice judgment against him and violated DR 1-102, 6-101, and 7-101, and Rule 202; one-year suspension. *In re Lunt,* 247 Kan. 678, 801 P.2d 1327 (1990).

7. Authenticated copy of court file reflecting attorney's conviction for misdemeanor theft introduced at disciplinary hearing; conviction conclusive evidence of MRPC 8.4(b), (c); attorney currently on suspension; disbarment. *In re Matney,* 248 Kan. 990, 811 P.2d 885 (1991).

8. Rule cited as authority for disbarment due to felony convictions; comment to MRPC 8.4 noted as discussing crimes which reflect adversely on fitness to practice; public censure. *In re Kershner,* 250 Kan. 383, 827 P.2d 1189 (1992).

9. Attorney's disbarment in Illinois is "final adjudication in another jurisdiction" sufficient for Kansas disbarment; disbarment and Rule 218 compliance. *In re Lewis*, 250 Kan. 537, 826 P.2d 509 (1992).

10. Attorney disciplined in Colorado for numerous violations; two-year Kansas suspension and Rule 218 compliance ordered. *In re Hensley-Martin*, 250 Kan. 539, 825 P.2d 530 (1992).

11. Attorney disciplinary system is established to ensure that those licensed are "fit to be entrusted with professional and judicial matters." *Jarvis v. Drake*, 250 Kan. 645, 830 P.2d 23 (1992).

12. Attorney disbarred from 10th Circuit Court of Appeals and U.S. District Court for District of Kansas for failure to designate record and failure to respond to show cause order; final adjudication in federal jurisdiction conclusive evidence of misconduct per Rule 202; indefinite suspension suspended and probated. *In re Jenkins*, 251 Kan. 264, 833 P.2d 1013 (1992).

13. Attorney disbarred in Nebraska for misappropriation of funds; final adjudication in Nebraska conclusive evidence in Kansas proceeding per Rule 202; hearing panel's recommendation advisory only per Rule 212(f); disbarment and Rule 218 compliance ordered. *In re Veith*, 252 Kan. 266, 843 P.2d 729 (1992).

14. Rule 202 applied to admit record of legal malpractice action in disciplinary proceedings. *In re Carson*, 252 Kan. 399, 845 P.2d 47 (1993).

15. Attorney found guilty of professional misconduct in and by sister state based on abusive behavior toward expert witness and obtaining continuances by fallacious claims of ill health; six-month suspension and Rule 218 compliance ordered. *In re Genchi*, 253 Kan. 832, 861 P.2d 127 (1993).

16. Attorney suspended for four years by sister state placed on indefinite suspension; may apply for reinstatement pursuant to Rule 219; Rule 218 compliance ordered. *In re Talley*, 253 Kan. 834, 861 P.2d 128 (1993).

17. Attorney convicted of felony possession of controlled substance with intent to distribute; criminal acts violate MRPC 8.4(b), (d) and (g); disbarment and Rule 218 compliance ordered. *In re Diggs*, 256 Kan. 193, 883 P.2d 1182 (1994).

18. Attorney disciplined in Colorado for misrepresentation in titling company vehicles and illegally obtaining company files; one-year suspension. *In re Eastepp*, 258 Kan. 766, 907 P.2d 842 (1995).

19. Attorney disciplined in Texas for failure to communicate with clients, neglect of client's cases, failure to cooperate in investigation, and conversion of client's funds; Texas findings and conclusions adopted per Rule 202; indefinite suspension. *In re Callahan*, 258 Kan. 770, 907 P.2d 840 (1995).

20. Attorney's breach of fiduciary duty as executor of estate, conduct involving dishonesty and fraud, and failure to cooperate with Disciplinary Administrator's office violate MRPC 1.3, 1.15, 8.4(c) and (d) and Rules 202 and 207; disbarment. *In re Williamson*, 260 Kan. 568, 918 P.2d 1302 (1996).

21. Attorney's misdemeanor conviction for lewd and lascivious behavior violates KRPC 8.4 and Rule 202; three-year supervised probation. *In re Ketter*, 268 Kan. 146, 992 P.2d 205 (1999).

22. Attorney's convictions of conspiracy to commit mail fraud, mail fraud, and misappropriation of funds by a fiduciary violate KRPC 1.15 and 8.4 per Rule 202; hearing panel determination and recommendation to the Supreme Court requested per Rule 211(f); disbarment. *In re Richardson*, 268 Kan. 831, 1 P.3d 328 (2000).

23. Attorney voluntarily surrenders his license to practice law in Missouri; his misconduct violated KRPC 4.1, 7.3, and 8.4(a) and (c) per Rule 202; disbarment. *In re Rogers*, 269 Kan. 829, 7 P.3d 1260 (2000).

24. Attorney disciplined in Virginia placed on 5-year suspension; Virginia's findings and conclusions adopted per Rule 202; alternate sanctions per Rule 211. *In re Joslin*, 270 Kan. 419, 13 P.3d 1286 (2000).

25. Attorney suspended for one-year based on violation of 8.4(b) for worthless check convictions and obstruction of legal duty charge. *In re Brock*, 270 Kan. 635, 17 P.3d 361 (2001).

26. Attorney suspended for 1 year and 1 day in Colorado; his misconduct violated KRPC 1.3, 1.4,

1.15 and 1.16 and Rule 207(b) and Rule 211(b) per Rule 202; indefinite suspension. *In re Rishel*, 271 Kan. 644, 23 P.3d 820 (2001).

27. Attorney voluntarily surrenders license to practice law in Missouri; her misconduct violated KRPC 1.1, 1.3, 1.4, 8.4(c) and (d) per Rule 202 as well as Rule 207(b) and Rule 211(b); disbarment. *In re Cramer*, 271 Kan. 923, 26 P.3d 1245 (2001).

28. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.5(a), 1.15(a), (b), and (c), 8.4(a), (c), and (g), Rule 207 and Rule 211 per Rule 202; disbarment per Rule 203(a)(1). *In re Cleland*, 271 Kan. 926, 27 P.3d 26 (2001).

29. Attorney on disability inactive status violated Rule 220 by engaging in the practice of law; KRPC 8.2 violated by making false or reckless statements regarding the qualification and integrity of judge; KRPC 8.4(a), (d), and (g) violated for misconduct; district judge's ruling that attorney was disqualified presumed to be valid under Rule 202; exceptions filed per Rule 212; published censure per Rule 203(a)(3). *In re Arnold*, 274 Kan. 761, 56 P.3d 259 (2002).

30. Attorney failed to disprove findings of district court in two memorandum opinions; hearing panel accepts those findings and incorporates them by reference per Rule 202. *In re Polsley*, 275 Kan. 233, 61 P.2d 715 (2003).

31. Attorney licensed to practice law in Missouri, but not in Kansas, failed to comply with Rule 216; violated Mo. Rules of Professional Conduct which are identical to and thus, based on Rule 202, violated KRPC 3.3(a)(1), 4.1(a), 8.1(b), 8.4(a) and (d); also found to have violated KRPC 7.1, 8.4(c) and (g); violated Rule 211(b) by failing to timely file answer to formal complaint; indefinite prohibition from practicing law before any Kansas court, administrative tribunal, or state-agency. *In re Franco*, 275 Kan. 571, 66 P.3d 805 (2003).

32. Attorney on disabled status filed 14 lawsuits in his own name, violating KRPC 3.1, 3.3(a)(1), 3.4(d), 8.4(c) and (d), and 3.5(c); civil judgment by opposing parties raised presumption of validity per Rule 202; disbarment. *In re Benson*, 275 Kan. 913, 69 P.3d 544 (2003).

33. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

34. Attorney pled guilty to federal misdemeanor for theft of government property; misconduct violated KRPC 8.4(b) per Rule 202; 2-year suspension per Rule 203(a)(2). *In re Polsley*, 277 Kan. 565, 86 P.3d 531 (2004).

35. Attorney previously disciplined by informal admonishment and a published censure pled guilty to federal misdemeanor for theft of government property; misconduct violated KRPC 8.4(b) per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Polsley*, 277 Kan. 570, 85 P.3d 693 (2004).

36. Attorney's criminal conviction of domestic battery violates KRPC 8.4(b) and Rule 202; published censure per Rule 203(a)(3). *In re Angst*, 278 Kan. 500, 102 P.3d 388 (2004).

37. Attorney on 2-year probation in Colorado for violations regarding misconduct now disciplined in Kansas; Rule 202 cited in finding misconduct in Kansas based on the Colorado stipulation of misconduct and final order imposing sanctions; respondent required to undergo hearing pursuant to Rule 219 prior to reinstatement; 2-year suspension per Rule 203(a)(2). In re Eastepp, 281 Kan. 698, 132 P.3d 918 (2006).

38. Attorney committed multiple violations of KRPC's including KRPC 1.4, 1.15, 3.2, 3.4, and 8.4 involving communication, safekeeping property, expediting litigation, fairness to opposing party and counsel, and misconduct; pursuant to Rule 202, respondent violated KRPC 1.4(a), 1.15(a), and 8.4(c);

indefinite suspension pursuant to Rule 203(a)(2). *In re Wiles*, 283 Kan. 173, 150 P.3d 859 (2007).

39. Attorney committed numerous violations of KRPC 8.4(a) and (b) involving a criminal act committed in Missouri; respondent's diversion in Missouri deemed a conviction in Kansas under Rule 202; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); reinstatement under Rule 219 conditioned upon reinstatement in Missouri; suspended for 6 months in Missouri; indefinite suspension pursuant to Rule 203(a)(2). *In re Gackle*, 283 Kan. 502, 153 P.3d 493 (2007).

40. Attorney's misconduct out of state violates KRPC 1.1, 1.7(b), and 8.4(d); respondent's conviction in District of Columbia deemed a conviction in Kansas under Rule 202; findings of fact deemed admitted under Rule 212(d) since respondent failed to file exceptions to the panel's report; indefinite suspension and compliance with Rules 218 and 219 ordered. *In re Evans*, 285 Kan. 147, 169 P.3d 1083 (2007).

41. Attorney's misconduct violated Rule 202 by engaging in the unauthorized practice of law; KRPC 5.5(a), and 8.4(b) and (c); indefinite suspension. *In re Trester*, 285 Kan. 404, 172 P.3d 31 (2007).

42. Attorney who was previously censured in Kansas and in a reciprocal discipline proceeding in Illinois violated KRPC 3.1, 3.3(a)(1) and (3); 3.4(b), 8.1(b), 8.4(b), (c) and (d) per Rule 202; respondent received reciprocal attorney discipline and sanctions in Missouri and Illinois; hearing panel's final report deemed admitted under Rule 212(c) and (d); indefinite suspension pursuant to Rule 203(a)(2). *In re Daugherty*, 285 Kan.1143, 180 P.3d 536 (2008).

43. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

44. Attorney's disbarment in Missouri established misconduct per Rule 202; failure to file response and failure to appear violates Rule 211(b) and Rule 212(d); respondent violated KRPC 8.4(d); indefinite suspension pursuant to Rule 203(a)(2). *In re Tarantino*, 286 Kan. 254, 182 P.3d 1241 (2008).

45. Attorney under indefinite suspension for failing to comply with administrative requirements in Kansas violates KRPC 8.4 by failing to file a timely response to a disciplinary case filed against her in Missouri; misconduct established per Rule 202 concerning reciprocal discipline; indefinite suspension pursuant to Rule 203(a)(2). *In re Harris*, 286 Kan. 260, 182 P.3d 1249 (2008).

46. Attorney's criminal conviction in Illinois established misconduct in Kansas per Rule 202; violations of KRPC 8.3(a), 8.4(b), (c), and Rule 207(c) established; disbarment per Rule 203(a)(1). *In re Minneman*, 287 Kan. 477, 196 P.3d 1156 (2008).

47. Attorney committed multiple offenses of KRPC 1.3, 1.4, 1.15, 8.3, 8.4, and Rule 207; respondent's suspension in Texas established misconduct in Kansas per Rule 202; hearing report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Piekalkiewicz*, 288 Kan. 610, 205 P.3d 734 (2009).

48. Attorney disbarred in Missouri; violations deemed admitted under Rule 212; based on Rule 202, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b) and Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Patterson*, 289 Kan.131, 209 P.3d 692 (2009).

49. Attorney's misconduct violated KRPC 8.4(b), 8.1(b), and Rule 207(b); suspension in Missouri established misconduct in Kansas under Rule 202; hearing panel's report deemed admitted per Rule 212(c); indefinite suspension per Rule 203(a)(2), effective 2 years earlier to account for delay in proceedings. *In re McGraw*, 289 Kan. 813, 217 P.3d 25 (2009).

50. Following attorney's disbarment in Missouri and per Rule 202 concerning reciprocal discipline, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b) in Kansas; hearing panel's report deemed admitted under Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Weber*, 289 Kan. 808,

217 P.3d 959 (2009).

51. Attorney's disbarment in Missouri and failure to cooperate in disciplinary process in Kansas results in violations of KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b); violations deemed admitted under Rule 212(c); required notice given per Rule 215; misconduct established per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Tluscik*, 289 Kan. 1111, 219 P.3d 1220 (2009).

52. Attorney's misconduct violates KRPC 1.3 and 1.4 relating to diligence and communication; respondent stipulated to violating Missouri Rules of Professional Conduct and per Rule 202, these facts establish misconduct for purposes of the disciplinary proceeding in Kansas; misconduct established by clear and convincing evidence per Rule 211; published censure per Rule 203(a)(3). *In re Hasty*, 290 Kan. 386, 227 P.3d 967 (2010).

53. Attorney violated KRPC 8.4(b) by receiving a felony conviction; per Rule 202, criminal conviction is conclusive evidence of the commission of that crime; 3-year suspension per Rule 203(a)(2). *In re Frahm*, 291 Kan. 520, 241 P.3d 1010 (2010).

54. Attorney with felony conviction in Missouri also violates KRPC 8.4(b), Rule 203(c)(1), and Rule 208(c); criminal conviction evidence of misconduct per Rule 202; findings of fact deemed admitted per Rule 212(c) , (d); disbarment per Rule 203(a)(1). *In re Tolen*, 293 Kan. 607, 265 P.3d 546 (2011).

55. State's significant interest to ensure competence under KRPC 1.1 justified any potential restriction of respondent's First Amendment rights caused by attorney discipline; Rule 202 cited. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

Rule 203 TYPES OF DISCIPLINE

Case Annotations

1. Violation of disciplinary rules; respondent publicly censured. *State v. Johnson*, 219 Kan. 160, 163, 546 P.2d 1320 (1976).

2. Attorney disbarred in accord with (a)(1) for violation of Code of Professional Responsibility, DR 1-102(A)(3), (4), (5), and (6). *In re Kingery*, 226 Kan. 345, 596 P.2d 1245 (1979).

3. Public censure ordered for failure to file federal income tax return. *State v. Thornburgh*, 229 Kan. 563, 628 P.2d 233 (1981).

4. Indefinite suspension ordered for violation of DR 1-102(A)(4) and DR 6-101(A)(3). *State v. Goering*, 230 Kan. 561, 562, 639 P.2d 1130 (1982).

5. Public censure; direct mail solicitation. *State v. Moses*, 231 Kan. 243, 642 P.2d 1004 (1982).

6. Panel recommendation adopted; public censure. *In re Roulier*, 240 Kan. 762, 762, 732 P.2d 764 (1987).

7. Indefinite suspension ordered for six violations of code. *In re Wilkinson*, 242 Kan. 133, 744 P.2d 1214 (1987).

8. Panel recommends suspension, court in its discretion imposes public censure. *In re Stapleton*, 243 Kan. 146, 753 P.2d 1278 (1988).

9. Violation of DR 6-101(A)(3) and Rule 207 results in indefinite suspension pursuant to Rule 203(a)(2). *In re Sauer*, 243 Kan. 157, 753 P.2d 1285 (1988).

10. One-year suspension ordered to run concurrent with suspension ordered in *In re Smith*, 242 Kan. 334, 747 P.2d 118 (1987). *In re Smith*, 243 Kan. 159, 754 P.2d 808 (1988).

11. Hearing panel divided as to appropriate discipline; court orders public censure. *In re Davisson*, 243 Kan. 167, 753 P.2d 1290 (1988).

12. Hearing panel recommends disbarment for attorney convicted of felony cocaine charge; court

orders indefinite suspension. *In re Barritt*, 243 Kan. 519, 757 P.2d 730 (1988).

13. Court applies expanded disciplinary options in rule amended March 1, 1988, to impose 100 hours of pro bono services and random drug testing under the supervision of the disciplinary administrator; public censure. *In re Diehl*, 243 Kan. 580, 757 P.2d 732 (1988).

14. Attorney's failure to file responsive pleadings, answer interrogatories, or appear at hearing resulted in default judgment against his clients; violation of DR 6-101(A)(3); censure. *In re Whyte*, 243 Kan. 752, 762 P.2d 639 (1988).

15. Attorney's conversion of client's funds from trust account to his own use violates DR 1-102 and DR 9-102; his concealment of same from client and misrepresentation of facts to judge violate DR 7-102; indefinite suspension (probated) and supervised practice for two years. *In re Jantz*, 243 Kan. 770, 763 P.2d 626 (1988).

16. Attorney previously indefinitely suspended; additional violations; disbarment. *In re Sauer*, 244 Kan. 124, 765 P.2d 703 (1988).

17. Panel's unanimous recommendation followed by court; public censure under section (a)(3). *In re Oglevie*, 244 Kan. 728, 771 P.2d 930 (1989).

18. Panel recommendation of one year suspension; attorney currently under one year suspension; continuing nature of violations noted; indefinite suspension. *In re Smith*, 244 Kan. 730, 771 P.2d 931 (1989).

19. Violations found; discipline upon stated conditions delayed due to mitigating factors. *In re Farmer*, 244 Kan. 733, 772 P.2d 277 (1989).

20. Attorney's efforts to rehabilitate himself mitigate in favor of suspending discipline; one-year supervised conditional probation. *In re Pendergast*, 245 Kan. 312, 776 P.2d 1202 (1989).

21. Attorney's neglect of legal matters, failure to return client funds, and failure to cooperate violate DR 1-102, 1-103, 6-101(A)(3), 7-101(A)(2), 9-102(B), and Rule 207; attorney's undiagnosed diabetes seen as mitigating; discipline suspended; one-year supervised probation. *In re Linn*, 245 Kan. 570, 781 P.2d 738 (1989).

22. Attorney under investigation for neglect of legal matters, now in quasi-governmental employment for which attorney license is required, entered into stipulation with disciplinary administrator that the latter would not oppose public censure; stipulation not accepted by panel or court; one-year suspension. *In re Wilks*, 245 Kan. 577, 781 P.2d 246 (1989).

23. Attorney's failure to represent clients in three separate cases after acceptance of retainer fees and failure to cooperate with disciplinary investigation found to violate DR 1-102, 6-101, 7-101, and 9-102; MRPC 1.1, 1.3, 1.4, 1.15 and 8.4; and Rule 207. Rule 203 disbarment. *In re Morphett*, 246 Kan. 499, 790 P.2d 402 (1990).

24. Panel recommends public censure for violations of 8.1 and 8.4(c) based on mitigating circumstances; one-year suspension and Rule 218 compliance ordered. *In re Wood*, 247 Kan. 219, 794 P.2d 660 (1990).

25. Attorney completed one-year supervised probation; probation continued on unsupervised basis. *In re Pendergast*, 247 Kan. 322, 799 P.2d 474 (1990).

26. Original 2-year supervised probation completed; supervised probation continued for one additional year pursuant to 203(a)(5). *In re Jantz*, 247 Kan. 323, 799 P.2d 475 (1990).

27. Imposition of discipline suspended pending one-year conditional probation. *In re Black*, 247 Kan. 664, 801 P.2d 1319 (1990).

28. Attorney publicly censured and ordered to pay restitution for neglect of clients' matters. *In re Ebersole*, 247 Kan. 670, 801 P.2d 1323 (1990).

29. Attorney's neglect, mishandling, and misrepresentations involving three separate complaints result in 1-year suspension under Rule 203; mitigating factors; Rule 218 compliance ordered. *In re Lunt*, 247 Kan. 678, 801 P.2d 1327 (1990).

30. Attorney retained to probate estate failed to do so, failed to record transfer of mineral interest deed resulting in levy and execution thereon, and failed to cooperate in resulting disciplinary investigation. Violations of DR 9-102(B) and MRPC 1.15; DR 1-102(A), 6-101(A)(3), 7-101(A), and 9-102(B)(1), (3), (4) and MRPC 1.3, 1.4(a), 1.15, and 8.4(c); and Rule 207. Indefinite suspension with readmission without petition upon successful completion of one-year suspension; specific conditions. *In re Ehrlich,* 248 Kan. 92, 804 P.2d 958 (1991).

31. Attorney's mishandling of collection matter and failure to cooperate with resulting investigation violate Rule 207, DR 1-102(A)(6), 6-101(A)(3), 7-101(A)(2), and 9-102(B)(1), (3), and (4); after March 1, 1988, the same behavior violates MRPC 1.3, 1.4, 1.15(d)(2)(i), (iii), and (iv), and 8.4(g); 2-year suspension recommended; many mitigating factors; 2-year supervised probation. *In re Evans,* 248 Kan. 176, 804 P.2d 344 (1991).

32. Attorney retained by collection agency to collect on student loan in default failed to forward payments made; subsequent IRS setoff; violations of DR 1-102(A)(3), 9-102(B)(1), (3), and (4), and 7-101(A)(2); also MRPC 8.4(c) and 1.15(d)(2)(i), (iii), and (iv). Two-year conditional probation and restitution. *In re Stephens,* 248 Kan. 186, 804 P.2d 1005 (1991).

33. Attorney currently on supervised probation found to have violated Rule 207 and MRPC 1.3, 1.4, 1.15(d)(2)(iii), (iv), and 8.4(g) in handling employment termination case; suspension recommended; supervised probation continued for additional one year. *In re Linn,* 248 Kan. 189, 804 P.2d 350 (1991).

34. Attorney's contacting mother of deceased before and at funeral, in an effort to obtain information leading to legal representation of deceased's alleged son, violated MRPC 8.4(g); contacting mother of deceased's alleged son to solicit employment violated MRPC 7.3; other violations; public censure. *In re Roth,* 248 Kan. 194, 803 P.2d 1028 (1991).

35. Attorney's behavior toward reluctant witness constituted violation of MRPC 8.4(g); other violations; public censure. *In re Roth,* 248 Kan. 194, 803 P.2d 1028 (1991).

36. Attorney under investigation on 15 complaints fails to respond to disciplinary administrator's inquiries in violation of Rule 207 and fails to appear at scheduled Supreme Court disciplinary hearing; disbarment and Rule 218 compliance ordered. *In re Zieber,* 248 Kan. 502, 808 P.2d 433 (1991).

37. Prosecuting attorney's negligence in not discovering and disclosing potentially exculpatory information violates DR 1-102(A)(5) and (6); public censure. *In re Carpenter,* 248 Kan. 619, 808 P.2d 1341 (1991).

38. Attorney on disability inactive status restored to active status and placed on temporary suspension pending resolution of disciplinary actions pursuant to Rule 220(a) and (c); reinstated upon 2-year conditional supervised probation. *In re Keil,* 248 Kan. 629, 809 P.2d 531 (1991).

39. Attorney granted option of requesting inactive status or being suspended indefinitely; no request for inactive status; indefinite suspension with allowance to apply for reinstatement after one year. *In re Vorhies,* 248 Kan. 985, 811 P.2d 1254 (1991).

40. Attorney employed to probate estate failed to institute probate proceedings, failed to file inheritance tax return thereby incurring penalty and interest, and misrepresented to client that estate matters were being handled violated MRPC 1.1, 1.3, 1.4(a), and 8.4(c); indefinite suspension and Rule 218 compliance ordered. *In re McGhee,* 248 Kan. 988, 811 P.2d 884 (1991).

41. Authenticated copy of court file reflecting attorney's conviction for misdemeanor theft introduced at disciplinary hearing; conviction conclusive evidence of MRPC 8.4(b), (c); attorney currently on suspension; disbarment. *In re Matney,* 248 Kan. 990, 811 P.2d 885 (1991).

42. Hearing panel recommends 2-year suspension; pursuant to Rule 207(f), divided court orders public censure. *In re Jackson,* 249 Kan. 172, 814 P.2d 958 (1991).

43. Attorney on probation censured for other matter pursuant to 203(a)(3); conditions imposed in prior disciplinary disposition continued in effect; court authority to impose further sanctions without further

formal proceedings. *In re Black,* 249 Kan. 211, 814 P.2d 447 (1991).

44. Attorney's misdemeanor drug conviction disciplined by 1-year probation contingent on participation in drug rehabilitation activities and performance of pro bono legal services. *In re McKenna,* 249 Kan. 215, 813 P.2d 929 (1991).

45. Attorney discharged from conditioned probation. *In re Pendergast,* 249 Kan. 306, 817 P.2d 659 (1991).

46. Additional complaint against attorney on suspension; disbarment and Rule 218 compliance ordered. *In re Cain,* 249 Kan. 578, 819 P.2d 1230 (1991).

47. Attorney's failure to appear to represent client at trial and subsequent sentencing violates MRPC 1.3, 1.4, and 8.4(d) and (g); Rule 203(a)(3) public censure. *In re Gilman,* 249 Kan. 773, 821 P.2d 327 (1991).

48. Attorney's false statement in probate petition that there was a lost will violative of MRPC 3.1 and 3.3; other violations; mitigating circumstances; Rule 203(a)(3) public censure. *In re Copeland,* 250 Kan. 283, 823 P.2d 802 (1992).

49. Disbarment recommended for attorney under disciplinary investigation for four felony convictions regarding securities violations, failure to pay attorney registration fees, failure to cooperate with disciplinary administrator, and failure to appear at disciplinary hearing; factors considered in assessing discipline; public censure. *In re Kershner,* 250 Kan. 383, 391, 827 P.2d 1189 (1992).

50. Attorney disciplined in Colorado for numerous violations; two-year Kansas suspension and Rule 218 compliance ordered. *In re Hensley-Martin,* 250 Kan. 539, 825 P.2d 530 (1992).

51. Attorney discharged from conditioned probation. *In re Black,* 251 Kan. 1, 836 P.2d 573 (1992).

52. Attorney temporarily suspended from practice pending final hearing; indefinite suspension. *In re Wilson,* 251 Kan. 252, 832 P.2d 347 (1992).

53. Consideration of aggravating and mitigating circumstances for attorney disbarred from federal practice; indefinite suspension suspended, two-year supervised probation. *In re Jenkins,* 251 Kan. 264, 833 P.2d 1013 (1992).

54. Attorney discharged from supervised probation. *In re Jantz,* 251 Kan. 271, 839 P.2d 535 (1992).

55. Attorney's failure to comply with discovery requests, misrepresentation to court, and failure to advise client, resulting in sanctions against client, violate MRPC 1.1, 1.4, 3.4(a) and (d), and 8.4(a), (c), and (d); firm failure to supervise among mitigating factors; one-year suspension. *In re Dwight,* 251 Kan. 588, 834 P.2d 382 (1992).

56. Attorney's mishandling of client's funds, conversion of conservatorship funds, failure to inform client, drug possession conviction, and retention of legal fees without representing client violate MRPC 1.4(a) and (b), 1.15, and 8.4(a), (b), (c), (d), and (g); attorney appears pursuant to Rule 212(d); mitigating factors; indefinite suspension and Rule 218 compliance. *In re Morris,* 251 Kan. 592, 834 P.2d 384 (1992).

57. Attorney discharged from supervised probation; probation continues unsupervised. *In re Linn,* 251 Kan. 613, 840 P.2d 412 (1992).

58. Attorney discharged from probation *In re McKenna,* 251 Kan. 615, 840 P.2d 412 (1992).

59. Attorney's not appearing for scheduled hearing in two cases violates MRPC 1.1 and 1.3; public censure. *In re Johnson,* 251 Kan. 826, 840 P.2d 515 (1992).

60. Attorney's failure to appear for imposition of recommended informal admonition violates Rule 207; one-year suspension with reinstatement upon Rule 219 petition; Rule 218 compliance. *In re Wood,* 251 Kan. 832, 840 P.2d 519 (1992).

61. Attorney under suspension for failing to register notified disciplinary administrator of 1981 federal convictions and subsequent District of Columbia disbarment; Rule 217 surrender; disbarment and Rule 218 compliance ordered. *In re Evans,* 252 Kan. 1, 841 P.2d 461 (1992).

62. Attorney under suspension as a result of three felony convictions; other disciplinary cases

pending; Rule 217 surrender; disbarment and Rule 218 compliance ordered. *In re Jarczyk,* 252 Kan. 4, 847 P.2d 1190 (1992).

63. Hearing panel recommends two-year suspension for violations stemming from attorney's handling of personal loans from client; one-year suspension and Rule 218 compliance ordered. *In re Carson,* 252 Kan. 399, 845 P.2d 47 (1993).

64. Attorney discharged after successful completion of probation. *In re Evans,* 253 Kan. 21, 858 P.2d 337 (1993).

65. Attorney on supervised probation fails to comply with terms of probation; additional complaints filed; failure to cooperate with investigation; indefinite suspension and Rule 218 compliance ordered. *In re Jenkins,* 253 Kan. 48, 853 P.2d 648 (1993).

66. Attorney's mishandling of his mother's estate violative of MRPC 1.1, 1.3, and 1.15; public censure. *In re Scott,* 253 Kan. 192, 853 P.2d 60 (1993).

67. Attorney discharged upon successful completion of supervised probation and compliance with conditions. *In re Keil,* 253 Kan. 284, 855 P.2d 493 (1993).

68. Attorney's mishandling of employment discrimination class action and failure to inform clients as to status of case violative of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.1, and 3.2; other violations; Rule 203(a)(2) one-year suspension, Rule 203(a)(5) restitution, and Rule 218 compliance ordered. *In re King,* 253 Kan. 444, 855 P.2d 963 (1993).

69. Attorney's unsupervised probation continued past the initial term for failure to pay ordered court costs. *In re Linn,* 253 Kan. 600, 860 P.2d 31 (1993).

70. Attorney suspended for four years by sister state placed on indefinite suspension; may apply for reinstatement pursuant to Rule 219; Rule 218 compliance ordered. *In re Talley,* 253 Kan. 834, 861 P.2d 128 (1993).

71. Attorney's actions in letting the statute of limitations run in four different cases violate DR 1-102(A)(4), 6-101(A)(1) and (3), and 7-101(A)(2), and MRPC 1.1, 1.3, 1.4(a) and (b), 3.2, and 8.4(c). Attorney's actions in failing to respond to requests for information and return of the case file in workers compensation case violate MRPC 1.3, 1.4(a) and (b), 1.16(a)(3) and (d), and 3.2. Eighteen-month suspension probated on conditions. *In re Jones,* 253 Kan. 836, 861 P.2d 1340 (1993).

72. Attorney discharged from one-year probation after successful completion thereof. *In re Meyer,* 254 Kan. 15, 862 P.2d 1103 (1993).

73. Motion by disciplinary administrator for show cause order to temporarily suspend license pending hearing denied. *In re Pistotnik,* 254 Kan. 294, 864 P.2d 1166 (1993).

74. Seven of nine charges based on misdemeanor convictions, dismissals, or diversions dismissed by panel due to remoteness; remaining two misdemeanor convictions violative of MRPC 8.4 (b), (d), and (g); attorney's conduct in mishandling personal injury case resulting in statute of limitations running, PIP carrier losing lien, and misrepresentation to client as to status of case violative of MRPC 1.3, 1.4, 4.1, and 8.4 (c) and (g); mitigating circumstances; one-year suspension and compliance with Rule 218 ordered. *In re Pistotnik,* 254 Kan. 294, 864 P.2d 1166 (1993).

75. Attorney's mishandling of divorce case resulting in client losing lien, failure to inform client as to status of case, mishandling of related bankruptcy case for client creditor, and failure to preserve judgment, and attorney's allegations and behavior during investigation of disciplinary complaint violate DR 6-101(A)(2), and MRPC 1.2(c), 1.3, 1.4(b), and 1.16(d); mitigating and aggravating circumstances; panel recommends unpublished censure; public censure. *In re Deeds,* 254 Kan. 309, 864 P.2d 1194 (1993).

76. Attorney discharged from one-year probation after successful completion thereof. *In re Plettner,* 254 Kan. 314, 865 P.2d 1031 (1993).

77. Attorney charged under four complaints, fifth investigation pending; panel recommends license suspension; imposition of discipline suspended pending hearing on remaining complaint, supervised

probation ordered. *In re Jackson*, 254 Kan. 406, 867 P.2d 278 (1994).

78. Current Rule 203(a)(3) discipline is "censure"; order imposing censure may be published or unpublished. Pre-1988 Attorney Discipline Rules provided for "public" censure and "private" censure. *In re Jarvis*, 254 Kan. 829, 869 P.2d 671 (1994).

79. Attorney fees contingent on amount of maintenance received in divorce action violative of MRPC 1.5(f)(1); censure. *In re Jarvis*, 254 Kan. 829, 869 P.2d 671 (1994).

80. Attorney's failure to file personal injury claim and blaming client for delay, thereby allowing statute of limitations to run (resulting in client being granted summary judgment in subsequent malpractice claim); failure to inform client as to reduction in child support income; failure to inform client as to hearing dates; and acceptance of retainer fee from out-of-state client whom attorney knew he could not represent in divorce action violate MRPC 1.1, 1.3, 1.4(a) and (b), 1.16(d), 3.3(a)(1), and 8.4(d) and (g); Rule 207(a) and (b) violations; disbarment and Rule 218 compliance ordered. *In re Spears*, 254 Kan. 904, 869 P.2d 718 (1994).

81. Attorney's mishandling of four different probate estates and failure to timely file four different foreclosures, despite representations and billings which would indicate to the contrary, held to violate DR 1-102(A)(4), (5), and (6); 6-101(A)(3); and 7-101(A)(2) and (3); Canons 1, 6, 7, and 9; and MRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c), (d), and (g); aggravating and mitigating circumstances; two-year suspension, discipline probated, and supervised probation ordered. *In re Herman*, 254 Kan. 908, 869 P.2d 721 (1994).

82. Attorney temporarily suspended from practice pursuant to Rule 203(b) pending resolution of disciplinary investigation due to criminal convictions; indefinite suspension. *In re Fierro*, 254 Kan. 919, 869 P.2d 728 (1994).

83. Attorney's representation of three Korean nationals each charged with two felonies found to be ineffective assistance of counsel; failure to explain conflict of dual representation to clients, failure to file motion to suppress, failure to properly investigate, and erroneously advising clients as to effect of pleas, rights to appeal, and habeas corpus procedures violative of DR 5-105(A) and (B) and DR 6-101(A)(1); other charges not stipulated to by parties; censure. *In re Docking*, 254 Kan. 921, 869 P.2d 237 (1994).

84. Panel recommendation of indefinite suspension, probated, and three-year supervised probation not followed by court; court imposes indefinite suspension with application for reinstatement allowed in three years conditioned on full restitution. *In re Nelson*, 255 Kan. 555, 874 P.2d 1201 (1994).

85. Attorney under disciplinary investigation requested transfer to disability inactive status pursuant to Rule 220(c); numerous violations involving incompetence; aggravating and mitigating circumstances; indefinite suspension and Rule 218 compliance ordered; Rule 219 application for reinstatement contingent on restitution. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

86. Attorney convicted of felony possession of controlled substance with intent to distribute; criminal acts violate MRPC 8.4(b), (d) and (g); disbarment and Rule 218 compliance ordered. *In re Diggs*, 256 Kan. 193, 883 P.2d 1182 (1994).

87. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

88. Attorney charged with purchasing cocaine and found not guilty by jury; found violation of MRPC 8.4(b), (d), and (g) and Rule 704(i); published censure. *In re Robertson*, 256 Kan. 505, 886 P.2d 806 (1994).

89. Attorney's mishandling collection of bad checks violate MRPC 1.3, 1.4, 1.15(b) and 1.16(d); published censure. *In re England*, 257 Kan. 312, 894 P.2d 177 (1995).

90. Attorney's mishandling the oil and gas case violates MRPC 1.1, 1.3, 1.4 and 8.4(c); one-year probation. *In re Pilgreen*, 257 Kan. 949, 896 P.2d 389 (1995).

91. Attorney found in violation of MRPC 1.15(a), (b), (c) and (d), 8.4(d) and Rule 207; two-year probation. *In re Johnson*, 257 Kan. 946, 895 P.2d 1256 (1995).

92. Attorney under suspension surrenders license per Rule 217; other complaints pending alleging misappropriation of client funds, improper use of trust account, dilatory handling of client affairs, and failure to communicate with clients; disbarment and Rule 218 compliance ordered. *In re Sturm*, 257 Kan. 1089, 898 P.2d 629 (1995).

93. Attorney's mishandling of subrogation claims for insurance company violates MRPC 1.1, 1.3 and 1.4; published censure. *In re Morse*, 258 Kan. 248, 899 P.2d 467 (1995).

94. Attorney's forging a client's signature on affidavit and filing it in court violate MRPC 1.4, 3.3, 3.4 and 8.4(c), (d) and (g); published censure. *In re Caller*, 258 Kan. 250, 899 P.2d 468 (1995).

95. Attorney disciplined in Colorado for misrepresentation in titling company vehicles and illegally obtaining company files; one-year suspension per Rule 203(a)(2). *In re Eastepp*, 258 Kan. 766, 907 P.2d 842 (1995).

96. Attorney formerly suspended indefinitely found to have violated MRPC 1.15 for failure to perform his legal duties and maintain communication with client in regard to safekeeping of client's property; indefinite suspension concurrent with his present indefinite suspension. *In re Jenkins*, 258 Kan. 779, 907 P.2d 825 (1995).

97. Attorney under investigation for misappropriation of client funds and improper use of trust account surrenders license per Rule 217; disbarment. *In re White*, 258 Kan. 794, 907 P.2d 897 (1995).

98. Attorney's mishandling of client funds, failure to supervise nonlawyer assistants, and other misconduct violate MRPC 1.3, 1.5, 1.15, 5.3, and 8.4; mitigating circumstances; published censure. *In re Krogh*, 259 Kan. 163, 910 P.2d 221 (1996).

99. Attorney's handling of insurance drafts violates MRPC 1.15(b) and Rule 207; published censure. *In re McIntosh*, 259 Kan. 532, 912 P.2d 182 (1995).

100. Attorney self-reported cases in which he allowed the statute of limitations to expire on his clients' claims; violations of MRPC 1.3, 1.4, and 8.4; two-year suspension per Rule 203. *In re Hill*, 259 Kan. 877, 915 P.2d 49 (1996).

101. Attorney's failure to keep client reasonably informed and charging of excessive fee violate MRPC 1.3, 1.4, 1.5, and 1.16; published censure per Rule 203(a)(3). *In re Scimeca*, 259 Kan. 893, 914 P.2d 948 (1996).

102. Attorney's improper accounting and failure to safeguard clients' funds violate MRPC 1.15 and 8.4, and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Munyon*, 259 Kan. 889, 914 P.2d 574 (1996).

103. Attorney tried for two counts of illegal check-kiting scheme in federal court and charges later dismissed; violation of MRPC 8.4(c); published censure per Rule 203(a)(3). *In re Blase*, 260 Kan. 351, 920 P.2d 931 (1996).

104. Attorney's mishandling of client's assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Brantley*, 260 Kan. 605, 920 P.2d 433 (1996).

105. Attorney's mishandling of bankruptcy case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.16, 3.1, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Roy*, 261 Kan. 999, 933 P.2d 662 (1997).

106. Attorney's mishandling of matters involving (1) individualized education program for autistic child in public school, (2) personal injury, probate, and insurance claim arising from fatal car accident, and (3) probate matter involving estate of conservatee violates MRPC 1.1, 1.2, 1.3, 1.4, 1.7, 1.16, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dow*, 261 Kan. 989, 933 P.2d 666 (1997).

107. Attorney's presenting an altered will for probate violates MRPC 3.3(a)(1) and 8.4(c) and (d); published censure per Rule 203(a)(3). *In re Grant*, 262 Kan. 269, 936 P.2d 1360 (1997).

108. Attorney's failure to notify client in pending child custody matter of her suspension from practice of law violates MRPC 1.3, 1.4, and 1.16; published censure per Rule 203(a)(3). *In re Gershater*,

263 Kan. 199, 946 P.2d 993 (1997).

109. Attorney falsified records regarding sale of home to prevent one-half of proceeds from going to the Department of Social and Rehabilitation Services as credit against future Medicaid benefits in violation of MRPC 1.1, 4.1, 5.3, 8.1, and 8.4; published censure per Rule 203(a)(3). *In re Apt*, 263 Kan. 210, 946 P.2d 1002 (1997).

110. Attorney admitted violations of MRPC 1.3, 1.4, and 1.15; two-year suspension per Rule 203(a)(2). *In re Hamilton*, 263 Kan. 528, 949 P.2d 1139 (1997).

111. Attorney's misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and (b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

112. Attorney's failure to communicate with his client, his delay in handling of insurance settlement, and his misrepresentation of material facts to disciplinary administrator violate MRPC 1.1, 1.2(a), 1.3, 1.4(a) and (b), 8.1(a) and 8.4(d) and (g) and Rules 207 and 211; published censure per Rule 203(a)(3). *In re Potter*, 263 Kan. 766, 952 P.2d 936 (1998).

113. Attorney charged with crimes of battery, disorderly conduct, and failure to stop at traffic control device and entered diversion agreement; also found to have obtained duplicative reimbursement for his travel expenses to attend seminar; violations of MRPC 1.15 and 8.4 found; published censure per Rule 203(a)(3). *In re Sutton*, 265 Kan. 251, 959 P.2d 904 (1998).

114. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2). *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

115. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

116 Attorney's failure to file an annual report, to draft the shareholder agreement, and to promptly file a suit for his client corporation violates MRPC 1.1, 1.3, and 1.8(a); he also violated MRPC 8.4(a), (c), and (d) when he made a false statement to the deputy disciplinary administrator; published censure per Rule 203(a)(3). *In re Zimmerman*, 266 Kan. 115, 965 P.2d 823 (1998).

117. Attorney's mishandling of a divorce case and a tort case violates MRPC 1.3 and 1.4(a); attorney's inexperience in the practice of law stated as mitigating factor; published censure per Rule 203(a)(3). *In re Levy*, 266 Kan. 411, 969 P.2d 870 (1998).

118. Attorney's causing an order nunc pro tunc to reduce his client's criminal sentence violates MRPC 3.1 and 4.1; dissenting panel member found an additional violation of MRPC 8.4(d); published censure per Rule 203(a)(3). *In re Senecal*, 266 Kan. 669, 974 P.2d 517 (1999).

119. Attorney's failure to safekeep his clients' property and to promptly respond to the orders of the court in bankruptcy proceedings violates MRPC 1.3, 1.15, 3.4(c), and 8.4(b), (c), and (d), and Rules 207, 208, 211(b), and 802; panel recommended discipline per Rule 203(a)(1), (2), (3), or (5); indefinite suspension. *In re Fey*, 266 Kan. 674, 972 P.2d 771 (1999).

120. Attorney surrenders license per Rule 217 while suspended temporarily per Rule 203(b) and scheduled to appear before the court for alleged misconduct; disbarment. *In re Barker*, 267 Kan. 1, 978 P.2d 253 (1999).

121. Attorney's mishandling of personal injury case, past due taxes case, and bankruptcy case violates KRPC 1.3, 1.4, 1.15, 3.2, 8.1, and 8.4; he was arrested for DUI, possession of cocaine, possession of drug paraphernalia, battery on a law enforcement officer, battery on his former girlfriend, and other charges;

failure to notify and cooperate with the disciplinary administrator in violation of Rules 203(c) and 207, defense under Rule 223 raised; indefinite suspension. *In re Parker*, 267 Kan. 779, 962 P.2d 1080 (1999).

122. Attorney's failure to file docketing statement and otherwise prosecute the appeal for his client violates KRPC 1.3; published censure per Rule 203(a)(3). *In re Nelson*, 267 Kan. 785, 962 P.2d 534 (1999).

123. Supreme Court has no jurisdiction under Rule 211 to consider respondent's appeal from informal admonishment per Rule 203(a)(4). *In re Carson*, 268 Kan. 134, 991 P.2d 896 (1999).

124. Attorney's mishandling of civil actions involving four clients violates KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.3, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

125. Attorney's selfish motive in pursuing the slip and fall case when his client told him to dismiss the case violates KRPC 1.2(a), 1.3, 1.4, 1.5(c), 1.6, and 8.4(c); published censure per Rule 203(a)(3). *In re Friesen*, 268 Kan. 57, 991 P.2d 400 (1999).

126. Attorney's mishandling of a bankruptcy matter violates KRPC 1.1, 1.3, 1.4(a), 1.15(a), and 8.4(d), and Rule 207; panel's findings supported by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Trickey*, 268 Kan. 835, 999 P.2d 964 (2000).

127. Attorney indefinitely suspended for numerous ethical violations in Missouri and convicted of filing a false federal income tax return; temporary suspension per Rule 203(c)(5) effective at the time of suspension in Kansas; violations found in KRPC 1.2, 1.3, 1.4, 1.8, 1.15, 3.2, 5.1, and 8.4; indefinite suspension. *In re Shaver*, 269 Kan. 171, 4 P.3d 581 (2000).

128. Attorney's mishandling of a probate matter violates KRPC 1.1 and 8.4(d) and (g); court found no violation of Rule 216 by the hearing panel; published censure per Rule 203(a)(3). *In re Roth*, 269 Kan. 399, 7 P.3d 241 (2000).

129. Attorney's mishandling of a client fund violates KRPC 1.15 and 8.4; two-year suspension per Rule 203(a)(2). *In re Lucas*, 269 Kan. 785, 7 P.3d 1186 (2000).

130. Attorney's mishandling of a personal injury, criminal appeal, parole, medical malpractice, juvenile offender, and civil action violates KRPC 1.1, 1.3, 1.4(a), 1.15, and 3.2, and Rule 207; two-year probation per Rule 203(a)(2); immunity granted for supervising attorney per Rule 223. *In re Sachse*, 269 Kan. 810, 8 P.3d 745 (2000).

131. Attorney violated KRPC 1.5(d), 1.15, and 8.4(c) by his failure to provide written contingency fee contract, failure to provide complete accounting to client, and failure to reimburse witness for travel expenses; published censure per Rule 203(a)(3). *In re Warner*, 270 Kan. 119, 11 P.3d 1160 (2000).

132. Attorney's failure to diligently represent and communicate with a client violates KRPC 1.3, 1.4(a), 1.16(a)(2), and 8.4(c); one-year suspension and Rule 218 and Rule 219 compliance ordered. *In re McGee*, 270 Kan. 135, 13 P.3d 11 (2000).

133. Attorney's conflict of interest in handling mortgage foreclosure cases violates KRPC 1.7 and 1.8; panel's findings supported by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Geeding*, 270 Kan. 139, 12 P.3d 396 (2000).

134. Attorney's mishandling of a divorce and traffic matter violates KRPC 1.3 and 1.4(a); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Barnes*, 270 Kan. 415, 13 P.3d 1283 (2000).

135. Attorney discharged from 18-month supervised probation after successful completion. *In re Christians*, 270 Kan. 522, 15 P.3d 1174 (2000).

136. Attorney discharged from 2-year supervised probation. *In re Davisson*, 270 Kan. 525, 15 P.3d 1174 (2001).

137. Attorney discharged from 1-year suspension and reinstated after petitioning the court and paying the costs of this action. *In re Kraushaar*, 270 Kan. 661, 17 P.3d 939 (2001).

138. Attorney charging unreasonable fees in an employment matter violates KRPC 1.5 by clear and

convincing evidence per Rule 211(f); restitution made; published censure per Rule 203(a)(3). *In re Arabia*, 270 Kan. 742, 19 P.3d 113 (2001).

139. Attorney's mishandling of numerous cases violates KRPC 1.3, 1.4, 1.15(b), 1.16(a) and (d), 3.2, 8.1(b) and Rule 207; hearing panel's report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2) and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

140. Attorney discharged from 2-year supervised probation. *In re Islas*, 271 Kan. 310, 23 P.3d 801 (2001).

141. Attorney's mishandling of child custody and order of child support case violated KRPC 1.1, 1.3, and 1.4(a) by clear and convincing evidence per Rule 211(f); indefinite suspension recommended by disciplinary administrator; published censure per Rule 203(a)(3). *In re Boaten*, 271 Kan. 282, 22 P.3d 1034 (2001).

142. Attorney stipulated to violations of 8.4(b) and (d) for possession of cocaine after self reporting and entering into diversion agreement with district attorney's office; published censure per Rule 203 (a)(3). *In re Conwell*, 271 Kan. 304, 20 P.3d 1260 (2001).

143. Attorney's lack of diligence and failure to communicate with client, failure to maintain trust account for safekeeping client's property, and failure to return unearned fees when requested to do so by the client violates KRPC 1.3, 1.4, and 1.15; published censure per Rule 203(a)(3). *In re Johanning*, 271 Kan. 638, 23 P.3d 895 (2001).

144. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.5(a), 1.15(a), (b), and (c), 8.4(a), (c), and (g), Rule 207 and Rule 211 per Rule 202; disbarment per Rule 203(a)(1). *In re Cleland*, 271 Kan. 926, 27 P.3d 26 (2001).

145. Attorney's misconduct in six different complaints as well as mishandling of his trust account result in one-year suspension per Rule 203; if reinstatement sought, requirements of Rule 219 apply. *In re Craig*, 272 Kan. 299, 32 P.3d 1174 (2001).

146. County attorney's misconduct in seven counts results in supervised probation; must elect inactive status on next renewal date of his attorney registration. *In re Swarts*, 272 Kan. 28, 30 P.3d 1011 (2001).

147. Attorney's conviction for fraud and deceptive commercial practice violated KRPC 1.15, 4.1, and 8.4(b), (c), (d) and (g); two-year suspension per Rule 203 and Rule 218 compliance ordered. *In re Rausch*, 272 Kan. 308, 32 P.3d 1181 (2001).

148. Attorney on three-year supervised probation fails to comply with terms of probation; indefinite suspension and Rule 218 compliance ordered. *In re Phillips*, 272 Kan. 200, 32 P.3d 704 (2001).

149. Attorney's lack of diligence and failure to communicate with client, failure to safekeep property and deliver funds promptly violates KRPC 1.3, 1.4(a), 1.15(a) and (b); published censure per Rule 203(a)(3). *In re Wall*, 272 Kan. 1298, 38 P.3d 640 (2002).

150. Attorney's mishandling of a divorce case and subsequent complaint violates KRPC 1.3, 1.4, and Rule 207; published censure per Rule 203(a)(3). *In re Brown*, 272 Kan. 767, 35 P.3d 864 (2001).

151. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(d), 3.2, 3.3(a), 8.4(a) and (g), Rule 207(b); one-year suspension per Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Winterburg*, 273 Kan. 135, 41 P.3d 842 (2002).

152. Attorney's mishandling of several matters violated KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.4(a), (c), (d) and (g); two-year suspension per Rule 203(a)(2); Supreme Court may impose longer sanction than those recommended by hearing panel per Rule 212(f). *In re Swisher*, 273 Kan. 143, 41 P.3d 847 (2002).

153. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.4(g); hearing panel's report deemed admitted under Rule 212(d); two-year suspension per Rule 203(a)(2); Rules 218 and 219 compliance ordered with conditions. *In re Moore*, 273 Kan. 154, 41 P.3d 831 (2002).

154. Attorney failed to provide adequate supervision of disbarred attorney as employee in his firm and allowed him to engage in unauthorized practice of law over a number of years violating KRPC 5.3 and 5.5(b); misconduct found with clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Juhnke*, 273 Kan. 162, 41 P.3d 855 (2002).

155. Attorney violated suspension order and engaged in the unauthorized practice of law; suspension per Rule 203(a)(2); Rules 218 and 219 compliance ordered. *In re Lucas*, 273 Kan. 1010, 46 P.3d 558 (2002).

156. Attorney's misconduct in eleven cases violates multiple offenses of KRPC 1.3, 1.4, 1.5, 1.16, and Rule 207(b); total of 48 complaints docketed by Disciplinary Administrator; indefinite suspension per Rule 203(a)(2). *In re Shelton*, 274 Kan. 374, 49 P.3d 10 (2002).

157. Attorney suspended for one-year pursuant to Rule 203(a)(2). *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

158. Attorney on disability inactive status violated Rule 220 by engaging in the practice of law; KRPC 8.2 violated by making false or reckless statements regarding the qualification and integrity of judge; KRPC 8.4(a), (d), and (g) violated for misconduct; district judge's ruling that attorney was disqualified presumed to be valid under Rule 202; exceptions filed per Rule 212; published censure per Rule 203(a)(3). *In re Arnold*, 274 Kan. 761, 56 P.3d 259 (2002).

159. Attorney's misconduct violated multiple offenses of KRPC: 1.3, 1.4(a), 3.2, 5.5(a), 8.1(b), 8.4(a) and (d); notified per Rule 215(a); failed to respond or appear violating Rule 212(d); failed to file answer per Rule 211(b); disbarment per Rule 203(a)(1); Rule 218 compliance ordered. *In re Griswold*, 274 Kan. 776, 56 P.3d 269 (2002).

160. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15; hearing panel's findings of fact supported by clear and convincing evidence per Rule 211(b) and adopted as findings of the court; published censure per Rule 203(a)(3). *In re Wiles*, 274 Kan. 1103, 58 P.3d 711 (2002).

161. Attorney violated KRPC 1.6(a) (confidentiality of information) by revealing information about his client; KRPC 1.7(b) (conflict of interest) by representing a client which materially limited his representation of another client; KRPC 1.16(d)(terminating representation) by failing to protect his client's interests by disclosing confidential information in six instances; KRPC 8.4(a) (misconduct) by offering to disclose negative information about his former client; misconduct established by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Bryan*, 275 Kan. 202, 61 P.3d 641 (2003).

162. Attorney's misconduct in handling estate fees violated KRPC 1.5(a), 1.16(d), and 1.15(b); published censure per Rule 203(a)(3). *In re Angst*, 275 Kan. 388, 64 P.3d 350 (2003).

163. Attorney's misconduct violated KRPC 1.1, KRPC 3.1, KRPC 8.4(d) and (g); Rule 211(b); misconduct found by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact and conclusions of law adopted per Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Polsley*, 275 Kan. 233, 61 P.3d 715 (2003).

164. Attorney misconduct in numerous bankruptcy cases violated KRPC 1.4 for failing to keep clients informed, KRPC 3.3 for knowingly making false statements of material facts, KRPC 8.4(c) and (d) for providing false and misleading information and engaging in conduct that was prejudicial to the administration of justice; Supreme Court granted attorney's motion for rehearing which suspended effect of our original decision until rehearing per Rule 7.06; attorney requested censure per Rule 203(a)(3); 1-year suspension and Rule 218 compliance ordered. *In re Wagle*, 275 Kan. 543, 66 P.3d 884 (2003).

165. Attorney on disabled status filed 14 lawsuits in his own name, violating KRPC 3.1, 3.3(a)(1), 3.4(d), 8.4(c) and (d), and 3.5(c); civil judgment by opposing parties raised presumption of validity per Rule 202; disbarment. *In re Benson*, 275 Kan. 913, 69 P.3d 544 (2003).

166. Attorney violated KRPC 4.2, 4.4, 8.3(a), and 8.4 involving communication with person represented by counsel, respect for rights of third parties, reporting professional misconduct, and misconduct; published censure per Rule 203(a)(3). *In re Pyle*, 278 Kan. 230, 91 P.3d 1222 (2004).

167. Attorney's misconduct in multiple cases violated KRPC 3.3, 3.4, 3.8, and 8.4 involving candor toward a tribunal, fairness to an opposing party, her duties as a prosecutor, and misconduct; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Jordan*, 278 Kan. 254, 91 P.3d 1168 (2004).

168. Attorney previously disciplined by informal admonishment and a published censure pled guilty to federal misdemeanor for theft of government property; misconduct violated KRPC 8.4(b) per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Polsley*, 277 Kan. 570, 85 P.3d 693 (2004).

169. Attorney violated KRPC 4.4 (respect for rights of third persons) and 8.4 (c) and (g)(misconduct); failed to file exceptions to hearing report of panel per Rule 212(c); charges established by clear and convincing evidence per Rule 211(f); 3-month suspension per Rule 203(a)(2). *In re Royer*, 276 Kan. 643, 78 P.3d 440 (2003).

170. Prior to the hearing of a disciplinary panel, attorney stipulated to violations of KRPC 1.15(d)(1) regarding safekeeping of client funds and KRPC 8.4(c) and (g) for professional misconduct; indefinite suspension per Rule 203(a)(2). *In re Johnson*, 276 Kan. 904, 80 P.3d 32 (2003).

171. Attorney previously disciplined now found to have violated KRPC 1.3 (diligence) and KRPC 1.4 (communication); hearing panel report admitted per Rule 212(c); published censure per Rule 203 (a)(3). *In re Boaten*, 276 Kan. 656, 78 P.3d 458 (2003).

172. Attorney's mishandling of two divorce cases violates KRPC 1.3 and KRPC 1.5; KRPC 1.16 violated as to one client complaint; hearing panel report deemed admitted per Rule 212(c) and (d); charges established by clear and convincing evidence per Rule 211(f); Rule 212(f) cited and applied; published censure. *In re Daugherty*, 277 Kan. 257, 83 P.3d 789 (2004).

173. Attorney pled guilty to federal misdemeanor for theft of government property; misconduct violated KRPC 8.4(b) per Rule 202; 2-year suspension per Rule 203(a)(2). *In re Polsley*, 277 Kan.565, 86 P.3d 531 (2004).

174. Attorney previously disciplined three times found to have violated KRPC 1.15 for mishandling checks and money and failing to return clients' funds; KRPC 8.4 for repeated misconduct involving dishonesty, fraud, deceit or misrepresentation; Rule 207 for failing to cooperate with the disciplinary process; Rule 212 for failing to respond or appear before the Supreme Court and for failing to file exceptions to the final hearing report; disbarment per Rule203(a)(1). *In re King*, 278 Kan. 378, 98 P.3d 980 (2004).

175. Attorney's misconduct violated KRPC 8.4(b) and (c); failed to file answer as required by Rule 211; disbarred in accordance with Rule 203(a)(1). *In re Hertach*, 279 Kan. 469, 109 P.3d 1218 (2005).

176. Attorney's misconduct in acting as a trustee violated KRPC 1.3 (diligence), 1.4 (communication), and 1.15(b) (safekeeping property); published censure in accordance with Rule 203(a)(3). *In re Stockwell*, 278 Kan. 756, 101 P.3d 1211 (2004).

177. County attorney's misconduct violated KRPC 1.1, 1.3, 3.2, 8.4(d) and (g); ordered to complete CLE program per Rule 802A and make full restitution to the county; restitution hearing prior to reinstatement required pursuant to Rule 219; one-year suspension per Rule 203(a)(2); Rule 218 compliance ordered. *In re Vanderbilt*, 279 Kan. 491, 110 P.3d 419 (2005).

178. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15. 1.16, 4.1, 5.3, 5.5, 8.1 and 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

179. Attorney's criminal conviction of domestic battery violates KRPC 8.4(b) and Rule 202;

published censure per Rule 203(a)(3). In *re Angst*, 278 Kan. 500, 102 P.3d 388 (2004).

180. Attorney disciplined for improper handling of an estate matter which violated KRPC 1.1, 1.3, 1.4, 3.2, and 8.4; published censure per Rule 203(a)(3). *In re Miller*, 279 Kan. 912, 112 P.3d 169 (2005).

181. Attorney's failure to competently represent two clients led to complaints he violated KRPC 1.1, 1.3, 1.4, 1.16(d), 8.1(b), Rule 207(b) and Rule 211(b); published censure per Rule 203(a)(3). *In re Sheahon*, 278 Kan. 494, 102 P.3d 392 (2004).

182. Attorney's misconduct in three cases violates KRPC 1.3, 1.7, 4.2, and 8.4; compliance with Rules 218 and 219 ordered; 1-year suspension ordered per Rule 203(a)(2). *In re Pattison*, 280 Kan. 349, 121 P.3d 42 (2005).

183. Attorney's misconduct interferes with the administration of justice and violates KRPC 8.4(d); the findings of fact are deemed admitted per Rule 212(d); Supreme Court urges respondent seek assistance through Rule 206; published censure per Rule 203(a)(3). *In re Gilman*, 280 Kan. 962, 126 P.3d 1115 (2006).

184. Attorney stipulates to findings that he violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(g), and Rule 207(b); three prior disciplinary offenses and supervised probation for prior misconduct; one-year suspension per Rule 203(a)(2). *In re Sachse*, 281 Kan. 1197, 135 P.3d 1207 (2006).

185. Attorney on 2-year probation in Colorado for violations regarding misconduct now disciplined in Kansas; Rule 202 cited in finding misconduct in Kansas based on the Colorado stipulation of misconduct and final order imposing sanctions; respondent required to undergo hearing pursuant to Rule 219 prior to reinstatement; 2-year suspension per Rule 203(a)(2). *In re Eastepp*, 281 Kan. 698, 132 P.3d 918 (2006).

186. Attorney's misconduct violates KRPC 1.3, 3.4(d), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); final report admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Devkota*, 280 Kan. 650, 123 P.3d 1289 (2005).

187. Attorney's multiple offenses violates KRPC 1.1, 1.3, 1.4, 8.1(b), 8.4(c) and Rule 207(b); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorney granted full immunities per Rule 223; satisfactory plan of probation submitted by respondent per Rule 211(g); 1-year suspension stayed in accordance with Rule 203(a)(2); 2-years' supervised probation. *In re Mitchell*, 280 Kan. 656, 123 P.3d 1279 (2005).

188. Attorney previously disciplined violates KRPC 1.1, 1.2, 1.3, 3.1, and 3.3; misconduct established by clear and convincing evidence per Rule 211(f); 1-year suspension per Rule 203(a)(2). *In re Watson*, 280 Kan. 375, 121 P.3d 982 (2005).

189. Attorney previously suspended for 1 year and admonished several years later violates KRPC 1.5, 1.15(b), 4.1, and 8.4(c); formal hearing per Rule 211 held; repeated violations of KRPC's noted; disbarment in accordance with Rule 203(a)(1). *In re Christian*, 281 Kan. 1203, 135 P.3d 1069 (2006).

190. Attorney's misconduct in multiple cases violates KRPC 1.3, 1.4, 5.5, 8.1, Rule 207(b), and Rule 212(b); respondent failed to appear at scheduled hearing and failed to file exceptions to panel's report in violation of Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Moore*, 280 Kan. 971, 127 P.3d 270 (2006).

191. Attorney violated numerous KRPC's including 1.5, 1.15, and 1.16 in several cases; Rule 211(b) violated by failing to file an answer to the formal complaint; misconduct established by clear and convincing evidence pursuant to Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); per Rule 212(f) Supreme Court may impose sanctions greater or lesser than the recommendations of hearing panel or Disciplinary Administrator; indefinite suspension pursuant to Rule 203(a)(2). *In re Waite*, 283 Kan. 270, 153 P.3d 517 (2007).

192. Attorney committed multiple violations of KRPC's including KRPC 1.4, 1.15, 3.2, 3.4, and 8.4 involving communication, safekeeping property, expediting litigation, fairness to opposing party and counsel, and misconduct; pursuant to Rule 202, respondent violated KRPC 1.4(a), 1.15(a), and 8.4(c);

indefinite suspension pursuant to Rule 203(a)(2). *In re Wiles*, 283 Kan. 173, 150 P.3d 859 (2007).

193. Attorney violated KRPC 3.3(d) and 8.4(d) relating to duty of candor in ex parte proceeding and engaging in conduct prejudicial to administration of justice in representing a client; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); published censure pursuant to Rule 203(a)(3). *In re Lazzo*, 283 Kan. 167, 150 P.3d 887 (2007).

194. Attorney disbarred for numerous violations including KRPC 3.3, 8.4(a), (b), (c), (d), and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only per Rule 212(f); required notice given per Rule 215(a); disbarment pursuant to Rule 203(a)(1). *In re Arabia*, 283 Kan. 851, 156 P.3d 668 (2007).

195. Attorney violated KRPC 4.2, prohibiting ex parte communication with a person represented by counsel and engaging in conduct adversely reflecting on one's fitness to practice law; published censure pursuant to Rule 203(a)(3). *In re Garcia*, 282 Kan. 282 Kan. 721, 147 P.3d 132 (2006).

196. Attorney violated KRPC 1.3, 1.4, 1.15(a), and 1.16(d) relating to his handling of a conservatorship; 90-day suspension pursuant to Rule 203(a)(2). *In re Docking*, 282 Kan. 715, 147 P.3d 139 (2006).

197. Attorney violated KRPC 8.4 by committing repeated driving under the influence violations and for probation violations related to a DUI conviction; indefinite suspension pursuant to Rule 203(a)(2). *In re Laskowski*, 282 Kan. 710, 147 P.3d 135 (2006).

198. Attorney's misconduct arising from actions he took in response to an earlier published censure violates KRPC 8.4(d); discussion of KRPC 8.2(a); pursuant to Rule 212(h), hearing panel's recommendation for sanctions is advisory only and Supreme Court may impose greater or lesser discipline; per Rule 203(a)(3) three-month suspension imposed. *In re Pyle*, 283 Kan. 807, 156 P.3d 1231 (2007).

199. Attorney committed numerous violations of KRPC 8.4(a) and (b) involving a criminal act committed in Missouri; respondent's diversion in Missouri deemed a conviction in Kansas under Rule 202; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); reinstatement under Rule 219 conditioned upon reinstatement in Missouri; suspended for 6 months in Missouri; indefinite suspension pursuant to Rule 203(a)(2). *In re Gackle*, 283 Kan. 502, 153 P.3d 493 (2007).

200. Attorney's misconduct in multiple complaints violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 8.4(c), and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Lampson*, 282 Kan. 700, 147 P.3d 143 (2006).

201. Attorney's misconduct violated KRPC 1.5, 3.1, and 8.4 in billing for unreasonable fees and misrepresenting claims when representing the State of Kansas in claims filed against the Workers Compensation Fund; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c) and (d) since Respondent failed to file exceptions; two-year suspension per Rule 203(a)(2). *In re Miller*, 282 Kan. 689, 147 P.3d 150 (2006).

202. Attorney violated KRPC 1.15 in handling informal traffic diversion funds in his capacity as county attorney; Court cites Rule 6.02(e) in noting failure of respondent to properly brief issue; hearing panel notes Rule 701(f)(2) permits disclosure of honor violation in law school to the Disciplinary Administrator; recommendation of hearing panel advisory only per Rule 212; published censure per Rule 203(a)(3). *In re Black*, 283 Kan. 862, 156 P.3d 641 (2007).

203. Attorney disciplined for his misconduct involving his handling of a patent application and which violated KRPC 1.1, 1.2(a), 1.3, 1.4(a) and 8.4(c); Supreme court not bound by recommendations of the hearing panel or Disciplinary Administrator per Rule 212(f); published censure per Rule 203(a)(3). *In re Sylvester*, 282 Kan. 391, 144 P.3d 697 (2006).

204. Attorney's misconduct violates KRPC 3.5(c) and (d) and KRPC 8.2 during the course of a jury trial; charges were established by clear and convincing evidence per Rule 211(f); hearing panel's report

admitted per Rule 212(c) and (d); published censure imposed per Rule 203(a)(3). *In re Eckelman*, 282 Kan. 415, 144 P.3d 713 (2006).

205. Attorney disciplined for violating KRPC 1.1, 1.3, 1.4, 3.4 in regard to his handling of a case filed under the Consumer Protection Act; failure to provide timely written response to client's complaint violates KRPC 8.1(b) and Rule 207(b); misconduct to be established by clear and convincing evidence per Rule 211(f); published censure pursuant to Rule 203(a)(3). *In re Arbuckle*, 283 Kan. 887, 156 P.3d 668 (2007).

206. Attorney disciplined for violating numerous violations of KRPC 1.15 and KRPC 8.4; respondent failed to respond to Disciplinary Administrator's initial complaint as well as failing to provide a written answer to the formal complaint thus violating Rule 207(b) and Rule 211(b); notified per Rule 215; misconduct established by clear and convincing evidence per Rule 211(f); panel's final report deemed admitted per Rule 212; panel's recommendation is advisory only per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Purinton*, 283 Kan. 880, 156 P.3d 660 (2007).

207. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

208. Attorney's misconduct violated KRPC 1.1, 1.5(a), 5.5(a), and 8.4(d) for mishandling an estate and practicing law while suspended; published censure per Rule 203(a)(3). *In re Alig*, 285 Kan. 117, 169 P.3d 690 (2007).

209. Attorney violated KRPC 1.7(a) by accepting fees and representing opposing parties and 8.4(b) and (d) by committing criminal acts and obstructing justice; published censure in accordance with Rule 203(a)(3). *In re Antosh*, 285 Kan. 124, 169 P.3d 1091 (2007).

210. Attorney on suspension for failing to pay attorney registration fee and failing to comply with annual CLE requirements violated KRPC 1.16 and 5.5; misconduct established by clear and convincing evidence per Rule 211(f); final report deemed admitted per Rule 212; indefinite suspension per Rule 203(a)(2). *In re Petzold*, 285 Kan. 110, 169 P.3d 686 (2007).

211. Attorney, who was on probation, violated KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.3(d), and 8.4(d) in 21 cases; Rule 211(b) violated by failing to file a timely written answer to the complaint; Rule 212(d) violated by failing to appear before the court; disbarment per Rule 203(a)(1). *In re Rathbun*, 285 Kan. 137, 169 P.3d 329 (2007).

212. Attorney who was previously disciplined for similar misconduct now violates KRPC 1.3, 1.4, 1.16(d), 8.1(b), and 8.4(d); failed to cooperate in disciplinary investigation and provide written responses to three complaints per Rule 207(b); failed to file answers per Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Webb*, 285 Kan. 130, 169 P.3d 336 (2007).

213. Attorney previously disciplined by suspension violated KRPC 8.1(a) and 8.4(b); misconduct established by clear and convincing evidence per Rule 211(f); failure to file exceptions to panel's report and report is deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re O'Neill*, 285 Kan. 474, 172 P.3d 1179 (2007).

214. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16, and 3.2; formal hearing conducted per Rule 211; hearing panel's report deemed admitted per Rule 212; supervising attorney afforded full immunities per Rule 223; Rule 211(g) probation requirements discussed; per Rule 203(a)(2), respondent's three-year suspension stayed and placed on three-years' supervised probation. *In re Bock*, 285 Kan. 815, 175 P.3d 233 (2008).

215. Attorney's misconduct in failing to pay taxes violated KRPC 8.4(b); published censure in accordance with Rule 203(a)(3). *In re Brooks*, 285 Kan. 794, 175 P.3d 256 (2008).

216. Attorney's misconduct in a dispute with a client and his own criminal conduct violated KRPC

1.7, 1.8, and 8.4(a), (b), and (d); indefinite suspension in accordance with Rule 203(a)(2). *In re Davidson*, 285 Kan. 798, 175 P.3d 855 (2008).

217. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(c) and (d), and Rule 207(b); misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Bishop*, 285 Kan. 1097, 179 P.3d 1096 (2008).

218. Attorney under temporary suspension for failing to pay annual registration fees and to comply with CLE requirements violated KRPC 8.1(b) and Rule 207(b) upon filing of a formal complaint; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); required notice given per Rule 215(a); indefinite suspension in accordance with Rule 203(a)(2). *In re Crow*, 285 Kan. 1110, 179 P.3d 1093 (2008).

219. Attorney who was previously censured in Kansas and in a reciprocal discipline proceeding in Illinois violated KRPC 3.1, 3.3(a)(1) and (3); 3.4(b), 8.1(b), 8.4(b), (c) and (d) per Rule 202; respondent received reciprocal attorney discipline and sanctions in Missouri and Illinois; hearing panel's final report deemed admitted under Rule 212(c) and (d); indefinite suspension pursuant to Rule 203(a)(2). *In re Daugherty*, 285 Kan.1143, 180 P.3d 536 (2008).

220. Attorney's misconduct resulting from two complaints violated KRPC 1.1, 1.3, 1.4(b), 3.4(d), 8.1(b), 8.4(c) and Rule 207(b); prior admonishment for violating KRPC 1.15 and 7.1; three-month suspension pursuant to Rule 203(b). *In re Harris*, 285 Kan. 1115, 180 P.3d 558 (2008).

221. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

222. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule 212(d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

223. Attorney's misconduct violated KRPC 1.1 for failing to provide competent representation; KRPC 3.2 by failing to expedite the probate of an estate, and KRPC 3.3, by failing to inform the court of irregularities; published censure in accordance with Rule 203(a)(3). *In re Wonder*, 285 Kan. 1165, 179 P.3d 451 (2008).

224. Attorney under indefinite suspension for failing to comply with administrative requirements of maintaining his law license committed violations of KRPC including 3.4(f), 4.1(a), and Rule 207(b); respondent claimed Rule 211(e) violated; court states no actual showing of prejudice to respondent per Rule 224; indefinite suspension pursuant to Rule 203(a)(2); sanctions imposed by court may be greater or lesser than those proposed by hearing panel or Disciplinary Administrator per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Walsh*, 286 Kan. 235, 182 P.3d 1218 (2008).

225. Attorney's disbarment in Missouri established misconduct per Rule 202; failure to file response and failure to appear violates Rule 211(b) and Rule 212(d); respondent violated KRPC 8.4(d); indefinite suspension pursuant to Rule 203(a)(2). *In re Tarantino*, 286 Kan. 254, 182 P.3d 1241 (2008).

226. Attorney under indefinite suspension for failing to comply with administrative requirements in Kansas violates KRPC 8.4 by failing to file a timely response to a disciplinary case filed against her in Missouri; misconduct established per Rule 202 concerning reciprocal discipline; indefinite suspension pursuant to Rule 203(a)(2). *In re Harris*, 286 Kan. 260, 182 P.3d 1249 (2008).

227. Attorney committed violations of KRPC 8.4(b) by failing to pay income taxes; license suspended in Missouri and served 12-month sentence; misconduct established by clear and convincing evidence per Rule 211(f); Disciplinary Administrator recommends respondent be put on disabled inactive

status per Rule 208(a); indefinite suspension in accordance with Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Lovelace*, 286 Kan. 266, 182 P.3d 1244 (2008).

228. Attorney committed violations of KRPC 8.4(b) by failing to file income taxes and Rule 211(b) for failing to file a written answer to the formal complaint; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); indefinite suspension in accordance with Rule 203(a)(2). *In re Sheahon*, 286 Kan. 274, 182 P.3d 1263 (2008).

229. Attorney's misconduct violated KRPC 1.1, 4.1, 4.4, 5.5, and 8.4(c) through her conviction of five counts of unauthorized practice of law in Minnesota and suspension; attorney misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Hillbrant*, 286 Kan. 280, 182 P.3d 1253 (2008).

230. Attorney's misconduct violates KRPC 3.1, 3.2, and 3.4 for bringing a frivolous claim, failing to expedite a case, failing to comply with a discovery request and to appear in court, and failing to meet a deadline set by the court; failure to file exceptions constitutes admission per Rule 212(c); previously disciplined on three occasions; two-year suspension in accordance with Rule 203(a)(2). *In re Harris*, 286 Kan.532, 186 P.3d 737 (2008).

231. Attorney's misconduct in two complaints violated KRPC 1.3, 1.4, 1.15 (a) and (b), 8.4(g), and Rule 207(b); previously disciplined twice for similar violations; probation plan per Rule 211(g) denied; ordered to repay funds owed to clients per Rule 203(a)(5); indefinite suspension in accordance with Rule 203(a)(2). *In re Corrin*, 286 Kan.421, 184 P.3d 923 (2008).

232. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2, 3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan.708 , 188 P.3d 1 (2008).

233. Attorney on administrative suspension violates KRPC 1.3, 1.4, 1.15(a), 1.16(d), and 3.2; indefinite suspension in accordance with Rule 203(a)(2). *In re Allen*, 286 Kan. 791, 188 P.3d 953 (2008).

234. Attorney's misconduct in two complaints arising out of a post-divorce child custody action violated KRPC 3.4(a), 4.1(a), and 8.4(a), (c), and (d); published censure in accordance with Rule 203(a)(3). *In re Jensen*, 286 Kan. 1160, 191 P.3d 1118 (2008).

235. Attorney violated KRPC 8.4(b) by failing to file and pay income taxes for 8 years resulting in a criminal conviction; 6-month suspension per Rule 203(a)(2). *In re Busch*, 287 Kan. 80, 194 P.3d 12 (2008).

236. Attorney's misconduct while on suspension violated KRPC 1.3, 1.4, 1.16, 8.1(b), Rule 211(b), and Rule 218; one-year suspension per Rule 203(a)(2). *In re Docking*, 287 Kan. 485, 196 P.3d 1149 (2008).

237. Attorney's criminal conviction in Illinois established misconduct in Kansas per Rule 202; violations of KRPC 8.3(a), 8.4(b), (c), and Rule 207(c) established; disbarment per Rule 203(a)(1). *In re Minneman*, 287 Kan. 477, 196 P.3d 1156 (2008).

238. Attorney committed multiple violations of KRPC 1.3, 1.4(a). 5.5(a), 8.1(b), 8.4(g), Rule 207(b), Rule 211(b), and Rule 218; findings of fact deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Lee*, 287 Kan. 676, 198 P.3d 140 (2008).

239. Attorney's misconduct while serving as county attorney violated KRPC 4.4(a) and 8.4(d) and (g); per Rule 203(a)(5) Supreme Court may impose any discipline regardless of recommendation of hearing panel; 6-month suspension and Rule 219 compliance ordered. *In re Campbell*, 287 Kan. 757, 199 P.3d 776 (2009).

240. Attorney violated KRPC 5.5 and 8.4 in his unauthorized practice of law; misconduct established by clear and convincing evidence per Rule 211(f); final hearing report deemed admitted per Rule 212(c); six-month suspension per Rule 203(a)(2). *In re Nelson*, 233 Kan. 179, 200 P.3d 1262 (2009).

241. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule 207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

242. Attorney previously disciplined for similar misconduct found to have violated KRPC 1.1, 1.2, 1.3, 1.4(a), 3.2, 8.4(d) and (g) and Rule 211; failed to respond to complaint per Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); failed to notify Clerk of Appellate Courts of address change per Rule 208; indefinite suspension per Rule 203(a)(2). *In re Lober*, 288 Kan. 498, 204 P.3d 610 (2009).

243. Attorney violated KRPC 8.4(b) and (c) for committing a criminal act and engaging in dishonest conduct; allegations in the hearing report deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Ellis*, 288 Kan. 604, 204 P.3d 1161 (2009).

244. Attorney committed multiple offenses of KRPC 1.3, 1.4, 1.15, 8.3, 8.4, and Rule 207; respondent's suspension in Texas established misconduct in Kansas per Rule 202; hearing report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Piekalkiewicz*, 288 Kan. 610, 205 P.3d 734 (2009).

245. Attorney disbarred in Missouri; violations deemed admitted under Rule 212; based on Rule 202, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b) and Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Patterson*, 289 Kan.131 , 209 P.3d 692 (2009).

246. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan. 173, 210 P.3d 120 (2009).

247. Attorney on suspension committed violations of KRPC 1.4, 3.4, 5.5, and 8.4; respondent filed exceptions and a brief pursuant to Rule 212; no exceptional circumstances exist to warrant discovery deposition per Rule 216(f) and Internal Operating Rule D.4; disbarment. *In re Wiles*, 289 Kan. 201, 210 P.3d 613 (2009).

248. Attorney continued to practice law in retirement and violated KRPC 5.5 and 8.4(c); law-related services defined per KRPC 5.7(b); Rules 201, 208 discussed; hearing panel's recommendation is advisory only per Rule 212(f); disbarment. *In re Rost*, 289 Kan. 290, 211 P.3d 145 (2009).

249. Attorney's misconduct by deceit violated KRPC 8.4(b) and (c); hearing panel's report deemed admitted per Rule 212(c); published censure per Rule 203(a)(3). *In re Betts*, 289 Kan. 820, 217 P.3d 30 (2009).

250. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

251. Attorney admitted to misconduct by deceit, violating KRPC 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); ninety-day suspension per Rule 203(a)(2). *In re Hunsaker*, 289 Kan. 828, 217 Kan. 962 (2009).

252.Attorney's misconduct violated KRPC 4.4, 8.3, 8.4(d) and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel report deemed admitted per Rule 212(c); published censure under Rule 203(a)(3). *In re Kenny*, 289 Kan. 851, 217 P.3d 36 (2009).

253. Attorney's misconduct violated KRPC 8.4(b), 8.1(b), and Rule 207(b); suspension in Missouri established misconduct in Kansas under Rule 202; hearing panel's report deemed admitted per Rule 212(c); indefinite suspension per Rule 203(a)(2), effective 2 years earlier to account for delay in proceedings. *In re McGraw*, 289 Kan. 813, 217 P.3d 25 (2009).

254. Following attorney's disbarment in Missouri and per Rule 202 concerning reciprocal discipline, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b) in Kansas; hearing panel's report deemed admitted under Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Weber*, 289 Kan. 808, 217 P.3d 959 (2009).

255. Attorney's disbarment in Missouri and failure to cooperate in disciplinary process in Kansas results in violations of KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b); violations deemed admitted under Rule 212(c); required notice given per Rule 215; misconduct established per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Tluscik*, 289 Kan. 1111, 219 P.3d 1220 (2009).

256. Attorney disciplined by a three-year suspension for violating KRPC 1.15, 3.3, and 8.4; hearing panel's report deemed admitted under Rule 212(c); respondent may apply by motion for suspension of the remaining two years of his three-year suspension. *In re Shepherd*, 289 Kan. 1116, 220 Kan. 359 (2009).

257. Attorney disciplined by indefinite suspension for violating KRPC 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only and court may impose a different discipline per Rule 212(f);required notice given per Rule 215(a); indefinite suspension per Rule 203(a)(2). *In re Herrington*, 290 Kan. 58, 222 P.3d 492 (2010).

258. Attorney's misconduct violated KRPC 1.8(a) and 8.4(g); misconduct established by clear and convincing evidence per Rule 211 (f); hearing panel's report deemed admitted per Rule 212(c); one-year suspension per Rule 203(a)(2). *In re Weichman*, 290 Kan. 70, 222 P.3d 485 (2010).

259. Attorney's misconduct violated KRPC 1.6 and 1.13; per Rule 211(f) misconduct established by clear and convincing evidence; hearing panel's final report deemed admitted under Rule 212(c); ninety-day suspension per Rule 203(a)(2). *In re Harding*, 290 Kan. 81, 223 P.3d 303 (2010).

260. Attorney's misconduct involving safekeeping property violated KRPC 1.15(b), 8.1(b), Rule 207(b), and Rule 211(b); misconduct established through clear and convincing evidence per Rule 211(f); indefinite suspension per Rule 203(a)(2). *In re Gentry*, 290 Kan. 324, 227 P.3d 956 (2010).

261. Attorney's misconduct violates KRPC 1.3 and 1.4 relating to diligence and communication; respondent stipulated to violating Missouri Rules of Professional Conduct and per Rule 202, these facts establish misconduct for purposes of the disciplinary proceeding in Kansas; misconduct established by clear and convincing evidence per Rule 211; published censure per Rule 203(a)(3). *In re Hasty*, 290 Kan. 386, 227 P.3d 967 (2010).

262. Attorney's misconduct in representing a client in two car accidents violated KRPC 1.3, 1.4(a), 1.7, and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and shall not prevent Supreme Court from imposing a different discipline per Rule212(f); one-year suspension per Rule 203(a)(2). *In re Kieler*, 290 Kan. 397, 227 P.3d 961 (2010).

263. Attorney's misconduct violated KRPC 1.5(a), 3.3, and 8.4(c); findings of fact deemed admitted per Rule 212(d); findings supported by clear and convincing evidence per Rule 211(f); two-year suspension per Rule 203(a)(2). *In re Orrick*, 290 Kan. 727, 233 P.3d 257 (2010).

264. Attorney's misconduct violated KRPC 8.4(b) and (g); disciplined by one-year's suspension per Rule 203(a)(2) from practice of law but imposition is suspended and Supreme Court placed respondent on two-year supervised probation; probation plan adopted per Rule 211(g); *In re Smith*, 290 Kan. 738, 233 P.3d 737 (2010).

265. Attorney's misconduct repeatedly violated KRPC 8.4(d) and (g); misconduct established by clear

and convincing evidence per Rule 211(f); proposed probation plan per Rule 211(g) failed to include method to ensure compliance; one-year suspension per Rule 203(a)(2). *In re Depew*, 290 Kan. 1057, 237 P.3d 24 (2010).

266. Attorney engaged in the unauthorized practice of law while on suspension, violating KRPC 5.5, 8.1(b), 8.4(a), and Rule 218(c); disbarment per Rule 203(a)(1). *In re Miller*, 290 Kan. 1075, 238 P.3d 227 (2010).

267. Attorney's misconduct while on indefinite suspension violated KRPC 1.1, 1.3, 1.4, 8.4, and Rule 211; clear and convincing evidence per Rule 211)(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Bishop*, 291 Kan. 382, 240 P.3d 956 (2010).

268. Attorney previously disciplined three times found to have violated KRPC 1.4(a), 1.16(d), 5.5(a), 8.1(b), 8.4(c), Rule 207(b), Rule 211(b), and Rule 218(a); hearing panel's recommendation advisory only and court may impose different discipline per Rule 212(f); disbarment per Rule 203(a)(1). *In re Jones*, 291 Kan. 405, 243 P.3d 1101 (2010).

269. Attorney previously disciplined now found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

270. Attorney violated KRPC 4.3 and 8.4(b), (c), and (d); recommendations from Disciplinary Administrator and hearing panel are advisory only and the Supreme Court may impose sanctions greater or lesser than those recommended per Rule 212(f); misconduct established by clear and convincing evidence per Rule 211(f); Rules 218 and 219 compliance ordered; 2-year suspension per Rule 203(a)(2). *In re Millett*, 291 Kan. 369, 241 P.3d 35 (2010).

271. Attorney violated KRPC 1.1, 1.5(a), 3.4(c), 3.5(d), 4.4(a), 8.4(b), (c), (d), and (g) and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); required notice given per Rule 215(a); Rule 218 compliance ordered; disbarment per Rule 203(a)(1). *In re Romious*, 291 Kan. 300, 240 P.3d 945 (2010).

272. Attorney previously disciplined by 6-month suspension now violates KRPC 1.2, 1.3, 1.4(a), 1.5(a), 1.15(b), 1.16(d). 8.1(b), Rule 207(b) and Rule 211; conditions set out for reinstatement under Rule 219(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

273. Attorney violated KRPC 8.4(b) by receiving a felony conviction; per Rule 202, criminal conviction is conclusive evidence of the commission of that crime; 3-year suspension per Rule 203(a)(2). *In re Frahm*, 291 Kan. 520, 241 P.3d 1010 (2010).

274. Attorney violated KPRC 8.4(c) by engaging in illegal conduct; hearing panel not permitted to consider probation per Rule 211(g); court orders Rule 219 compliance if respondent seeks reinstatement; hearing panel's recommendation for discipline is advisory only per Rule 212(f); 2-year suspension per Rule 203(a)(2). *In re Johns*, 291 Kan. 638, 243 P.3d 1101 (2010).

275. Attorney violated KRPC 1.3, 1.4, Rule 207(b) and Rule 211(b) stemming from respondent's handling of a postdivorce child support matter; clear and convincing evidence found per Rule 211(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Ivester*, 291 Kan. 744, 246 P.3d 987 (2011).

276. Attorney's misconduct in an immigration matter violated KRPC 3.5(d) and 8.4(d); misconduct

established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and does not limit Supreme Court's discretion to impose other discipline per Rule 212(f); published censure per Rule 203(a)(3). *In re Chavez*, 292 Kan. 45, 251 P.3d 628 (2011).

277. Attorney's misconduct violated KRPC 1.3, 1.4, 1.15, Rules 207 and 211 in four civil matters; proper service obtained per Rule 215; compliance with Rules 218 and 219 ordered; indefinite suspension per Rule 203(a)(2). *In re Luttrell*, 292 Kan. 51, 252 P.3d 111 (2011).

278. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

279. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116 including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; 1-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011).

280. Attorney voluntarily surrendered license to practice law per Rule 217 with a complaint pending that he violated KRPC 8.4(b); disbarment per Rule 203(a)(1). *In re Tilford*, 292 Kan. 238, 252 P.3d 573 (2011).

281. Attorney violated KRPC 8.4(a), (d), and (g) for misconduct stemming from his failure to pay child support and Rule 211(b) for failing to file a timely answer; hearing panel's report deemed admitted per Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Vanderbilt*, 292 Kan. 262, 253 P.3d 774 (2011).

282. Attorney's misconduct violated KRPC 8.4(a), (b), and (g), Rule 208, and Rule 211 stemming from attorney's disbarment in Missouri for a criminal probation in Colorado; misconduct established by clear and convincing evidence per Rule 211(f); Rule 219 hearing will be required before any consideration of readmission with certain conditions; indefinite suspension per Rule 203(a)(2). *In re Baca*, 292 Kan. 390, 253 P.3d 348 (2011).

283. Attorney previously disciplined for similar violations of KRPCs found to have violated KRPC 1.15, 8.4(d), and Rule 211(b); hearing panel's recommendation is advisory only and court may impose sanctions greater or lesser than those recommended per Rule 212(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Johanning*, 292 Kan. 477, 254 P.3d 545 (2011).

284. Attorney previously disciplined four times violates Rules 207(b), 208(c), 211(b), and 218(a); misconduct established by clear and convincing evidence per Rule 211(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Harris*, 292 Kan. 521, 257 P.3d 1231 (2011).

285. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4(a), and 3.2 in mishandling an estate case; probation plan not filed in a timely manner per Rule 211(g); hearing report's findings and conclusions are deemed admitted under Rule 212(c); Rules 218 and 219 compliance ordered; 6-month suspension per Rule 203(a)(2). *In re Foster*, 292 Kan. 940, 258 P.3d 375 (2011).

286. Respondent's misconduct violated multiple KRPC's, including KRPC 1.3, 1.5, 1.15(a) and (d), 3.2, 8.4(c) and (g); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment pursuant to Rule 203(a)(1). *In re Holmes*, 293 Kan. 478, 264 P.3d 423 (2011).

287. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b), 8.4(c),

and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

288. Respondent surrenders license to practice law pursuant to Rule 217 while panel hearing is pending on a complaint filed regarding KRPC 8.3(a), 8.4(b), Rule 203(c)(1), and Rule 208(c); disbarment per Rule 203(a)(1). *In re Blecha*, 293 Kan. 502, 264 P.3d 115 (2011).

289. Attorney with felony conviction in Missouri also violates KRPC 8.4(b), Rule 203(c)(1), and Rule 208(c); criminal conviction evidence of misconduct per Rule 202; findings of fact deemed admitted per Rule 212(c) , (d); disbarment per Rule 203(a)(1). *In re Tolen*, 293 Kan. 607, 265 P.3d 546 (2011).

290. Attorney indefinitely suspended for numerous violations of KRPC 1.1, 1.3, 1.4, 3.2, 8.1, and Rule 207; misconduct established by clear and convincing evidence per Rule 211(f); compliance with Rule 219 if requests reinstatement; indefinite suspension per Rule 203(a)(2). *In re Bock*, 293 Kan. 616, 265 P.3d 552 (2011).

291. Attorney's misconduct in handling his mother's estate violated KRPC 1.3, 3.3(a)(1), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact deemed admitted per Rule 212(c) ;6-month suspension per Rule 203(a)(2). *In re Shriver*, 294 Kan. 617, 278 P.3d 964 (2012).

292. Attorney's misconduct violated KRPC 1.15 and 8.4(c); required notice given per Rule 215(a); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212 (c), (d); disbarment per Rule 203(a)(1). *In re Robinson*, 294 Kan. 649, 279 P.3d 113 (2012).

293. Attorney violated KRPC 1.1, 1.3, 1.4(a), and 1.15 in serving as executor of an estate; respondent's plan of probation failed to meet requirements of Rule 212(g)(1); respondent failed to file exceptions to panel's report thus, findings of fact deemed admitted under Rule 212(c), (d); 6-month suspension per Rule 203(a)(2). *In re Freed*, 294 Kan. 655, 279 P.3d 118 (2012).

294. Attorney misconduct violated numerous KRPC's, including 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.1(b); respondent failed to file timely answer to complaint per Rule 211(b); failed to file exceptions thus, findings of fact are deemed admitted under Rule 212(c), (d); respondent failed to follow his diversion agreement; one-year suspension per Rule 203(a)(2). *In re Ohaebosim*, 294 Kan. 664, 279 P.3d 124 (2012).

295. Attorney stipulated to violations of KRPC 1.3, 1.4(a), and 8.4(c) in immigration proceedings; pursuant to Rule 211(g), the recommendation of probation approved with modification to the probation plan; 6-month suspension stayed; 18-months' probation. *In re Link*, 294 Kan. 692, 279 P.3d 720 (2012).

296. Attorney's misconduct violated KRPC 1.3, 1.4, 1.16, 8.4, and Rule 211(b) based on multiple complaints; probation per Rule 211(g) denied; clear and convincing evidence established per Rule 211(f); respondent failed to file exceptions to final hearing report, thus deemed admitted under Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Shores*, 294 Kan. 680, 279 P.3d 710 (2012).

297. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

298. Judge advocate who revealed confidential information and transmitted classified documents regarding individual detainees at Guantanamo Bay violated KRPC 1.6(a), 1.13, and 8.4(b); disbarment per Rule 203(a)(1). *In re Diaz*, 295 Kan. 1071, 288 P.3d 486 (2012).

299. Attorney's unlawful acceptance of prescription medication from client and conviction for unlawful

possession of hydrocodone violated KRPC 1.7 and 8.4(b); 40-month suspension per Rule 203(a)(2). *In re Meek*, 295 Kan. 1160, 289 P.3d 95 (2012).

300. Attorney's convictions for driving under the influence of alcohol, battery, and obstruction of official duty violated KRPC 8.4; 2-year suspension per Rule 203(a)(2). *In re Harrington*, 296 Kan. 380, 293 P.3d 686 (2013).

301. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(a) and (d), 3.2, 8.4(d), and Rule 207(b); disbarment per Rule 203(a)(1). *In re Batt*, 296 Kan. 395, 294 P.3d 241 (2013).

302. Attorney's misconduct violated KRPC 1.2, 1.7, 4.1, and 8.4; 2-year suspension per Rule 203(a)(2). *In re Galloway*, 296 Kan. 406, 293 P.3d 696 (2013).

303. Attorney violated KRPC 1.5, 1.15, and 8.4 by misrepresenting hours worked and converting client funds to pay personal taxes; disbarment per Rule 203(a)(1). *In re Davis*, 296 Kan. 531, 303 P.3d 250 (2013).

304. Attorney's misconduct violated KRPC 4.1(a) and (b) and 8.4(c) and (g); disbarment per Rule 203(a)(1). *In re Baker*, 296 Kan. 696, 294 P.3d 326 (2013).

305. Attorney's misconduct violated KRPC 1.5(f)(1), 1.7, 1.8(k), 1.15(a), (b), and (d)(2)(iii), 3.3(a)(1), and 8.4(b); disbarment per Rule 203(a)(1). *In re Alberg*, 296 Kan. 795, 294 P.3d 1192 (2013).

306. Attorney's misconduct violated KRPC 3.3(a)(1) and 3.5(c)(2) and (c)(3); 1-year suspension per Rule 203(a)(2). *In re Stockwell*, 296 Kan. 860, 295 P.3d 572 (2013).

307. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 3.3, 3.4, 8.1, 8.4, and Rule 211(b); disbarment per Rule 203(a)(1). *In re Druten*, 297 Kan. 432, 301 P.3d 319 (2013).

308. Attorney misconduct violated KRPC 3.3(a)(1) and (3); 5.1(c); 8.1(b); and 8.4(c), (d), and (g); clear and convincing evidence did not support finding of other specific violations of KRPC 3.3(a)(1), 3.6, 3.8(f), 5.3(b), 8.1(a), and 8.4(c) and (g); indefinite suspension under Rule 203(a)(2). *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

309. Attorney voluntarily surrendered license under Rule 217 after license had been temporarily suspended under Rule 203(c) as a result of conviction for involuntary manslaughter. *In re Murdick*, 299 Kan. 1126, 329 P.3d 1093 (2014).

310. Attorney misconduct violated KRPC 1.2, 1.3, 1.4(a), and 8.4(c) and (d); 6-month suspension under Rule 203(a)(2). *In re Meyer*, 299 Kan. 679, 327 P.3d 407 (2014).

311. Attorney admitted to violations of KRPC 1.1, 1.3, 1.4, 1.16(a)(2), and 8.4(g); under Rule 211(f) clear and convincing evidence did not support violation of KRPC 1.16(d) for failure to return fees; 6-month suspension under Rule 203(a)(2). *In re Barker*, 299 Kan. 158, 321 P.3d 767 (2014).

312. Attorney misconduct violated Rule 203(c)(1) and KRPC 8.4(b); 2-year suspension stayed, minimum of 2 years' supervised probation imposed. *In re Hueben*, 302 Kan. 979, 362 P.3d 809 (2015).

313. Attorney misconduct violated KRPC 8.1(b); out of state attorney indefinitely prohibited from appearing pro hac vice in Kansas in accordance with Rule 203(a)(5). *In re Riebschlager*, 303 Kan. 373, 361 P.3d 499 (2015).

Rule 204 KANSAS BOARD FOR DISCIPLINE OF ATTORNEYS

Case Annotations

1. Claim filed under Section 1983 against state bar association's Professional Responsibility Commission members and staff for failure to process grievance filed against a member of that state bar; dismissed for failure to plead facts sufficient to implicate constitutional right, Eleventh Amendment immunity, and prosecutorial immunity. *Doyle v. Oklahoma Bar Ass'n*, 787 F. Supp. 189 (W.D. Okla. 1992).

2. Attorney filed a motion per Rule 204(d) and Canon 3E(1) to vacate the panel's report and to grant

a new hearing on a basis that the panel's chairperson practiced in the same law firm of an attorney who prosecuted claim against him. *In re Lucas*, 269 Kan. 785, 7 P.3d 1186 (2000).

Rule 205 DISCIPLINARY ADMINISTRATOR

Case Annotations

1. Attorney-client relationship not necessary for filing complaint; disciplinary administrator may proceed with complaint before receiving report from local committee. *State v. Freeman*, 229 Kan. 639, 629 P.2d 716 (1981).

2. Disciplinary administrator required to investigate all matters involving possible misconduct pursuant to Rule 205(c)(2). *Jarvis v. Drake*, 250 Kan. 645, 830 P.2d 23 (1992).

3. Claim filed under Section 1983 against state bar association's Professional Responsibility Commission members and staff for failure to process grievance filed against a member of that state bar; dismissed for failure to plead facts sufficient to implicate constitutional right, Eleventh Amendment immunity, and prosecutorial immunity. *Doyle v. Oklahoma Bar Ass'n*, 787 F. Supp. 189 (W.D. Okla. 1992).

Rule 206 LAWYERS ASSISTANCE PROGRAM

Case Annotations

1. Attorney completed one-year probation supervised by chairman of local ILA committee; probation continued without supervision. *In re Pendergast*, 247 Kan. 322, 799 P.2d 474 (1990).

2. Attorney discharged from conditioned probation. *In re Pendergast*, 249 Kan. 306, 817 P.2d 659 (1991).

3. Attorney's misconduct interferes with the administration of justice and violates KRPC 8.4(d); the findings of fact are deemed admitted per Rule 212(d); Supreme Court urges respondent seek assistance through Rule 206; published censure per Rule 203(a)(3). *In re Gilman*, 280 Kan. 962, 126 P.3d 1115 (2006).

Rule 207 DUTIES OF THE BAR AND JUDICIARY

Case Annotations

1. All lawyers, including those subject to investigation, have duty to cooperate with and respond to inquiries from disciplinary authorities; self-incrimination exception. *State v. Savaiano*, 234 Kan. 268, 271, 274, 670 P.2d 1359 (1983).

2. Failure to respond to letters of disciplinary administrator; complaint need not set forth specific rules allegedly violated nor specific allegations of misconduct. *State v. Caenen*, 235 Kan. 451, 459, 681 P.2d 639 (1984).

3. Violation of DR 6-101(A)(3), along with failure to cooperate with office of disciplinary administrator, grounds for indefinite suspension. *In re Price*, 237 Kan. 624, 701 P.2d 1337 (1985).

4. Discharge by client and refusal to return documents or communicate about neglected estate matter violation of DR 6-101(A)(3); suspension ordered. *In re Price*, 237 Kan. 624, 701 P.2d 1337 (1985).

5. Failure to respond to or cooperate with disciplinary administrator, or appear as ordered before

hearing panel and Supreme Court, constitutes violation of rule; disbarment. *In re Price*, 241 Kan. 836, 836, 739 P.2d 938 (1987).

6. Attorney's failure to cooperate in investigation of complaint against him a serious matter; other violations; public censure. *In re Hilton*, 242 Kan. 770, 750 P.2d 417 (1988).

7. Attorney's failure to cooperate with disciplinary administrator's investigation of complaint violates rule; other violations; public censure. *In re Stapleton*, 243 Kan. 146, 753 P.2d 1278 (1988).

8. Attorney's failure to cooperate in investigation violates rule; other violations; indefinite suspension. *In re Sauer*, 243 Kan. 157, 753 P.2d 1285 (1988).

9. Attorney's failure to cooperate in investigation violates rule; other violations; disbarment. *In re Hamilton*, 243 Kan. 161, 753 P.2d 1287 (1988).

10. Attorney under indefinite suspension charged with additional violations and failure to cooperate with investigation; surrender and disbarment. *In re Niederhauser*, 243 Kan. 412, 756 P.2d 1103 (1988).

11. Attorney's failure to cooperate or communicate with disciplinary administrator violates rule; other violations; disbarment. *In re Smith*, 243 Kan. 584, 757 P.2d 324 (1988).

12. Attorney's failure to cooperate with or respond to the investigation of the complaint violates rule; one year supervised probation. *In re Pendergast*, 245 Kan. 312, 776 P.2d 1202 (1989).

13. Attorney currently under suspension, charged with violating DR 9-102 and Rule 207; Rule 217 surrender; disbarment. *In re Smith*, 245 Kan. 379, 783 P.2d 878 (1989).

14. Attorney's neglect of legal matters, failure to return client funds, and failure to cooperate violate DR 1-102, 1-103, 6-101(A)(3), 7-101(A)(2), 9-102(B), and Rule 207; attorney's undiagnosed diabetes seen as mitigating; discipline suspended; one-year supervised probation. *In re Linn*, 245 Kan. 570, 781 P.2d 738 (1989).

15. Attorney's failure to represent clients in three separate cases after acceptance of retainer fees and failure to cooperate with disciplinary investigation found to violate DR 1-102, 6-101, 7-101, and 9-102; MRPC 1.1, 1.3, 1.4, 1.15 and 8.4; and Rule 207. Rule 203 disbarment. *In re Morphett*, 246 Kan. 499, 790 P.2d 402 (1990).

16. Attorney who used a handgun "to demonstrate a point" to complainant who was preparing to name attorney's friend as father of complainant's child, and who prepared and submitted false affidavits to disciplinary administrator regarding the incident, violated Rules 8.1 and 8.4(c); insufficient evidence to find charged violations of Rules 3.3; 3.4; 3.5; 4.1; 4.4; 8.4(a), (b), (d), (g); or Rule 207. One-year suspension. *In re Wood*, 247 Kan. 219, 794 P.2d 660 (1990).

17. Attorney's misstatement to Disciplinary Administrator regarding action being taken to resolve client dissatisfaction violated Rule 207; other violations; indefinite suspension and Rule 218 compliance ordered. *In re Cain*, 247 Kan. 673, 801 P.2d 1325 (1990).

18. Attorney retained to probate estate failed to do so, failed to record transfer of mineral interest deed resulting in levy and execution thereon, and failed to cooperate in resulting disciplinary investigation. Violations of DR 9-102(B) and MRPC 1.15; DR 1-102(A), 6-101(A)(3), 7-101(A), and 9-102(B)(1), (3), (4) and MRPC 1.3, 1.4(a), 1.15, and 8.4(c); and Rule 207. Indefinite suspension with readmission without petition upon successful completion of one-year suspension; specific conditions. *In re Ehrlich*, 248 Kan. 92, 804 P.2d 958 (1991).

19. Attorney's mishandling of collection matter and failure to cooperate with resulting investigation violate Rule 207, DR 1-102(A)(6), 6-101(A)(3), 7-101(A)(2), and 9-102(B)(1), (3), and (4); after March 1, 1988, the same behavior violates MRPC 1.3, 1.4, 1.15(d)(2)(i), (iii), and (iv), and 8.4(g); 2-year suspension recommended; many mitigating factors; 2-year supervised probation. *In re Evans*, 248 Kan. 176, 804 P.2d 344 (1991).

20. Attorney currently on supervised probation found to have violated Rule 207 and MRPC 1.3, 1.4, 1.15(d)(2)(iii), (iv), and 8.4(g) in handling employment termination case; suspension recommended;

supervised probation continued for additional one year. *In re Linn,* 248 Kan. 189, 804 P.2d 350 (1991).

21. Attorney's second request for Rule 219 reinstatement following indefinite suspension denied; attorney's failure to supply requested information germane to reinstatement noted by court; Rule 207 attorney obligations noted. *In re Pringle,* 248 Kan. 498, 808 P.2d 1339 (1991).

22. Attorney under investigation on 15 complaints fails to respond to Disciplinary Administrator's inquiries in violation of Rule 207 and fails to appear at scheduled Supreme Court disciplinary hearing; disbarment and Rule 218 compliance ordered. *In re Zieber,* 248 Kan. 502, 808 P.2d 433 (1991).

23. Attorney's failure to cooperate in investigation of complaints violates rule; other violations; indefinite suspension. *In re Vorhies,* 248 Kan. 985, 811 P.2d 1254 (1991).

24. Attorney's failure to pursue personal injury action on behalf of client, resulting in summary judgment for defendant, and misrepresentation to client and disciplinary investigator as to status of that case violates DR 6-101(A)(3); MRPC 1.3, 1.4(a) and (b), 8.4(c) and (g); and Rule 207; public censure. *In re Jackson,* 249 Kan. 172, 958 P.2d 814 (1991).

25. Attorney's failure to close estate for 12-year period, failure to render court-ordered accounting, failure to satisfy federal estate tax obligations, and failure to cooperate with disciplinary investigator violate MRPC 1.1, 1.3, 1.4, 3.2, 8.4(d) and (g), DR 6-101, DR 7-101, and Rule 207; disbarment and Rule 218 compliance. *In re Coleman,* 249 Kan. 218, 815 P.2d 43 (1991).

26. Attorney charged with Rule 226 violations stipulates to violation of Rule 207. *In re Stapleton,* 249 Kan. 524, 819 P.2d 125 (1991).

27. Attorney's mishandling of estate case, misrepresentation to client and representatives from disciplinary administrator regarding status of case, failure to withdraw as counsel and failure to cooperate with subsequent counsel, and mismanagement of estate funds violative of MRPC 1.1; 1.2; 1.3; 3.2; 1.15(b); 1.16(a)(3)(d); 8.4(g); and Rule 207(a) and (b); other violations; indefinite suspension and Rule 218 compliance ordered. *In re Stapleton,* 250 Kan. 247, 824 P.2d 205 (1992).

28. Attorney's failure to maintain estate funds in trust account, misrepresentations at disciplinary hearings as to the balance in the account, and failure to respond to inquiries from the disciplinary administrator regarding the account violative of MRPC 1.15(a), (d); 8.4(c), (d); and Rule 207. Indefinite suspension and Rule 218 compliance ordered. *In re Stapleton,* 250 Kan. 247, 824 P.2d 205 (1992).

29. Attorney's failure to cooperate in investigation of charges which were not found to be established by clear and convincing evidence violative of Rule 207; prior violations; public censure. *In re Johnson,* 250 Kan. 286, 822 P.2d 72 (1992).

30. Attorney on indefinite suspension subject of three complaints for failure to represent clients in violation of MRPC 1.1, 1.3, 1.4, and 8.4(c); failure to cooperate with investigation; disbarment and Rule 218 compliance. *In re McGhee,* 251 Kan. 584, 834 P.2d 379 (1992).

31. Attorney under indefinite suspension; complaint alleges continuing to practice law in violation of Rule 218(c) and failure to cooperate in violation of Rule 207; complaint dismissed. *In re Wilkinson,* 251 Kan. 546, 834 P.2d 1356 (1992).

32. Attorney under investigation for failure to maintain records; failure to cooperate with disciplinary administrator; public censure. *In re Seck,* 251 Kan. 829, 840 P.2d 516 (1992).

33. Attorney's failure to appear for imposition of recommended informal admonition violates Rule 207; one-year suspension with reinstatement upon Rule 219 petition; Rule 218 compliance. *In re Wood,* 251 Kan. 832, 840 P.2d 519 (1992).

34. Attorney's mishandling of real estate matter violates MRPC 1.1, 1.3, 1.4, and 3.2; DR 6-101(A)(3); and Rule 207; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

35. Attorney's failure to communicate with clients violates MRPC 1.3 and 1.4; failure to cooperate in investigation; imposition of discipline suspended; one-year supervised probation. *In re Plettner,* 251 Kan.

844, 840 P.2d 526 (1992).

36. Attorney's duty to cooperate with disciplinary authorities limited only by Rule 223 right against self-incrimination; public censure. *In re Jackson,* 252 Kan. 219, 222, 843 P.2d 257 (1992).

37. Attorney's misappropriation of legal fees from law firm to his own account violative of MRPC 8.4(c); failure to cooperate in investigation; disbarment and Rule 218 compliance ordered. *In re Ford,* 252 Kan. 231, 843 P.2d 264 (1992).

38. Attorney's lack of communication, delay in filing pleadings, and failure to complete work for three clients violative of MRPC 1.3 and 1.4; failure to cooperate with investigation violative of Rule 207; attorney currently under suspension disbarred and Rule 218 compliance ordered. *In re Wood,* 252 Kan. 1074, 850 P.2d 234 (1993).

39. Attorney on supervised probation fails to comply with terms of probation; additional complaints filed; failure to cooperate with investigation; indefinite suspension and Rule 218 compliance ordered. *In re Jenkins,* 253 Kan. 48, 853 P.2d 648 (1993).

40. Attorney's moving to California without notifying clients, failure to return clients' files, and failure to respond to inquiries from disciplinary administrator's office violative of MRPC 1.3, 1.4, and 1.16 and Rule 207; other violations and previous suspension; disbarment and Rule 218 compliance ordered. *In re Dill,* 253 Kan. 195, 853 P.2d 696 (1993).

41. Attorney's mishandling bankruptcy case, failing to abide by client's decision, and failing to keep client informed violative of MRPC 1.1, 1.2, 1.3 and 1.4; previous code and Rule 207 violations; public censure. *In re Edgar-Austin,* 253 Kan. 440, 855 P.2d 960 (1993).

42. Attorney previously censured placed on indefinite suspension for violations of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 8.4 for neglect of two different client's cases; two other complaints found to be insufficient evidence although pattern of conduct cited and violations of Rule 207 established; Rule 218 compliance ordered. *In re Jackson,* 253 Kan. 810, 861 P.2d 124 (1993).

43. Sole exception to Rule 207 duty to cooperate in disciplinary investigation is right against self-incrimination. *In re Jackson,* 253 Kan. 810, 861 P.2d 124 (1993).

44. Commingling client funds and personal funds in trust account, using trust account funds for personal expenses, and allowing trust account balance to fall below amount due clients violative of MRPC 1.15(a), (b), and (d)(2)(iv), and MRPC 8.4(g); Rule 207 violation; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson,* 254 Kan. 406, 867 P.2d 278 (1994).

45. Attorney's dilatory handling of estate matter violative of MRPC 1.3, 1.4, 1.16(a)(2), 3.2, and 8.4(g); Rule 207 violation; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson,* 254 Kan. 406, 867 P.2d 278 (1994).

46. Attorney's mishandling of post-trial motions as local counsel in handicap employment discrimination case violative of MRPC 1.1 and 1.3; Rule 207 violation; censure. *In re Jackson,* 254 Kan. 573, 866 P.2d 1048 (1994).

47. Attorney's failure to file personal injury claim and blaming client for delay, thereby allowing statute of limitations to run (resulting in client being granted summary judgment in subsequent malpractice claim); failure to inform client as to reduction in child support income; failure to inform client as to hearing dates; and acceptance of retainer fee from out-of-state client whom attorney knew he could not represent in divorce action violate MRPC 1.1, 1.3, 1.4(a) and (b), 1.16(d), 3.3(a)(1), and 8.4(d) and (g); Rule 207(a) and (b) violations; disbarment and Rule 218 compliance ordered. *In re Spears,* 254 Kan. 904, 869 P.2d 718 (1994).

48. Attorney charged with five counts of misconduct; failure to cooperate with disciplinary investigation found as to all counts. *In re Jackson,* 255 Kan. 542, 874 P.2d 673 (1994).

49. Violations of MRPC 1.15 and 8.1 and Rule 207 found based on attorney's receiving money from

client, not placing it in trust account, and making false statements to disciplinary investigators; other violations charged; indefinite suspension and compliance with Rule 218 ordered. *In re Jancich*, 255 Kan. 787, 877 P.2d 417 (1994).

50. Attorney's dilatory handling of three federal court cases violative of MRPC 1.1, 1.3, 1.4, and 3.2; failure to respond to inquiry from disciplinary authorities violative of Rule 207; two-year supervised probation. *In re Long*, 255 Kan. 792, 877 P.2d 421 (1994).

51. Attorney found to have violated MRPC 1.1, 1.3, 1.4, 1.15, 3.2, 3.4(c), 4.3, and 8.4(d) and (g) based on conduct in seven different complaints reflecting on attorney's lack of diligence and competence, miscommunication and lack of candor, and failure to return unearned fees; failure to cooperate in disciplinary investigation; attorney currently on disability inactive status; indefinite suspension and Rule 218 compliance ordered. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

52. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

53. Attorney's failure to pay his practice-related bills and failure to cooperate in disciplinary investigation violative of Rule 207. *In re McIntosh*, 256 Kan. 496, 885 P.2d 1221 (1994).

54. Attorney's mishandling of probate matter and workers compensation case violates MRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4 and Rule 207; imposition of discipline suspended; two-year supervised probation. *In re Whitaker*, 256 Kan. 939, 888 P.2d 829 (1995).

55. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

56. Attorney found in violation of MRPC 1.15(a), (b), (c) and (d), 8.4(d) and Rule 207; two-year probation. *In re Johnson*, 257 Kan. 946, 895 P.2d 1256 (1995).

57. Attorney's neglect of three different clients' cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 3.1, and 8.4 and Rule 207; one-year suspension. *In re Geeding*, 258 Kan. 740, 907 P.2d 124 (1995).

58. Attorney's handling of insurance drafts violates MRPC 1.15(b) and Rule 207; published censure. *In re McIntosh*, 259 Kan. 532, 912 P.2d 182 (1995).

59. Attorney's handling of counterclaim and appeal in lawsuit between home buyers and construction company violates MRPC 1.1, 1.3, 1.4, 8.4(c) and (d) and Rule 207; one-year suspension. *In re Crockett*, 259 Kan. 540, 912 P.2d 176 (1996).

60. Attorney's improper accounting and failure to safeguard clients' funds violate MRPC 1.15 and 8.4, and Rule 207; indefinite suspension. *In re Munyon*, 259 Kan. 889, 914 P.2d 574 (1996).

61. Attorney's breach of fiduciary duty as executor of estate, conduct involving dishonesty and fraud, and failure to cooperate with Disciplinary Administrator's office violate MRPC 1.3, 1.15, 8.4(c) and (d) and Rules 202 and 207; disbarment. *In re Williamson*, 260 Kan. 568, 918 P.2d 1302 (1996).

62. Attorney's mishandling of bankruptcy proceedings for his clients violates MRPC 1.1, 1.2, 1.3, 1.4, 8.1, and 8.4 and Rule 207; disbarment. *In re Gordon*, 260 Kan. 905, 925 P.2d 840 (1996).

63. Attorney's failure to act with reasonable diligence and promptness in an eviction case, commingling of clients' funds with his own, and failure to cooperate with disciplinary administrator's office violate MRPC 1.4, 1.5, 1.9, 1.15, 1.16, 8.1, and 8.4 and Rule 207; one-year suspension. *In re Howlett*, 261 Kan. 167, 928 P.2d 52 (1996).

64. Attorney's mishandling of matters involving (1) individualized education program for autistic child in public school, (2) personal injury, probate, and insurance claim arising from fatal car accident, and (3) probate matter involving estate of conservatee violates MRPC 1.1, 1.2, 1.3, 1.4, 1.7, 1.16, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dow*, 261 Kan. 989, 933 P.2d 666 (1997).

65. Under Rule 207, all lawyers, including those subject to investigation, have a duty to cooperate with disciplinary authorities concerning an investigation. *In re Harris*, 261 Kan. 1063, 934 P.2d 965 (1997).

66. Attorney's mishandling of adoption case violates MRPC 1.1, 1.3, 1.4, and 8.4 and Rule 207; indefinite suspension. *In re Johnson*, 262 Kan. 275, 936 P.2d 258 (1997).

67. Attorney's failure to file negligence action in proper court and his disappearance from his law office without notice to clients violate MRPC 1.1, 1.3, 1.4, 1.5, 3.2, and 8.4 and Rule 207; disbarment. *In re Neal*, 262 Kan. 562, 937 P.2d 1234 (1997).

68. Attorney's mishandling of child support case and his ex parte communication with judge violate MRPC 1.1, 3.3, 3.5, 4.4, 8.4(c), (d), and (g), and Rules 207 and 211; aggravating and mitigating factors; indefinite suspension. *In re Black*, 262 Kan. 825, 941 P.2d 1380 (1997).

69. Attorney's failure to respond to disciplinary investigator violated MRPC 8.1 and Rule 207; indefinite suspension. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

70. Attorney's failure to communicate and cooperate with the disciplinary investigator violates Rule 207; two-year supervised probation. *In re Stephens*, 263 Kan. 221, 946 P.2d 1379 (1997).

71. Attorney's failure to communicate with his client, his delay in handling of insurance settlement, and his misrepresentation of material facts to disciplinary administrator violate MRPC 1.1, 1.2(a), 1.3, 1.4(a) and (b), 8.1(a) and 8.4(d) and (g) and Rules 207 and 211; published censure per Rule 203(a)(3). *In re Potter*, 263 Kan. 766, 952 P.2d 936 (1998).

72. Attorney's mishandling of numerous cases and his failure to cooperate in investigation violate MRPC 1.1, 1.3, 1.4(a), and 8.4(d) and Rule 207; attorney allowed to plan his medical treatment and to work under supervision for the State Board of Indigents' Defense Services; three-year supervised probation. *In re Betts*, 263 Kan. 801, 953 P.2d 223 (1998).

73. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

74. Attorney's failure to diligently and competently represent and to communicate with his six clients and his failure to cooperate with the disciplinary administrator's office violate MRPC 1.1, 1.3, 1.4, 1.16, 3.4, 8.1, and 8.4 and Rule 207; suspension effective as of the date of order for purpose of Rule 219(e); indefinite suspension. *In re Wooten*, 264 Kan. 283, 955 P.2d 1239 (1998).

75. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

76. Rule 207 creates a duty for each member of the bar to report any inaction which would constitute misconduct of an attorney. *Rafferty v. Land O'Lakes, Inc.*, 266 Kan. 64, 965 P.2d 825 (1998).

77. Attorney's mishandling of a Chapter 7 bankruptcy case violates MRPC 1.1, 1.3, 1.15(a) and (c), and 8.4(b); his failure to cooperate in the disciplinary process violates Rule 207; one-year suspension. *In re Metz*, 266 Kan. 118, 965 P.2d 821 (1998).

78. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

79. Attorney's misconduct while acting as administrator in probate matter violates MRPC 8.4(c), (d), and (g); his failure to cooperate in investigation violates Rule 207; indefinite suspension. *In re Rickman*, 266 Kan. 658, 972 P.2d 759 (1999).

80. Attorney stipulated to violations of MRPC 1.1, 1.2, 1.3, 1.4, 3.1, and 8.4(g) in his handling of child custody case, child support case, and wrongful termination case; his failure to cooperate in investigation violates Rules 207(b) and 211(b); Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for appropriateness of probation; one-year suspension. *In re Long*, 266 Kan. 664, 972 P.2d 773 (1999).

81. Attorney's failure to safekeep his clients' property and to promptly respond to the orders of the court in bankruptcy proceedings violates MRPC 1.3, 1.15, 3.4(c), and 8.4(b), (c), and (d), and Rules 207, 208, 211(b), and 802; panel recommended discipline per Rule 203(a)(1), (2), (3), or (5); indefinite suspension. *In re Fey*, 266 Kan. 674, 972 P.2d 771 (1999).

82. Attorney's failure to notify his client of the issuance of a bench warrant for arrest violates MRPC 1.4 and his failure to cooperate with the investigation violates Rule 207; two-year supervised probation ordered; supervising attorney afforded immunity per Rule 223. *In re Islas*, 266 Kan. 679, 972 P.2d 764 (1999).

83. Attorney's failure to appear in court on numerous occasions and his abandonment of his law practice without making any arrangements to protect his clients violate KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 8.1, and 8.4 and Rules 207 and 208(c); disbarment. *In re Ortega*, 267 Kan. 228, 978 P.2d 914 (1999).

84. Attorney's mishandling of personal injury case, past due taxes case, and bankruptcy case violates KRPC 1.3, 1.4, 1.15, 3.2, 8.1, and 8.4; he was arrested for DUI, possession of cocaine, possession of drug paraphernalia, battery on a law enforcement officer, battery on his former girlfriend, and other charges; failure to notify and cooperate with the disciplinary administrator in violation of Rules 203(c) and 207, defense under Rule 223 raised; indefinite suspension. *In re Parker*, 267 Kan. 779, 985 P.2d 124 (1999).

85. Attorney's failure to notify the disciplinary administrator of his suspensions by Oklahoma Supreme Court and his misconduct which was the basis of his Oklahoma suspension violate KRPC 1.2(d) and 8.4(d) and Rules 207(c) and 211(b); indefinite suspension. *In re Holden*, 267 Kan. 788, 962 P.2d 399 (1999).

86. Attorney's mishandling of civil actions involving four clients violates KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.3, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

87. Attorney's mishandling of habeas corpus action violates KRPC 1.3 and 1.4 and Rule 207; allegations in the hearing panel's report deemed admitted per Rule 212(d) and (e)(4); supervising attorney afforded full immunities per Rule 223; two-year supervised probation. *In re Brunson*, 268 Kan. 69, 986 P.2d 1074 (1999).

88. Attorney's mishandling of a wrongful death/personal injury case violates KRPC 1.2, 1.3, 1.4, 3.2, and 8.4 and Rule 207; failure to answer the complaint in violation of Rule 211; one-year suspension with additional condition that he pass the multistate professional responsibility examination prior to readmission. *In re Cole*, 268 Kan. 171, 991 P.2d 422 (1999).

89. Attorney's lack of diligence, communication, and failure to expedite post-divorce child support matter violate KRPC 8.1 and Rules 2.07 and 211; indefinite suspension per Rule 219(e). *In re Cole*, 268 Kan. 828, 999 P.2d 962 (2000).

90. Attorney's mishandling of a bankruptcy matter violates KRPC 1.1, 1.3, 1.4(a), 1.15(a), and 8.4(d), and Rule 207; panel's findings supporting by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Trickey*, 268 Kan. 835, 999 P.2d 964 (2000).

91. Attorney's mishandling divorce, traffic violation, and criminal matters violates KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 5.3, and 8.4 and Rule 207; numerous mitigating and aggravating factors considered; two-year supervised probation. *In re Kellogg*, 269 Kan. 143, 4 P.3d 594 (2000).

92. Attorney's mishandling of a paternity action violates KRPC 1.1, 1.15(d), 1.16(d), and 8.4(g) and Rule 207 by clear and convincing evidence per Rule 211(f); attorney's failure to appear in person before the court in violation of Rule 212; restitution ordered per Rule 227; one-year suspension. *In re Shumway*, 269 Kan. 796, 8 P.3d 735 (2000).

93. Attorney's mishandling of a personal injury, criminal appeal, parole, medical malpractice, juvenile offender, and civil action violates KRPC 1.1, 1.3, 1.4(a), 1.15, and 3.2 and Rule 207; two-year probation per Rule 203(a)(2); immunity granted for supervising attorney per Rule 223. *In re Sachse*, 269 Kan. 810, 8 P.3d 745 (2000).

94. Attorney's failure to provide competent representation and to diligently represent and

communicate with clients violates KRPC 1.1, 1.3, 1.4(a); attorney's unauthorized practice of law following suspension violates KRPC 5.5; failure to respond to and cooperate with disciplinary administrator violates KRPC 8.1; failure to stop practicing law after suspension and failure to so notify clients violates KRPC 8.4 and Rules 207, 211, and 218; disbarment. *In re Moran*, 270 Kan. 403, 13 P.3d 1275 (2000).

95. Attorney who was previously suspended for 1 year found to have violated KRPC 3.3(a), 8.4(d) and (g), Rule 207(b), and 211; indefinite suspension. *In re Gershater*, 270 Kan. 620, 17 P.3d 929 (2001).

96. Attorney's mishandling of employment discrimination case violated KRPC 1.3, 1.4, 3.4(d), 8.4(d) and (g), and Rule 207; failure to appear at scheduled Supreme Court disciplinary hearing; indefinite suspension and Rule 218 compliance ordered. *In re Lockett*, 270 Kan. 640, 17 P.3d 917 (2001).

97. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.5(a), 1.15(a), (b), and (c), 8.4(a), (c), and (g), Rule 207 and Rule 211 per Rule 202; disbarment per Rule 203(a)(1). *In re Cleland*, 271 Kan. 926, 27 P.3d 26 (2001).

98. Attorney's failure to answer complaint filed by office of Disciplinary Administrator and failure to aid in their investigation violates Rule 207(b) and Rule 211(b); indefinite suspension per Rule 218. *In re Rishel*, 271 Kan. 644, 23 P.3d 820 (2001).

99. Attorney voluntarily surrenders license to practice law in Missouri; her misconduct violated KRPC 1.1, 1.3, 1.4, 8.4(c) and (d) per Rule 220 as well as Rule 207(b) and Rule 211(b); disbarment. *In re Cramer*, 271 Kan. 923, 26 P.3d 1245 (2001).

100. Attorney's mishandling of numerous cases violates KRPC 1.3, 1.4, 1.15(b), 1.16(a) and (d), 3.2, 8.1(b) and Rule 207; hearing panel's report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2) and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

101. Attorney's mishandling of a divorce case and subsequent complaint violates KRPC 1.3, 1.4, and Rule 207; published censure per Rule 203(a)(3). *In re Brown*, 272 Kan. 767, 35 P.3d 864 (2001).

102. Attorney's failure to cooperate with Disciplinary Administrator's office violates Rule 207; indefinite suspension. *In re Johnson*, 272 Kan. 284, 32 P.3d 1132 (2001).

103. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(d), 3.2, 3.3(a), 8.4(a) and (g), Rule 207(b); one-year suspension per Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Winterburg*, 273 Kan. 135, 41 P.3d 842 (2002).

104. Attorney's mishandling of three cases violated KRPC 1.1, 1.3, 1.4, and 1.16(d) for failure to competently represent clients, failure to protect former client's interests, failure to keep client informed, failing to diligently and promptly represent clients; Rule 207(b) violated by failure to provide information to Disciplinary Administrator in a timely manner; indefinite suspension. *In re Trickey*, 273 Kan. 1003, 46 P.3d 554 (2002).

105. Attorney's mishandling of child custody case violated KRPC 1.3 for lack of diligence, 1.4 for failure to keep client informed about status of her case, 1.15(b) for failure to return unearned fees, 1.16(d) for failure to return unearned fees, 8.1(b) for failure to respond to Disciplinary Administrator's letters, 8.4(a)(c)(d) and (g) for violating KRPC's; Rule 207(b) and Rule 211(b) for failing to provide written responses to disciplinary complaint and failing to timely file an answer; one-year suspension. *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

106. Attorney's misconduct in eleven cases violates multiple offenses of KRPC 1.3, 1.4, 1.15, 1.16, and Rule 207(b); total of 48 complaints docketed by Disciplinary Administrator; indefinite suspension per Rule 203(a)(2). *In re Shelton*, 274 Kan. 374, 49 P.3d 10 (2002).

107. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 8.1(b), 8.4(d), Rule 207(b), and Rule 211(b); failure to appear before Supreme Court violated Rule 212(d); disbarment per Rule 203(a)(1). *In re Sechtem*, 274 Kan. 387, 49 P.3d 541 (2002).

108. Attorney committed multiple violations of KRPC: 1.3, 1.4, 1.15, 1.16(d), and 3.2; failed to timely respond to complaints in violation of 8.1, Rule 207(b) and Rule 211(b); supervising attorney afforded

full immunities per Rule 223; 2-year supervised probation. *In re Nelson*, 275 Kan. 377, 64 P.3d 413 (2003).

109. Attorney committed multiple violations of KRPC: 1.15, 8.1, 8.4(a), (b), (c), (d), and (g), and Rule 207(b); exceptions filed to several findings per Rule 212(c); misconduct found by clear and convincing evidence per Rule 211(f); disbarment. *In re Wright*, 276 Kan. 357, 76 P.3d 1018 (2003).

110. Attorney's misconduct in 20 appellate cases violated KRPC 1.3 for failing to act with reasonable diligence and promptness, KRPC 3.2 for failing to timely file appellate briefs; Rule 207(b) for failing to timely provide written responses to initial complaints; facts found by the hearing panel deemed admitted pursuant to Rule 212(c) and (d); Rules 218 and 219 compliance ordered; indefinite suspension. *In re Gorup*, 276 Kan. 664, 78 P.3d 812 (2003).

111. Attorney previously disciplined and on probation found to have violated KRPC 1.4 for failing to communicate with a client; KRPC 8.1(b) and Rule 207 for failing to respond to the Disciplinary Administrator; 1-year suspension. *In re Lober*, 276 Kan, 633, 78 P.3d 442 (2003).

112. Attorney's supervised probation revoked following violations of KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4; failure to cooperate in investigation of complaints per Rule 207(b); failure to obtain liability insurance as condition of probation; indefinite suspension. *In re Nelson*, 277 Kan. 920, 92 P.3d 1146 (2004).

113. Attorney's failure to competently represent two clients led to complaints he violated KRPC 1.1, 1.3, 1.4, 1.16(d), 8.1(b), Rule 207(b) and Rule 211(b); published censure per Rule 203(a)(3). *In re Sheahon*, 278 Kan. 494, 102 P.3d 392 (2004).

114. Attorney previously disciplined multiple times found to have violated KRPC 1.3, 1.4, 1.15, and Rule 207; plan of probation per Rule 211(g) found not to be appropriate by hearing panel; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); indefinite suspension and Rule 218 compliance ordered. *In re Potter*, 279 Kan, 937, 112 P.3d 216 (2005).

115. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1 and 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

116. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207 and Rule 211; hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment and Rule 218 compliance ordered. *In re Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

117. Attorney previously disciplined violated his supervised probation; now found to have violated KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4, Rule 207, and Rule 211; indefinite suspension and Rule 218 compliance ordered. *In re Nelson*, 278 Kan. 506, 102 P.3d 1140 (2004).

118. Attorney committed numerous violations of rules of professional conduct including KRPC 1.1, 1.2, 1.3, 1.4, 1.16, 3.2, 8.1, Rule 207, and Rule 211; respondent's exceptions considered per Rule 212; disbarment and Rule 218 compliance ordered. *In re Wenger*, 279 Kan. 895, 112 P.3d 199 (2005).

119. Attorney violated multiple rules of professional conduct including KRPC 1.3, 8.4(c), Rule 207(b), and Rule 211(b); one-year suspension per Rule 203(a)(2); Rule 218 compliance ordered. *In re Ware*, 279 Kan. 884, 112 P.3d 155 (2005).

120. Attorney previously disciplined three times found to have violated KRPC 1.15 for mishandling checks and money and failing to return clients' funds; KRPC 8.4 for repeated misconduct involving dishonesty, fraud, deceit or misrepresentation; Rule 207 for failing to cooperate with the disciplinary process; Rule 212 for failing to respond or appear before the Supreme Court and for failing to file exceptions to the final hearing report; disbarment per Rule 203(a)(1). *In re King*, 278 Kan. 378, 98 P.3d 980 (2004).

121. Attorney's misconduct in multiple cases violates KRPC 1.3, 1.4, 5.5, 8.1, Rule 207(b), and Rule 212(b); respondent failed to appear at scheduled hearing and filed to file exceptions to panel's report in violation of Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Moore*, 280 Kan. 971, 127 P.3d 270 (2006).

122. Attorney stipulates to findings that he violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(g), and Rule 207(b); three prior disciplinary offenses and supervised probation for prior misconduct; one-year suspension per Rule 203(a)(2). *In re Sachse*, 281 Kan. 1197, 135 P.3d 1207 (2006).

123. Attorney's repeated misconduct in multiple offenses violates KRPC 1.3, 1.4, 1.15, 3.1, and Rule 207(b); formal hearing conducted per Rule 211; respondent failed to respond to charges in complaint in timely manner per Rule 207; probation extended for 1 additional year per Rule 211. *In re Rathbun*, 280 Kan. 672, 124 P.3d 1 (2005).

124. Attorney's multiple offenses violates KRPC 1.1, 1.3, 1.4, 8.1(b), 8.4(c) and Rule 207(b); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorney granted full immunities per Rule 223; satisfactory plan of probation submitted by respondent per Rule 211(g); 1-year suspension stayed in accordance with Rule 203(a)(2); 2-years' supervised probation. *In re Mitchell*, 280 Kan. 656, 123 P.3d 1279 (2005).

125. Attorney disciplined for violating KRPC 1.1, 1.3, 1.4, 3.4 in regard to his handling of a case filed under the Consumer Protection Act; failure to provide timely written response to client's complaint violates KRPC 8.1(b) and Rule 207(b); misconduct to be established by clear and convincing evidence per Rule 211(f); published censure pursuant to Rule 203(a)(3). *In re Arbuckle*, 283 Kan. 887, 156 P.3d 668 (2007).

126. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

127. Attorney disciplined for violating numerous violations of KRPC 1.15 and KRPC 8.4; respondent failed to respond to Disciplinary Administrator's initial complaint as well as failing to provide a written answer to the formal complaint thus violating Rule 207(b) and Rule 211(b); notified per Rule 215; misconduct established by clear and convincing evidence per Rule 211(f); panel's final report deemed admitted per Rule 212; panel's recommendation is advisory only per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Purinton*, 283 Kan. 880, 156 P.3d 660 (2007).

128. Attorney's misconduct in multiple complaints violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 8.4(c), and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Lampson*, 282 Kan. 700, 147 P.3d 143 (2006).

129. Attorney previously suspended voluntarily surrenders license per Rule 217 pending 17 separate complaints and a formal hearing in accordance with Rule 211 relating to multiple rules violations; failure to cooperate with disciplinary investigations per Rule 207; disbarment. *In re Sachse*, 284 Kan. 906, 167 P.3d 793 (2007).

130. Attorney who was previously disciplined for similar misconduct now violates KRPC 1.3, 1.4, 1.16(d), 8.1(b), and 8.4(d); failed to cooperate in disciplinary investigation and provide written responses to three complaints per Rule 207(b); failed to file answers per Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Webb*, 285 Kan. 130, 169 P.3d 336 (2007).

131. Attorney voluntarily surrendered license pursuant to Rule 217 pending hearing alleging multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.1(b), and Rule 207(b); disbarment. *In re Lane*, 285 Kan. 259, 171 P.3d 275 (2007).

132. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(c) and (d), and Rule 207(b); misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Bishop*, 285 Kan. 1097, 179 P.3d 1096 (2008).

133. Attorney under temporary suspension for failing to pay annual registration fees and to comply with CLE requirements violated KRPC 8.1(b) and Rule 207(b) upon filing of a formal complaint; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); required notice given per Rule 215(a); indefinite suspension in accordance with Rule 203(a)(2). *In re Crow*, 285 Kan. 1110, 179 P.3d 1093 (2008).

134. Attorney's misconduct resulting from two complaints violated KRPC 1.1, 1.3, 1.4(b), 3.4(d), 8.1(b), 8.4(c) and Rule 207(b); prior admonishment for violating KRPC 1.15 and 7.1; three-month suspension pursuant to Rule 203(b). *In re Harris*, 285 Kan. 1115, 180 P.3d 558 (2008).

135. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

136. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule (d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

137. Attorney voluntarily surrendered license pursuant to Rule 217 with three cases pending before the Supreme Court alleging multiple violations of KRPC 1.2(d), 1.4(a), 1.7, 1.8(b), 1.15(a), 8.4(b) and (g), and Rule 207(b); disbarment. *In re Cowger*, 286 Kan. 52, 182 P.3d 1204 (2008).

138. Attorney under indefinite suspension for failing to comply with administrative requirements of maintaining his law license committed violations of KRPC including 3.4(f), 4.1(a), and Rule 207(b); respondent claimed Rule 211(e) violated; court states no actual showing of prejudice to respondent per Rule 224; indefinite suspension pursuant to Rule 203(a)(2); sanctions imposed by court may be greater or lesser than those proposed by hearing panel or Disciplinary Administrator per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Walsh*, 286 Kan. 235, 182 P.3d 1218 (2008).

139. Attorney committed multiple violations of KRPC 8.1, 8.4(d) and (g), Rule 207(b), and Rule 211(b) in an estate case by delaying the closing of the case and failing to cooperate and file responses as required; two prior disciplinary offenses; recommendations of the hearing panel and Disciplinary Administrator advisory only per Rule 212(f); indefinite suspension and Rule 218 compliance ordered.. *In re Jones*, 286 Kan. 544, 186 P.3d 746 (2008).

140. Attorney's misconduct in two complaints violated KRPC 1.3, 1.4, 1.15 (a) and (b), 8.4(g), and Rule 207(b); previously disciplined twice for similar violations; probation plan per Rule 211(g) denied; ordered to repay funds owed to clients per Rule 203(a)(5); indefinite suspension in accordance with Rule 203(a)(2). *In re Corrin*, 286 Kan. 421, 184 P.3d 923 (2008).

141. Attorney's mishandling of probate estate violated KRPC 1.3, 1.15(b), 8.1(b), 8.4(d) and (g), and Rule 207(b); six-month suspension. *In re Jones*, 287 Kan. 112, 193 P.3d 899 (2008).

142. Attorney violated KRPC 1.1, 1.3, 1.4, 3.4(c), and Rule 207; six-month suspension is suspended and two-year probation allowed per Rule 211(g). *In re Jones*, 287 Kan. 101, 193 P.3d 899 (2008).

143. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 3.4(c), 8.4(d), Rule 207(b) and Rule 211(b); six-month suspension; Rules 218 and 219 compliance ordered. *In re Thomas*, 287 Kan. 88, 193 P.3d 907 (2008).

144. Attorney's criminal conviction in Illinois established misconduct in Kansas per Rule 202; violations of KRPC 8.3(a), 8.4(b), (c), and Rule 207(c) established; disbarment per Rule 203(a)(1). *In re Minneman*, 287 Kan. 477, 196 P.3d 1156 (2008).

145. Attorney committed multiple violations of KRPC 1.3, 1.4(a). 5.5(a), 8.1(b), 8.4(g), Rule 207(b), Rule 211(b), and Rule 218; findings of fact deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Lee*, 287 Kan. 676, 198 P.3d 140 (2008).

146. Attorney previously disciplined on three occasions violates KRPC 1.3., 1.4, and Rule 207(b); probation requirements of Rule 211(g) discussed; recommendations of hearing panel and Disciplinary Administrator advisory only per Rule 212(f); three-year probation plan approved. *In re Beims*, 287 Kan. 705, 198 P.3d 763 (2009).

147. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule

207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

148. Attorney committed multiple offenses of KRPC 1.3, 1.4, 1.15, 8.3, 8.4, and Rule 207; respondent's suspension in Texas established misconduct in Kansas per Rule 202; hearing report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Piekalkiewicz*, 288 Kan. 610, 205 P.3d 734 (2009).

149. Attorney voluntarily surrendered license pursuant to Rule 217 pending a hearing on five complaints alleging misconduct under KRPC 1.3, 1.4(a), 1.16, 5.5, 8.1(b), and 8.4(b) and Rules 207(b) and 211 (b); disbarment. *In re Docking*, 288 Kan. 731, 208 P.3d 739 (2009).

150. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

151. Attorney disbarred in Missouri; violations deemed admitted under Rule 212; based on Rule 202, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b) and Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Patterson*, 289 Kan.131, 209 P.3d 692 (2009).

152. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan.173, 210 P.3d 120 (2009).

153. Attorney's misconduct violated KRPC 8.4(b), 8.1(b), and Rule 207(b); suspension in Missouri established misconduct in Kansas under Rule 202; hearing panel's report deemed admitted per Rule 212(c); indefinite suspension per Rule 203(a)(2), effective 2 years earlier to account for delay in proceedings. *In re McGraw*, 289 Kan. 813, 217 P.3d 25 (2009).

154 .Following attorney's disbarment in Missouri and per Rule 202 concerning reciprocal discipline, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b) in Kansas; hearing panel's report deemed admitted under Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Weber*, 289 Kan. 808, 217 P.3d 959 (2009).

155. Attorney's disbarment in Missouri and failure to cooperate in disciplinary process in Kansas results in violations of KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b); violations deemed admitted under Rule 212(c); required notice given per Rule 215; misconduct established per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Tluscik*, 289 Kan. 1111, 219 P.3d 1220 (2009).

156. Attorney's misconduct involving safekeeping property violated KRPC 1.15(b), 8.1(b), Rule 207(b), and Rule 211(b); misconduct established through clear and convincing evidence per Rule 211(f); indefinite suspension per Rule 203(a)(2). *In re Gentry*, 290 Kan. 324, 227 P.3d 956 (2010).

157. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d) and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan. 52, 237 P.3d 667 (2010).

158. Attorney previously disciplined three times found to have violated KRPC 1.4(a), 1.16(d), 5.5(a), 8.1(b), 8.4(c), Rule 207(b), Rule 211(b), and Rule 218(a); hearing panel's recommendation advisory only and court may impose different discipline per Rule 212(f); disbarment per Rule 203(a)(1). *In re Jones*, 291 Kan. 405, 243 P.3d 1101 (2010).

159. Attorney previously disciplined on a number of occasions found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

160. Attorney previously disciplined by 6-month suspension violates KRPC 1.2, 1.3, 1.4(a),

1.5(a), 1.15(b), 1.16(d). 8.1(b), Rule 207(b) and Rule 211; conditions set out for reinstatement under Rule 219(f); indefinite suspension per Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

161. Attorney violated KRPC 1.3, 1.4, Rule 207(b) and Rule 211(b) stemming from respondent's handling of a postdivorce child support matter; clear and convincing evidence found per Rule 211(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Ivester*, 291 Kan. 744, 246 P.3d 987 (2011).

162. Attorney's misconduct violated KRPC 1.3, 1.4, 1.15, Rules 207 and 211 in four civil matters; proper service obtained per Rule 215; compliance with Rules 218 and 219 ordered; indefinite suspension per Rule 203(a)(2). *In re Luttrell*, 292 Kan. 51, 252 P.3d 111 (2011).

163. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

164. Attorney previously disciplined four times violates Rules 207(b), 208(c), 211(b), and 218(a); misconduct established by clear and convincing evidence per Rule 211(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Harris*, 292 Kan. 521, 257 P.3d 1231 (2011).

165. Attorney indefinitely suspended for numerous violations of KRPC 1.1, 1.3, 1.4, 3.2, 8.1, and Rule 207; misconduct established by clear and convincing evidence per Rule 211(f); compliance with Rule 219 if requests reinstatement; indefinite suspension per Rule 203(a)(2). *In re Bock*, 293 Kan. 616, 265 P.3d 552 (2011).

166. Attorney voluntarily surrendered license to practice law pursuant to Rule 217 with violations of KRPC 1.3, 1.4, 3.2, 8.1, and 8.4(g) and Rule 207 pending; disbarment. *In re Day*, 294 Kan. 615, 277 P.3d 1134 (2012).

167. Attorney violated Rule 207(b) by failing to respond to letters of the Disciplinary Administrator; 1-year suspension per Rule 203(a)(2). *In re Collins*, 295 Kan. 1084, 288 P.3d 847 (2012).

168. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(a) and (d), 3.2, 8.4(d), and Rule 207(b); disbarment per Rule 203(a)(1). *In re Batt*, 296 Kan. 395, 294 P.3d 241 (2013).

169. Attorney voluntarily surrendered license under Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.3, 1.4, 1.16, 3.4(c), and 8.1(b), and Rule 207(b), 211(b), and 218. *In re Freed*, 298 Kan. 346, 312 P.3d 364 (2013).

170. Attorney misconduct violated KRPC 1.3, 1.16, 3.3(a)(1), 8.1(b), 8.4(c) and (d), and Rule 207(b); 12-month suspension. *In re Bowman*, 298 Kan. 231, 310 P.3d 1054 (2013).

171. Attorney misconduct violated KRPC 1.1; 1.3; 1.4(a); 1.15(b); 1.16(a)(2) and (d); 8.1(b), (c), and (d); 8.4(d); and Rule 207(b); 1-year suspension under Rule 203(a)(2). *In re Rittmaster*, 299 Kan. 804, 326 P.3d 376 (2014).

172. Attorney misconduct violated KRPC 1.3, 1.4(a), 1.16(d), Rule 207(b), and Rule 208; 18-month suspension. *In re Goodwin*, 298 Kan. 802, 316 P.3d 748 (2014).

173. Attorney misconduct violated KRPC 1.3, 1.4, 1.16(d), 3.2, 3.3(a)(1), 8.1(b), Rules 207(b), and 211(b); 18-month suspension. *In re Soderberg*, 298 Kan. 820, 316 P.3d 762 (2014).

174. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman*, 300 Kan. 475, 332 P.3d 172 (2014).

175. Attorney misconduct violated KRPC 1.3, 1.4, 1.8(e), 3.2, and 8.1 and Rule 207; 6-month suspension, stayed during 2 years' probation. *In re Delaney*, 300 Kan. 1090, 338 P.3d 11 (2014).

176. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 5.5(a), 8.4(d), and 8.1(b) and Rule 207(b); indefinite suspension. *In re Miller*, 300 Kan. 1082, 337 P.3d 1286 (2014).

177. Attorney voluntarily surrendered license under Rule 217 after complaint filed alleging violation of KRPC 8.1(b), 8.3(a), and 8.4(a), (d), and (g), and Rule 207(a) and 208(c). *In re Chavez*, 301 Kan. 87, 339 P.3d 392 (2014).

178. Attorney misconduct violated KRPC 1.4(a), 8.1(b), and 8.4(g); and Rules 207(b), 208, and 218; 1-year suspension. *In re Thompson*, 301 Kan. 428, 343 P.3d 108 (2015).

179. Attorney misconduct violated KRPC 5.5(a), 7.1, 7.5(a), 8.1(b), and 8.4(d) and Rules 207(b), 208(c), and 218(a); indefinite suspension. *In re Barker*, 302 Kan. 156, 351 P.3d 1256 (2015).

180. Attorney misconduct violated KRPC 1.3, 1.4(a), 8.1(a), 8.4(c), 8.4(d), and 8.4(g) and Rule 207(b); disbarment. *In re Williams*, 302 Kan. 990, 362 P.3d 816 (2015).

181. Attorney misconduct violated KRPC 1.3, 3.2, 8.1(b), 8.4(d), and 8.4(g) and Rule 207(b) and 211(b); indefinite suspension. *In re Fickler*, 303 Kan. 504, 362 P.3d 1102 (2015).

182. Attorney misconduct violated KRPC 1.4(a), 1.8(h)(1), 1.15(a), 1.16(d), 2.1, and 8.3(a) and Rule 207(c); published censure. *In re Haitbrink*, 304 Kan. 531, 375 P.3d 296 (2016).

Rule 208 REGISTRATION OF ATTORNEYS

Case Annotations

1. Failure of attorney to register with Clerk of Appellate Courts; indefinite suspension. *In re Winters*, 239 Kan. 276, 276, 717 P.2d 1056 (1986).

2. Attorney under suspension in Kansas for nonpayment of fees and later disbarred in sister state for conduct which would be a violation in Kansas is disbarred. *In re Whiteside*, 243 Kan. 660, 763 P.2d 630 (1988).

3. Attorney's six-month suspension completed; reinstated contingent upon compliance with attorney registration Rule 208 and continuing legal education Rule 801 *et seq. In re Berning*, 248 Kan. 15, 803 P.2d 1028 (1991).

4. Attorney's one-year suspension completed; reinstated contingent upon compliance with attorney registration Rule 208 and continuing legal education Rule 801 *et seq. In re Wilks*, 248 Kan. 16, 803 P.2d 1027 (1991).

5. Hearing panel recommends attorney be allowed to request inactive status in lieu of suspension; recommendation accepted; such request not forthcoming; indefinite suspension and Rule 218 compliance ordered. *In re Vorhies*, 248 Kan. 985, 811 P.2d 1254 (1991).

6. Attorney on suspension for failure to pay registration fee pleads to federal charges; Rule 217 surrender; disbarment and compliance with Rule 218 ordered. *In re Reynolds*, 249 Kan. 326, 818 P.2d 797 (1991).

7. Attorney not active in practice of law required to pay attorney registration fees; exceptions not applicable. *In re Kershner*, 250 Kan. 383, 827 P.2d 1189 (1992).

8. Service by certified mail sufficient to impart notice of hearing pursuant to Rule 215(a), (c); attorney's noncompliance with Rule 208(c) noted. *In re Kershner*, 250 Kan. 383, 827 P.2d 1189 (1992).

9. Attorney under suspension for failing to register notified disciplinary administrator of 1981 federal convictions and subsequent District of Columbia disbarment; Rule 217 surrender; disbarment and Rule 218 compliance ordered. *In re Evans*, 252 Kan. 1, 841 P.2d 461 (1992).

10. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

11. Attorney disciplined in Texas for failure to communicate with clients, neglect of client's cases, failure to cooperate in investigation, and conversion of client's funds; Texas findings and conclusions adopted per Rule 202; indefinite suspension. *In re Callahan*, 258 Kan. 770, 907 P.2d 840 (1995).

12. Attorney's mishandling of grandparents' visitation case and municipal court case violates MRPC 1.2, 1.3, 1.4, 3.1, and 8.4; current suspension per Rule 208 noted; registered for disabled inactive status per Rule 220; published censure. *In re Taylor*, 265 Kan. 246, 959 P.2d 901 (1998).

13. Attorney's failure to safekeep his clients' property and to promptly respond to the orders of the court in bankruptcy proceedings violates MRPC 1.3, 1.15, 3.4(c), and 8.4(b), (c), and (d), and Rules 207, 208, 211(b), and 802; panel recommended discipline per Rule 203(a)(1), (2), (3), or (5); indefinite suspension. *In re Fey*, 266 Kan. 674, 972 P.2d 771 (1999).

14. Attorney's failure to appear in court on numerous occasions and his abandonment of his law practice without making any arrangements to protect his clients violate KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 8.1, and 8.4 and Rules 207 and 208(c); disbarment. *In re Ortega*, 267 Kan. 228, 978 P.2d 914 (1999).

15. Attorney's misconduct for failure to inform client the status of his license, violation of the KRPC's by representing a client without his license, the unauthorized practice of law, and failure to register with the Clerk of the Appellate Courts and pay registration fee violates KRPC 1.4(b), 1.16(a)(1), 5.5(a), 8.4(d), Rule 208(a) and Rule 218(a); 90-day suspension. *In re Hunter*, 273 Kan. 1015, 46 P.3d 1199 (2002).

16. Attorney suspended for 6 months for violating KRPC 1.1, 1.3, 1.4. 3.2, 8.1(b), 8.4(a) and (d); findings of fact admitted pursuant to Rule 212(d); previously indefinitely suspended pursuant to Rule 208 and Rule 806; Rule 219 compliance ordered. *In re Matson*, 274 Kan. 785, 56 P.3d 160 (2002).

17. Attorney on disability inactive status violated Rule 208(a) by practicing law; no conditions for reinstatement per Rule 208(f)(2) imposed at this time; conditions to be determined when attorney applies for reinstatement. *In re Arnold*, 274 Kan. 761, 56 P.3d 259 (2002).

18. Attorney committed violations of KRPC 8.4(b) by failing to pay income taxes; license suspended in Missouri and served 12-month sentence; misconduct established by clear and convincing evidence per Rule 211(f); Disciplinary Administrator recommends respondent be put on disabled inactive status per Rule 208(a); indefinite suspension in accordance with Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Lovelace*, 286 Kan. 266, 182 P.3d 1244 (2008).

19. Attorney previously disciplined for similar misconduct found to have violated KRPC 1.1, 1.2, 1.3, 1.4(a), 3.2, 8.4(d) and (g) and Rule 211; failed to respond to complaint per Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); failed to notify Clerk of Appellate Courts of address change per Rule 208; indefinite suspension per Rule 203(a)(2). *In re Lober*, 288 Kan. 498, 204 P.3d 610 (2009).

20. Attorney continued to practice law in retirement and violated KRPC 5.5 and 8.4(c); law-related services defined per KRPC 5.7(b); Rules 201, 208 discussed; hearing panel's recommendation is advisory only per Rule 212(f); disbarment. *In re Rost*, 289 Kan. 290, 211 P.3d 145 (2009).

21. Attorney's misconduct violated KRPC 8.4(a), (b), and (g), Rule 208, and Rule 211 stemming from attorney's disbarment in Missouri for a criminal probation in Colorado; misconduct established by clear and convincing evidence per Rule 211(f); Rule 219 hearing will be required before any consideration of readmission with certain conditions; indefinite suspension per Rule 203(a)(2). *In re Baca*, 292 Kan. 390, 253 P.3d 348 (2011).

22. . Attorney previously disciplined four times violates Rules 207(b), 208(c), 211(b), and 218(a); misconduct established by clear and convincing evidence per Rule 211(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Harris*, 292 Kan. 521, 257 P.3d 1231 (2011).

23. Respondent surrenders license to practice law pursuant to Rule 217 while panel hearing is pending on a complaint filed regarding KRPC 8.3(a), 8.4(b), Rule 203(c)(1), and Rule 208(c); disbarment per Rule 203(a)(1). *In re Blecha*, 293 Kan. 502, 264 P.3d 115 (2011).

24. Attorney with felony conviction in Missouri also violates KRPC 8.4(b), Rule 203(c)(1), and Rule

208(c); criminal conviction evidence of misconduct per Rule 202; findings of fact deemed admitted per Rule 212(c) , (d); disbarment per Rule 203(a)(1). *In re Tolen*, 293 Kan. 607, 265 P.3d 546 (2011).

25. Attorney's misconduct violated KRPC 1.7(a)(2), 5.5(a), Rule 208(c), and KPRC 8.4(c), relating to his conflict of interest representation of an arson suspect and her husband; Rules 218 and 219 compliance ordered; one-year suspension. *In re Johnson*, 294 Kan. 575, 276 P.3d 213 (2012).

26. Attorney misconduct violated KRPC 1.1, 1.4, 5.5, 8.4(c), Rule 208, and Rule 218; exceptions filed under Rule 212(d); recommended 2-year suspension only advisory under Rule 218(f); disbarment imposed. *In re Beck*, 298 Kan. 881, 318 P.3d 977 (2014).

27. Attorney misconduct violated KRPC 1.3, 1.4(a), 1.16(d), Rule 207(b), and Rule 208; 18-month suspension. *In re Goodwin*, 298 Kan. 802, 316 P.3d 748 (2014).

28. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman*, 300 Kan. 475, 332 P.3d 172 (2014).

29. Attorney voluntarily surrendered license under Rule 217 after complaint filed alleging violation of KRPC 8.1(b), 8.3(a), and 8.4(a), (d), and (g), and Rule 207(a) and 208(c). *In re Chavez*, 301 Kan. 87, 339 P.3d 392 (2014).

30. Attorney misconduct violated KRPC 1.4(a), 8.1(b), and 8.4(g); and Rules 207(b), 208, and 218; 1-year suspension. *In re Thompson*, 301 Kan. 428, 343 P.3d 108 (2015).

31. Attorney misconduct violated KRPC 5.5(a), 7.1, 7.5(a), 8.1(b), and 8.4(d) and Rules 207(b), 208(c), and 218(a); indefinite suspension. *In re Barker*, 302 Kan. 156, 351 P.3d 1256 (2015).

32. District court orders granting pro hac vice admission to administratively suspended attorney held to be void ab initio; unauthorized practice of law violated Rule 116 and Rule 208(e). *In re Hall*, 304 Kan. 999, 377 P.3d 1149 (2016).

Rule 209 COMPLAINTS

Case Annotations

1. Attorney-client relationship not necessary for filing complaint; disciplinary administrator may proceed with complaint before receiving report from local committee. *State v. Freeman*, 229 Kan. 639, 629 P.2d 716 (1981).

2. Claim filed under Section 1983 against state bar association's Professional Responsibility Commission members and staff for failure to process grievance filed against a member of that state bar; dismissed for failure to plead facts sufficient to implicate constitutional right, Eleventh Amendment immunity, and prosecutorial immunity. *Doyle v. Oklahoma Bar Ass'n*, 787 F. Supp. 189 (W.D. Okla. 1992).

3. Rule 209 docketing of complaint distinguished from Rule 210(c) determination of probable cause for formal complaint; response to notice of docketing of complaint did not constitute response to formal complaint as required by Rule 211(b). *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

Rule 210 INVESTIGATIONS

Case Annotations

1. Complaint dismissed without specifying nature of dismissal is dismissed without prejudice to filing of later proceedings in same matter. *State v. Russell*, 227 Kan. 897, 906, 907, 610 P.2d 1122 (1980).

2. Attorney-client relationship not necessary for filing complaint; disciplinary administrator may

proceed with complaint before receiving report from local committee. *State v. Freeman*, 229 Kan. 639, 629 P.2d 716 (1981).

3. Procedures for investigation of disciplinary complaints discussed; party asserting delay as a defense must show prejudice; indefinite suspension. *In re Matney*, 241 Kan. 783, 791-92, 740 P.2d 598 (1987).

4. Claim filed under Section 1983 against state bar association's Professional Responsibility Commission members and staff for failure to process grievance filed against a member of that state bar; dismissed for failure to plead facts sufficient to implicate constitutional right, Eleventh Amendment immunity, and prosecutorial immunity. *Doyle v. Oklahoma Bar Ass'n*, 787 F. Supp. 189 (W.D. Okla. 1992).

5. Attorney voluntarily surrendered license to practice law pursuant to Rule 217; complaint docketed in accordance with Rule 210, alleging multiple violations of KRPC's; disbarment. *In re Payne*, 295 Kan. 9, 282 P.3d 617 (2012).

6. Rule 209 docketing of complaint distinguished from Rule 210(c) determination of probable cause for formal complaint; response to notice of docketing of complaint did not constitute response to formal complaint as required by Rule 211(b). *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

Rule 211 FORMAL HEARINGS

Case Annotations

1. Public censure; matters to be considered in disciplinary proceeding; abatement due to settlement or restitution not allowed; deposition testimony. *State v. Scott*, 230 Kan. 564, 639 P.2d 1131 (1982).

2. Failure to respond to letters of disciplinary administrator; complaint need not set forth specific rules allegedly violated nor specific allegations of misconduct. *State v. Caenen*, 235 Kan. 451, 459, 681 P.2d 639 (1984).

3. Complaint filed by disciplinary administrator must meet procedural due process requirement of sufficiency of notice. *In re Matney*, 241 Kan. 783, 789, 740 P.2d 598 (1987).

4. Proof of a violation of the Code of Professional Responsibility must be by clear and convincing evidence; indefinite suspension. *In re Matney*, 241 Kan. 783, 793, 740 P.2d 598 (1987).

5. Proof of attorney misconduct must be by clear and convincing evidence. *In re Farmer*, 242 Kan. 296, 747 P.2d 97 (1987).

6. Substantial, clear, convincing, and satisfactory evidence is standard of proof to warrant finding of attorney misconduct under 211(f); disbarment. *In re Smith*, 243 Kan. 584, 757 P.2d 324 (1988).

7. Hearing panel report, although advisory, given same dignity as jury's special verdict or trial court's findings and will be adopted where appropriate under the evidence. *In re Jackson*, 249 Kan. 172, 814 P.2d 958 (1991).

8. Disciplinary hearings are governed by rules of evidence in Chapter 60 per Rule 211(d), and attorney misconduct charges must be established by clear and convincing evidence per Rule 211(f). *In re Carson*, 252 Kan. 399, 845 P.2d 47 (1993).

9. Substitution of one hearing panel member following recusal of original member does not necessitate new hearing, absent show of actual prejudice by clear and convincing evidence. *In re Carson*, 252 Kan. 399, 845 P.2d 47 (1993).

10. Clear and convincing evidence standard of proof required in disciplinary proceedings pursuant to Rule 211(f). *Ortega v. IBP, Inc.*, 255 Kan. 513, 874 P.2d 1188 (1994).

11. Attorneys are required to serve an answer to a complaint filed by the disciplinary administrator, pursuant to Rule 211(b). *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

12. Attorney's failure to represent client in collection of foreign judgment in workers compensation

case found to violate MRPC 1.1, 1.3, 1.4, 1.5(d), 1.16(d), 3.2, and 8.4(g); indefinite suspension and Rule 218 compliance ordered. *In re Griggs*, 256 Kan. 498, 886 P.2d 786 (1994).

13. Attorney who was temporarily suspended from practice and in federal prison was afforded opportunity to appear in person and present evidence of mitigating circumstances. *In re Brown*, 258 Kan. 731, 907 P.2d 132 (1995).

14. Disciplinary Administrator's right of appeal under Rule 211(f) is unaffected by whether the dismissal of charge occurred in single count complaint or was one count of multiple-count complaint. *In re McIntosh*, 259 Kan. 532, 912 P.2d 182 (1995).

15. Complaint dismissed by the hearing panel and appeal taken by the Disciplinary Administrator to the Supreme Court per Rule 211(f). *In re Blase*, 260 Kan. 351, 920 P.2d 931 (1996).

16. Supreme Court's responsibility in attorney discipline case under Rule 212; charges must be established by clear and convincing evidence to warrant finding of misconduct per Rule 211(f). *In re Harris*, 261 Kan. 1063, 934 P.2d 965 (1997).

17. Attorney's mishandling of civil rights case violates MRPC 1.2, 1.3, 1.4, 1.7, 1.15, 5.3, and 8.4; two-year supervised probation. *In re Baxter*, 262 Kan. 555, 940 P.2d 37 (1997).

18. Attorney's mishandling of child support case and his ex parte communication with judge violate MRPC 1.1, 3.3, 3.5, 4.4, 8.4(c), (d), and (g), and Rules 207 and 211; aggravating and mitigating factors; indefinite suspension. *In re Black*, 262 Kan. 825, 941 P.2d 1380 (1997).

19. Admission of hearsay evidence before hearing panel was error but does not deny respondent substantive due process of law under facts of case. *In re Seck*, 263 Kan. 482, 949 P.2d 1122 (1997).

20. Attorney's failure to communicate with his client, his delay in handling of insurance settlement, and his misrepresentation of material facts to disciplinary administrator violate MRPC 1.1, 1.2(a), 1.3, 1.4(a) and (b), 8.1(a) and 8.4(d) and (g) and Rules 207 and 211; published censure per Rule 203(a)(3). *In re Potter*, 263 Kan. 766, 952 P.2d 936 (1998).

21. Clear and convincing evidence standard of proof per Rule 211(f) cited in attorney's sexual misconduct proceeding. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

22. Attorney's mishandling of a chapter 7 bankruptcy proceeding violates MRPC 1.3 and 1.4; indefinite suspension recommended by the disciplinary administrator per Rule 211(f); prior offenses for violations of MRPC 1.1, 1.3, 1.4 and 1.16; two-year supervised probation. *In re Morse*, 264 Kan. 286, 954 P.2d 1092 (1998).

23. Attorney's withdrawing a client's files after discharged violates MRPC 1.16 and 8.4; ordered to pay attorney fees incurred by the former client in recovery of his files; attorney's failure to personally appear before the court noted as violation of Rule 212(d); published censure per Rule 211(f). *In re Palmer*, 264 Kan. 752, 956 P.2d 1333 (1998).

24. Court found no merits under Rule 224(d) in attorney's claim that disciplinary proceeding was in violation of Rule 211 (c) where there was no prejudice shown. *In re Granger*, 265 Kan. 737, 962 P.2d 529 (1998).

25. Attorney stipulated to violations of MRPC 1.1, 1.2, 1.3, 1.4, 3.1, and 8.4(g) in his handling of child custody case, child support case, and wrongful termination case; his failure to cooperate in investigation violates Rules 207(b) and 211(b); Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for appropriateness of probation; one-year suspension. *In re Long*, 266 Kan. 664, 972 P.2d 773 (1999).

26. Attorney's failure to safekeep his clients' property and to promptly respond to the orders of the court in bankruptcy proceedings violates MRPC 1.3, 1.15, 3.4(c), and 8.4(b), (c), and (d), and Rules 207, 208, 211(b), and 802; panel recommended discipline per Rule 203(a)(1), (2), (3), or (5); indefinite suspension. *In re Fey*, 266 Kan. 674, 972 P.2d 771 (1999).

27. Attorney's failure to notify the disciplinary administrator of his suspensions by Oklahoma Supreme Court and his misconduct which was the basis of his Oklahoma suspension violate KRPC 1.2(d) and

8.4(d) and Rules 207(c) and 211(b); indefinite suspension. *In re Holden*, 267 Kan. 788, 982 P.2d 399 (1999).

28. Supreme Court has no jurisdiction under Rule 211 to consider respondent's appeal from informal admonishment per Rule 203(a)(4). *In re Carson*, 268 Kan. 134, 991 P.2d 896 (1999).

29. Attorney's mishandling of a wrongful death/personal injury case violates KRPC 1.2, 1.3, 1.4, 3.2, and 8.4 and Rule 207; failure to answer the complaint in violation of Rule 211; one-year suspension with additional condition that he pass the multistate professional responsibility examination prior to readmission. *In re Cole*, 268 Kan. 171, 991 P.2d 422 (1999).

30. Attorney's notarizing a signature on a deed without the signer being present and claiming personal expenses as reimbursable expenditures violate KRPC 8.4(e), (d), and (g); misconduct found with clear and convincing evidence per Rule 211(f); one year suspension. *In re Kraushaar*, 268 Kan. 451, 997 P.2d 81 (2000).

31. Attorney's lack of diligence, communication, and failure to expedite post-divorce child support matter violate KRPC 8.1 and Rules 207 and 211; indefinite suspension per Rule 219(e). *In re Cole*, 268 Kan. 828, 999 P.2d 962 (2000).

32. Attorney's convictions of conspiracy to commit mail fraud, mail fraud, and misappropriation of funds by a fiduciary violate KRPC 1.15 and 8.4 per Rule 202; hearing panel determination and recommendation to the Supreme Court requested per Rule 211(f); disbarment. *In re Richardson*, 268 Kan. 831, 1 P.3d 328 (2000).

33. Attorney's mishandling of a bankruptcy matter violates KRPC 1.1, 1.3, 1.4(a), 1.15(a), and 8.4(d) and Rule 207; panel's findings supported by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Trickey*, 268 Kan. 835, 999 P.2d 964 (2000).

34. Attorney's mishandling of six federal court cases and two state court cases violates KRPC 1.3, 3.1, 3.2, 3.4(c) and (d), and 8.4(d) by clear and convincing evidence per Rule 211(f); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Boone*, 269 Kan. 484, 7 P.3d 270 (2000).

35. The standard of proof in both judicial discipline and in attorney discipline matters is clear and convincing. *In re Platt*, 269 Kan. 509, 8 P.3d 686 (2000).

36. Attorneys mishandling of a paternity action violates KRPC 1.1, 1.15(d), 1.16(d), and 8.4(g), and Rule 207 by clear and convincing evidence per Rule 211(f); attorney's failure to appear in person before the court in violation of Rule 212; restitution ordered per Rule 227; one-year suspension. *In re Shumway*, 269 Kan. 796, 8 P.3d 735 (2000).

37. Attorney's conflict of interest in handling mortgage foreclosure cases violates KRPC 1.7 and 1.8; panel's findings supported by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Geeding*, 270 Kan. 139, 12 P.3d 396 (2000).

38. Attorney's failure to provide competent representation and to diligently represent and communicate with clients violates KRPC 1.1, 1.3, 1.4(a); attorney's unauthorized practice of law following suspension violates KRPC 5.5; failure to respond to and cooperate with disciplinary administrator violates KRPC 8.1; failure to stop practicing law after suspension and failure to so notify clients violates KRPC 8.4 and Rules 207, 211, and 218; disbarment. *In re Moran*, 270 Kan. 403, 13 P.3d 1275 (2000).

39. Attorney disciplined in Virginia placed on 5-year suspension; Virginia's findings and conclusions adopted per Rule 202; Alternate sanctions per Rule 211. *In re Joslin*, 270 Kan. 419, 13 P.3d 1286 (2000).

40. Attorney who was previously suspended for 1 year found to have violated KRPC 3.3(a), 8.4(d) and (g), Rule 207(b), and 211; indefinite suspension. *In re Gershater*, 270 Kan. 620, 17 P.3d 929 (2001).

41. Attorney charging unreasonable fees in an employment matter violates KRPC 1.5 by clear and convincing evidence per Rule 211(f); restitution made; published censure per Rule 203(a)(3). *In re Arabia*, 270 Kan. 742, 19 P.3d 113 (2001).

42. Attorney's mishandling of child custody and order of child support case violated KRPC 1.1, 1.3, and 1.4(a) by clear and convincing evidence per Rule 211(f); indefinite suspension recommended by

disciplinary administrator; published censure per Rule 203(a)(3). *In re Boaten*, 271 Kan. 282, 22 P.3d 1034 (2001).

43. Attorney's failure to answer complaint filed by office of Disciplinary Administrator and failure to aid in their investigation violates Rule 207(b) and Rule 211(b); indefinite suspension per Rule 218. *In re Rishel*, 271 Kan. 644, 23 P.3d 820 (2001).

44. Attorney voluntarily surrenders license to practice law in Missouri; her misconduct violated KRPC 1.1, 1.3, 1.4, 8.4(c) and (d) per Rule 220 as well as Rule 207(b) and Rule 211(b); disbarment. *In re Cramer*, 271 Kan. 923, 26 P.3d 1245 (2001).

45. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.5(a), 1.15(a), (b), and (c), 8.4(a), (c), and (g), Rule 207 and Rule 211 per Rule 202; disbarment per Rule 203(a)(1). *In re Cleland*, 271 Kan. 926, 27 P.3d 26 (2001).

46. County attorney filed exceptions to final hearing report per Rule 212 (c) and charged hearing report exceeded charge of Rule 212(f) and is contrary to Rule 211. *In re Swarts*, 272 Kan. 28, 30 P.3d 1011 (2001).

47. Attorney's misconduct violated KRPC 1.3, 1.4(a), 3.4(d) and 8.4(d) by clear and convincing evidence per Rule 211(f); one-year suspension. *In re Coder*, 272 Kan. 758, 35 P.3d 853 (2001).

48. Attorney failed to provide adequate supervision of disbarred attorney as employee in his firm and allowed him to engage in unauthorized practice of law over a number of years violating KRPC 5.3 and 5.5(b); misconduct found with clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Juhnke*, 273 Kan. 162, 41 P.3d 855 (2002).

49. Attorney stipulated to violations of KRPC 1.4, 1.16, 5.5, 8.4 and Rule 208; panel's findings of fact supported by clear and convincing evidence per Rule 211(f); ninety-day suspension. *In re Hunter*, 273 Kan. 1015, 46 P.3d 1199 (2002).

50. Attorney's mishandling of child custody case violated KRPC 1.3 for lack of diligence, 1.4 for failure to keep client informed about status of her case, 1.15(b) for failure to return unearned fees, 1.16(d) for failure to return unearned fees, 8.1(b) for failure to respond to Disciplinary Administrator's letters, 8.4(a)(c)(d) and (g) for violating KRPC's; Rule 207(b) and Rule 211(b) for failing to provide written responses to disciplinary complaint and failing to timely file an answer; one-year suspension. *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

51. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 8.1(b), 8.4(d), Rule 207(b), and Rule 211(b); failure to appear before Supreme Court violated Rule 212(d); disbarment per Rule 203(a)(1). *In re Sechtem*, 274 Kan. 387, 49 P.3d 541 (2002).

52. Attorney disbarred in Missouri found to have violated KRPC 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d) and Rule 211(b); indefinite suspension. *In re Johnson*, 274 Kan. 783, 55 P.3d 913 (2002).

53. Court found no merits under Rule 224(d) in attorney's claim that this court lacked jurisdiction and that disciplinary proceeding was in violation of Rule 211(c) where there was no prejudice shown. *In re Arnold*, 274 Kan. 761, 56 P.3d 259 (2002).

54. Attorney's misconduct violated multiple offenses of KRPC: 1.3, 1.4(a), 3.2, 5.5(a), 8.1(b), 8.4(a) and (d); notified per Rule 215(a); failed to respond or appear violating Rule 212(d); failed to file answer per Rule 211(b); disbarment per Rule 203(a)(1); Rule 218 compliance ordered. *In re Griswold*, 274 Kan. 776, 56 P.3d 269 (2002).

55. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15; hearing panel's findings of fact supported by clear and convincing evidence per Rule 211(b) and adopted as findings of the Court; published censure per Rule 203(a)(3). *In re Wiles*, 274 Kan. 1103, 58 P.3d 711 (2002).

56. Attorney violated KRPC 1.6(a) (confidentiality of information) by revealing information about his client; KRPC 1.7(b) (conflict of interest) by representing a client which materially limited his representation of another client; KRPC 1.16(d)(terminating representation) by failing to protect his client's

interests by disclosing confidential information in six instances; KRPC 8.4(a) (misconduct) by offering to disclose negative information about his former client; misconduct established by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Bryan*, 275 Kan. 202, 61 P.3d 641 (2003).

57. Attorney's misconduct violated KRPC 1.1 by failing to provide competent representation, KRPC 3.1 by filing a frivolous claim without good faith argument for extension, KRPC 8.4(d) and (g) by engaging in conduct that was prejudicial to the administration of justice and engaging in conduct that adversely reflected on the lawyer's fitness to practice law; Rule 211(b) by failing to file a written answer to the complaint in a timely manner; misconduct found by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact and conclusions of law adopted per Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Polsley*, 275 Kan. 233, 61 P.3d 715 (2003).

58. Attorney committed multiple violations of KRPC: 1.3, 1.4, 1.16(d), and 3.2; failed to timely respond to complaints in violation of 8.1, Rule 207(b) and Rule 211(b); supervising attorney afforded full immunities per Rule 223; 2-year supervised probation. *In re Nelson*, 275 Kan. 377, 64 P.3d 413 (2003).

59. Attorney licensed to practice law in Missouri, but not in Kansas, failed to comply with Rule 216; violated Mo. Rules of Professional Conduct which are identical to and thus, based on Rule 202, violate KRPC 3.3(a)(1), 4.1(a), 8.1(b), 8.4(a) and (d); also found to have violated KRPC 7.1, 8.4(c) and (g); violated Rule 211(b) by failing to timely file answer to formal complaint; indefinite prohibition from practicing law before any Kansas court, administrative tribunal, or state agency. *In re Franco*, 275 Kan. 571, 66 P.3d 805 (2003).

60. Attorney previously disciplined by supervised probation found to have committed multiple violations of KRPC: 1.3, 1.4, 3.1, and 4.2; previously violated KRPC 1.3, 3.1, 3.2, 3.4, and 8.4; pursuant to Rule 212(c), attorney filed an exception to panel's report; disciplinary panel conducted formal hearing pursuant to Rule 211; supervising attorney granted full immunities per Rule 223; supervised probation extended to 5 years with restrictions on practice. *In re Boone*, 275 Kan. 560, 66 P.3d 896 (2003).

61. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

62. Attorney previously censured for KRPC 8.4(b) and (d) and admonished for KRPC 1.16(d) now found to have violated KRPC 1.15, 5.1, and 8.4(a); Internal Operating Rule E.8. cited for appropriateness of probation; supervising attorney afforded full immunities per Rule 223; misconduct established by clear and convincing evidence per Rule 211(f) and hearing panel's report deemed admitted under Rule 212(c) and (d); Rule 219 hearing not required at end of 2-year probation; 16 specific terms and conditions set forth in probation plan; Rule 218 compliance ordered; 2-year supervised probation. *In re Conwell*, 275 Kan. 902, 69 P.3d 589 (2003).

63. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d (2003).

64. Attorney committed multiple violations of KRPC: 1.15, 8.1, 8.4(a), (b), (c), (d), and (g), and Rule 207(b); exceptions filed to several findings per Rule 212(c); misconduct found by clear and convincing evidence per Rule 211(f); disbarment. *In re Wright*, 276 Kan. 357, 76 P.3d 1018 (2003)

65. Attorney's misconduct in multiple cases violated KRPC 3.3, 3.4, 3.8, and 8.4 involving candor toward a tribunal, fairness to an opposing party, her duties as a prosecutor, and misconduct; charges

established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Jordan*, 278 Kan. 254, 91 P.3d 1168 (2004).

66. Attorney previously disciplined six prior times violated KRPC 1.1, 1.3, 1.4, and 1.5 in three complaints involving competence, diligence and promptness, communication with his clients, and attorney fees; violated Rule 211(b) by failing to file timely answers to Disciplinary Administrator and hearing panel report; indefinite suspension. *In re Barta*, 277 Kan. 912, 89 P.3d 567 (2004).

67. Attorney's mishandling of two divorce cases violated KRPC 1.3 and KRPC 1.5; KRPC 1.16 violated as to one client complaint; hearing panel report deemed admitted per Rule 212(c) and (d); charges established by clear and convincing evidence per Rule 211(f); Rule 212(f) cited and applied; published censure per Rule 203(a)(3). *In re Daugherty*, 277 Kan. 257, 83 P.3d 789 (2004).

68. Attorney violated KRPC 4.4 (respect for rights of third persons) and 8.4 (c) and (g)(misconduct); failed to file exceptions to hearing report of panel per Rule 212(c); charges established by clear and convincing evidence per Rule 211(f); 3-month suspension per Rule 203(a)(2). *In re Royer*, 276 Kan. 643, 78 P.3d 440 (2003).

69. Attorney violated multiple rules of professional conduct including KRPC 1.3, 8.4(c), Rule 207(b), and Rule 211(b); one-year suspension per Rule 203(a)(2); Rule 218 compliance ordered. *In re Ware*, 279 Kan. 884, 112 P.3d 155 (2005).

70. Attorney voluntarily surrendered license pursuant to Rule 217 while formal complaint pending in accordance with Rule 211; disbarment and Rule 218 compliance ordered. *In re Felker*, 279 Kan. 280, 107 P.3d 1234 (2005).

71. Attorney's misconduct violated KRPC 1.1, 1.3, and 3.2; probation imposed per Rule 211(g); supervising attorney afforded immunities granted by Rule 223; 18-months' supervised probation. *In re Johanning*, 279 Kan. 950, 111 P.3d 1061 (2005).

72. Attorney previously disciplined multiple times found to have violated KRPC 1.3, 1.4, 1.15, and Rule 207; plan of probation per Rule 211(g) found not to be appropriate by hearing panel; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); indefinite suspension and Rule 218 compliance ordered. *In re Potter*, 279 Kan. 937, 112 P.3d 216 (2005).

73. Attorney's failure to competently represent two clients led to complaints he violated KRPC 1.1, 1.3, 1.4, 1.16(d), 8.1(b), Rule 207(b) and Rule 211(b); published censure per Rule 203(a)(3). *In re Sheahon*, 278 Kan. 494, 102 P.3d 392 (2004).

74. Attorney previously disciplined twice before violated KRPC 1.1, 1.7, 1.8. 3.4, 5.5, and 8.4; failure to file answer to formal complaint violated Rule 211(b); disbarment and Rule 218 compliance ordered. *In re Stover*, 278 Kan. 835, 104 P.3d 394 (2005).

75. Attorney violated the terms of his probation by violating KRPC 3.2, 3.3, 3.4, and 8.4 waived his right to file response and for oral argument before Supreme Court per Rule 211; indefinite suspension and compliance with Rule 218. *In re Singleton*, 279 Kan. 515, 111 P.3d 630 (2005).

76. Attorney committed numerous violations of rules of professional conduct including KRPC 1.1, 1.2, 1.3, 1.4. 1.16, 3.2, 8.1, Rule 207, and Rule 211; respondent's exceptions considered per Rule 212; disbarment and Rule 218 compliance ordered. *In re Wenger*, 279 Kan. 895, 112 P.3d 199 (2005).

77. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1 and 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

78. Attorney previously disciplined violated his supervised probation; now found to have violated KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4, Rule 207 and Rule 211; indefinite suspension and Rule 218 compliance ordered. *In re Nelson*, 278 Kan. 506, 102 P.3d 1140 (2004).

79. Attorney surrendered his license while a formal complaint pending per Rule 211; disbarment and

Rule 218 compliance ordered. *In re Laird*, 278 Kan. 519, 101 P.3d 725 (2004).

80. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207, and Rule 211; hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment and Rule 218 compliance ordered. *In re Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

81. Attorney's misconduct violates KRPC 1.3, 3.4(d), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); final report admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Devkota*, 280 Kan. 650, 123 P.3d 1289 (2005).

82. Attorney's multiple offenses violates KRPC 1.1, 1.3, 1.4, 8.1(b), 8.4(c) and Rule 207(b); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorney granted full immunities per Rule 223; satisfactory plan of probation submitted by respondent per Rule 211(g); 1-year suspension stayed in accordance with Rule 203(a)(2); 2-years' supervised probation. *In re Mitchell*, 280 Kan. 656, 123 P.3d 1279 (2005).

83. Attorney previously disciplined violates KRPC 1.1, 1.2, 1.3, 3.1, and 3.3; misconduct established by clear and convincing evidence per Rule 211(f); 1-year suspension per Rule 203(a)(2). *In re Watson*, 280 Kan. 375, 121 P.3d 982 (2005).

84. Attorney previously suspended for 1 year and admonished several years later violates KRPC 1.5, 1.15(b), 4.1, and 8.4(c); formal hearing per Rule 211 held; repeated violations of KRPC's noted; disbarment in accordance with Rule 203(a)(1). *In re Christian*, 281 Kan. 1203, 135 P.3d 1069 (2006).

85. Attorney's repeated misconduct in multiple offenses violates KRPC 1.3, 1.4, 1.15, 3.1, and Rule 207(b); formal hearing conducted per Rule 211; respondent failed to respond to charges in complaint in timely manner per Rule 207; probation extended for 1 additional year per Rule 211. *In re Rathbun*, 280 Kan. 672, 124 P.3d 1 (2005).

86. Attorney previously suspended and given Rule 219 hearing requirement because of subsequent misconduct violates KRPC 8.4(b) and (c); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment. *In re Lucas*, 281 Kan. 692, 132 P.3d 914 (2006).

87. Attorney's misconduct violated KRPC 1.1, 3.1, 3.3(a)(1), 3.4(c), 4.4, 8.4(c), (d), and (g); complaint sufficiently clear and specific per Rule 211(b); panel and Disciplinary Administrator's office not required to issue subpoenas on respondent's behalf per Rule 216; Rule 222 cited by Disciplinary Administrator in objecting to introduction of records; disbarment. *In re Landrith*, 280 Kan. 619, 124 P.3d 467 (2005).

88. Attorney surrendered his license pursuant to Rule 217; panel hearing pending in accordance with Rule 211; disbarment and Rule 218 compliance ordered. *In re Markowitz*, 282 Kan. 37 , 141 P.3d 500 (2006).

89. Attorney committed numerous violations of KRPC 8.4(a) and (b) involving a criminal act committed in Missouri; respondent's diversion in Missouri deemed a conviction in Kansas under Rule 202; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); reinstatement under Rule 219 conditioned upon reinstatement in Missouri; suspended for 6 months in Missouri; indefinite suspension pursuant to Rule 203(a)(2). *In re Gackle*, 283 Kan. 502, 153 P.3d 493 (2007).

90. Attorney disciplined for violating KRPC 1.1, 1.3, 1.4, 3.4 in regard to his handling of a case filed under the Consumer Protection Act; failure to provide timely written response to client's complaint violates KRPC 8.1(b) and Rule 207(b); misconduct to be established by clear and convincing evidence per Rule 211(f); published censure pursuant to Rule 203(a)(3). *In re Arbuckle*, 283 Kan. 887, 156 P.3d 668 (2007).

91. Attorney's misconduct violated KRPC 1.5, 3.1, and 8.4 in billing for unreasonable fees and misrepresenting claims when representing the State of Kansas in claims filed against the Workers Compensation Fund; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c) and (d) since Respondent failed to file exceptions;

two-year suspension per Rule 203(a)(2). *In re Miller*, 282 Kan. 689, 147 P.3d 150 (2006).

92. Attorney violated KRPC 3.3(d) and 8.4(d) relating to duty of candor in ex parte proceeding and engaging in conduct prejudicial to administration of justice in representing a client; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); published censure pursuant to Rule 203(a)(3). *In re Lazzo*, 283 Kan. 167, 150 P.3d 887 (2007).

93. Attorney violated numerous KRPC's including 1.5, 1.15, and 1.16 in several cases; Rule 211(b) violated by failing to file an answer to the formal complaint; misconduct established by clear and convincing evidence pursuant to Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); per Rule 212(f) Supreme Court may impose sanctions greater or lesser than the recommendations of hearing panel or Disciplinary Administrator; indefinite suspension pursuant to Rule 203(a)(2). *In re Waite*, 283 Kan. 270, 153 P.3d 517 (2007).

94. Attorney's misconduct violates KRPC 3.5(c) and (d) and KRPC 8.2 during the course of a jury trial; charges were established by clear and convincing evidence per Rule 211(f); hearing panel's report admitted per Rule 212(c) and (d); published censure imposed per Rule 203(a)(3). *In re Eckelman*, 282 Kan. 415, 144 P.3d 713 (2006).

95. Attorney committed numerous violations including KRPC 1.3, 1.4, and 3.2 involving five clients; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d) when respondent fails to file exceptions; Rule 206 applicable; probation requested and set out pursuant to Rule 211; 1-year suspension stayed and respondent placed on 4-year supervised probation. *In re Hasenbank*, 283 Kan. 155, 151 P.3d 1 (2007).

96. Attorney disbarred for numerous violations including KRPC 3.3, 8.4(a), (b), (c), (d), and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only per Rule 212(f); required notice given per Rule 215(a); disbarment pursuant to Rule 203(a)(1). *In re Arabia*, 283 Kan. 851, 156 P.3d 668 (2007).

97. Attorney disciplined for violating numerous violations of KRPC 1.15 and KRPC 8.4; respondent failed to respond to Disciplinary Administrator's initial complaint as well as failing to provide a written answer to the formal complaint thus violating Rule 207(b) and Rule 211(b); notified per Rule 215; misconduct established by clear and convincing evidence per Rule 211(f); panel's final report deemed admitted per Rule 212; panel's recommendation is advisory only per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Purinton*, 283 Kan. 880, 156 P.3d 660 (2007).

98. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

99. Attorney voluntarily surrendered license per Rule 217 pending a formal hearing in accordance with Rule 211 relating to misconduct and numerous violations of the KRPC's as well as a conviction for felony theft. *In re Allen*, 282 Kan. 726, 147 P.3d 879 (2006).

100. Attorney previously suspended voluntarily surrenders license per Rule 217 pending 17 separate complaints and a formal hearing in accordance with Rule 211 relating to multiple rules violations; failure to cooperate with disciplinary investigations per Rule 207; disbarment. *In re Sachse*, 284 Kan. 906, 167 P.3d 793 (2007).

101. Attorney on suspension for failing to pay attorney registration fee and failing to comply with annual CLE requirements violated KRPC 1.16 and 5.5; misconduct established by clear and convincing evidence per Rule 211(f); final report deemed admitted per Rule 212; indefinite suspension per Rule 203(a)(2). *In re Petzold*, 285 Kan. 110, 169 P.3d 686 (2007).

102. Attorney, who was on probation, violated KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.3(d), and 8.4(d) in 21 cases; Rule 211(b) violated by failing to file a timely written answer to the complaint; Rule 212(d) violated by failing to appear before the court; disbarment per Rule 203(a)(1). *In re Rathbun*, 285 Kan. 137, 169 P.3d

329 (2007).

103. Attorney who was previously disciplined for similar misconduct now violates KRPC 1.3, 1.4, 1.16(d), 8.1(b), and 8.4(d); failed to cooperate in disciplinary investigation and provide written responses to three complaints per Rule 207(b); failed to file answers per Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Webb*, 285 Kan. 130, 169 P.3d 336 (2007).

104. Attorney previously disciplined by suspension violated KRPC 8.1(a) and 8.4(b); misconduct established by clear and convincing evidence per Rule 211(f); failure to file exceptions to panel's report and report is deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re O'Neill*, 285 Kan. 474, 172 P.3d 1179 (2007).

105. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16, and 3.2; formal hearing conducted per Rule 211; hearing panel's report deemed admitted per Rule 212; supervising attorney afforded full immunities per Rule 223; Rule 211(g) probation requirements discussed; per Rule 203(a)(2), respondent's three-year suspension stayed and placed on three-years' supervised probation. *In re Bock*, 285 Kan. 815, 175 P.3d 233 (2008).

106. Attorney's motion for discharge of probation per Rule 211(g) granted by Supreme Court. *In re Mitchell*, 285 Kan. 825, 176 P.3d 174 (2008).

107. Attorney failed to respond or appear before the hearing panel or the Supreme Court in response to misconduct in violation of KRPC 1.15(d)(1), (d)(3)(iii), (e), and Rule 211(b; hearing report deemed admitted under Rule 212(c) and (d); indefinite suspension. *In re Ruther*, 285 Kan. 808, 175 P.3d 251 (2008).

108. Attorney under temporary suspension for failing to pay annual registration fees and to comply with CLE requirements violated KRPC 8.1(b) and Rule 207(b) upon filing of a formal complaint; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); required notice given per Rule 215(a); indefinite suspension in accordance with Rule 203(a)(2). *In re Crow*, 285 Kan. 1110, 179 P.3d 1093 (2008).

109. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

110. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule (d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

111. Attorney previously disciplined and under indefinite suspension violated KRPC 5.5(a) for engaging in the unauthorized practice of law; KRPC 1.1 by failing to provide competent representation; and KRPC 1.16; misconduct established by clear and convincing evidence per Rule 211(f); recommendations of the hearing panel or the Disciplinary Administrator are advisory only per Rule 212(f); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Swisher*, 285 Kan. 2084, 179 P.3d 412 (2008).

112. Attorney under indefinite suspension for failing to comply with administrative requirements of maintaining his law license committed violations of KRPC including 3.4(f), 4.1(a), and Rule 207(b); respondent claimed Rule 211(e) violated; court states no actual showing of prejudice to respondent per Rule 224; indefinite suspension pursuant to Rule 203(a)(2); sanctions imposed by court may be greater or lesser than those proposed by hearing panel or Disciplinary Administrator per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Walsh*, 286 Kan. 235, 182 P.3d 1218 (2008).

113. Attorney's disbarment in Missouri established misconduct per Rule 202; failure to file response and failure to appear violates Rule 211(b) and Rule 212(d); respondent violated KRPC 8.4(d); indefinite suspension pursuant to Rule 203(a)(2). *In re Tarantino*, 286 Kan. 254, 182 P.3d 1241 (2008).

114. Attorney committed violations of KRPC 8.4(b) by failing to pay income taxes; license

suspended in Missouri and served 12-month sentence; misconduct established by clear and convincing evidence per Rule 211(f); Disciplinary Administrator recommends respondent be put on disabled inactive status per Rule 208(a); indefinite suspension in accordance with Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Lovelace*, 286 Kan. 266, 182 P.3d 1244 (2008).

115. Attorney committed violations of KRPC 8.4(b) by failing to file income taxes and Rule 211(b) for failing to file a written answer to the formal complaint; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); indefinite suspension in accordance with Rule 203(a)(2). *In re Sheahon*, 286 Kan. 274, 182 P.3d 1263 (2008).

116. Attorney's misconduct violated KRPC 1.1, 4.1, 4.4, 5.5, and 8.4(c) through her conviction of five counts of unauthorized practice of law in Minnesota and suspension; attorney misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Hillbrant*, 286 Kan. 280, 182 P.3d 1253 (2008).

117. Attorney's misconduct in four cases violated KRPC 1.1, 1.3, 1.16(d), 3.2, 8.4(d) and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); probation plan per Rule 211(g) denied; hearing panel's findings of fact deemed admitted per Rule 212(d); one-year suspension and Rule 218 compliance ordered. *In re Toth*, 286 Kan. 320, 183 P.3d 853 (2008).

118. Attorney committed multiple violations of KRPC 8.1, 8.4(d) and (g), Rule 207(b), and Rule 211(b) in an estate case by delaying the closing of the case and failing to cooperate and file responses as required; two prior disciplinary offenses; recommendations of the hearing panel and Disciplinary Administrator advisory only per Rule 212(f); indefinite suspension and Rule 218 compliance ordered.. *In re Jones*, 286 Kan. 544 , 186 P.3d 746 (2008).

119. Attorney's misconduct in two complaints violated KRPC 1.3, 1.4, 1.15 (a) and (b), 8.4(g), and Rule 207(b); previously disciplined twice for similar violations; probation plan per Rule 211(g) denied; ordered to repay funds owed to clients per Rule 203(a)(5); indefinite suspension in accordance with Rule 203(a)(2). *In re Corrin*, 286 Kan.421, 184 P.3d 923 (2008).

120. In defendant's ineffective assistance of counsel claim, a suspension of the defendant's attorney six years later for misconduct involving KRPC 1.5, 1.15, 1.16, and Rule 211(b) does not itself constitute ineffective assistance. *Wilson v. State*, 39 Kan. App. 2d 170, 192 P.3d 1121 (2008).

121. Attorney violated KRPC 1.1, 1.3, 1.4, 3.4(c), and Rule 207; six-month suspension is suspended and two-year probation allowed per Rule 211(g). *In re Jones*, 287 Kan. 101, 193 P.3d 899 (2008).

122. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 3.4(c), 8.4(d), Rule 207(b) and Rule 211(b); six-month suspension; Rules 218 and 219 compliance ordered. *In re Thomas*, 287 Kan. 88, 193 P.3d 907 (2008).

123. Attorney's misconduct while on suspension violated KRPC 1.3, 1.4, 1.16, 8.1(b), Rule 211(b), and Rule 218; one-year suspension per Rule 203(a)(2). *In re Docking*, 287 Kan. 485, 196 P.3d 1149 (2008).

124. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.15, 8.4(g) and Rule 211(b); Respondent failed to file exceptions, thus, final hearing report deemed admitted under Rule 212(c); indefinite suspension. *In re Dowell*, 287 Kan. 501, 196 P.3d 915 (2008).

125. Attorney committed multiple violations of KRPC 1.3, 1.4(a). 5.5(a), 8.1(b), 8.4(g), Rule 207(b), Rule 211(b), and Rule 218; findings of fact deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Lee*, 287 Kan. 676, 198 P.3d 140 (2008).

126. Attorney previously disciplined on three occasions violates KRPC 1.3., 1.4, and Rule 207(b); probation requirements of Rule 211(g) discussed; recommendations of hearing panel and Disciplinary Administrator advisory only per Rule 212(f); three-year probation plan approved. *In re Beims*, 287 Kan. 705, 198 P.3d 763 (2009).

127. Attorney violated KRPC 5.5 and 8.4 in his unauthorized practice of law; misconduct established by clear and convincing evidence per Rule 211(f); final hearing report deemed admitted per Rule 212(c); six-month suspension per Rule 203(a)(2). *In re Nelson*, 233 Kan. 179, 200 P.3d 1262 (2009).

128. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule 207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

129. Attorney previously disciplined for similar misconduct found to have violated KRPC 1.1, 1.2, 1.3, 1.4(a), 3.2, 8.4(d) and (g) and Rule 211; failed to respond to complaint per Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); failed to notify Clerk of Appellate Courts of address change per Rule 208; indefinite suspension per Rule 203(a)(2). *In re Lober*, 288 Kan. 498, 204 P.3d 610 (2009).

130. Attorney voluntarily surrendered license pursuant to Rule 217 pending a hearing on five complaints alleging misconduct under KRPC 1.3, 1.4(a), 1.16, 5.5, 8.1(b), and 8.4(b) and Rules 207(b) and 211 (b); disbarment. *In re Docking*, 288 Kan. 731, 208 P.3d 739 (2009).

131. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

132. Attorney disbarred in Missouri; violations deemed admitted under Rule 212; based on Rule 202, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b) and Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Patterson*, 289 Kan.131, 209 P.3d 692 (2009).

133. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan. 173, 210 P.3d 120 (2009).

134. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

135. Attorney admitted to misconduct by deceit, violating KRPC 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); ninety-day suspension per Rule 203(a)(2). *In re Hunsaker*, 289 Kan. 828, 217 Kan. 962 (2009).

136. Attorney's misconduct violated KRPC 4.4, 8.3, 8.4(d) and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel report deemed admitted per Rule 212(c); published censure under Rule 203(a)(3). *In re Kenny*, 289 Kan. 851, 217 P.3d 36 (2009).

137. Following attorney's disbarment in Missouri and per Rule 202 concerning reciprocal discipline, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b) in Kansas; hearing panel's report deemed admitted under Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Weber*, 289 Kan. 808, 217 P.3d 959 (2009).

138. Attorney voluntarily surrenders license per Rule 217 with panel hearing pending on three complaints involving violations of KRPC 1.3, 1.4(a), 5.5, 8.4(d) and Rule 211(b); disbarment. *In re Holmberg*, 289 Kan. 978, 218 P.3d 801 (2009).

139. Attorney's disbarment in Missouri and failure to cooperate in disciplinary process in Kansas results in violations of KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b); violations deemed admitted under Rule 212(c); required notice given per Rule 215; misconduct established per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Tluscik*, 289 Kan. 1111, 219 P.3d 1220 (2009).

140. Attorney voluntarily surrenders license per Rule 217 with three complaints pending of violations of KRPC 1.1, 1.4, 5.5, 8.1, 8.4(c), and Rule 211; disbarment. *In re Ruther*, 289 Kan. 1130, 220 P.3d 369 (2009).

141. Attorney's misconduct violated KRPC 1.8(a) and 8.4(g); misconduct established by clear and convincing evidence per Rule 211 (f); hearing panel's report deemed admitted per Rule 212(c); one-year suspension per Rule 203(a)(2). *In re Weichman*, 290 Kan. 70, 222 P.3d 485 (2010).

142. Attorney's misconduct violated KRPC 1.6 and 1.13; per Rule 211(f) misconduct established by clear and convincing evidence; hearing panel's final report deemed admitted under Rule 212(c); ninety-day suspension per Rule 203(a)(2). *In re Harding*, 290 Kan. 81, 223 P.3d 303 (2010).

143. Attorney's misconduct involving safekeeping property violated KRPC 1.15(b), 8.1(b), Rule 207(b), and Rule 211(b); misconduct established through clear and convincing evidence per Rule 211(f); indefinite suspension per Rule 203(a)(2). *In re Gentry*, 290 Kan. 324, 227 P.3d 956 (2010).

144. Attorney's misconduct violates KRPC 1.3 and 1.4 relating to diligence and communication; respondent stipulated to violating Missouri Rules of Professional Conduct and per Rule 202, these facts establish misconduct for purposes of the disciplinary proceeding in Kansas; misconduct established by clear and convincing evidence per Rule 211; published censure per Rule 203(a)(3). *In re Hasty*, 290 Kan. 386, 227 P.3d 967 (2010).

145. Attorney's misconduct in representing a client in two car accidents violated KRPC 1.3, 1.4(a), 1.7, and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and shall not prevent Supreme Court from imposing a different discipline per Rule212(f); one-year suspension per Rule 203(a)(2). *In re Kieler*, 290 Kan. 397, 227 P.3d 961 (2010).

146. Attorney's misconduct violated KRPC 1.5(a), 3.3, and 8.4(c); findings of fact deemed admitted per Rule 212(d); findings supported by clear and convincing evidence per Rule 211(f); two-year suspension per Rule 203(a)(2). *In re Orrick*, 290 Kan. 727, 233 P.3d 257 (2010).

147. Attorney's misconduct violated KRPC 8.4(b) and (g); disciplined by one-year's suspension per Rule 203(a)(2) from practice of law but imposition is suspended and Supreme Court placed respondent on two-year supervised probation; probation plan adopted per Rule 211(g); *In re Smith*, 290 Kan. 738, 233 P.3d 737 (2010).

148. Attorney's misconduct repeatedly violated KRPC 8.4(d) and (g); misconduct established by clear and convincing evidence per Rule 211(f); proposed probation plan per Rule 211(g) failed to include method to ensure compliance; one-year suspension per Rule 203(a)(2). *In re Depew*, 290 Kan. 1057, 237 P.3d 24 (2010).

149. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan. 801, 234 P.3d 804 (2010).

150. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d) and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan. 52, 237 P.3d 667 (2010).

150. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d) and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan. 52, 237 P.3d 667 (2010).

151. Attorney's misconduct while on indefinite suspension violated KRPC 1.1, 1.3, 1.4, 8.4, and Rule 211; clear and convincing evidence per Rule 211)(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Bishop*, 291 Kan. 382, 240 P.3d 956 (2010).

152. Attorney previously disciplined three times found to have violated KRPC 1.4(a), 1.16(d), 5.5(a), 8.1(b), 8.4(c), Rule 207(b), Rule 211(b), and Rule 218(a); hearing panel's recommendation advisory only and court may impose different discipline per Rule 212(f); disbarment per Rule 203(a)(1). *In re Jones*, 291 Kan. 405, 243 P.3d 1101 (2010).

153. Attorney previously disciplined on a number of occasions found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

154. Attorney violated KRPC 4.3 and 8.4(b), (c), and (d); recommendations from Disciplinary Administrator and hearing panel are advisory only and the court may impose sanctions greater or lesser than those recommended per Rule 212(f); misconduct established by clear and convincing evidence per Rule 211(f); Rules 218 and 219 compliance ordered; 2-year suspension per Rule 203(a)(2). *In re Millett*, 291 Kan. 369, 241 P.3d 35 (2010).

155. Attorney violated KRPC 1.1, 1.5(a), 3.4(c), 3.5(d), 4.4(a), 8.4(b), (c), (d), and (g) and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); required notice given per Rule 215(a); Rule 218 compliance ordered; disbarment per Rule 203(a)(1). *In re Romious*, 291 Kan. 300, 240 P.3d 945 (2010).

156. Attorney previously disciplined by 6-month suspension violates KRPC 1.2, 1.3, 1.4(a), 1.5(a), 1.15(b), 1.16(d). 8.1(b), Rule 207(b) and Rule 211; conditions set out for reinstatement under Rule 219(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

157. Attorney violated KPRC 8.4(c) by engaging in illegal conduct; hearing panel not permitted to consider probation per Rule 211(g); court orders Rule 219 compliance if respondent seeks reinstatement; hearing panel's recommendation for discipline is advisory only per Rule 212(f); 2-year suspension per Rule 203(a)(2). *In re Johns*, 291 Kan. 638, 243 P.3d 1101 (2010).

158. Attorney violated KRPC 1.3, 1.4, Rule 207(b) and Rule 211(b) stemming from respondent's handling of a postdivorce child support matter; clear and convincing evidence found per Rule 211(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Ivester*, 291 Kan. 744, 246 P.3d 987 (2011).

159. Attorney's misconduct in an immigration matter violated KRPC 3.5(d) and 8.4(d); misconduct established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and does not limit Supreme Court's discretion to impose other discipline per Rule 212(f); published censure per Rule 203(a)(3). *In re Chavez*, 292 Kan. 45, 251 P.3d 628 (2011).

160. Attorney's misconduct violated KRPC 1.3, 1.4, 1.15, Rules 207 and 211 in four civil matters; proper service obtained per Rule 215; compliance with Rules 218 and 219 ordered; indefinite suspension per Rule 203(a)(2). *In re Luttrell*, 292 Kan. 51, 252 P.3d 111 (2011).

161. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints from former clients; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

162. Attorney violated KRPC 8.4(a), (d), and (g) for misconduct stemming from his failure to pay child support and Rule 211(b) for failing to file a timely answer; hearing panel's report deemed admitted per Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Vanderbilt*, 292 Kan. 262, 253 P.3d 774 (2011).

163. Attorney's misconduct violated KRPC 8.4(a), (b), and (g), Rule 208, and Rule 211 stemming from attorney's disbarment in Missouri for a criminal probation in Colorado; misconduct established by clear and convincing evidence per Rule 211(f); Rule 219 hearing will be required before any consideration of readmission with certain conditions; indefinite suspension per Rule 203(a)(2). *In re Baca*, 292 Kan. 390, 253 P.3d 348 (2011).

164. Attorney previously disciplined for similar violations of KRPCs found to have violated KRPC 1.15, 8.4(d), and Rule 211(b); hearing panel's recommendation is advisory only and court may impose sanctions greater or lesser than those recommended per Rule 212(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Johanning*, 292 Kan. 477, 254 P.3d 545 (2011).

165. Attorney previously disciplined four times violates Rules 207(b), 208(c), 211(b), and 218(a); misconduct established by clear and convincing evidence per Rule 211(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Harris*, 292 Kan. 521, 257 P.3d 1231 (2011).

166. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4(a), and 3.2 in mishandling an estate case; probation plan not filed in a timely manner per Rule 211(g); hearing report's findings and conclusions are deemed admitted under Rule 212(c); Rules 218 and 219 compliance ordered; 6-month suspension per Rule 203(a)(2). *In re Foster*, 292 Kan. 940, 258 P.3d 375 (2011).

167. Respondent's misconduct violated multiple KRPC's, including KRPC 1.3, 1.5, 1.15(a) and (d), 3.2, 8.4(c) and (g); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment pursuant to Rule 203(a)(1). *In re Holmes*, 293 Kan. 478, 264 P.3d 423 (2011).

168. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b), 8.4(c), and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

169. Attorney violated KRPC 8.2 in making false statements concerning qualifications or integrity of judicial official which were later retracted; clear and convincing evidence established per Rule 211; hearing panel's recommendation advisory only per Rule 212(f); Rule 219 compliance ordered; two-year suspension. *In re Ireland*, 294 Kan. 594, 276 P.3d 762 (2012).

170. Attorney's misconduct in handling his mother's estate violated KRPC 1.3, 3.3(a)(1), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact deemed admitted per Rule 212(c) ;6-month suspension per Rule 203(a)(2). *In re Shriver*, 294 Kan. 617, 278 P.3d 964 (2012).

171. Attorney's misconduct violated KRPC 1.15 and 8.4(c); required notice given per Rule 215(a); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212 (c), (d); disbarment per Rule 203(a)(1). *In re Robinson*, 294 Kan. 649, 279 P.3d 113 (2012).

172. Attorney misconduct violated numerous KRPC's, including 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.1(b); respondent failed to file timely answer to complaint per Rule 211(b); failed to file exceptions thus, findings of fact are deemed admitted under Rule 212(c), (d); respondent failed to follow his diversion agreement; one-year suspension per Rule 203(a)(2). *In re Ohaebosim*, 294 Kan. 664, 279 P.3d 124 (2012).

173. Attorney stipulated to violations of KRPC 1.3, 1.4(a), and 8.4(c) in immigration proceedings; pursuant to Rule 211(g), the recommendation of probation approved with modification to the probation plan; 6-month suspension stayed; 18-months' probation. *In re Link*, 294 Kan. 692, 279 P.3d 720 (2012).

174. Attorney's misconduct violated KRPC 1.3, 1.4, 1.16, 8.4, and Rule 211(b) based on multiple

complaints; probation per Rule 211(g) denied; clear and convincing evidence established per Rule 211(f); respondent failed to file exceptions to final hearing report, thus deemed admitted under Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Shores*, 294 Kan. 680, 279 P.3d 710 (2012).

175. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

176. Attorney violated KRPC 4.1(a) and (b) and 8.4(c) and (g) by misrepresenting material facts, omitting material facts to investors of his mining company, and failing to fully disclose his financial situation at his disciplinary hearing; probation plan denied; disbarment per Rule 203(a)(1). *In re Baker*, 296 Kan. 696, 294 P.3d 326 (2013).

177. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 3.3, 3.4, 8.1, 8.4, and Rule 211(b); disbarment per Rule 203(a)(1). *In re Druten*, 297 Kan. 432, 301 P.3d 319 (2013).

178. On review of panel's findings of aggravating and mitigating factor's under Rule 211(f), some aggravating factors held to be supported by evidence, while other aggravating factors not supported by evidence; indefinite suspension. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

179. Attorney voluntarily surrendered license under Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.3, 1.4, 1.16, 3.4(c), and 8.1(b), and Rule 207(b), 211(b), and 218. *In re Freed*, 298 Kan. 346, 312 P.3d 364 (2013).

180. Attorney admitted to violations of KRPC 1.1, 1.3, 1.4, 1.16(a)(2), and 8.4(g); under Rule 211(f) clear and convincing evidence did not support violation of KRPC 1.16(d) for failure to return fees; 6-month suspension under Rule 203(a)(2). *In re Barker*, 299 Kan. 158, 321 P.3d 767 (2014).

181. Because attorney secured extension to answer formal complaint beyond original deadline, answer was timely under Rule 211(b). *In re Barker*, 299 Kan. 158, 321 P.3d 767 (2014).

182. Under Rule 211(f), Disciplinary Administrator appealed hearing panel's dismissal, arguing panel erred in finding no violation of KRPC 8.4(c) and (d); indefinite suspension imposed by court upon finding violations of KRPC 8.4(c) and (d). *In re Mintz*, 298 Kan. 897, 317 P.3d 756 (2014).

183. Attorney misconduct violated KRPC 5.5(a), 8.4(d), and Rule 211(b); 6-month suspension. *In re Sutton*, 298 Kan. 793, 316 P.3d 741 (2014).

184. Attorney misconduct violated KRPC 1.3, 1.4, 1.16(d), 3.2, 3.3(a)(1), 8.1(b), Rule 207(b), and 211(b); 18-month suspension. *In re Soderberg*, 298 Kan. 820, 316 P.3d 762 (2014).

185. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman*, 300 Kan. 475, 332 P.3d 172 (2014).

186. Attorney voluntarily surrendered license under Rule 217; at time of surrender court review pending for violations of KRPC 8.1(b) and 8.4(b) and (c), and Rule 211. *In re Dinkel*, 300 Kan. 660, 333 P.3d 155 (2014).

187. Attorney misconduct violated KRPC 1.2(a), 1.4(a), 1.16(d), and 8.4(c) and (d) and Rule 211(b) and 218(a); indefinite suspension. *In re Johnson*, 300 Kan. 851, 335 P.3d 634 (2014).

188. Attorney misconduct violated KRPC 1.1, 1.5, 1.7(a)(2), 1.16(a)(1), and 8.4(d) and (g) and Rule 211(b); disbarment. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

189. Rule 209 docketing of complaint distinguished from Rule 210(c) determination of probable cause for formal complaint; response to notice of docketing of complaint did not constitute response to formal complaint as required by Rule 211(b). *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

190. Attorney misconduct violated KRPC 5.5(a) and 8.4(g) and Rule 211(b); disbarment. *In re O'Leary*, 303 Kan. 456, 362 P.3d 1092 (2015).

191. Attorney misconduct violated KRPC 1.3, 3.2, 8.1(b), 8.4(d), and 8.4(g) and Rule 207(b) and

211(b); indefinite suspension. *In re Fickler*, 303 Kan. 504, 362 P.3d 1102 (2015).

192. Attorney misconduct violated KRPC 1.3, 1.4(a), and 8.4(d); 2-year suspension stayed, 2 years' probation imposed; termination of probation subject to Rule 211(g). *In re Stark*, 304 Kan. 630, 375 P.3d 956 (2016).

193. Hearing panels have authority to recommend sanctions but cannot issue mandatory directives or enforce or place conditions on discipline; power to discipline left solely to Supreme Court; Rule 211(f) and Rule 212(f) cited. *In re Thurston*, 304 Kan. 146, 371 P.3d 879 (2016).

Rule 212 PROCEEDINGS BEFORE THE SUPREME COURT

Case Annotations

1. Violation of canons and disciplinary rules; failure to file brief; respondent disbarred. *State v. Mayes*, 216 Kan. 38, 39-42, 48, 53, 531 P.2d 102 (1975).

2. Disbarment action before Supreme Court under this rule. *State v. Phelps*, 226 Kan. 371, 598 P.2d 180 (1979).

3. Cited; violation of DR 2-106; license suspended. *State v. Stakes*, 227 Kan. 711, 608 P.2d 997 (1980).

4. Report and recommendations of board not binding on court; final conviction conclusive; court will not look behind it. *State v. Russo*, 230 Kan. 5, 6, 7, 8, 16, 630 P.2d 711 (1981).

5. Indefinite suspension for neglect of legal matter entrusted. *State v. Richardson*, 230 Kan. 23, 631 P.2d 221 (1981).

6. Respondent suspended from practice of law for an indefinite period; violation of disciplinary rules. *State v. Martin*, 231 Kan. 481, 481, 646 P.2d 459 (1982).

7. Recommendations advisory only and not binding on court. *State v. Dixon*, 233 Kan. 465, 470, 664 P.2d 286 (1983).

8. Exceptions filed to disciplinary panel's report but no brief constitutes concession findings are supported by evidence. *State v. Nelson*, 233 Kan. 473, 473, 663 P.2d 303 (1983).

9. Public censure of respondent for violation of DR 6-101(A)(3); findings of fact, conclusion, and recommendation published. *State v. Laubengayer*, 233 Kan. 1023, 1024, 666 P.2d 727 (1983).

10. Attorney fails to respond to court ordered appearance; other violations; indefinite suspension. *In re Baehr*, 242 Kan. 146, 744 P.2d 799 (1987).

11. Hearing panel recommended suspension for misappropriation of funds; one-year suspension for violation of DR 1-102(A)(6). *In re Neuschwander*, 242 Kan. 313, 747 P.2d 104 (1987).

12. Hearing panel recommends 90-day suspension; Supreme Court orders one-year suspension for mishandling client's funds; Rule 212(f) cited. *In re Smith*, 242 Kan. 334, 747 P.2d 118 (1987).

13. Attorney's appearance at disciplinary hearing pursuant to 212(d) discussed; indefinite suspension. *In re Niederhauser*, 243 Kan. 170, 753 P.2d 1288 (1988).

14. Hearing panel recommendation to reinstate disbarred attorney not followed; seriousness of violations noted; reinstatement denied. *In re Sowers*, 244 Kan. 594, 771 P.2d 933 (1989).

15. Panel recommendation of one year suspension; attorney currently under one year suspension; continuing nature of violations noted; indefinite suspension. *In re Smith*, 244 Kan. 730, 771 P.2d 931 (1989).

16. Attorney charged in three disciplinary cases directed to appear before court pursuant to Rule 212(d); failure to appear or respond; disbarment. *In re Morphett*, 246 Kan. 499, 790 P.2d 402 (1990).

17. Hearing panel recommends 2-year suspension; pursuant to Rule 207(f), divided court orders public censure. *In re Jackson*, 249 Kan. 172, 814 P.2d 958 (1991).

18. Attorney's conversion of clients' funds and firm's funds violates MRPC 8.4(c), (d), and (g) and

DR 1-102(A)(4); suspension recommended; disbarment and Rule 218 compliance ordered. *In re Smith,* 249 Kan. 227, 814 P.2d 445 (1991).

19. Attorney on suspension fails to appear before Supreme Court pursuant to rule to answer additional charges; disbarment. *In re Cain,* 249 Kan. 578, 819 P.2d 1230 (1991).

20. Rule provides opportunity to file exceptions to panel report prior to hearing before Supreme Court, regardless of attorney's attendance at panel hearing; due process requirements. *In re Kershner,* 250 Kan. 383, 827 P.2d 1189 (1992).

21. Attorney's mishandling of client's funds, conversion of conservatorship funds, failure to inform client, drug possession conviction, and retention of legal fees without representing client violate MRPC 1.4(a) and (b), 1.15, and 8.4(a), (b), (c), (d), and (g); attorney appears pursuant to Rule 212(d); mitigating factors; indefinite suspension and Rule 218 compliance. *In re Morris,* 251 Kan. 592, 834 P.2d 384 (1992).

22. Attorney disbarred in Nebraska for misappropriation of funds; final adjudication in Nebraska conclusive evidence in Kansas proceeding per Rule 202; hearing panel's recommendation advisory only per Rule 212(f); disbarment and Rule 218 compliance ordered. *In re Veith,* 252 Kan. 266, 843 P.2d 729 (1992).

23. Sanctions imposed by court may be greater or lesser than those recommended by hearing panel or disciplinary administrator, per Rule 212(f). *In re Keithley,* 252 Kan. 1053, 850 P.2d 227 (1993).

24. Attorney's withdrawal of client's funds held in trust, use of funds for attorney's own purpose, and failure to properly pay or deliver funds as requested by client violative of DR 9-102(A)(2) and (B)(4); panel recommended two-year suspension suspended and probated; one-year suspension and Rule 218 compliance ordered. *In re Hooge,* 252 Kan. 1078, 850 P.2d 801 (1993).

25. Attorney's answer to allegations in disciplinary complaint considered admission under Rule 212(d). *In re Herman,* 254 Kan. 908, 869 P.2d 721 (1994).

26. Transcript of testimony before hearing panel not necessary where attorney under investigation files no exceptions to complaint. *In re Seck,* 255 Kan. 552, 874 P.2d 678 (1994).

27. Panel recommends one-year suspension; indefinite suspension ordered pursuant to Rule 212(f). *In re Jenkins,* 255 Kan. 797, 877 P.2d 423 (1994).

28. Attorney's failure to represent client in collection of foreign judgment in workers compensation case found to violate MRPC 1.1, 1.3, 1.4, 1.5(d), 1.16(d), 3.2, and 8.4(g); indefinite suspension and Rule 218 compliance ordered. *In re Griggs,* 256 Kan. 498, 886 P.2d 786 (1994).

29. Attorney who was temporarily suspended from practice and in federal prison was afforded opportunity to appear in person and present evidence of mitigating circumstances. *In re Brown,* 258 Kan. 731, 907 P.2d 132 (1995).

30. Panel recommendation of one-year suspension followed by divided court. *In re Crockett,* 259 Kan. 540, 912 P.2d 176 (1996).

31. Standard of review of panel recommendation stated. *In re Hill,* 259 Kan. 877, 915 P.2d 49 (1996).

32. Attorney's failure to defend client in repossession action violates MRPC 1.1, 1.3, and 1.4; continued use of alcohol and drugs and four additional complaints pending hearing or investigation negate panel's recommendation of supervised probation; one-year suspension. *In re Mitchell,* 260 Kan. 560, 919 P.2d 360 (1996).

33. Attorney's mishandling of client's assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure. *In re Brantley,* 260 Kan. 605, 920 P.2d 433 (1996).

34. Supreme Court's responsibility in attorney discipline case under Rule 212; charges must be established by clear and convincing evidence to warrant finding of misconduct per Rule 211(f). *In re Harris,* 261 Kan. 1063, 934 P.2d 965 (1997).

35. Attorney's failure to file negligence action in proper court and his disappearance from his law office without notice to clients violate MRPC 1.1, 1.3, 1.4, 1.5, 3.2, and 8.4 and Rule 207; disbarment. *In re*

Neal, 262 Kan. 562, 937 P.2d 1234 (1997).

36. Attorney filed statement that he would not file exceptions to the hearing panel report per Rule 212(c)(1). *In re Apt*, 263 Kan. 210, 946 P.2d 1002 (1997).

37. Attorney failed to file exceptions to the facts found by hearing panel, which are deemed to be admitted per Rule 212(c) and (d). *In re Stephens*, 263 Kan. 221, 946 P.2d 1379 (1997).

38. A hearing panel's report is deemed admitted under Rule 212(c) and (d) when respondent failed to file exceptions and the Supreme Court may impose sanctions lesser or greater than those recommended per Rule 212(f). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

39. Attorney's withdrawing a client's files after discharged violates MRPC 1.16 and 8.4; ordered to pay attorney fees incurred by the former client in recovery of his files; attorney's failure to personally appear before the court noted as violation of Rule 212(d); published censure per Rule 211(f). *In re Palmer*, 264 Kan. 752, 956 P.2d 1333 (1998).

40. Attorney's neglect of his cases, failure to communicate with his clients, and failure to competently and diligently represent them violate MRPC 1.1, 1.3, 1.4, 3.2, 3.4(c), and 8.4(d) and (g); attorney's failure to appear before the court constitutes violation of Rule 212(d); indefinite suspension. *In re Anderson*, 264 Kan. 758, 956 P.2d 1330 (1998).

41. Attorney failed to file exceptions to the hearing panel's report and the report is deemed admitted. *In re Howlett*, 266 Kan. 401, 969 P.2d 890 (1998).

42. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

43. Attorney's failure to safekeep his clients' property and to promptly respond to the orders of the court in bankruptcy proceedings violates MRPC 1.3, 1.15, 3.4(c), and 8.4(b), (c), and (d), and Rules 207, 208, 211(b), and 802; panel recommended discipline per Rule 203(a)(1), (2), (3), or (5); indefinite suspension. *In re Fey*, 266 Kan. 674, 972 P.2d 771 (1999).

44. Attorney's mishandling of collection matters violates KRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c); allegations in the hearing panel's report deemed admitted per Rule 212(c) and (d); split panel recommendation; published censure. *In re Druten*, 267 Kan. 790, 982 P.2d 978 (1999).

45. Findings of fact made by the hearing panel are deemed to be supported by the evidence per Rule 212(e)(4). *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

46. Supreme Court is not bound by the recommendation of either the Disciplinary Administrator or the hearing panel per Rule 212(f). *In re Bailey*, 268 Kan. 63, 986 P.2d 1077 (1999).

47. Attorney's mishandling of habeas corpus action violates KRPC 1.3 and 1.4 and Rule 207; allegations in the hearing panel's report deemed admitted per Rule 212(d) and (e)(4); supervising attorney afforded full immunities per Rule 223; two-year supervised probation. *In re Brunson*, 268 Kan. 69, 986 P.2d 1074 (1999).

48. Attorney's mishandling of probate matters violates KRPC 1.1, 1.3, 3.3(a), 8.1(a), and 8.4(c); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(c) and (d); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Howard*, 269 Kan. 414, 2 P.2d 766 (2000).

49. Attorney's mishandling of a paternity action violates KRPC 1.1, 1.15(d), 1.16(d), and 8.4(g) and Rule 207 by clear and convincing evidence per Rule 211(f); attorney's failure to appear in person before the court in violation of Rule 212; restitution ordered per Rule 227; one-year suspension. *In re Shumway*, 269 Kan. 796, 8 P.3d 735 (2000).

50. Attorney's mishandling of a divorce and traffic matter violates KRPC 1.3 and 1.4(a); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Barnes*, 270 Kan. 415, 13 P.3d 1283 (2000).

51. Attorney's mishandling of numerous cases violates KRPC 1.3, 1.4, 1.15(b), 1.16(a) and (d), 3.2, 8.1(b) and Rule 207; hearing panel's report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2) and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

52. Supreme Court is not bound by the recommendation of the hearing panel or the Disciplinary Administrator per Rule 212(f). *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

53. County attorney filed exceptions to final hearing report per Rule 212 (c) and charged hearing report exceeded charge of Rule 212(f) and is contrary to Rule 211. *In re Swarts*, 272 Kan. 28, 30 P.3d 1011 (2001).

54. Attorney's mishandling of several matters violated KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.4(a), (c), (d) and (g); two-year suspension per Rule 203(a)(2); Supreme Court may impose longer sanction than those recommended by hearing panel per Rule 212(f). *In re Swisher*, 273 Kan. 143, 41 P.3d 847 (2002).

55. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.4(g); hearing panel's report deemed admitted under Rule 212(d); two-year suspension per Rule 203(a)(2); Rules 218 and 219 compliance ordered with conditions. *In re Moore*, 273 Kan. 154, 41 P.3d 831 (2002).

56. Attorney failed to provide adequate supervision of disbarred attorney as employee in his firm and allowed him to engage in unauthorized practice of law over a number of years violating KRPC 5.3 and 5.5(b); misconduct found with clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Juhnke*, 273 Kan. 162, 41 P.3d 855 (2002).

57. Rule 212(f) cited to state that hearing panel's recommendations of sanction are advisory only and shall not prevent the Supreme Court from imposing sanctions greater or lesser than those recommended. *In re Berry*, 274 Kan. 336, 50 P.3d 20 (2002).

58. Findings of fact made by hearing panel are deemed admitted per Rule 212(d); one-year suspension. *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

59. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 8.1(b), 8.4(d), Rule 207(b), and Rule 211(b); failure to appear before Supreme Court violated Rule 212(d); disbarment per Rule 203(a)(1). *In re Sechtem*, 274 Kan. 387, 49 P.3d 541 (2002).

60. Attorney suspended for 6 months for violating KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d); findings of fact admitted pursuant to Rule 212(d); previously indefinitely suspended pursuant to Rule 208 and Rule 806; Rule 219 compliance ordered. *In re Matson*, 274 Kan. 785, 56 P.3d 160 (2002).

61. Attorney on disability inactive status violated Rule 220 by engaging in the practice of law; KRPC 8.2 violated by making false or reckless statements regarding the qualification and integrity of judge; KRPC 8.4(a), (d), and (g) violated for misconduct; district judge's ruling that attorney was disqualified presumed to be valid under Rule 202; exceptions filed per Rule 212; published censure per Rule 203(a)(3). *In re Arnold*, 274 Kan. 761, 56 P.3d 259 (2002).

62. Attorney's misconduct violated multiple offenses of KRPC: 1.3, 1.4(a), 3.2, 5.5(a), 8.1(b), 8.4(a) and (d); notified per Rule 215(a); failed to respond or appear violating Rule 212(d); failed to file answer per Rule 211(b); disbarment per Rule 203(a)(1); Rule 218 compliance ordered. *In re Griswold*, 274 Kan. 776, 56 P.3d 269 (2002).

63. Attorney failed to file exceptions to hearing panel's report and thus are deemed admitted under Rule 212(c) and (d). *In re Polsley*, 275 Kan. 233, 61 P.3d 715 (2003).

64. Attorney previously disciplined by supervised probation found to have committed multiple violations of KRPC: 1.3, 1.4, 3.1, and 4.2; previously violated KRPC 1.3, 3.1, 3.2, 3.4, and 8.4; pursuant to Rule 212(c), attorney filed an exception to panel's report; disciplinary panel conducted formal hearing pursuant to Rule 211; supervising attorney granted full immunities per Rule 223; supervised probation extended to 5 years with restrictions on practice. *In re Boone*, 275 Kan. 560, 66 P.3d 896 (2003).

65. Attorney, under suspension for 18 months, surrenders license per Rule 217 while under

investigation for allegations of misconduct in 11 complaints; review pending before Supreme Court on final hearing report per Rule 212; disbarment. *In re Berry*, 275 Kan. 629, 68 P.3d 134 (2003).

66. Attorney previously censured for KRPC 8.4(b) and (d) and admonished for KRPC 1.16(d) now found to have violated KRPC 1.15, 5.1, and 8.4(a); Internal Operating Rule E.8. cited for appropriateness of probation; supervising attorney afforded full immunities per Rule 223; misconduct established by clear and convincing evidence per Rule 211(f) and hearing panel's report deemed admitted under Rule 212(c) and (d); Rule 219 hearing not required at end of 2-year probation; 16 specific terms and conditions set forth in probation plan; Rule 218 compliance ordered; 2-year supervised probation. *In re Conwell*, 275 Kan. 902, 69 P.3d 589 (2003).

67. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

68. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

69. Attorney committed multiple violations of KRPC: 1.15, 8.1, 8.4(a), (b), (c), (d), and (g), and Rule 207(b); exceptions filed to several findings per Rule 212(c); misconduct found by clear and convincing evidence per Rule 211(f); disbarment. *In re Wright*, 276 Kan. 357, 76 P.3d 1018 (2003).

70. Attorney violated KRPC 4.4 (respect for rights of third persons) and 8.4 (c) and (g)(misconduct); failed to file exceptions to hearing report of panel per Rule 212(c); charges established by clear and convincing evidence per Rule 211(f); 3-month suspension per Rule 203(a)(2). *In re Royer*, 276 Kan. 643, 78 P.3d 440 (2003).

71. Attorney's misconduct in twenty appellate cases violated KRPC 1.3 for failing to act with reasonable diligence and promptness, KRPC 3.2 for failing to timely file appellate briefs; Rule 207(b) for failing to timely provide written responses to initial complaints; facts found by the hearing panel deemed admitted pursuant to Rule 212(c) and (d); Rules 218 and 219 compliance ordered; indefinite suspension. *In re Gorup*, 276 Kan. 664, 78 P.3d 812 (2003).

72. Attorney previously disciplined now found to have violated KRPC 1.3 (diligence) and KRPC 1.4 (communication); hearing panel report admitted per Rule 212(c); published censure per Rule 203 (a)(3). *In re Boaten*, 276 Kan. 656, 78 P.3d 458 (2003).

73. Attorney's misconduct in multiple cases violated KRPC 3.3, 3.4, 3.8, and 8.4 involving candor toward a tribunal, fairness to an opposing party, her duties as a prosecutor, and misconduct; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Jordan*, 278 Kan. 254, 91 P.3d 1168 (2004)

74. Attorney's mishandling of two divorce cases violated KRPC 1.3 and KRPC 1.5; KRPC 1.16 violated as to one client complaint; hearing panel report deemed admitted per Rule 212(c) and (d); charges established by clear and convincing evidence per Rule 211(f); Rule 212(f) cited and applied; published censure per Rule 203(a)(3). *In re Daugherty*, 277 Kan. 257, 83 P.3d 789 (2004).

75. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207, and Rule 211; hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment and Rule 218 compliance ordered. *In re Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

76. Attorney surrenders license per Rule 217 while review pending before Supreme Court per Rule 212; violations include KRPC 1.15(b), 8.4(c) and (g); disbarment and Rule 218 compliance ordered. *In re*

Spikes, 279 Kan. 522, 111 P.3d 635 (2005).

77. Attorney previously disciplined multiple times found to have violated KRPC 1.3, 1.4, 1.15, and Rule 207; plan of probation per Rule 211(g) found not to be appropriate by hearing panel; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); indefinite suspension and Rule 218 compliance ordered. *In re Potter*, 279 Kan. 937, 112 P.3d 216 (2005).

78. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1 and 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

79. Attorney previously disciplined three times found to have violated KRPC 1.15 for mishandling checks and money and failing to return clients' funds; KRPC 8.4 for repeated misconduct involving dishonesty, fraud, deceit or misrepresentation; Rule 207 for failing to cooperate with the disciplinary process; Rule 212 for failing to respond or appear before the Supreme Court and for failing to file exceptions to the final hearing report; disbarment per Rule 203(a)(1). *In re King*, 278 Kan. 378, 98 P.3d 980 (2004).

80. Attorney committed numerous violations of rules of professional conduct including KRPC 1.1, 1.2, 1.3, 1.4. 1.16, 3.2, 8.1, Rule 207, and Rule 211; respondent's exceptions considered per Rule 212; disbarment and Rule 218 compliance ordered. *In re Wenger*, 279 Kan. 895, 112 P.3d 199 (2005).

81. Attorney's misconduct violates KRPC 1.3, 3.4(d), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); final report admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Devkota*, 280 Kan. 650, 123 P.3d 1289 (2005).

82. Rule 212(d) and Rule 141cited for use of the word "deemed" as in "deemed admitted" in clarifying statutory language in water rights case. *Hawley v. Kansas Dept of Agriculture*, 218 Kan. 603, 132 P.3d 870 (2006).

83. Attorney's multiple offenses violates KRPC 1.1, 1.3, 1.4, 8.1(b), 8.4(c) and Rule 207(b); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorney granted full immunities per Rule 223; satisfactory plan of probation submitted by respondent per Rule 211(g); 1-year suspension stayed in accordance with Rule 203(a)(2); 2-years' supervised probation. *In re Mitchell*, 280 Kan. 656, 123 P.3d 1279 (2005).

84. Attorney's misconduct interferes with the administration of justice and violates KRPC 8.4(d); the findings of fact are deemed admitted per Rule 212(d); Supreme Court urges respondent seek assistance through Rule 206; published censure per Rule 203(a)(3). *In re Gilman*, 280 Kan. 962, 126 P.3d 1115 (2006).

85. Attorney previously suspended and given Rule 219 hearing requirement because of subsequent misconduct violates KRPC 8.4(b) and (c); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment. *In re Lucas*, 281 Kan. 692, 132 P.3d 914 (2006).

86. Attorney voluntarily surrenders license pursuant to Rule 217 following hearing panel's hearing per Rule 212 that respondent violated KRPC 1.3, 1.4, 1.5, 3.4, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Boaten*, 281 Kan. 390, 132 P.3d 870 (2006).

87. Attorney's misconduct in multiple cases violates KRPC 1.3, 1.4, 5.5, 8.1, Rule 207(b), and Rule 212(b); respondent failed to appear at scheduled hearing and failed to file exceptions to panel's report in violation of Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Moore*, 280 Kan. 971, 127 P.3d 270 (2006).

88. Attorney's misconduct arising from actions he took in response to an earlier published censure violates KRPC 8.4(d); discussion of KRPC 8.2(a); pursuant to Rule 212(h), hearing panel's recommendation for sanctions is advisory only and Supreme Court may impose greater or lesser discipline; per Rule 203(a)(3) three-month suspension imposed. *In re Pyle*, 283 Kan. 807, 156 P.3d 1231 (2007).

89. Attorney committed numerous violations including KRPC 1.3, 1.4, and 3.2 involving five clients;

charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d) when respondent fails to file exceptions; Rule 206 applicable; probation requested and set out pursuant to Rule 211; 1-year suspension stayed and respondent placed on 4-year supervised probation. *In re Hasenbank*, 283 Kan. 155, 151 P.3d 1 (2007).

90. Attorney disciplined for violating numerous violations of KRPC 1.15 and KRPC 8.4; respondent failed to respond to Disciplinary Administrator's initial complaint as well as failing to provide a written answer to the formal complaint thus violating Rule 207(b) and Rule 211(b); notified per Rule 215; misconduct established by clear and convincing evidence per Rule 211(f); panel's final report deemed admitted per Rule 212; panel's recommendation is advisory only per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Purinton*, 283 Kan. 880, 156 P.3d 660 (2007).

91. Attorney violated KRPC 1.15 in handling informal traffic diversion funds in his capacity as county attorney; Court cites Rule 6.02(e) in noting failure of respondent to properly brief issue; hearing panel notes Rule 701(f)(2) permits disclosure of honor violation in law school to the Disciplinary Administrator; recommendation of hearing panel advisory only per Rule 212; published censure per Rule 203(a)(3). *In re Black*, 283 Kan. 862, 156 P.3d 641 (2007).

92. Attorney's misconduct violated KRPC 1.5, 3.1, and 8.4 in billing for unreasonable fees and misrepresenting claims when representing the State of Kansas in claims filed against the Workers Compensation Fund; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c) and (d) since Respondent failed to file exceptions; two-year suspension per Rule 203(a)(2). *In re Miller*, 282 Kan. 689, 147 P.3d 150 (2006).

93. Attorney violated KRPC 3.3(d) and 8.4(d) relating to duty of candor in ex parte proceeding and engaging in conduct prejudicial to administration of justice in representing a client; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); published censure pursuant to Rule 203(a)(3). *In re Lazzo*, 283 Kan. 167, 150 P.3d 887 (2007).

94. Attorney disciplined for his misconduct involving his handling of a patent application and which violated KRPC 1.1, 1.2(a), 1.3, 1.4(a) and 8.4(c); Supreme court not bound by recommendations of the hearing panel or Disciplinary Administrator per Rule 212(f); published censure per Rule 203(a)(3). *In re Sylvester*, 282 Kan. 391, 144 P.3d 697 (2006).

95. Attorney violated numerous KRPC's including 1.5, 1.15, and 1.16 in several cases; Rule 211(b) violated by failing to file an answer to the formal complaint; misconduct established by clear and convincing evidence pursuant to Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); per Rule 212(f) Supreme Court may impose sanctions greater or lesser than the recommendations of hearing panel or Disciplinary Administrator; indefinite suspension pursuant to Rule 203(a)(2). *In re Waite*, 283 Kan. 270, 153 P.3d 517 (2007).

96. Attorney committed numerous violations of KRPC 8.4(a) and (b) involving a criminal act committed in Missouri; respondent's diversion in Missouri deemed a conviction in Kansas under Rule 202; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); reinstatement under Rule 219 conditioned upon reinstatement in Missouri; suspended for 6 months in Missouri; indefinite suspension pursuant to Rule 203(a)(2). *In re Gackle*, 283 Kan. 502, 153 P.3d 493 (2007).

97. Attorney disbarred for numerous violations including KRPC 3.3, 8.4(a), (b), (c), (d), and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only per Rule 212(f); required notice given per Rule 215(a); disbarment pursuant to Rule 203(a)(1). *In re Arabia*, 283 Kan. 851, 156 P.3d 668 (2007).

98. Attorney's misconduct out of state violates KRPC 1.1, 1.7(b), and 8.4(d); respondent's conviction in District of Columbia deemed a conviction in Kansas under Rule 202; findings of fact deemed admitted under Rule 212(d) since respondent failed to file exceptions to the panel's report; indefinite suspension and compliance with Rules 218 and 219 ordered. *In re Evans*, 285 Kan. 147, 169 P.3d 1083

(2007).

99. Attorney on suspension for failing to pay attorney registration fee and failing to comply with annual CLE requirements violated KRPC 1.16 and 5.5; misconduct established by clear and convincing evidence per Rule 211(f); final report deemed admitted per Rule 212; indefinite suspension per Rule 203(a)(2). *In re Petzold*, 285 Kan. 110, 169 P.3d 686 (2007).

100. Attorney, who was on probation, violated KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.3(d), and 8.4(d) in 21 cases; Rule 211(b) violated by failing to file a timely written answer to the complaint; Rule 212(d) violated by failing to appear before the court; disbarment per Rule 203(a)(1). *In re Rathbun*, 285 Kan. 137, 169 P.3d 329 (2007).

101. Attorney previously disciplined by suspension violated KRPC 8.1(a) and 8.4(b); misconduct established by clear and convincing evidence per Rule 211(f); failure to file exceptions to panel's report and report is deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re O'Neill*, 285 Kan. 474, 172 P.3d 1179 (2007).

102. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16, and 3.2; formal hearing conducted per Rule 211; hearing panel's report deemed admitted per Rule 212; supervising attorney afforded full immunities per Rule 223; Rule 211(g) probation requirements discussed; per Rule 203(a)(2), respondent's three-year suspension stayed and placed on three-years' supervised probation. *In re Bock*, 285 Kan. 815, 175 P.3d 233 (2008).

103. Attorney failed to respond or appear before the hearing panel or the Supreme Court in response to misconduct in violation of KRPC 1.15(d)(1), (d)(3)(iii), (e), and Rule 211(b; hearing report deemed admitted under Rule 212(c) and (d); indefinite suspension. *In re Ruther*, 285 Kan. 808, 175 P.3d 251 (2008).

104. Attorney under temporary suspension for failing to pay annual registration fees and to comply with CLE requirements violated KRPC 8.1(b) and Rule 207(b) upon filing of a formal complaint; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); required notice given per Rule 215(a); indefinite suspension in accordance with Rule 203(a)(2). *In re Crow*, 285 Kan. 1110, 179 P.3d 1093 (2008).

105. Attorney who was previously censured in Kansas and in a reciprocal discipline proceeding in Illinois violated KRPC 3.1, 3.3(a)(1) and (3); 3.4(b), 8.1(b), 8.4(b), (c) and (d) per Rule 202; respondent received reciprocal attorney discipline and sanctions in Missouri and Illinois; hearing panel's final report deemed admitted under Rule 212(c) and (d); indefinite suspension pursuant to Rule 203(a)(2). *In re Daugherty*, 285 Kan.1143, 180 P.3d 536 (2008).

106. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

107. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule (d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

108. Attorney previously disciplined and under indefinite suspension violated KRPC 5.5(a) for engaging in the unauthorized practice of law; KRPC 1.1 by failing to provide competent representation; and KRPC 1.16; misconduct established by clear and convincing evidence per Rule 211(f); recommendations of the hearing panel or the Disciplinary Administrator are advisory only per Rule 212(f); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Swisher*, 285 Kan. 2084, 179 P.3d 412 (2008).

109. Attorney under indefinite suspension for failing to comply with administrative requirements of maintaining his law license committed violations of KRPC including 3.4(f), 4.1(a), and Rule 207(b); respondent claimed Rule 211(e) violated; court states no actual showing of prejudice to respondent per Rule

224; indefinite suspension pursuant to Rule 203(a)(2); sanctions imposed by court may be greater or lesser than those proposed by hearing panel or Disciplinary Administrator per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Walsh*, 286 Kan. 235, 182 P.3d 1218 (2008).

110. Attorney's disbarment in Missouri established misconduct per Rule 202; failure to file response and failure to appear violates Rule 211(b) and Rule 212(d); respondent violated KRPC 8.4(d); indefinite suspension pursuant to Rule 203(a)(2). *In re Tarantino*, 286 Kan. 254, 182 P.3d 1241 (2008).

111. Attorney committed violations of KRPC 8.4(b) by failing to file income taxes and Rule 211(b) for failing to file a written answer to the formal complaint; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); indefinite suspension in accordance with Rule 203(a)(2). *In re Sheahon*, 286 Kan. 274, 182 P.3d 1263 (2008).

112. Attorney's misconduct in four cases violated KRPC 1.1, 1.3, 1.16(d), 3.2, 8.4(d) and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); probation plan per Rule 211(g) denied; hearing panel's findings of fact deemed admitted per Rule 212(d); one-year suspension and Rule 218 compliance ordered. *In re Toth*, 286 Kan. 320, 183 P.3d 853 (2008).

113. Attorney's misconduct violates KRPC 3.1, 3.2, and 3.4 for bringing a frivolous claim, failing to expedite a case, failing to comply with a discovery request and to appear in court, and failing to meet a deadline set by the court; failure to file exceptions constitutes admission per Rule 212(c); previously disciplined on three occasions; two-year suspension in accordance with Rule 203(a)(2). *In re Harris*, 286 Kan. 532 , 186 P.3d 737 (2008).

114. Attorney committed multiple violations of KRPC 8.1, 8.4(d) and (g), Rule 207(b), and Rule 211(b) in an estate case by delaying the closing of the case and failing to cooperate and file responses as required; two prior disciplinary offenses; recommendations of the hearing panel and Disciplinary Administrator advisory only per Rule 212(f); indefinite suspension and Rule 218 compliance ordered.. *In re Jones*, 286 Kan. 544, 186 P.3d 746 (2008).

115. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2, 3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan. 708 , 188 P.3d 1 (2008).

116. Hearing panel's final report deemed admitted under Rule 212(c) and (d) when respondent fails to file exceptions; one-year suspension. *In re Docking*, 287 Kan. 485, 196 P.3d 1149 (2008).

117. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.15, 8.4(g) and Rule 211(b); Respondent failed to file exceptions, thus, final hearing report deemed admitted under Rule 212(c); indefinite suspension. *In re Dowell*, 287 Kan. 501, 196 P.3d 915 (2008).

118. Attorney's misconduct violated KRPC 1.3, 1.15, 4.1, and KRPC 8.4(c); violations deemed admitted under Rule 212(c); six-month suspension. *In re McPherson*, 287 Kan. 434, 196 P.3d 921 (2008).

119. Attorney committed multiple violations of KRPC 1.3, 1.4(a). 5.5(a), 8.1(b), 8.4(g), Rule 207(b), Rule 211(b), and Rule 218; findings of fact deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Lee*, 287 Kan. 676, 198 P.3d 140 (2008).

120. Attorney previously disciplined on three occasions violates KRPC 1.3, 1.4, and Rule 207(b); probation requirements of Rule 211(g) discussed; recommendations of hearing panel and Disciplinary Administrator advisory only per Rule 212(f); three-year probation plan approved. *In re Beims*, 287 Kan. 705, 198 P.3d 763 (2009).

121. Attorney violated KRPC 5.5 and 8.4 in his unauthorized practice of law; misconduct established by clear and convincing evidence per Rule 211(f); final hearing report deemed admitted per Rule 212(c); six-month suspension per Rule 203(a)(2). *In re Nelson*, 233 Kan. 179, 200 P.3d 1262 (2009).

122. Attorney violated KRPC 8.4(b) and (c) for committing a criminal act and engaging in dishonest conduct; allegations in the hearing report deemed admitted per Rule 212(d); published censure per Rule

203(a)(3). *In re Ellis*, 288 Kan. 604, 204 P.3d 1161 (2009).

123. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

124. Attorney disbarred in Missouri; violations deemed admitted under Rule 212; based on Rule 202, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b) and Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Patterson*, 289 Kan.131 , 209 P.3d 692 (2009).

125. Attorney on suspension committed violations of KRPC 1.4, 3.4, 5.5, and 8.4; respondent filed exceptions and a brief pursuant to Rule 212; no exceptional circumstances exist to warrant discovery deposition per Rule 216(f) and Internal Operating Rule D.4; disbarment. *In re Wiles*, 289 Kan. 201, 210 P.3d 613 (2009).

126. Attorney continued to practice law in retirement and violated KRPC 5.5 and 8.4(c); law-related services defined per KRPC 5.7(b); Rules 201, 208 discussed; hearing panel's recommendation is advisory only per Rule 212(f); disbarment. *In re Rost*, 289 Kan. 290, 211 P.3d 145 (2009).

127. Attorney's misconduct by deceit violated KRPC 8.4(b) and (c); hearing panel's report deemed admitted per Rule 212(c); published censure per Rule 203(a)(3). *In re Betts*, 289 Kan. 820, 217 P.3d 30 (2009).

128. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

129. Attorney's misconduct violated KRPC 4.4, 8.3, 8.4(d) and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel report deemed admitted per Rule 212(c); published censure under Rule 203(a)(3). *In re Kenny*, 289 Kan. 851, 217 P.3d 36 (2009).

130. Attorney's misconduct violated KRPC 8.4(b), 8.1(b), and Rule 207(b); suspension in Missouri established misconduct in Kansas under Rule 202; hearing panel's report deemed admitted per Rule 212(c); indefinite suspension per Rule 203(a)(2), effective 2 years earlier to account for delay in proceedings. *In re McGraw*, 289 Kan. 813, 217 P.3d 25 (2009).

131. Following attorney's disbarment in Missouri and per Rule 202 concerning reciprocal discipline, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b) in Kansas; hearing panel's report deemed admitted under Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Weber*, 289 Kan. 808, 217 P.3d 959 (2009).

132. Attorney's disbarment in Missouri and failure to cooperate in disciplinary process in Kansas results in violations of KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b); violations deemed admitted under Rule 212(c); required notice given per Rule 215; misconduct established per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Tluscik*, 289 Kan. 1111, 219 P.3d 1220 (2009).

133. Attorney disciplined by a three-year suspension for violating KRPC 1.15, 3.3, and 8.4; hearing panel's report deemed admitted under Rule 212(c); respondent may apply by motion for suspension of the remaining two years of his three-year suspension. *In re Shepherd*, 289 Kan. 1116, 220 Kan. 359 (2009).

134. Attorney disciplined by indefinite suspension for violating KRPC 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only and court may impose a different discipline per Rule 212(f);required notice given per Rule 215(a); indefinite suspension per Rule 203(a)(2). *In re Herrington*, 290 Kan. 58, 222 P.3d 492 (2010).

135. Attorney's misconduct violated KRPC 1.8(a) and 8.4(g); misconduct established by clear and convincing evidence per Rule 211 (f); hearing panel's report deemed admitted per Rule 212(c); one-year suspension per Rule 203(a)(2). *In re Weichman*, 290 Kan. 70, 222 P.3d 485 (2010).

136. Attorney's misconduct violated KRPC 1.6 and 1.13; per Rule 211(f) misconduct established by clear and convincing evidence; hearing panel's final report deemed admitted under Rule 212(c); ninety-day suspension per Rule 203(a)(2). *In re Harding*, 290 Kan. 81, 223 P.3d 303 (2010).

137. Attorney's misconduct in representing a client in two car accidents violated KRPC 1.3, 1.4(a), 1.7, and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and shall not prevent Supreme Court from imposing a different discipline per Rule212(f); one-year suspension per Rule 203(a)(2). *In re Kieler*, 290 Kan. 397, 227 P.3d 961 (2010).

138. Attorney's misconduct violated KRPC 1.5(a), 3.3, and 8.4(c); findings of fact deemed admitted per Rule 212(d); findings supported by clear and convincing evidence per Rule 211(f); two-year suspension per Rule 203(a)(2). *In re Orrick*, 290 Kan. 727, 233 P.3d 257 (2010).

139. Attorney's misconduct while on indefinite suspension violated KRPC 1.1, 1.3, 1.4, 8.4, and Rule 211; clear and convincing evidence per Rule 211)(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Bishop*, 291 Kan. 382, 240 P.3d 956 (2010).

140. Attorney previously disciplined three times found to have violated KRPC 1.4(a), 1.16(d), 5.5(a), 8.1(b), 8.4(c), Rule 207(b), Rule 211(b), and Rule 218(a); hearing panel's recommendation advisory only and court may impose different discipline per Rule 212(f); disbarment per Rule 203(a)(1). *In re Jones*, 291 Kan. 405, 243 P.3d 1101 (2010).

141. Attorney previously disciplined on a number of occasions found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

142. Attorney violated KRPC 4.3 and 8.4(b), (c), and (d); recommendations from Disciplinary Administrator and hearing panel are advisory only and the court may impose sanctions greater or lesser than those recommended per Rule 212(f); misconduct established by clear and convincing evidence per Rule 211(f); Rules 218 and 219 compliance ordered; 2-year suspension per Rule 203(a)(2). *In re Millett*, 291 Kan. 369, 241 P.3d 35 (2010).

143. Attorney violated KPRC 8.4(c) by engaging in illegal conduct; hearing panel not permitted to consider probation per Rule 211(g); court orders Rule 219 compliance if respondent seeks reinstatement; hearing panel's recommendation for discipline is advisory only per Rule 212(f); 2-year suspension per Rule 203(a)(2). *In re Johns*, 291 Kan. 638, 243 P.3d 1101 (2010).

144. Attorney's misconduct in an immigration matter violated KRPC 3.5(d) and 8.4(d); misconduct established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and does not limit Supreme Court's discretion to impose other discipline per Rule 212(f); published censure per Rule 203(a)(3). *In re Chavez*, 292 Kan. 45, 251 P.3d 628 (2011).

145. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116 including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; 1-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011).

146. Attorney violated KRPC 8.4(a), (d), and (g) for misconduct stemming from his failure to pay

child support and Rule 211(b) for failing to file a timely answer; hearing panel's report deemed admitted per Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Vanderbilt*, 292 Kan. 262, 253 P.3d 774 (2011).

147. Attorney previously disciplined for similar violations of KRPCs found to have violated KRPC 1.15, 8.4(d), and Rule 211(b); hearing panel's recommendation is advisory only and court may impose sanctions greater or lesser than those recommended per Rule 212(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Johanning*, 292 Kan. 477, 254 P.3d 545 (2011).

148. Attorney previously disciplined four times violates Rules 207(b), 208(c), 211(b), and 218(a); misconduct established by clear and convincing evidence per Rule 211(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Harris*, 292 Kan. 521, 257 P.3d 1231 (2011).

149. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4(a), and 3.2 in mishandling an estate case; probation plan not filed in a timely manner per Rule 211(g); hearing report's findings and conclusions are deemed admitted under Rule 212(c); Rules 218 and 219 compliance ordered; 6-month suspension per Rule 203(a)(2). *In re Foster*, 292 Kan. 940, 258 P.3d 375 (2011).

150. Respondent's misconduct violated multiple KRPC's, including KRPC 1.3, 1.5, 1.15(a) and (d), 3.2, 8.4(c) and (g); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment pursuant to Rule 203(a)(1). *In re Holmes*, 293 Kan. 478, 264 P.3d 423 (2011).

151. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b), 8.4(c), and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

152. Attorney with felony conviction in Missouri also violates KRPC 8.4(b), Rule 203(c)(1), and Rule 208(c); criminal conviction evidence of misconduct per Rule 202; findings of fact deemed admitted per Rule 212(c) , (d); disbarment per Rule 203(a)(1). *In re Tolen*, 293 Kan. 607, 265 P.3d 546 (2011).

153. Attorney violated KRPC 8.2 in making false statements concerning qualifications or integrity of judicial official which were later retracted; clear and convincing evidence established per Rule 211; hearing panel's recommendation advisory only per Rule 212(f); Rule 219 compliance ordered; two-year suspension. *In re Ireland*, 294 Kan. 594, 276 P.3d 762 (2012).

154. Attorney's misconduct in handling his mother's estate violated KRPC 1.3, 3.3(a)(1), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact deemed admitted per Rule 212(c) ;6-month suspension per Rule 203(a)(2). *In re Shriver*, 294 Kan. 617, 278 P.3d 964 (2012).

155. Attorney's misconduct violated KRPC 1.15 and 8.4(c); required notice given per Rule 215(a); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212 (c), (d); disbarment per Rule 203(a)(1). *In re Robinson*, 294 Kan. 649, 279 P.3d 113 (2012).

156. Attorney violated KRPC 1.1, 1.3, 1.4(a), and 1.15 in serving as executor of an estate; respondent's plan of probation failed to meet requirements of Rule 212(g)(1); respondent failed to file exceptions to panel's report thus, findings of fact deemed admitted under Rule 212(c), (d); 6-month suspension per Rule 203(a)(2). *In re Freed*, 294 Kan. 655, 279 P.3d 118 (2012).

157. Attorney misconduct violated numerous KRPC's, including 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.1(b); respondent failed to file timely answer to complaint per Rule 211(b); failed to file exceptions thus, findings of fact are deemed admitted under Rule 212(c), (d); respondent failed to follow his diversion agreement; one-year suspension per Rule 203(a)(2). *In re Ohaebosim*, 294 Kan. 664, 279 P.3d 124 (2012).

158. Attorney's misconduct violated KRPC 1.3, 1.4, 1.16, 8.4, and Rule 211(b) based on multiple complaints; probation per Rule 211(g) denied; clear and convincing evidence established per Rule 211(f); respondent failed to file exceptions to final hearing report, thus deemed admitted under Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Shores*, 294 Kan. 680, 279 P.3d 710 (2012).

159. Held that though panel found more violations than court agreed with and though panel's disciplinary recommendations were only advisory under Rule 212(f), indefinite suspension appropriate. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

160. Attorney misconduct violated KRPC 1.1, 1.4, 5.5, 8.4(c), Rule 208, and Rule 218; exceptions filed under Rule 212(d); recommended 2-year suspension only advisory under Rule 218(f); disbarment imposed. *In re Beck*, 298 Kan. 881, 318 P.3d 977 (2014).

161. Despite filing exceptions to final hearing report, panel's findings deemed admitted where respondent's briefing lacked required argument and citation to record; Rule 212(e)(4) cited. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

162. Respondent's failure to appear in person in disciplinary proceedings before Supreme Court as required by Rule 212(d) was aggravating factor warranting sanction greater than recommended by hearing panel. *In re O'Leary*, 303 Kan. 456, 362 P.3d 1092 (2015).

163. Hearing panels have authority to recommend sanctions but cannot issue mandatory directives or enforce or place conditions on discipline; power to discipline left solely to Supreme Court; Rule 211(f) and Rule 212(f) cited. *In re Thurston*, 304 Kan. 146, 371 P.3d 879 (2016).

164. Discipline for post-panel-hearing misconduct must adhere to procedures protecting right to due process; but note no additional fact-finding required for discipline of Rule 212 violation for failure to appear before Supreme Court at disciplinary hearing. *In re Thurston*, 304 Kan. 146, 371 P.3d 879 (2016).

Rule 213 REFUSAL OF COMPLAINANT TO PROCEED

Case Annotations

1. Public censure; matters to be considered in disciplinary proceeding; abatement due to settlement, or restitution not allowed; deposition testimony. State v. Scott, 230 Kan. 564, 639 P.2d 1131 (1982).

Rule 214 MATTERS INVOLVING RELATED PENDING CIVIL OR CRIMINAL LITIGATION

Case Annotations

1. No discretion abused where disciplinary proceedings not abated during pendency of tenuous appeal on similar issues. *State v. Rome*, 235 Kan. 642, 652, 682 P.2d 290 (1984).

Rule 215 SERVICE

Case Annotations

1. Service by certified mail sufficient to impart notice of hearing pursuant to Rule 215(a), (c); attorney's noncompliance with Rule 208(c) noted. *In re Kershner*, 250 Kan. 383, 827 P.2d 1189 (1992).

2. Attorney properly served per Rule 215, although he did not acknowledge service by mail and

telephone. *In re Callahan*, 258 Kan. 770, 907 P.2d 840 (1995).

3. Attorney properly served by certified mail per Rule 215, although he did not acknowledge service. *In re Rishel*, 271 Kan. 644, 23 P.3d 820 (2001).

4. Attorney's misconduct violated multiple offenses of KRPC: 1.3, 1.4(a), 3.2, 5.5(a), 8.1(b), 8.4(a) and (d); notified per Rule 215(a); failed to respond or appear violating Rule 212(d); failed to file answer per Rule 211(b); disbarment per Rule 203(a)(1); Rule 218 compliance ordered. *In re Griswold*, 274 Kan. 776, 56 P.3d 269 (2002).

5. Notice provisions in Rule 215 cited; notice complied with in letter and spirit; mailing completed as well as delivery of formal complaint and notice of hearing at attorney's home. *In re Franco*, 275 Kan. 571, 66 P.3d 805 (2003).

6. Attorney disciplined for numerous violations of rules of professional conduct including KRPC 3.1, 3.3, 4.1 and 8.4; required notice given per Rule 215; disbarment and Rule 218 compliance ordered. *In re Nathanson*, 279 Kan. 921, 112 P.3d 162 (2005).

7. Attorney disciplined for violating numerous violations of KRPC 1.15 and KRPC 8.4; respondent failed to respond to Disciplinary Administrator's initial complaint as well as failing to provide a written answer to the formal complaint thus violating Rule 207(b) and Rule 211(b); notified per Rule 215; misconduct established by clear and convincing evidence per Rule 211(f); panel's final report deemed admitted per Rule 212; panel's recommendation is advisory only per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Purinton*, 283 Kan. 880, 156 P.3d 660 (2007).

8. Attorney disbarred for numerous violations including KRPC 3.3, 8.4(a), (b), (c), (d), and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only per Rule 212(f); required notice given per Rule 215(a); disbarment pursuant to Rule 203(a)(1). *In re Arabia*, 283 Kan. 851, 156 P.3d 668 (2007).

9. Attorney under temporary suspension for failing to pay annual registration fees and to comply with CLE requirements violated KRPC 8.1(b) and Rule 207(b) upon filing of a formal complaint; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); required notice given per Rule 215(a); indefinite suspension in accordance with Rule 203(a)(2). *In re Crow*, 285 Kan. 1110, 179 P.3d 1093 (2008).

10. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

11. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule 212(d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

12. Attorney's disbarment in Missouri and failure to cooperate in disciplinary process in Kansas results in violations of KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b); violations deemed admitted under Rule 212(c); required notice given per Rule 215; misconduct established per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Tluscik*, 289 Kan. 1111, 219 P.3d 1220 (2009).

13. Attorney disciplined by indefinite suspension for violating KRPC 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only and court may impose a different discipline per Rule 212(f);required notice given per Rule 215(a); indefinite suspension per Rule 203(a)(2). *In re Herrington*, 290 Kan. 58, 222 P.3d 492 (2010).

14. Attorney violated KRPC 1.1, 1.5(a), 3.4(c), 3.5(d), 4.4(a), 8.4(b), (c), (d), and (g), and Rule

211(b); misconduct established by clear and convincing evidence per Rule 211(f); required notice given per Rule 215(a); Rule 218 compliance ordered; disbarment per Rule 203(a)(1). *In re Romious*, 291 Kan. 300, 240 P.3d 945 (2010).

15. Attorney's misconduct violated KRPC 1.15 and 8.4(c); required notice given per Rule 215(a); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212 (c), (d); disbarment per Rule 203(a)(1). *In re Robinson*, 294 Kan. 649, 279 P.3d 113 (2012).

Rule 216 SUBPOENA POWER, WITNESSES AND PRETRIAL PROCEEDINGS

Case Annotations

1. Public censure; matters to be considered in disciplinary proceeding; abatement due to settlement or restitution not allowed; deposition testimony. *State v. Scott*, 230 Kan. 564, 639 P.2d 1131 (1982).

2. Attorney who was temporarily suspended from practice and in federal prison was afforded opportunity to appear in person and present evidence of mitigating circumstances. *In re Brown*, 258 Kan. 731, 907 P.2d 132 (1995).

3. Attorney's mishandling of a probate matter violates KRPC 1.1 and 8.4(d) and (g); court found no violations of Rule 216 by the hearing panel; published censure per Rule 203(a)(3). *In re Roth*, 269 Kan. 399, 7 P.3d 241 (2000).

4. Attorney licensed to practice law in Missouri, but not in Kansas, failed to comply with Rule 216; violated Mo. Rules of Professional Conduct which are identical to and thus, based on Rule 202, violate KRPC 3.3(a)(1), 4.1(a), 8.1(b), 8.4(a) and (d); also found to have violated KRPC 7.1, 8.4(c) and (g); violated Rule 211(b) by failing to timely file answer to formal complaint; indefinite prohibition from practicing law before any Kansas court, administrative tribunal, or state agency. *In re Franco*, 275 Kan. 571, 66 P.3d 805 (2003).

5. Attorney's misconduct violates KRPC 1.1, 3.1, 3.3(a)(1), 3.4(c), 4.4, 8.4(c), (d), and (g); complaint sufficiently clear and specific per Rule 211(b); panel and Disciplinary Administrator's office not required to issue subpoenas on respondent's behalf per Rule 216; Rule 222 cited by Disciplinary Administrator in objecting to introduction of records; disbarment. *In re Landrith*, 280 Kan. 619, 124 P.3d 467 (2005).

6. Attorney on suspension committed violations of KRPC 1.4, 3.4, 5.5, and 8.4; respondent filed exceptions and a brief pursuant to Rule 212; no exceptional circumstances exist to warrant discovery deposition per Rule 216(f) and Internal Operating Rule D.4; disbarment. *In re Wiles*, 289 Kan. 201, 210 P.3d 613 (2009).

7. Disciplinary panel's finding that respondent acted with dishonest motive not relied upon by court since unclear whether disclosure of supporting document was required under Rule 216(d) and unclear whether that document was relied upon by panel. *In re Beck*, 298 Kan. 881, 318 P.3d 977 (2014).

8. District court orders granting pro hac vice admission to administratively suspended attorney held to be void ab initio; unauthorized practice of law violated Rule 116 and Rule 208(e). *In re Hall*, 304 Kan. 999, 377 P.3d 1149 (2016).

Rule 216A COMPLIANCE EXAMINATIONS BY THE DISCIPLINARY ADMINISTRATOR

Case Annotations

1. Attorney's misconduct violated KRPC 1.15(a) and (b), 5.3(b), and 8.4(c) by mishandling her trust account, imperiling client funds, and failing to promptly deliver funds to a client; suspended a 1-year

suspension conditioned upon a 3-year period of compliance with all KRPC's well as complying with KRPC 1.15(d)(2) and Rule 216A. *In re Quinn*, 286 Kan. 301, 184 P.3d 235 (2008).

Rule 217 VOLUNTARY SURRENDER OF LICENSE

Case Annotations

1. Surrender of certificate to practice law accepted on showing of theft and attempted theft convictions. *In re Norman*, 229 Kan. 562, 628 P.2d 637 (1981).

2. Voluntary disbarment; admitted failure to account for funds of estate. *In re Gray*, 230 Kan. 1, 630 P.2d 161 (1980).

3. Voluntary disbarment; plead guilty to felony charge. *In re Hutton*, 230 Kan. 3, 630 P.2d 161 (1981).

4. Voluntary surrender of license following earlier censure and further complaints; disbarment ordered. *In re Pendergraft*, 237 Kan. 409, 701 P.2d 331 (1985).

5. Attorney surrenders license following felony conviction; disbarment. *In re Sturgis*, 239 Kan. 527, 527, 720 P.2d 1118 (1986).

6. Voluntary surrender of license following filing of complaint; disbarment. *In re Sparks*, 242 Kan. 11, 741 P.2d 1329 (1987).

7. Voluntary surrender of license following filing of several complaints; disbarment. *In re Kelley*, 242 Kan. 12, 743 P.2d 1011 (1987).

8. Attorney surrenders license following conviction on four counts of forgery in connection with his mother's estate; disbarment. *In re Glenn*, 242 Kan. 551, 749 P.2d 45 (1988).

9. Attorney surrenders license following disciplinary charges; disbarment. *In re Neuschwander*, 242 Kan. 552, 749 P.2d 45 (1988).

10. Surrender of certificate by attorney under investigation by disciplinary administrator for failure to account for client's funds and for concealment of attorney's assets in his own bankruptcy proceeding; disbarment. *In re Powers*, 242 Kan. 796, 753 P.2d 1267 (1988).

11. Attorney under indefinite suspension and facing additional charges surrenders license pursuant to rule; disbarment. *In re Niederhauser*, 243 Kan. 412, 756 P.2d 1103 (1988).

12. Attorney under investigation for failure to return or account for retainer, after services terminated for neglect, surrenders license; disbarred under rule. *In re McWilliams*, 244 Kan. 1, 764 P.2d 1256 (1988).

13. Attorney who pled to and was sentenced for aiding and abetting income tax evasion charged with violations of Canon 1; Rule 217 surrender and disbarment. *In re Lerner*, 244 Kan. 342, 767 P.2d 1319 (1989).

14. Attorney alleged to have violated Canons 1, 2, 5, 6, 7 voluntarily surrenders license; Rule 217 disbarment. *In re Britt*, 245 Kan. 1, 777 P.2d 272 (1989).

15. Attorney currently under suspension, charged with violating DR 9-102 and Rule 207; Rule 217 surrender; disbarment. *In re Smith*, 245 Kan. 379, 783 P.2d 878 (1989).

16. Attorney who pled to and was sentenced for two felonies charged with violations of Canon 1; Rule 217 surrender and disbarment. *In re Laing*, 246 Kan. 334, 788 P.2d 284 (1990).

17. Attorney under investigation for violation of Canons 1, 7, and 9 surrenders license under Rule 217; disbarment and Rule 218 compliance ordered. *In re Logan*, 247 Kan. 222, 797 P.2d 162 (1990).

18. Attorney surrendering license in contemplation of investigation disbarred; Rule 218 compliance ordered. *In re Dawson*, 247 Kan. 484, 799 P.2d 504 (1990).

19. Attorney under investigation for misuse of clients' funds surrenders license under Rule 217; disbarment and Rule 218 compliance ordered. *In re Hollembeak*, 247 Kan. 485, 807 P.2d 1292 (1990).

20. Attorney's request for disability inactive status granted; pending investigations; subsequent

voluntary surrender of license and disbarment; Rule 218 compliance ordered. *In re Lyden*, 248 Kan. 14, 803 P.2d 1027 (1991).

21. Attorney under investigation surrenders license under Rule 217; disbarment and compliance with Rule 218 ordered. *In re Rhudy*, 248 Kan. 485, 806 P.2d 1013 (1991).

22. Recommended disbarment based on continued neglect of client despite prior discipline for such and failure to respond to said discipline, all in violation of MRPC 1.3, 3.2, and 8.4(g); Rule 217 surrender and disbarment; Rule 218 compliance ordered. *In re Ebersole*, 248 Kan. 496, 807 P.2d 1318 (1991).

23. Attorney on suspension for failure to pay registration fee pleads to federal charges; Rule 217 surrender; disbarment and compliance with Rule 218 ordered. *In re Reynolds*, 249 Kan. 326, 818 P.2d 797 (1991).

24. Additional complaints filed against attorney currently on suspension in Kansas and federal courts; Rule 217 surrender and disbarment and Rule 218 compliance ordered. *In re Farmer*, 249 Kan. 581, 822 P.2d 34 (1991).

25. Attorney surrenders license subsequent to entering guilty pleas in federal court; Rule 217 disbarment and Rule 218 compliance ordered. *In re Dickson*, 250 Kan. 1, 824 P.2d 197 (1992).

26. Attorney under investigation surrenders license under Rule 217; disbarment and Rule 218 compliance ordered. *In re Herzig*, 251 Kan. 270, 836 P.2d 573 (1992).

27. Attorney under suspension for failing to register notified disciplinary administrator of 1981 federal convictions and subsequent District of Columbia disbarment; Rule 217 surrender; disbarment and Rule 218 compliance ordered. *In re Evans*, 252 Kan. 1, 841 P.2d 461 (1992).

28. Attorney under suspension as a result of three felony convictions; other disciplinary cases pending; Rule 217 surrender; disbarment and Rule 218 compliance ordered. *In re Jarczyk*, 252 Kan. 4, 847 P.2d 1190 (1992).

29. Attorney under investigation for converting law firm funds to his own use surrenders license per Rule 217; disbarment and Rule 218 compliance ordered. *In re Kuhls*, 252 Kan. 276, 844 P.2d 37 (1993).

30. Attorney convicted of drug offenses surrenders license per Rule 217; disbarment and Rule 218 compliance ordered. *In re Morlan*, 252 Kan. 277, 849 P.2d 136 (1993).

31. Attorney under investigation for fraud, mispresentation, deceit, and diversion of law firm funds in violation of MRPC 8.4(b), (c), (d) surrenders license per Rule 217; disbarment and Rule 218 compliance ordered. *In re Johnson*, 252 Kan. 493, 852 P.2d 510 (1993).

32. Attorney under indefinite suspension surrenders license per Rule 217; disbarment and Rule 218 compliance ordered. *In re Norwood*, 252 Kan. 717, 851 P.2d 393 (1993).

33. Attorney on indefinite suspension voluntarily surrenders license; 13 complaints pending; disbarment and Rule 218 compliance ordered. *In re Jenkins*, 253 Kan. 842, 862 P.2d 1102 (1993).

34. Attorney under investigation for embezzlement surrenders license; disbarment and compliance with Rule 218 ordered. *In re Cullen*, 254 Kan. 13, 862 P.2d 1102 (1993).

35. Attorney under investigation for income tax fraud based on misappropriation of client funds surrenders license; disbarment and compliance with Rule 218 ordered. *In re Hardesty*, 254 Kan. 14, 864 P.2d 1136 (1993).

36. Attorney surrenders license following plea to one felony count of bank fraud; disbarment and Rule 218 compliance ordered. *In re Leitner*, 254 Kan. 940, 869 P.2d 738 (1994).

37. Attorney surrenders license following conviction of lewdness with a child; disbarment and Rule 218 compliance ordered. *In re Ramey*, 255 Kan. 1, 873 P.2d 1349 (1994).

38. Attorney under investigation for conversion of client's money surrenders license per Rule 217; disbarment and Rule 218 compliance ordered. *In re Hanson*, 256 Kan. 199, 884 P.2d 1159 (1994).

39. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

40. Attorney disbarred following surrender of his license after he pleaded guilty to charges of conspiracy to defraud U.S. agency, wire fraud and others in the U.S. district court. *In re Hainline*, 257 Kan. 1073, 903 P.2d 764 (1995).

41. Attorney under suspension surrenders license per Rule 217; other complaints pending alleging misappropriation of client funds, improper use of trust account, dilatory handling of client affairs, and failure to communicate with clients; disbarment and Rule 218 compliance ordered. *In re Sturm*, 257 Kan. 1089, 898 P.2d 629 (1995).

42. Attorney surrenders license following plea of nolo contendere to the charge of unlawful acts in securities transaction; disbarment. *In re Clothier*, 258 Kan. 309, 902 P.2d 990 (1995).

43. Attorney under investigation for misappropriation of client funds and improper use of trust account surrenders license per Rule 217; disbarment. *In re White*, 258 Kan. 794, 907 P.2d 897 (1995).

44. Attorney formerly on disability status per Rule 220(c) and under investigation for improper conversion of probate funds, abandonment of business client, and violations as cotrustee of educational trust surrenders license per Rule 217; disbarment by United States Tax Court and Missouri Supreme Court; disbarment. *In re O'Keefe,* 259 Kan. 1, 909 P.2d 657 (1996).

45. Attorney under investigation for fraud and neglect of client affairs surrenders license per Rule 217; disbarment. *In re Young*, 259 Kan. 197, 911 P.2d 187 (1996).

46. Attorney surrenders license per Rule 217 following filing of several complaints; disbarment. *In re Stapleton*, 259 Kan. 643, 915 P.2d 743 (1996).

47. Attorney under investigation for alleged failure to provide accounting of clients' funds, forgery on journal entry, and misrepresentation to client surrenders license per Rule 217; disbarment. *In re Butcher*, 259 Kan. 644, 915 P.2d 743 (1996).

48. Assistant district attorney charged with six counts of forgery and six counts of misuse of public funds surrenders license per Rule 217; disbarment. *In re Scamman*, 260 Kan. 1, 916 P.2d 43 (1996).

49. Attorney under investigation surrenders license per Rule 217; disbarment. *In re Wilson*, 260 Kan. 207, 917 P.2d 420 (1996).

50. Attorney who was on one-year suspension for prior disciplinary violations and under investigation for allegations of violations surrenders license per Rule 217; disbarment. *In re Crockett*, 260 Kan. 730, 924 P.2d 642 (1996).

51. Attorney surrenders license per Rule 217 while self-reported complaint is pending before panel; disbarment. *In re Brown*, 261 Kan. 175, 931 P.2d 664 (1996).

52. Attorney surrenders license per Rule 217 while two complaints were scheduled for hearing and two others were being investigated; disbarment. *In re Hughes*, 261 Kan. 1006, 933 P.2d 761 (1997).

53. Attorney on indefinite suspension scheduled for hearing for three additional complaints surrenders license per Rule 217; disbarment. *In re Dow*, 262 Kan. 1, 935 P.2d 1041 (1997).

54. Attorney under investigation for three complaints and recommended indefinite suspension in pending docket surrenders license per Rule 217; disbarment. *In re Evans*, 262 Kan. 2, 935 P.2d 1041 (1997).

55. Attorney who was indicted in U.S. district court for conspiracy to manufacture and distribute methamphetamine surrenders license per Rule 217; disbarment. *In re Webb*, 262 Kan. 679, 941 P.2d 1387 (1997).

56. Attorney surrenders license per Rule 217 while two complaints were pending for misappropriation of client funds, improper use of his attorney trust account, practicing law while suspended, and failure to cooperate with the disciplinary investigations; disbarment. *In re Larson*, 263 Kan. 568, 953 P.2d 1004 (1998).

57. Attorney surrenders license per Rule 217 following panel's recommendation of one-year suspension; disbarment. *In re Long*, 264 Kan. 2, 957 P.2d 1105 (1998).

58. Attorney surrenders license per Rule 217 while pending complaint alleges client abandonment, billing fraud, failure to return client files and failure to cooperate with the disciplinary investigation;

disbarment. *In re Bransgrove*, 264 Kan. 1, 954 P.2d 1078 (1998).

59. Attorney on indefinite suspension and under investigation for another complaint surrenders license per Rule 217; disbarment. *In re Wooton*, 265 Kan. 256, 968 P.2d 670 (1998).

60. Attorney surrenders license per Rule 217 while pending complaint alleges violations of MRPC 1.2, 1.3, 1.4, and 8.4(c); disbarment. *In re Badke*, 265 Kan. 464, 968 P.2d 670 (1998).

61. Attorney surrenders license per Rule 217 after he entered a guilty plea to the charge of accessory after the fact to bankruptcy fraud; disbarment. *In re Carpenter*, 266 Kan. 496, 972 P.2d 320 (1999).

62. Attorney serving a two-year supervised probation surrenders license per Rule 217 while three complaints under investigation and one complaint pending; disbarment. *In re Baxter*, 266 Kan. 771, 976 P.2d 485 (1999).

63. Attorney surrenders license per Rule 217 while formal complaint scheduled for hearing; disbarment. *In re Malter*, 266 Kan. 773, 976 P.2d 485 (1999).

64. Attorney surrenders license per Rule 217 after he was suspended for one year for his failure to competently and diligently handle cases for three separate clients; disbarment. *In re Long*, 267 Kan. 2, 975 P.2d 1210 (1999).

65. Attorney surrenders license per Rule 217 while suspended temporarily per Rule 203(b) and scheduled to appear before the court for alleged misconduct; disbarment. *In re Barker*, 267 Kan. 1, 978 P.2d 253 (1999).

66. Attorney surrenders license per Rule 217 after he was suspended indefinitely for his failure to abide by the conditions of his supervised probation and he was convicted of felony arson; disbarment. *In re Whitaker*, 267 Kan. 494, 984 P.2d 132 (1999).

67. Attorney surrenders license per Rule 217 while nine complaints are docketed for investigation against him; disbarment. *In re Broemmel*, 268 Kan. 78, 995 P.2d 843 (1999).

68. Attorney surrenders license per Rule 217 while violation of KRPC 1.15 is shown; disbarment. *In re Arnold*, 268 Kan. 77, 995 P.2d 843 (1999).

69. Attorney surrenders license per Rule 217 while formal complaint filed; disbarment. *In re Greiving*, 269 Kan. 1, 998 P.2d 509 (2000).

70. Attorney surrenders license per Rule 217 while disciplinary hearing was docketed and four additional complaints were investigated; disbarment. *In re Fleming*, 269 Kan. 238, 998 P.2d 1141 (2000).

71. Attorney with one complaint pending surrenders license per Rule 217; disbarment. *In re Phillips*, 269 Kan. 419, 1 P.3d 921 (2000).

72. Attorney under suspension surrenders license per Rule 217 following filing of formal complaint; disbarment. *In re Stephens*, 269 Kan. 929, 10 P.3d 765 (2000).

73. Attorney surrenders license per Rule 217 while suspended temporarily for two pending complaints; disbarment. *In re Heck*, 270 Kan. 159, 13 P.3d 871 (2000).

74. Attorney surrenders license per Rule 217 pending investigation for violating KRPC 1.1, 1.3, 3.3, 8.4(c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Meyer*, 270 Kan. 160, 26 P.3d 1244 (2000).

75. Attorney pleaded to one count of attempted aggravated indecent liberties with a child; surrenders license per Rule 217; disbarment and Rule 218 compliance ordered. *In re Wellborn*, 270 Kan. 162, 26 P.3d 1244 (2000).

76. Attorney under temporary suspension surrenders license per Rule 217 for self-reported misconduct; disbarment. *In re Yoe*, 270 Kan. 662, 17 P.3d 939 (2001).

77. Attorney previously censured and suspended for one year surrenders license per Rule 217 while investigation pending following filing of formal complaint; disbarment. *In re Carson*, 271 Kan. 393, 22 P.3d 161 (2001).

78. Attorney under indefinite suspension surrenders license per Rule 217 for allegations concerning lack of diligence and an unearned retainer. *In re Gribble*, 272 Kan. 893, 36 P.3d 300 (2001).

79. Attorney under temporary suspension surrenders license per Rule 217 while two formal complaints were pending; disbarment. *In re Friesen*, 272 Kan. 199, 32 P.3d 704 (2001).

80. Attorney under investigation surrenders license under Rule 217; disbarment and Rule 218 compliance ordered. *In re Degraff*, 273 Kan. 1, 40 P.3d 304 (2002).

81. Attorney surrendered license per Rule 217 while three formal complaints pending; disbarment. *In re Kelley*, 273 Kan. 737, 46 P.3d 1199 (2002).

82. Attorney under investigation voluntarily surrenders license per Rule 217. *In re Shanholtzer*, 274 Kan. 441, 53 P.3d 843 (2002).

83. Attorney under 1-year suspension surrenders license per Rule 217; disbarment and Rule 218 compliance ordered. *In re Craig*, 274 Kan. 517, 54 P.3d 969 (2002).

84. Attorney surrendered license per Rule 217 after three criminal charges are brought against him; disbarment and Rule 218 compliance ordered. *In re Cochran*, 275 Kan. 242, 62 P.3d 247 (2003).

85. Attorney, under suspension for 18 months, surrenders license per Rule 217 while under investigation for allegations of misconduct in 11 complaints; review pending before Supreme Court on final hearing report per Rule 212; disbarment. *In re Berry*, 275 Kan. 629, 68 P.3d 134 (2003).

86. Attorney under suspension surrenders license per Rule 217 while two felonies charges, two misdemeanor charges, and seven disciplinary cases pending; disbarment. *In re Arnett*, 276 Kan. 9, 71 P.3d 480 (2003).

87. Attorney surrenders license per Rule 217 while formal complaint pending based on two misdemeanor charges; disbarment. *In re Crumley*, 276 Kan. 10, 71 P.3d 480 (2003).

88. Attorney surrendered license per Rule 217 while five formal complaints pending; disbarment. *In re Cotton*, 276 Kan. 8, 71 P.3d 481 (2003).

89. Attorney surrendered license per Rule 217 after pleading guilty to two felony counts; disbarment. *In re Weidner*, 276 Kan. 296, 75 P.3d 1217 (2003).

90. Attorney surrendered license per Rule 217 while formal complaint pending involving lack of candor to a tribunal and conversion of client funds; disbarment. *In re McMullen*, 278 Kan. 2, 92 P.3d 566 (2004).

91. Attorney surrendered license per Rule 217; 17 complaints pending for KRPC violations involving diligence, communication, attorney fees, withdrawing from representation, and failure to cooperate with disciplinary process; disbarment. *In re Kellogg*, 278 Kan. 1, 92 P.3d 566 (2004).

92. Attorney surrendered license per Rule 217 while formal complaint pending; disbarment. *In re Studtmann*, 276 Kan. 736, 79 P.3d 1285 (2003).

93. Attorney surrendered license per Rule 217 while multiple complaints pending alleging lack of competence, lack of diligence, lack of communication, and accepting retainers and performing no work; disbarment. *In re Lietz*, 277 Kan. 26, 81 P.3d 1243 (2003).

94. Attorney surrendered his license per Rule 217 while formal complaint pending regarding dishonest conduct and misappropriation of client's funds; disbarment. *In re Viveros*, 277 Kan. 657, 88 P.3d 1232 (2004).

95. Attorney surrendered license per Rule 217 while complaint pending involving allegations that in his capacity as an executor of an estate, respondent paid himself attorney fees and his share of the estate without a court order. *In re Stanford*, 278 Kan. 286, 93 P.3d 1200 (2004).

96. Attorney surrendered license per Rule 217 while three complaints pending alleging lack of diligence and unearned retainers; disbarment. *In re Moore*, 277 Kan. 265, 84 P.3d 1045 (2004).

97. Attorney surrendered license following hearing panel report finding misconduct in four clients' cases; disbarment. *In re Wood*, 276 Kan. 757, 80 P.3d 1112 (2003).

98. Attorney surrendered license per Rule 217 while seven complaints pending alleging misconduct in representing clients in immigration matters including failure to provide records as required pursuant to KRPC 1.15(a); disbarment. *In re Phillips*, 278 Kan. 337, 97 P.3d 492 (2004).

99. Attorney voluntarily surrendered license pursuant to Rule 217 while formal complaint pending in accordance with Rule 211; disbarment and Rule 218 compliance ordered. *In re Felker*, 279 Kan. 280, 107 P.3d 1234 (2005).

100. Attorney surrenders license per Rule 217 while review pending before Supreme Court per Rule 212; violations include KRPC 1.15(b), 8.4(c) and (g); disbarment and Rule 218 compliance ordered. *In re Spikes*, 279 Kan. 522, 111 P.3d 635 (2005).

101. Attorney voluntarily surrendered license per Rule 217 while two complaints with Disciplinary Administrator pending; disbarment and Rule 218 compliance ordered. *In re Hoskins*, 279 Kan. 961, 114 P.3d 162 (2005).

102. Attorney voluntarily surrendered license per Rule 217 while four complaints with Disciplinary Administrator pending; misconduct involving KRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4(a), (c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Maker*, 280 Kan. 1, 117 P.3d 880 (2005).

103. Attorney voluntarily surrendered his license per Rule 217 while complaint pending alleging violations of KRPC 1.7, 1.8, 1.15, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Weller*, 280 Kan. 14, 118 P.3d 1237 (2005).

104. Attorney voluntarily surrendered his license per Rule 217 following disbarment by the Supreme Court of Missouri for embezzlement; disbarment and Rule 218 compliance ordered. *In re Koenigsdorf*, 280 Kan. 15, 118 P.3d 1237 (2005).

105. Attorney voluntarily surrendered license pursuant to Rule 217 following hearing panel's hearing per Rule 212 that respondent violated KRPC 1.3, 1.4, 1.5, 3.4, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Boaten*, 281 Kan. 390, 132 P.3d 870 (2006).

106. Attorney previously disciplined voluntarily surrenders license pursuant to Rule 217; Rule 218 compliance ordered; disbarment. *In re Whalen*, 280 Kan. 356, 121 P.3d 555 (2005).

107. Attorney voluntarily surrenders license to practice law per Rule 217 pending hearing regarding four counts of misconduct; disbarment. *In re Lehr*, 281 Kan. 842, 133 P.3d 1279 (2006).

108. Attorney surrendered license pursuant to Rule 217 pending review on charges of fraud and dishonesty which violated KRPC 8.1(a) and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Girard*, 281 Kan. 97, 128 P.3d 400 (2006).

109. Attorney surrendered license pursuant to Rule 217 pending review in eight complaints set for formal hearing; disbarment and Rule 218 compliance ordered. *In re Leader*, 281 Kan. 1, 127 P.3d 985 (2006).

110. Attorney voluntarily surrendered license per Rule 217 following disbarment in Missouri for violations of misconduct; disbarment. *In re Donnelly*, 281 Kan. 840, 133 P.3d 837 (2006).

111. Attorney voluntarily surrenders license per Rule 217 pending hearing for numerous KRPC violations; disbarment. *In re Markowitz*, 282 Kan. 37, 141 P.3d 500 (2006).

112. Attorney voluntarily surrendered license per Rule 217 pending disciplinary hearing; disbarment in state of Texas for misconduct involving dishonesty; disbarment and Rule 218 compliance ordered. *In re Kaufman*, 282 Kan. 36, 141 P.3d 500 (2006).

113. Attorney voluntarily surrendered license pursuant to Rule 217 following guilty pleas to criminal charges of presenting a false claim and official misconduct while respondent was serving as a district judge. *In re Bengtson*, 283 Kan. 185, 151 P.3d 850 (2007).

114. Attorney voluntarily surrendered license pursuant to Rule 217 with two cases pending before the Supreme Court involving violations of KRPC 1.3, 3.2, 1.15, 3.4, and 8.4; disbarment. *In re Kennard*, 283 Kan. 270, 156 P.3d 596 (2007).

115. Attorney voluntarily surrendered license pursuant to Rule 217 while panel hearing pending alleging violations of KRPC 1.15(a) and (d), and KRPC 8.4(b), (c), and (g);disbarment and Rule 218 compliance ordered. *In re Dent*, 284 Kan. 760, 165 P.3d 298 (2007).

116. Attorney voluntarily surrendered license per Rule 217 pending a formal hearing in accordance

with Rule 211 relating to misconduct and numerous violations of the KRPC's as well as a conviction for felony theft. *In re Allen*, 282 Kan. 726, 147 P.3d 879 (2006).

117. Attorney voluntarily surrendered license pursuant to Rule 217 following hearing panel report finding violations of KRPC 8.4(b) and convictions in federal and state court in Missouri; sentenced to 5 years in Missouri, concurrent with federal sentence; disbarment and Rule 218 compliance ordered. *In re Helder*, 284 Kan. 761, 165 P.3d 1050 (2007).

118. Attorney previously suspended voluntarily surrenders license per Rule 217 pending 17 separate complaints and a formal hearing in accordance with Rule 211 relating to multiple rules violations; failure to cooperate with disciplinary investigations per Rule 207; disbarment. *In re Sachse*, 284 Kan. 906, 167 P.3d 793 (2007).

119. Attorney voluntarily surrendered license pursuant to Rule 217 pending hearing alleging multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.1(b), and Rule 207(b); disbarment. *In re Lane*, 285 Kan. 259, 171 P.3d 275 (2007).

120. Attorney voluntarily surrendered license pursuant to Rule 217 pending a hearing with the Supreme Court regarding two complaints; disbarment. *In re Sickel*, 286 Kan. 50, 182 P.3d 1204 (2008).

121. Attorney voluntarily surrendered license pursuant to Rule 217 with three cases pending before the Supreme Court alleging multiple violations of KRPC 1.2(d), 1.4(a), 1.7, 1.8(b), 1.15(a), 8.4(b) and (g), and Rule 207(b); disbarment. *In re Cowger*, 286 Kan. 52, 182 P.3d 1204 (2008).

122. Attorney voluntarily surrendered her license pursuant to Rule 217 pending an investigation; disbarment. *In re Foster*, 286 Kan. 1066, 191P.3d 1117 (2008).

123. Attorney voluntarily surrendered license pursuant to Rule 217 pending five complaints of misconduct; disbarment. *In re Dean*, 286 Kan. 1068, 191 P.3d 1118 (2008).

124. Attorney voluntarily surrendered license pursuant to Rule 217 pending an investigation of misconduct in eight cases; disbarment. *In re Kelsey*, 286 Kan. 1067 , 191 P.3d 1117 (2008).

125. Attorney voluntarily surrendered license pursuant to Rule 217 pending an investigation into misconduct in six cases; disbarment. *In re Rose*, 286 Kan. 742, 188 P.3d 952 (2008).

126. Attorney voluntarily surrendered license pursuant to Rule 217 with seven cases pending; disbarment. *In re Griffiths*, 286 Kan. 957, 189 P.3d 1172 (2008).

127. Attorney voluntarily surrendered license pursuant to Rule 217 following allegations of misconduct involving KRPC 8.4(c), (d), and (g); disbarment. *In re Hummer*, 286 Kan. 744, 188 P.3d 952 (2008).

128. Attorney voluntarily surrendered his license pursuant to Rule 217 pending a hearing involving allegations of misconduct under KRPC 8.4(c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Chambers*, 288 Kan. 509, 205 P.3d 698 (2009).

129. Attorney voluntarily surrendered his license pursuant to Rule 217 pending a hearing involving allegations of misconduct under KRPC 1.3, 1.4, 1.15, 8.1(b), and 8.4(b); disbarment. *In re Shafer*, 288 Kan. 657, 207 P.3d 208 (2009).

130. Attorney voluntarily surrendered license pursuant to Rule 217 pending a hearing on five complaints alleging misconduct under KRPC 1.3, 1.4(a), 1.16, 5.5, 8.1(b), and 8.4(b) and Rules 207(b) and 211 (b); disbarment. *In re Docking*, 288 Kan. 731, 208 P.3d 739 (2009).

131. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

132. Attorney voluntarily surrenders license per Rule 217 with panel hearing pending on three complaints involving violations of KRPC 1.3, 1.4(a), 5.5, 8.4(d) and Rule 211(b); disbarment. *In re Holmberg*, 289 Kan. 978, 218 P.3d 801 (2009).

133.Attorney voluntarily surrenders license per Rule 217 with three complaints pending of violations

of KRPC 1.1, 1.4, 5.5, 8.1, 8.4(c), and Rule 211; disbarment. *In re Ruther*, 289 Kan. 1130, 220 P.3d 369 (2009).

134. Attorney under three-year suspension may make apply by motion for suspension of the remaining two years; Rules 218 and 219 compliance ordered. *In re Shepherd*, 289 Kan. 1116, 220 P.3d 359 (2009).

135. Attorney reinstated to the practice of law in Kansas following completion of a six-month suspension; petitioner has met the requirements of paying costs, complied with Rule 218, and undergone a reinstatement hearing pursuant to Rule 219. *In re McPherson*, 290 Kan. 315, 229 P.3d 389 (2010).

136. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan. 801, 234 P.3d 804 (2010).

137. Attorney voluntarily surrendered license to practice law per Rule 217 after pleading guilty to one felony count of interference with commerce by extortion; disbarment. *In re Goodrich*, 290 Kan. 950, 235 P.3d 475 (2010).

138. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d) and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan. 52, 241 P.3d 81 (2010).

139. Attorney voluntarily surrendered license to practice law per Rule 217 with two felony charges pending; disbarment per Rule 203(a)(1). *In re Logan*, 291 Kan. 246, 239 P.3d 1290 (2010). 140. Attorney voluntarily surrendered license to practice law per Rule 217 with a complaint pending as a result of his disbarment by the state of Missouri; disbarment. *In re Lovelace*, 291 Kan. 675, 244 P.3d 1274 (2010).

141. Attorney voluntarily surrendered license to practice law per Rule 217 with a complaint pending that he violated KRPC 8.4(b); disbarment per Rule 203(a)(1). *In re Tilford*, 292 Kan. 238, 252 P.3d 573 (2011).

142. Respondent surrenders license to practice law pursuant to Rule 217 while panel hearing is pending on a complaint filed regarding KRPC 8.3(a), 8.4(b), Rule 203(c)(1), and Rule 208(c); disbarment per Rule 203(a)(1). *In re Blecha*, 293 Kan. 502, 264 P.3d 115 (2011).

143. Respondent surrenders license to practice law pursuant to Rule 217, following no contest plea to a felony theft; disbarment per Rule 203(a)(1). *In re Carroll*, 293 Kan. 584, 263 P.3d 180 (2011).

144. Respondent voluntarily surrenders her license pursuant to Rule 217 after a complaint had been docketed concerning violations of Rule 207; Rule 208; KRPC 1.15, 8.1, and 8.4(c) and (g); disbarment per Rule 203(a)(1). *In re Schaefer*, 293 Kan. 929, 271 P.3d 731 (2012).

145. Respondent voluntarily surrendered his license to practice law after a complaint was pending alleging violations of KRPC 8.4(b); disbarment per Rule 203(a)(1). *In re Schultz*, 293 Kan. 1056, 272 P.3d 595 (2012).

146. Attorney voluntarily surrendered license to practice law pursuant to Rule 217 with violations of KRPC 1.3, 1.4, 3.2, 8.1, and 8.4(g) and Rule 207 pending; disbarment. *In re Day*, 294 Kan. 615, 277 P.3d 1134 (2012).

147. Attorney voluntarily surrendered license to practice law pursuant to Rule 217; complaint docketed in accordance with Rule 210, alleging multiple violations of KRPC's; disbarment. *In re Payne*, 295 Kan. 9, 282 P.3d 617 (2012).

148. Attorney voluntarily surrendered his license to practice law pursuant to Rule 217 after complaint filed alleging violations of KRPC 4.1 and 8.4(b); disbarment. *In re Roth*, 295 Kan. 8, 282 P.3d 610 (2012).

149. Attorney disbarred after pleading guilty to two felonies and voluntarily surrendering his license per Rule 217. *In re Telthorst*, 296 Kan. 96, 290 P.3d 611 (2012).

150. Attorney voluntarily surrendered license per Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.1, 1.5, 1.7, 1.8, 1.9, 1.16, and 8.4(a), (d), and (e); disbarred. *In re Rosel*, 296 Kan. 97, 290 P.3d 611 (2012).

151. Attorney voluntarily surrendered license per Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 8.4(b) and Rule 203(c)(1) after attorney was convicted of sexual exploitation of a child and failed to report his arrest and conviction to Disciplinary Administrator; disbarred. *In re Thurston*, 295 Kan. 550, 285 P.3d 1040 (2012).

152. Attorney disbarred after voluntarily surrendering his license when he was convicted of two felonies. *In re Stephenson*, 297 Kan. 1, 298 P.3d 354 (2013).

153. Attorney voluntarily surrendered license per Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.5, 1.7, 1.13, 1.15, and 8.4; disbarred. *In re King*, 297 Kan. 208, 300 P.3d 643 (2013).

154. Attorney voluntarily surrendered license under Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.3, 1.4, 1.16, 3.4(c), and 8.1(b), and Rule 207(b), 211(b), and 218. *In re Freed*, 298 Kan. 346, 312 P.3d 364 (2013).

155. Attorney voluntarily surrendered license under Rule 217 after license had been temporarily suspended under Rule 203(c) as a result of conviction for involuntary manslaughter. *In re Murdick*, 299 Kan. 1126, 329 P.3d 1093 (2014).

156. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of Rule 8.4(d). *In re Ramsey*, 299 Kan. 606, 326 P.3d 376 (2014).

157. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman*, 300 Kan. 475, 332 P.3d 172 (2014).

158. Attorney voluntarily surrendered license under Rule 217; at time of surrender court review pending for violations of KRPC 8.1(b) and 8.4(b) and (c), and Rule 211. *In re Dinkel*, 300 Kan. 660, 333 P.3d 155 (2014).

159. Attorney voluntarily surrendered license under Rule 217; at time of surrender complaint based on attorney's felony conviction remained pending. *In re Smith*, 300 Kan. 760, 335 P.3d 66 (2014).

160. Attorney voluntarily surrendered license under Rule 217 after complaint alleged violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4. *In re Brooks*, 301 Kan. 451, 345 P.3d 258 (2015).

161. Attorney voluntarily surrendered license under Rule 217; at the time of surrender complaints had been docketed for investigation alleging violations of Rule 1.1, 1.3, 1.4, 8.3, and 8.4. *In re Bezek*, 302 Kan. 325, 352 P.3d 1014 (2015).

162. Voluntary surrender of license under Rule 217; at time of surrender complaints had been docketed for investigation alleging violations of KRPC 1.1, 1.15, and 8.4. *In re Thompson*, 304 Kan. 376, 371 P.3d 348 (2016).

163. Voluntary surrender of license under Rule 217; at time of surrender formal hearing pending regarding complaint alleging violations of KRPC 8.1, 8.3, and 8.4 and Rule 207 with additional complaint docketed for investigation alleging violations of KRPC 5.5. *In re Fritz*, 304 Kan. 374, 371 P.3d 348 (2016).

164. Attorney who had voluntarily surrendered license under Rule 217 met conditions for reinstatement after having taken and passed bar examination. *In re Long*, 302 Kan. 746, 357 P.3d 877 (2015).

165. Voluntary surrender of license under Rule 217; at time of surrender hearing on formal complaint had been scheduled for alleged violations of KRPC 1.4, 1.7, 1.15, 1.16, 8.1, 8.3, and 8.4 and Rule

208. *In re Majors*, 302 Kan. 970, 360 P.3d 418 (2015).

166. Voluntary surrender of license under Rule 217; at time of surrender complaint had been docketed for investigation alleging violations of KRPC 1.15 and 8.4(b) and (c). *In re Gallas*, 302 Kan. 1005, 360 P.3d 1079 (2015).

167. Voluntary surrender of license under Rule 217; at time of surrender hearing on formal complaint had been scheduled for alleged violations of KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4 and Rule 207 and 208. *In re Allen*, 302 Kan. 1006, 360 P.3d 1079 (2015).

168. Voluntary surrender of license under Rule 217; at time of surrender complaint had been docketed for investigation alleging violation of KRPC 1.15 and 8.4(b) and (c). *In re O'Brien*, 303 Kan. 383, 361 P.3d 515 (2015).

169. Voluntary surrender of license; at time of surrender five complaints had been docketed for investigation alleging violations of KRPC 1.1, 1.7, 3.3, 4.4, and 8.4(b), (c), (d), and (g). *In re Arkell*, 304 Kan. 999, 377 P.3d 414 (2016).

170. Lack of option to voluntarily surrender license in good standing under Rule 217 was properly considered as mitigating factor by hearing panel; little weight assigned to this factor by court in imposing discipline. *In re Hall*, 304 Kan. 999, 377 P.3d 1149 (2016).

Rule 218 NOTICE TO CLIENTS, OPPOSING COUNSEL, AND COURTS OF RECORD FOLLOWING SUSPENSION, DISBARMENT, OR VOLUNTARY SURRENDER OF LICENSE

Case Annotations

1. Attorney voluntarily surrendered license under Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.3, 1.4, 1.16, 3.4(c), and 8.1(b), and Rule 207(b), 211(b), and 218. *In re Freed*, 298 Kan. 346, 312 P.3d 364 (2013).

2. After attorney completed term of suspension and provided proof of compliance with Rule 218, license reinstated subject to terms of probation. *In re Meek*, 298 Kan. 587, 315 P.3d 259 (2014).

3. Attorney misconduct violated KRPC 1.1, 1.4, 5.5, 8.4(c), Rule 208, and Rule 218; exceptions filed under Rule 212(d); recommended 2-year suspension only advisory under Rule 218(f); disbarment imposed. *In re Beck*, 298 Kan. 881, 318 P.3d 977 (2014).

4. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman*, 300 Kan. 475, 332 P.3d 172 (2014).

5. Attorney misconduct violated KRPC 1.2(a), 1.4(a), 1.16(d), and 8.4(c) and (d) and Rule 211(b) and 218(a); indefinite suspension. *In re Johnson*, 300 Kan. 851, 335 P.3d 634 (2014).

6. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), 3.2, 5.5(a), and 8.4 (d) and (g) and Rule 218; indefinite suspension. *In re Eager*, 300 Kan. 1068, 338 P.3d 1 (2014).

7. Attorney misconduct violated KRPC 1.4(a), 8.1(b), and 8.4(g); and Rules 207(b), 208, and 218; 1-year suspension. *In re Thompson*, 301 Kan. 428, 343 P.3d 108 (2015).

8. Attorney misconduct violated KRPC 5.5(a), 7.1, 7.5(a), 8.1(b), and 8.4(d) and Rules 207(b), 208(c), and 218(a); indefinite suspension. *In re Barker*, 302 Kan. 156, 351 P.3d 1256 (2015).

9. Appeal by Disciplinary Administrator's office under Rule 211(f); hearing panel erred in dismissing alleged violations of Rule 218(c)(1) and KRPC 5.5(a). *In re Hall*, 304 Kan. 999, 377 P.3d 414 (2016).

Rule 219 REINSTATEMENT

Case Annotations

1. Report and recommendations of board not binding on court; final conviction conclusive; court will not look behind it. *State v. Russo,* 230 Kan. 5, 6, 7, 8, 16, 630 P.2d 711 (1981).

2. Suspended attorney reinstated upon successful completion of Kansas bar examination. *In re Elmborg,* 241 Kan. 425, 739 P.2d 444 (1987).

3. Petition for reinstatement of attorney previously disbarred; permanent disbarment; reinstatement denied. *In re Russo,* 244 Kan. 3, 765 P.2d 166 (1988).

4. Petition for reinstatement of attorney previously indefinitely suspended; reinstated upon conditions. *In re Johnson,* 244 Kan. 591, 770 P.2d 842 (1989).

5. Petition for reinstatement of attorney previously indefinitely suspended; reinstatement upon conditions. *In re Soule,* 244 Kan. 593, 770 P.2d 841 (1989).

6. Petition for reinstatement of disbarred attorney; reinstatement denied. *In re Sowers,* 244 Kan. 594, 771 P.2d 933 (1989).

7. Disbarred attorney's reinstatement again denied; conduct subsequent to disbarment cited. *In re Thompson,* 245 Kan. 130, 776 P.2d 474 (1989).

8. Attorney who, while under disciplinary investigation, had voluntarily surrendered certificate to practice law petitions for reinstatement; petition denied. *In re Schmidt,* 246 Kan. 178, 787 P.2d 1201 (1990).

9. Attorney indefinitely suspended 4 years ago petitions for reinstatement; reinstatement granted contingent upon successful completion of Multistate Professional Responsibility Exam and Kansas Bar Exam. *In re Heilman,* 247 Kan. 266, 800 P.2d 143 (1990).

10. Attorney's 6-month suspension completed; reinstated contingent upon compliance with attorney registration Rule 208 and continuing legal education Rule 801 *et seq. In re Berning,* 248 Kan. 15, 803 P.2d 1028 (1991).

11. Attorney's 1-year suspension completed; reinstated contingent upon compliance with attorney registration Rule 208 and continuing education Rule 801 *et seq. In re Wilks,* 248 Kan. 16, 803 P.2d 1027 (1991).

12. Attorney's second request for Rule 219 reinstatement following indefinite suspension denied; attorney's failure to supply requested information germane to reinstatement noted by court; Rule 207 attorney obligations noted. *In re Pringle,* 248 Kan. 498, 808 P.2d 1339 (1991).

13. Attorney indefinitely suspended petitions for Rule 219 reinstatement; granted on conditions. *In re Christian,* 248 Kan. 504, 810 P.2d 276 (1991).

14. Attorney on indefinite suspension reinstated following verification of successful completion of Kansas Bar Exam and Multi-State Professional Responsibility Exam. *In re Heilman,* 248 Kan. 633, 808 P.2d 881 (1991).

15. Attorney indefinitely suspended may apply for reinstatement after 1 year rather than the 3-year requirement of 219(e). *In re Vorhies,* 248 Kan. 985, 811 P.2d 1254 (1991).

16. Attorney indefinitely suspended reinstated after fulfilling conditions. *In re Christian,* 249 Kan. 305, 817 P.2d 659 (1991).

17. Attorney's failure to appear for imposition of recommended informal admonition violates Rule 207; one-year suspension with reinstatement upon Rule 219 petition; Rule 218 compliance. *In re Wood,* 251 Kan. 832, 840 P.2d 519 (1992).

18. Disciplinary administrator recommends suspension subject to readmission per Rule 219 for noncompliance with probation conditions; Supreme Court finds compliance and discharges attorney from probation. *In re Heaven,* 252 Kan. 274, 849 P.2d 136 (1992).

19. Attorney on indefinite suspension may apply for reinstatement after the expiration of three years. *In re Pomeroy*, 252 Kan. 1044, 1052, 850 P.2d 222 (1993).

20. Attorney previously under suspension, ordered disbarred, allowed to apply for reinstatement five years from date of most recent order of suspension. *In re Keithley*, 252 Kan. 1053, 850 P.2d 227 (1993).

21. Attorney suspended for four years by sister state placed on indefinite suspension; may apply for reinstatement pursuant to Rule 219; Rule 218 compliance ordered. *In re Talley*, 253 Kan. 834, 861 P.2d 128 (1993).

22. Attorney placed on indefinite suspension required to make full restitution prior to applying for reinstatement. *In re Lunt*, 255 Kan. 529, 874 P.2d 1198 (1994).

23. Panel recommendation of indefinite suspension, probated, and three-year supervised probation not followed by court; court imposes indefinite suspension with application for reinstatement allowed in three years conditioned on full restitution. *In re Nelson*, 255 Kan. 555, 874 P.2d 1201 (1994).

24. Attorney under disciplinary investigation requested transfer to disability inactive status pursuant to Rule 220(c); numerous violations involving incompetence; aggravating and mitigating circumstances; indefinite suspension and Rule 218 compliance ordered; Rule 219 application for reinstatement contingent on restitution. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

25. Attorney convicted of felony possession of controlled substance with intent to distribute; criminal acts violate MRPC 8.4(b), (d) and (g); disbarment and Rule 218 compliance ordered. *In re Diggs*, 256 Kan. 193, 883 P.2d 1182 (1994).

26. Attorney convicted of 30 counts of giving a worthless check; violation of MRPC 8.4(b), (c), (d) and (g); indefinite suspension and Rule 218 compliance ordered; Rule 219 application for reinstatement contingent on restitution. *In re Phelps-Griffin*, 256 Kan. 503, 886 P.2d 788 (1994).

27. Attorney who was indefinitely suspended reinstated after fulfilling conditions. *In re Daily*, 258 Kan. 1, 897 P.2d 1039 (1995).

28. Attorney's mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension; restitution with interest required before respondent applies for reinstatement under Rule 219. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

29. Attorney's handling of counterclaim and appeal in lawsuit between home buyers and construction company violates MRPC 1.1, 1.3, 1.4, 8.4(c) and (d) and Rule 207; one-year suspension; restitution with interest required before respondent applies for reinstatement under Rule 219. *In re Crockett*, 259 Kan. 540, 912 P.2d 176 (1996).

30. Attorney self-reported cases in which he allowed the statute of limitations to expire on his clients' claims; violations of MRPC 1.3, 1.4, and 8.4; two-year suspension; court notes that under Rule 219, attorney could petition for reinstatement before the two-year suspension had expired. *In re Hill*, 259 Kan. 877, 915 P.2d 49 (1996).

31. Attorney's failure to defend client in repossession action violates MRPC 1.1, 1.3, and 1.4; continued use of alcohol and drugs and four additional complaints pending hearing or investigation negate panel's recommendation of supervised probation; one-year suspension; reinstatement considered following Rule 219 compliance. *In re Mitchell*, 260 Kan. 560, 919 P.2d 360 (1996).

32. Attorney's mishandling of bankruptcy proceedings for his clients violates MRPC 1.1, 1.2, 1.3, 1.4, 8.1 and 8.4 and Rule 207; disbarment and Rule 218 compliance ordered. *In re Gordon*, 260 Kan. 905, 925 P.2d 840 (1996).

33. Attorney, serving as part-time hearing officer for Kansas Department of Revenue, dismissed eight cases of persons who had employed him as attorney in their DUI cases; violation of MRPC 1.11 and 8.4(c) and (d); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Gribble*, 261 Kan. 985, 933 P.2d 672 (1997).

34. Attorney's mishandling of traffic cases and real property transaction, sexual harassment complaint filed against him, and disorderly conduct at the airport violate MRPC 1.2, 1.3, 1.4, 3.2, and 8.4;

indefinite suspension effective as of date of order per Rule 219. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

35. Attorney admitted violations of MRPC 1.3, 1.4, and 1.15; two-year suspension per Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Hamilton*, 263 Kan. 528, 949 P.2d 1139 (1997).

36. Disbarred attorney's petition for reinstatement denied; prior conduct of misappropriating and converting funds of his client and his law firm overshadowed petitioner's rehabilitation efforts since disbarment. *In re Smith*, 263 Kan. 569, 953 P.2d 222 (1998).

37. Attorney's failure to diligently and competently represent and to communicate with his six clients and his failure to cooperate with the disciplinary administrator's office violate MRPC 1.1, 1.3, 1.4, 1.16, 3.4, 8.1, and 8.4 and Rule 207; suspension effective as of the date of order for purpose of Rule 219(e); indefinite suspension. *In re Wooten*, 264 Kan. 283, 955 P.2d 1239 (1998).

38. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2), and Rules 218 and 219 compliance ordered. *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

39. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

40. Attorney who was suspended for two years reinstated after fulfilling conditions. *In re Hill*, 266 Kan. 236, 969 P.2d 258 (1998).

41. Attorney stipulated to violations of MRPC 1.1, 1.2, 1.3, 1.4, 3.1, and 8.4(g) in his handling of child custody case, child support case, and wrongful termination case; his failure to cooperate in investigation violates Rules 207(b) and 211(b); Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for appropriateness of probation; one-year suspension and Rule 219 compliance ordered. *In re Long*, 266 Kan. 664, 972 P.2d 773 (1999).

42. Attorney's falsely reporting a crime of burglary and filing a fraudulent insurance claim violate MRPC 8.4(b), (c), and (g); indefinite suspension and Rule 219 compliance ordered. *In re Bennett*, 266 Kan. 1081, 975 P.2d 262 (1999).

43. Attorney's failure to notify the disciplinary administrator of his suspensions by Oklahoma Supreme Court and his misconduct which was the basis of his Oklahoma suspension violate KRPC 1.2(d) and 8.4(d) and Rules 207(c) and 211(b); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Holden*, 267 Kan. 788, 982 P.2d 399 (1999).

44. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

45. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re McIntosh*, 268 Kan. 73, 991 P.2d 403 (1999).

46. One-year suspension with additional conditions and Rules 218 and 219 compliance ordered. *In re Cole*, 268 Kan. 171, 991 P.2d 422 (1999).

47. Attorney's lack of evidence, communication, and failure to expedite post-divorce child support matter violate KRPC 8.1 and Rules 2.07 and 211; indefinite suspension per Rule 219(e). *In re Cole*, 268 Kan. 828, 999 P.2d 962 (2000).

48. Attorney's violation of his fiduciary duties to his ward as guardian and conservator of an incapacitated person violate KRPC 1.14 and 8.4(c), (d), and (g); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Leising*, 269 Kan. 162, 4 P.3d 586 (2000).

49. Attorney indefinitely suspended for numerous ethical violations in Missouri and convicted of filing a false federal income tax return; temporary suspension per Rule 203(c)(5) effective at the time of

suspension in Kansas; violations found in KRPC 1.2, 1.3, 1.4, 1.8, 1.15, 3.2, 5.1, and 8.4; indefinite suspension and Rules 218 and 219 compliance ordered. *In re Shaver*, 269 Kan. 171, 4 P.3d 581 (2000).

50. Attorney's failure to diligently represent and communicate with a client violates KRPC 1.3, 1.4(a), 1.16(a)(2), and 8.4(c); one-year suspension and Rule 218 and Rule 219 compliance ordered. *In re McGee*, 270 Kan. 135, 13 P.3d 11 (2000).

51. Attorney indefinitely suspended petitions for Rule 219 reinstatement; granted with conditions. *In re Bennett*, 270 Kan. 523, 15 P. 3d 834 (2001).

52. One-year suspension and Rules 218 and 219 compliance ordered. *In re Lund*, 270 Kan. 865, 19 P.3d 110 (2001).

53. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Rishel*, 271 Kan. 644, 23 P.3d 820 (2001).

54. Indefinite suspension and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

55. Attorney who was suspended for one year reinstated after fulfilling conditions. *In re Brock*, 271 Kan. 1033, 28 P.3d 1017 (2001).

56. Attorney who was indefinitely suspended petitions for reinstatement; reinstatement granted. *In re Morris*, 272 Kan. 1, 30 P.3d 1001 (2001).

57. One-year suspension and Rules 218 and 219 compliance ordered. *In re Coder*, 272 Kan. 758, 35 P.3d 853 (2001).

58. County attorney's misconduct in seven counts results in supervised probation; must elect inactive status on next renewal date of his attorney registration. *In re Swarts*, 272 Kan. 28, 30 P.3d 1011 (2001).

59. One-year suspension with additional conditions and Rules 218 and 219 compliance ordered. *In re Craig*, 272 Kan. 299, 32 P.3d 1174 (2001).

60. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Johnson*, 272 Kan.284, 32 P.3d 1132 (2001).

61. One-year suspension with additional conditions and Rules 218 and 219 compliance ordered. *In re Winterburg*, 273 Kan. 135, 41 P.3d 842 (2002).

62. Two-year suspension and Rule 219 compliance ordered. *In re Swisher*, 273 Kan.143, 41 P.3d 847 (2002).

63. Two-year suspension and Rules 218 and 219 compliance ordered. *In re Moore*, 273 Kan. 154, 41 P.3d 831 (2002).

64. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Trickey*, 273 Kan. 1003, 46 P.3d 554 (2002).

65. Suspension and Rules 218 and 219 compliance ordered. *In re Lucas*, 273 Kan. 1010, 46 P.3d 558 (2002).

66. Indefinite suspension and Rules 218 and 219 compliance. *In re Kellogg*, 274 Kan. 281, 50 P.3d 57 (2002).

67. Eighteen months' suspension and Rules 218 and 219 compliance ordered. *In re Berry*, 274 Kan. 336,50 P.3d 20 (2002).

68. One-year suspension and Rules 218 and 219 compliance ordered. *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

69. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Shelton*, 274 Kan. 374, 49 P.3d 10 (2002).

70. Indefinite suspension and Rule 219 compliance ordered. *In re Matson*, 274 Kan. 78, 56 P.3d 160 (2002).

71. Attorney is reinstated per Rule 219 to practice of law after fulfilling conditions and furnishing proof of compliance per Rule 218. *In re Zimmerman*, 275 Kan. 45, 60 P.3d 347 (2002).

72. Attorney previously censured for KRPC 8.4(b) and (d) and admonished for KRPC 1.16(d) now

found to have violated KRPC 1.15, 5.1, and 8.4(a); Internal Operating Rule E.8. cited for appropriateness of probation; supervising attorney afforded full immunities per Rule 223; misconduct established by clear and convincing evidence per Rule 211(f) and hearing panel's report deemed admitted under Rule 212(c) and (d); Rule 219 hearing not required at end of 2-year probation; 16 specific terms and conditions set forth in probation plan; Rule 218 compliance ordered; 2-year supervised probation. *In re Conwell*, 275 Kan. 902, 69 P.3d 589 (2003).

73. One-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

74. Attorney reinstated per Rule 219 following indefinite suspension; fulfilled requirements set by Supreme Court. *In re Scimeca*, 277 Kan. 307, 84 P.3d 1046 (2004).

75. Attorney reinstated per Rule 219 at the end of a 1-year suspension and after fulfilling conditions and furnishing proof of compliance with Rule 219. *In re Lund*, 276 Kan. 754, 81 P.3d 425 (2003).

76. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Gorup*, 276 Kan. 664, 78 P.3d 812 (2003).

77. Petition for reinstatement of law license granted pursuant to Rule 219 following one-year suspension. *In re Rumsey*, 279 Kan. 264, 107 P.3d 1233 (2005).

78. Attorney disciplined for multiple violations of rules of professional conduct including KRPC 8.4 and 1.4; compliance with Rule 219 ordered if reinstatement sought; indefinite suspension and Rule 218 compliance ordered. *In re Islas*, 279 Kan. 930, 112 P.3d 210 (2005).

79. County attorney's misconduct violated KRPC 1.1, 1.3, 3.2, 8.4(d) and (g); ordered to complete CLE program per Rule 802A and make full restitution to the county; restitution hearing prior to reinstatement required pursuant to Rule 219; one-year suspension per Rule 203(a)(2); Rule 218 compliance ordered. *In re Vanderbilt*, 279 Kan. 491, 110 P.3d 419 (2005).

80. Attorney under indefinite suspension now requests reinstatement per Rule 219; reinstatement granted. *In re Rickman*, 280 Kan. 264, 121 P. 3d 422 (2005).

81. Attorney's misconduct in three cases violates KRPC 1.3, 1.7, 4.2, and 8.4; compliance with Rules 218 and 219 ordered; 1-year suspension ordered per Rule 203(a)(2). *In re Pattison*, 280 Kan. 349, 121 P.3d 42 (2005).

82. Attorney previously disciplined voluntarily surrenders license pursuant to Rule 217; Rule 218 compliance ordered; disbarment. *In re Whalen*, 280 Kan. 356, 121 P.3d 555 (2005).

83. Attorney under indefinite suspension complies with Rule 218; request for reinstatement pursuant to Rule 219 granted; requirement of Rule 807(b)(3) waived. *In re Phillips*, 280 Kan. 262, 121 P.3d 422 (2005).

84. Attorney on 2-year probation in Colorado for violations regarding misconduct now disciplined in Kansas; Rule 202 cited in finding misconduct in Kansas based on the Colorado stipulation of misconduct and final order imposing sanctions; respondent required to undergo hearing pursuant to Rule 219 prior to reinstatement; 2-year suspension per Rule 203(a)(2). *In re Eastepp*, 281 Kan. 698, 132 P.3d 918 (2006).

85. Attorney previously suspended and given Rule 219 hearing requirement because of subsequent misconduct violates KRPC 8.4(b) and (c); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment. *In re Lucas*, 281 Kan. 692, 132 P.3d 914 (2006).

86. Attorney committed numerous violations of KRPC 8.4(a) and (b) involving a criminal act committed in Missouri; respondent's diversion in Missouri deemed a conviction in Kansas under Rule 202; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); reinstatement under Rule 219 conditioned upon reinstatement in Missouri; suspended for 6 months in Missouri; indefinite suspension pursuant to Rule 203(a)(2). *In re Gackle*, 283 Kan. 502, 153 P.3d 493 (2007).

87. Attorney previously suspended for 1 year requested reinstatement after completing certain

conditions required by Supreme Court; reinstatement granted. *In re Vanderbilt*, 284 Kan. 607, 163 P.3d 266 (2007).

88. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Wiles*, 283 Kan. 173, 150 P.3d 859 (2007).

89. Attorney previously disbarred petitions for reinstatement per Rule 219; license reinstated upon proof of completion of CLE hours and payment of annual attorney registration. *In re Smith*, 282 Kan. 526, 163 P.3d 1222 (2006).

90. Attorney previously suspended for a period of 3 months requested reinstatement upon complying with certain conditions imposed by Supreme Court; reinstatement granted. *In re Pyle*, 284 Kan. 727, 163 P.3d 267 (2007).

91. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Lampson*, 282 Kan. 700, 147 P.3d 143 (2006).

92. Attorney's misconduct out of state violates KRPC 1.1, 1.7(b), and 8.4(d); respondent's conviction in District of Columbia deemed a conviction in Kansas under Rule 202; findings of fact deemed admitted under Rule 212(d) since respondent failed to file exceptions to the panel's report; indefinite suspension and compliance with Rules 218 and 219 ordered. *In re Evans*, 285 Kan. 147, 169 P.3d 1083 (2007).

93. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re O'Neill*, 285 Kan. 474, 172 P.3d 1179 (2007).

94. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Trester*, 285 Kan. 404, 172 P.3d 31 (2007).

95. Petitioner's request for reinstatement pursuant to Rule 219 is considered and granted with certain conditions. *In re Leising*, 285 Kan. 501, 175 P.3d 221 (2008).

96. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Bishop*, 285 Kan. 1097, 179 P.3d 1096 (2008).

97. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Swisher*, 285 Kan. 1084, 179 P.3d 412 (2008).

98. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Lovelace*, 286 Kan. 266, 182 P.3d 1244 (2008).

99. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Sheahon*, 286 Kan. 274, 182 P.3d 1263 (2008).

100. Attorney petitions for reinstatement pursuant to Rule 219; granted upon condition of compliance with CLE requirements and payment of attorney registration and CLE fees. *In re Talley*, 286 Kan. 1069, 192 P.3d 614 (2008).

101. Six-month suspension and Rules 218 and 219 compliance ordered. *In re Thomas*, 287 Kan. 88, 193 P.3d 907 (2008).

102. Six-month suspension and Rules 218 and 219 compliance ordered. *In re Cranmer*, 287 Kan. 495, 196 P.3d 932 (2008).

103. One-year suspension and Rules 218 and 219 compliance ordered. *In re Docking*, 287 Kan. 485, 196 P.3d 1149 (2008).

104. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Dowell*, 287 Kan. 501, 196 P.3d 915 (2008).

105. Six-month suspension and Rules 218 and 219 compliance ordered. *In re McPherson*, 287 Kan. 434, 196 P.3d 921 (2008).

106. Six-month suspension and Rule 219 compliance ordered. *In re Campbell*, 287 Kan. 757, 199 P.3d 776 (2009).

107. Six-month suspension and Rules 218 and 219 compliance ordered. *In re Nelson*, 233 Kan. 179, 200 P.3d 1262 (2009).

108. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Piekalkiewicz*, 288 Kan. 610, 205 P.3d 734 (2009).

109. Attorney disbarred in Missouri and under indefinite suspension in Kansas may not apply for reinstatement under Rule 219 in this state unless respondent has been reinstated to practice law in Missouri. *In re Weber*, 289 Kan. 808, 217 P.3d 959 (2009).

110. Attorney under three-year suspension may make apply by motion for suspension of the remaining two years; Rules 218 and 219 compliance ordered. *In re Shepherd*, 289 Kan. 1116, 220 P.3d 359 (2009).

111. Indefinite suspension and Rules 218 and 219 compliance ordered. *In re Herrington*, 290 Kan. 58, 222 P.3d 492 (2010).

112. One-year suspension and Rules 218 and 219 compliance ordered. *In re Weichman*, 290 Kan. 70, 222 P.3d 485 (2010).

113. Per Rule 219, Petitioner will be reinstated to the practice of law in Kansas conditioned upon his successful completion of all CLE requirements. *In re Trester*, 290 Kan. 174, 226 P.3d 558 (2010).

114. Petitioner fully complied with conditions imposed following suspension and is reinstated to practice of law in Kansas. *In re Harris*, 290 Kan. 188, 224 P.3d 1158 (2010).

115.Rules 218 and 219 compliance ordered and hearing in accordance with Rule 219 to determine respondent's fitness for reinstatement; one-year suspension. *In re Kieler*, 290 Kan 397, 227 P.3d 961 (2010).

116. Attorney granted reinstatement after complying with conditions imposed per Rules 218 and 219. *In re Harding*, 290 Kan. 484, 231 P.3d 558 (2010).

117. Attorney granted reinstatement after complying with procedural requirements of Rule 219. *In re Campbell*, 290 Kan. 504, 231 P.3d 562 (2010).

118. Two-year suspension and Rules 218 and 219 compliance ordered. *In re Orrick*, 290 Kan. 727, 233 P.3d 257 (2010).

119. One-year suspension and Rule 219 compliance prior to being readmitted to practice. *In re Depew*, 290 Kan. 1057, 237 P.3d 24 (2010).

120. Two-year suspension and Rules 218 and 219 compliance ordered. *In re Millett*, 291 Kan. 369, 241 P.3d 35 (2010).

121. Attorney previously disciplined by 6-month suspension now violates KRPC 1.2, 1.3, 1.4(a), 1.5(a), 1.15(b), 1.16(d). 8.1(b), Rule 207(b), and Rule 211; conditions set out for reinstatement under Rule 219(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

122. Attorney violated KRPC 8.4(b) as a result of receiving a felony conviction; per Rule 202 criminal conviction is conclusive evidence of the commission of a crime; Rules 218 and 219 compliance ordered; 3-year suspension per Rule 203(a)(2). *In re Frahm*, 291 Kan. 520, 241 P.3d 1010 (2010).

123. Attorney violated KPRC 8.4(c) by engaging in illegal conduct; court orders Rule 219 compliance if respondent seeks reinstatement; hearing panel's recommendation for discipline is advisory only and does not prevent the court from imposing different discipline per Rule 212(f); 2-year suspension per Rule 203(a)(2). *In re Johns*, 291 Kan. 638, 243 P.3d 1101 (2010).

124. Pursuant to Rules 218 and 219, attorney reinstated to the practice of law upon his compliance with certain conditions. *In re McIntosh*, 291 Kan. 864, 248 P.3d 277 (2011).

125. Attorney violated KRPC 1.3, 1.4, Rule 207(b) and Rule 211(b) stemming from respondent's

handling of a postdivorce child support matter; clear and convincing evidence found per Rule 211(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Ivester*, 291 Kan. 744, 246 P.3d 987 (2011).

126. Attorney's misconduct violated KRPC 1.3, 1.4, 1.15, Rules 207, and 211 in four civil matters; proper service obtained per Rule 215; compliance with Rules 218 and 219 ordered; indefinite suspension per Rule 203(a)(2). *In re Luttrell*, 292 Kan. 51, 252 P.3d 111 (2011).

127. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

128. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116 including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; 1-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011).

129. Attorney who was suspended for 3 years petitioned the court for reinstatement of license under Rule 219 after 1 year; court permitted his request conditioned upon supervised probation per Rule 223 for the remaining 2-year period of suspension; *In re Shepherd*, 292 Kan. 189, 254 P.3d 1262 (2011).

130. Attorney petitions for reinstatement following 6 months' suspension; Rules 218 and 219 compliance ordered; reinstatement granted conditioned upon compliance with CLE requirements and payment of all required fees, including costs of the disciplinary action. *In re Cranmer*, 292 Kan. 345, 235 P.3d 339 (2011).

131. Attorney petitions for reinstatement following 1 year of a 3-year suspension; all conditions were completed and reinstatement granted. *In re Cline*, 292 Kan. 365, 253 P.3d 340 (2011).

132. Attorney filed motion for reinstatement following completion of 3-year suspension; conditions completed and court granted reinstatement. *In re Frahm*, 292 Kan. 366, 253 P.3d 340 (2011).

133. Attorney's misconduct violated KRPC 8.4(a), (b), and (g), Rule 208, and Rule 211 stemming from attorney's disbarment in Missouri for a criminal probation in Colorado; misconduct established by clear and convincing evidence per Rule 211(f); Rule 219 hearing will be required before any consideration of readmission with certain conditions; indefinite suspension per Rule 203(a)(2). *In re Baca*, 292 Kan. 390, 253 P.3d 348 (2011).

134. Attorney previously disciplined for similar violations of KRPCs found to have violated KRPC 1.15, 8.4(d), and Rule 211(b); hearing panel's recommendation is advisory only and court may impose sanctions greater or lesser than those recommended per Rule 212(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Johanning*, 292 Kan. 477, 254 P.3d 545 (2011).

135. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4(a), and 3.2 in mishandling an estate case; probation plan not filed in a timely manner per Rule 211(g); hearing report's findings and conclusions are deemed admitted under Rule 212(c); Rules 218 and 219 compliance ordered; 6-month suspension per Rule 203(a)(2). *In re Foster*, 292 Kan. 940, 285 P.3d 375 (2011).

136. Attorney indefinitely suspended for numerous violations of KRPC 1.1, 1.3, 1.4, 3.2, 8.1, and Rule 207; misconduct established by clear and convincing evidence per Rule 211(f); compliance with Rule 219 if requests reinstatement; indefinite suspension per Rule 203(a)(2). *In re Bock*, 293 Kan. 616, 265 P.3d

552 (2011).

137. Attorney's petition for reinstatement to practice of law per granted with certain conditions; Rule 218 compliance ordered; reinstatement following Rule 219 hearing. *In re Wiechman*, 293 Kan. 631, 267 P.3d 742 (2011).

138. Court imposes original discipline of suspension for 6 months for failing to abide by terms and conditions of probation; Rules 218 and 219 compliance ordered. *In re Jones*, 293 Kan. 871, 269 P.3d 833 (2012).

139. Attorney's petition for reinstatement granted conditioned upon compliance with the annual CLE requirements and payment of all fees; reinstatement following Rule 219 compliance. *In re Roswold*, 294 Kan. 448, 275 P.3d 904 (2012).

140. Attorney's misconduct violated KRPC 1.7(a)(2), 5.5(a), Rule 208(c), and KPRC 8.4(c), relating to his conflict of interest representation of an arson suspect and her husband; Rules 218 and 219 compliance ordered; one-year suspension. *In re Johnson*, 294 Kan. 575, 276 P.3d 213 (2012).

141. Attorney violated KRPC 8.2 in making false statements concerning qualifications or integrity of judicial official which were later retracted; clear and convincing evidence established per Rule 211; hearing panel's recommendation advisory only per Rule 212(f); Rule 219 compliance ordered; two-year suspension. *In re Ireland*, 294 Kan. 594, 276 P.3d 762 (2012).

142. Attorney petitioned for reinstatement pursuant to Rule 219; granted conditioned upon compliance with CLE requirements and payment of fees to clerk of appellate courts and CLE commission. *In re Lampson*, 295 Kan. 276, 284 P.3d 278 (2012).

143. Attorney petitioned for reinstatement pursuant to Rule 219; granted conditioned upon compliance with CLE requirements and payment of fees to clerk of appellate courts and CLE commission. *In re Depew*, 295 Kan. 274, 284 P.3d 279 (2012).

144. Petition for reinstatement of attorney previously suspended for 2 years; reinstated upon conditions. *In re Millett*, 295 Kan. 1069, 287 P.3d 932 (2012).

145. Attorney reinstated contingent upon compliance with continuing legal education requirements and payment of fees. *In re Dwight*, 296 Kan. 1, 290 P.3d 247 (2012).

146. After undergoing reinstatement hearing under Rule 219, attorney license reinstated by court subject to practice limitations and supervision requirements. *In re Jones*, 298 Kan. 583, 315 P.3d 257 (2014).

147. Attorney misconduct violated KRPC 8.4(b), 8.4(d), and 8.4(g); indefinite suspension; prior to reinstatement six required conditions to be established at Rule 219 hearing. *In re Betts*, 302 Kan. 944, 359 P.3d 70 (2015).

148. Suspended attorney reinstated by Supreme Court after Rule 219 hearing requirement met. *In re Bowman*, 303 Kan. 381, 361 P.3d 514 (2015).

149. Suspended attorney reinstated by Supreme Court after Rule 219 hearing requirement met. *In re Stockwell*, 304 Kan. 1, 377 P.3d 413 (2016).

Rule 220 PROCEEDINGS WHERE AN ATTORNEY IS DECLARED OR IS ALLEGED TO BE INCAPACITATED

Case Annotations

1. Attorney transferred to disability status hereunder. *In re Holmes*, 226 Kan. 579 (1979).

2. Petition for return to active status denied based upon present showing of petitioner. *In re Griffith*, 229 Kan. 561, 628 P.2d 233 (1981).

3. Attorney's request for disability inactive status granted; pending investigations; subsequent voluntary surrender of license and disbarment; Rule 218 compliance ordered. *In re Lyden*, 248 Kan. 14, 803 P.2d 1027 (1991).

4. Attorney on disability inactive status restored to active status and placed on temporary suspension pending resolution of disciplinary actions pursuant to Rule 220(a) and (c); reinstated upon 2-year conditional supervised probation. *In re Keil*, 248 Kan. 629, 809 P.2d 531 (1991).

5. Attorney under disciplinary investigation requested transfer to disability inactive status pursuant to Rule 220(c); numerous violations involving incompetence; aggravating and mitigating circumstances; indefinite suspension and Rule 218 compliance ordered; Rule 219 application for reinstatement contingent on restitution. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

6. Attorney formerly on disability status per Rule 220(c) and under investigation for improper conversion of probate funds, abandonment of business client, and violations as cotrustee of educational trust surrenders license per Rule 217; disbarment by United States Tax Court and Missouri Supreme Court; disbarment. *In re O'Keefe,* 259 Kan. 1, 909 P.2d 657 (1996).

7. Attorney's mishandling of grandparents' visitation case and municipal court case violates MRPC 1.2, 1.3, 1.4, 3.1, and 8.4; current suspension per Rule 208 noted; registered for disabled inactive status per Rule 220; published censure. *In re Taylor*, 265 Kan. 246, 959 P.2d 901 (1998).

8. Attorney on disability inactive status violated Rule 220 by engaging in the practice of law; KRPC 8.2 violated by making false or reckless statements regarding the qualification and integrity of judge; KRPC 8.4(a), (d), and (g) violated for misconduct; district judge's ruling that attorney was disqualified presumed to be valid under Rule 202; exceptions filed per Rule 212; published censure per Rule 203(a)(3). *In re Arnold*, 274 Kan. 761, 56 P.3d 259 (2002).

Rule 221 APPOINTMENT OF COUNSEL TO PROTECT CLIENTS' INTERESTS

Case Annotations

1. Attorney was appointed to audit respondent's files and take action to protect respondent's clients per Rule 221. *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

2. Indefinite suspension and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

Rule 222 CONFIDENTIALITY

Case Annotations

1. Rule provides for confidentiality until probable cause determination made. *Jarvis v. Drake*, 250 Kan. 645, 830 P.2d 23 (1992).

2. Attorney's misconduct violates KRPC 1.1, 3.1, 3.3(a)(1), 3.4(c), 4.4, 8.4(c), (d), and (g); complaint sufficiently clear and specific per Rule 211(b); panel and Disciplinary Administrator's office not required to issue subpoenas on respondent's behalf per Rule 216; Rule 222 cited by Disciplinary Administrator in objecting to introduction of records; disbarment. *In re Landrith*, 280 Kan. 619, 124 P.3d 467 (2005).

Rule 223 IMMUNITY

Case Annotations

1. All lawyers, including those subject to investigation, have duty to cooperate with and respond to inquiries from disciplinary authorities; self-incrimination exception. *State v. Savaiano*, 234 Kan. 268, 271, 274, 670 P.2d 1359 (1983).

2. Summary judgment for defendant affirmed in action by attorney for malicious prosecution, libel, and tortious interference with contract against complainant in disciplinary case; rule grants absolute immunity; rule not unconstitutional as a violation of equal protection. *Jarvis v. Drake*, 250 Kan. 645, 830 P.2d 23 (1992).

3. Attorney appointed to supervise probation of respondent attorney granted immunity under rule. *In re Meyer*, 251 Kan. 838, 840 P.2d 522 (1992).

4. Attorney's duty to cooperate with disciplinary authorities limited only by Rule 223 right against self-incrimination; public censure. *In re Jackson*, 252 Kan. 219, 222, 843 P.2d 257 (1992).

5. Sole exception to Rule 207 duty to cooperate in disciplinary investigation is right against self-incrimination. *In re Jackson*, 253 Kan. 810, 861 P.2d 124 (1993).

6. Attorney supervising probation of disciplined attorney afforded immunities under rule. *In re Jones*, 253 Kan. 836, 861 P.2d 1340 (1993).

7. Attorney assigned to supervise practice of attorney on disciplinary probation afforded immunities pursuant to rule; Supreme Court declines to follow panel recommendation that district judges monitor the supervising attorney. *In re Herman*, 254 Kan. 908, 869 P.2d 721 (1994).

8. Rule 223 discussed and construed in an action arising from a fee dispute between attorney and client. *Gerhardt v. Harris*, 261 Kan. 1007, 934 P.2d 976 (1997).

9. Attorney's mishandling of estate matter violates MRPC 1.1 and 1.3; two-year supervised probation; supervising attorney afforded all immunities per Rule 223. *In re Perkins*, 263 Kan. 207, 946 P.2d 998 (1997).

10. Attorney's failure to prepare necessary tax returns for an estate and pension plan documents for employer violates MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 8.4 and Rule 207; supervising attorney afforded all immunities per Rule 223; two-year supervised probation and continued treatment for alcoholism, depression and personality disorders ordered. *In re Stephens*, 263 Kan. 221, 946 P.2d 1379 (1997).

11. Attorney's failure to diligently handle workers compensation case violates MRPC 1.1, 1.3, 1.4, and 1.8; supervising attorney's immunities granted by Rule 223; two-year supervised probation. *In re Durr*, 263 Kan. 525, 949 P.2d 1130 (1997).

12. Attorney supervising probation of disciplined attorney afforded immunities under rule. *In re Morse*, 264 Kan. 286, 954 P.2d 1092 (1998).

13. Attorney's failure to adequately communicate with his clients and his lack of due diligence in an automobile accident case violate MRPC 1.3 and 1.4; supervising attorney granted all immunities per Rule 223; two-year supervised probation. *In re Davisson*, 266 Kan. 395, 969 P.2d 892 (1998).

14. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

15. Attorney's failure to notify his client of the issuance of a bench warrant for arrest violates MRPC 1.4 and his failure to cooperate with the investigation violates Rule 207; two-year supervised probation ordered; supervising attorney afforded immunity per Rule 223. *In re Islas*, 266 Kan. 679, 972 P.2d 764 (1999).

16. Attorney's mishandling of personal injury case, past due taxes case, and bankruptcy case violates KRPC 1.3, 1.4, 1.15, 3.2, 8.1, and 8.4; he was arrested for DUI, possession of cocaine, possession of drug

paraphernalia, battery on a law enforcement officer, battery on his former girlfriend, and other charges; failure to notify and cooperate with the disciplinary administrator in violation of Rules 203(c) and 207, defense under Rule 223 raised; indefinite suspension. *In re Parker*, 267 Kan. 779, 985 P.2d 124 (1999).

17. Attorney's mishandling of habeas corpus action violates KRPC 1.3 and 1.4 and Rule 207; allegations in the hearing panel's report deemed admitted per Rule 212(d) and (e)(4); supervising attorney afforded full immunities per Rule 223; two-year supervised probation. *In re Brunson*, 268 Kan. 69, 986 P.2d 1074 (1999).

18. Attorney's mishandling of a personal injury case violates KRPC 1.3, 1.4, 1.16(a)(2), and 3.2; two-year supervised probation ordered; supervising attorney afforded immunity per Rule 223. *In re Francis*, 269 Kan. 178, 4 P.3d 579 (2000).

19. Attorney's mishandling of six federal court cases and two state court cases violates KRPC 1.3, 3.1, 3.2, 3.4(c) and (d), and 8.4(d) by clear and convincing evidence per Rule 211(f); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Boone*, 269 Kan. 484, 7 P.3d 270 (2000).

20. Attorney's mishandling of probate matters violates KRPC 1.1, 1.3, 3.3(a), 8.1(a), and 8.4(c); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(c) and (d); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Howard*, 269 Kan. 414, 2 P.3d 766 (2000).

21. Attorney's mishandling of a personal injury, criminal appeal, parole, medical malpractice, juvenile offender, and civil action violates KRPC 1.1, 1.3, 1.4(a), 1.15, and 3.2 and Rule 207; two-year probation per Rule 203(a)(2); immunity granted for supervising attorney per Rule 223. *In re Sachse*, 269 Kan. 810, 8 P.3d 766 (2000).

22. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 5.4(a), 5.5(b), 7.3 and 8.4; supervising attorney afforded full immunities per Rule 223; two-year supervised probation. *In re Flack*, 272 Kan.465, 33 P.3d 1281 (2001).

23. Attorney stipulated to violation of KRPC 1.1, 1.3, 1.4(a) and 3.4(d) in his handling of two civil actions; attorney's prior informal admonishments in three cases cited as aggravating factor; 18-months' supervised probation. *In re Works*, 273 Kan. 603, 43 P.3d 816 (2002).

24. Attorney committed multiple violations of KRPC: 1.3, 1.4, 1.16(d), and 3.2; failed to timely respond to complaints in violation of 8.1, Rule 207(b) and Rule 211(b); supervising attorney afforded full immunities per Rule 223; 2-year supervised probation. *In re Nelson*, 275 Kan. 377, 64 P.3d 413 (2003).

25. Attorney previously disciplined by supervised probation found to have committed multiple violations of KRPC: 1.3, 1.4, 3.1, and 4.2; previously violated KRPC 1.3, 3.1, 3.2, 3.4, and 8.4; pursuant to Rule 212(c), attorney filed an exception to panel's report; disciplinary panel conducted formal hearing pursuant to Rule 211; supervising attorney granted full immunities per Rule 223; supervised probation extended to 5 years with restrictions on practice. *In re Boone*, 275 Kan. 560, 66 P.3d 896 (2003).

26. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

27. Attorney previously censured for KRPC 8.4(b) and (d) and admonished for KRPC 1.16(d) now found to have violated KRPC 1.15, 5.1, and 8.4(a); Internal Operating Rule E.8. cited for appropriateness of probation; supervising attorney afforded full immunities per Rule 223; misconduct established by clear and convincing evidence per Rule 211(f) and hearing panel's report deemed admitted under Rule 212(c) and (d); Rule 219 hearing not required at end of 2-year probation; 16 specific terms and conditions set forth in probation plan; Rule 218 compliance ordered; 2-year supervised probation. *In re Conwell*, 275 Kan. 902, 69 P.3d 589 (2003).

28. Attorney's misconduct violated KRPC 1.1, 1.3, and 3.2; probation imposed per Rule 211(g); supervised attorney afforded immunities granted by Rule 223; 18-months' supervised probation. *In re Johanning*, 279 Kan. 950, 111 P.3d 1061 (2005).

29. Attorney's multiple offenses violates KRPC 1.1, 1.3, 1.4, 8.1(b), 8.4(c) and Rule 207(b); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorney granted full immunities per Rule 223; satisfactory plan of probation submitted by respondent per Rule 211(g); 1-year suspension stayed in accordance with Rule 203(a)(2); 2-years' supervised probation. *In re Mitchell*, 280 Kan. 656, 123 P.3d 1279 (2005).

30. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16, and 3.2; formal hearing conducted per Rule 211; hearing panel's report deemed admitted per Rule 212; supervising attorney afforded full immunities per Rule 223; Rule 211(g) probation requirements discussed; per Rule 203(a)(2) respondent's 3-year suspension stayed and placed on 3 years' supervised probation. *In re Bock*, 285 Kan. 815, 175 P.3d 233 (2008).

31. Attorney who was suspended for 3 years petitioned the court for reinstatement of license under Rule 219 after 1 year; court permitted his request conditioned upon supervised probation per Rule 223 for the remaining 2-year period of suspension; *In re Shepherd*, 292 Kan. 189, 254 P.3d 1262 (2011).

Rule 224 ADDITIONAL RULES OF PROCEDURE

Case Annotations

1. Substitution of one hearing panel member following recusal of original member does not necessitate new hearing, absent show of actual prejudice by clear and convincing evidence. *In re Carson*, 252 Kan. 399, 845 P.2d 47 (1993).

2. Court found no merits under Rule 224(d) in attorney's claim that disciplinary proceeding was in violation of Rule 211 (c) where there was no prejudice shown. *In re Granger*, 265 Kan. 737, 962 P.2d 529 (1998).

3. Service by mail is complete upon mailing per Rule 224(b). *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

4. K.S.A. 1998 Supp. 60-215(b) is applicable in a disciplinary proceeding per Rule 224(b). *In re Carson*, 268 Kan. 134, 991 P.2d 896 (1999).

5. Court found no merit under Rule 224(d) in attorney's claim that this court lacked jurisdiction and that disciplinary proceeding was in violation of Rule 211(c) where there was no prejudice shown. *In re Arnold*, 274 Kan. 761, 56 P.3d 259 (2002).

INTERNAL OPERATING RULES OF THE KANSAS BOARD FOR DISCIPLINE OF ATTORNEYS

Case Annotation

1. Attorney's failure to object to composition of hearing panel noted by court. *In re Seck*, 258 Kan. 530, 905 P.2d 122 (1995).

2. Attorney stipulated to violations of MRPC 1.1, 1.2, 1.3, 1.4, 3.1, and 8.4(g) in his handling of child custody case, child support case, and wrongful termination case; his failure to cooperate in investigation violates Rules 207(b) and 211(b); Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for appropriateness of probation; one-year suspension and Rule 219 compliance ordered. *In re Long*, 266 Kan. 664, 972 P.2d 773 (1999).

3. Attorney previously disciplined three prior times now found to have violated KRPC 1.1, 1.3,

1.4(a), 1.5(d), and 3.1; Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for failure of attorney to develop his own probation plan; one-year suspension. *In re Zimmerman*, 270 Kan. 855, 19 P.3d 160 (2001).

4. Attorney previously censured for KRPC 8.4(b) and (d) and admonished for KRPC 1.16(d) now found to have violated KRPC 1.15, 5.1, and 8.4(a); Internal Operating Rule E.8. cited for appropriateness of probation; supervising attorney afforded full immunities per Rule 223; misconduct established by clear and convincing evidence per Rule 211(f) and hearing panel's report deemed admitted under Rule 212(c) and (d); Rule 219 hearing not required at end of 2-year probation; 16 specific terms and conditions set forth in probation plan; Rule 218 compliance ordered; 2-year supervised probation. *In re Conwell*, 275 Kan. 902, 69 P.3d 589 (2003).

5. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

6. Attorney on suspension committed violations of KRPC 1.4, 3.4, 5.5, and 8.4; respondent filed exceptions and a brief pursuant to Rule 212; no exceptional circumstances exist to warrant discovery deposition per Rule 216(f) and Internal Operating Rule D.4; disbarment. *In re Wiles*, 289 Kan. 201, 210 P.3d 613 (2009).

Rule 226 KANSAS RULES OF PROFESSIONAL CONDUCT

PREFATORY RULE

Case Annotations

1. Adoption of Rule 226 supersedes and supplements Rule 225 Code of Professional Responsibility; Rule 225 Canons 1 through 9 preserved as "general statements of required professional conduct." *Geisler by Geisler v. Wyeth Laboratories*, 716 F. Supp. 520, 524 (D. Kan. 1989).

2. Violations committed before March 1, 1988, governed by Rule 225. *In re Keithley*, 252 Kan. 1053, 850 P.2d 227 (1993).

3. The provisions of Rule 226 supersede and supplement Rule 225; Canons 1 through 9 preserved as general statements of required conduct. *In re Estate of Koch*, 18 Kan. App. 2d 188, 212, 849 P.2d 977 (1993).

4. Attorney's violation of the Kansas Rules of Professional Conduct does not, in and of itself, give rise to cause of action against the attorney; existence of a legal duty must come from common law. *Zimmerman v. Brown*, 49 Kan. App. 2d 143, 306 P.3d 306 (2013).

PREAMBLE: A LAWYER'S RESPONSIBILITIES & SCOPE

Case Annotations

1. Purpose of professional conduct rules can be subverted when they are used as procedural weapons. *LeaseAmerica Corp. v. Stewart*, 19 Kan. App. 2d 740, 876 P.2d 184 (1994).

2. Attorney's violation of ethics rules cannot create cause of action available to adverse litigants or to clients. *OMI Holdings, Inc. v. Howell*, 260 Kan. 305, 918 P.2d 1274 (1996).

3. Existence of attorney-client relationship is discussed in a disqualification of attorney case citing Scope of Rule 226. *Barragree v. Tri-County Electric Co-op, Inc*., 263 Kan. 446, 950 P.2d 1351 (1997).

4. Attorney's conversation with a judge regarding a case still pending before the judge was found inappropriate under the circumstances. *Subway Restaurants, Inc. v. Kessler*, 266 Kan. 433, 970 P.2d 526 (1998).

5. Court warns of misuse of motion to disqualify attorney as a technique of harassment. *Associated Wholesale Grocers, Inc. v. Americold Corp*., 266 Kan. 1047, 975 P.2d 231 (1999).

6. KRPC provisions not intended to govern judicial application of either attorney-client or work product privilege. *Cypress Media, Inc. v. City of Overland Park*, 268 Kan. 407, 997 P.2d 681 (2000).

7. Rule cited in evaluating prosecutor's conduct and for prohibiting prosecutor from expressing his or her personal belief or opinion as to the truth or falsity of testimony or evidence or the guilt of the defendant. *State v. Henry*, 273 Kan. 608, 44 P.3d 466 (2002).

8. Defendant's allegations of his attorney's violations of the Kansas Rules of Professional Conduct considered by trial court and found to be unsubstantiated; trial court denied his motion for a new attorney to be appointed; claim of ineffective assistance of counsel denied by Court of Appeals. *State v. Jones*, 273 Kan. 756, 47 P.3d 783 (2002).

9. Preface to the Kansas Rules of Professional Conduct cited in discussion of petitioner's allegations of ineffective assistance of counsel; failure to assert arguments in briefs or at district court level is prejudicial to opposing counsel with no opportunity to respond; claim of ineffective assistance of counsel is denied. *State v. Ferguson*, 276 Kan. 428, 78 P.3d 40 (2003).

10. Kansas Rules of Professional Conduct establish a two-part test to be used to determine if a conflict of interest may exist between a lawyer's present representation and representation of a former client. *State v. Carver*, 32 Kan. App. 2d 1070, 95 P.3d 104 (2004).

11. Scope and function of Kansas Rules of Professional Conduct discussed and clarified that an ethical violation does not establish a per se claim for malpractice. *Tilzer v. Davis, Bethune & Jones*, 288 Kan. 477, 204 P.3d 617 (2009).

12. An attorney's violation of the Kansas Rules of Professional Conduct does not give rise to cause of action against the attorney or warrant other nondisciplinary remedy. *Shamberg, Johnson & Bergman, Chtd. v. Oliver*, 289 Kan. 891, 220 P.3d 333 (2009).

13. Violation of the ethics rules by an attorney under Rule 226 cannot create a cause of action available to adverse litigants or clients. *McCabe v. Hoch*, 42 Kan. App. 2d 747, 216 P.3d 720 (2009).

14. A lawyer's conduct should conform to the requirements of the law, both in professional service to clients and in the lawyer's business and personal affairs. *Stewart Title of the Midwest v. Reece & Nichols Realtors*, 294 Kan. 553, 276 P.3d 188 (2012).

15. KRPC Preamble ¶ 12 and Scope ¶ 19 cited in noting attorneys have responsibility to observe KRPC, regardless of whether rules recite general or specific obligations. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

KRPC 1.0 Terminology

Case Annotations

1. Definitions of "Firm" and "Law firm" discussed in issue of imputed disqualification under KRPC 1.10. *Venters v. Sellers*, 293 Kan. 87, 261 P.3d 538 (2011).

2. A violation of KRPC 3.3(a)(1), knowingly making a false statement, requires actual knowledge of the fact in question, under definition contained in KRPC 1.0(g); constructive knowledge insufficient; knowledge may be inferred from circumstances. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

CLIENT-LAWYER RELATIONSHIP

KRPC 1.1 Competence

Case Annotations

1. Attorney's failure to represent clients in three separate cases after acceptance of retainer fees and failure to cooperate with disciplinary investigation found to violate DR 1-102, 6-101, 7-101, and 9-102; MRPC 1.1, 1.3, 1.4, 1.15 and 8.4; and Rule 207. Rule 203 disbarment. *In re Morphett,* 246 Kan. 499, 790 P.2d 402 (1990).

2. Attorney's inaction which allowed statute of limitations to run and cause of action to be dismissed with prejudice despite accepting retainer and assuring client of representation violated MRPC 1.1, 1.3, 1.4, 8.4(d), and 8.4(g); indefinite suspension. *In re Cain,* 247 Kan. 673, 801 P.2d 1325 (1990).

3. Attorney employed to probate estate failed to institute probate proceedings, failed to file inheritance tax return thereby incurring penalty and interest, and misrepresented to client that estate matters were being handled violated MRPC 1.1, 1.3, 1.4(a), and 8.4(c); indefinite suspension and Rule 218 compliance ordered. *In re McGhee,* 248 Kan. 988, 811 P.2d 884 (1991).

4. Attorney's failure to prepare journal entry is violation of MRPC 1.1, 1.3, and 1.4; attorney on probation for other matters; public censure. *In re Black,* 249 Kan. 211, 814 P.2d 447 (1991).

5. Attorney's failure to close estate for 12-year period, failure to render court-ordered accounting, failure to satisfy federal estate tax obligations, and failure to cooperate with disciplinary investigator violate MRPC 1.1, 1.3, 1.4, 3.2, 8.4(d) and (g), DR 6-101, DR 7-101, and Rule 207; disbarment and Rule 218 compliance. *In re Coleman,* 249 Kan. 218, 815 P.2d 43 (1991).

6. Attorney's acceptance of retainer to represent client in child custody and support matter, representation to client that appropriate motions had been filed and an agreement drafted, and failure to file and/or draft such documents constitutes violation of MRPC 1.1, 1.3, and 1.4(a); previous violations aggravating factor; one-year suspension and Rule 218 compliance ordered. *In re Stapleton,* 249 Kan. 524, 819 P.2d 125 (1991).

7. Attorney's mishandling of estate case, misrepresentation to client and representatives from disciplinary administrator regarding status of case, failure to withdraw as counsel and failure to cooperate with subsequent counsel, and mismanagement of estate funds violative of MRPC 1.1; 1.2; 1.3; 3.2; 1.15(b); 1.16(a)(3)(d); 8.4(g); and Rule 207(a) and (b); other violations; indefinite suspension and Rule 218 compliance ordered. *In re Stapleton,* 250 Kan. 247, 824 P.2d 205 (1992).

8. Attorney's failure to timely file petition for probate violative of MRPC 1.1 and 1.3; other violations; mitigating circumstances; Rule 203 public censure. *In re Copeland,* 250 Kan. 283, 823 P.2d 802 (1992).

9. Attorney's failure to designate record in federal appeal and failure to respond to show cause order violated MRPC 1.1, 1.3, 3.2, and 8.4(d), (g); other violations; indefinite suspension suspended and probated. *In re Jenkins*, 251 Kan. 264, 833 P.2d 1013 (1992).

10. Attorney on indefinite suspension subject of three complaints for failure to represent clients in violation of MRPC 1.1, 1.3, 1.4, and 8.4(c); failure to cooperate with investigation; disbarment and Rule 218 compliance. *In re McGhee*, 251 Kan. 584, 834 P.2d 379 (1992).

11. Attorney's failure to comply with discovery requests, misrepresentation to court, and failure to advise client, resulting in sanctions against client, violate MRPC 1.1, 1.4, 3.4(a) and (d), and 8.4(a), (c), and (d); firm failure to supervise among mitigating factors; one-year suspension. *In re Dwight*, 251 Kan. 588, 834 P.2d 382 (1992).

12. Attorney's not appearing for scheduled hearing in two cases violates MRPC 1.1 and 1.3; public censure. *In re Johnson*, 251 Kan. 826, 840 P.2d 515 (1992).

13. Attorney's mishandling of real estate matter violates MRPC 1.1, 1.3, 1.4, and 3.2; DR 6-101(A)(3); and Rule 207; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer*, 251 Kan. 838, 840 P.2d 522 (1992).

14. Attorney's incompetence in handling bankruptcy matter violative of MRPC 1.1, 3.1, 3.3, and 8.4; public censure. *In re Ramcharan-Maharajh*, 252 Kan. 701, 847 P.2d 1307 (1993).

15. Attorney's mishandling of his mother's estate violative of MRPC 1.1, 1.3, and 1.15; public censure. *In re Scott*, 253 Kan. 192, 853 P.2d 60 (1993).

16. Attorney's mishandling bankruptcy case, failing to abide by client's decision, and failing to keep client informed violative of MRPC 1.1, 1.2, 1.3 and 1.4; previous code and Rule 207 violations; public censure. *In re Edgar-Austin*, 253 Kan. 440, 855 P.2d 960 (1993).

17. Attorney's failure to file probate petition, inform client of status of case, return unearned retainer, and communicate with client violative of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 3.2; other violations; one-year suspension and Rule 218 compliance ordered. *In re King*, 253 Kan. 444, 855 P.2d 963 (1993).

18. Attorney's mishandling of employment discrimination class action and failure to inform clients as to status of case violative of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.1, and 3.2; other violations; Rule 203(a)(2) one-year suspension, Rule 203(a)(5) restitution, and Rule 218 compliance ordered. *In re King*, 253 Kan. 444, 855 P.2d 963 (1993).

19. Attorney previously censured placed on indefinite suspension for violations of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 8.4 for neglect of two different client's cases; two other complaints found to be based on insufficient evidence although pattern of conduct cited and violations of Rule 207 established; Rule 218 compliance ordered. *In re Jackson*, 253 Kan. 810, 861 P.2d 124 (1993).

20. Attorney's actions in letting the statute of limitations run in four different cases violate DR 1-102(A)(4), 6-101(A)(1) and (3), and 7-101(A)(2), and MRPC 1.1, 1.3, 1.4(a) and (b), 3.2, and 8.4(c). Attorney's actions in failing to respond to requests for information and return of the case file in workers compensation case violate MRPC 1.3, 1.4(a) and (b), 1.16(a)(3) and (d), and 3.2. Eighteen-month suspension probated on conditions. *In re Jones*, 253 Kan. 836, 861 P.2d 1340 (1993).

21. Attorney's failure to file motion to modify sentence in criminal case violative of MRPC 1.1 and 1.3; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson*, 254 Kan. 406, 867 P.2d 278 (1994).

22. Attorney's mishandling of post-trial motions as local counsel in handicap employment discrimination case violative of MRPC 1.1 and 1.3; Rule 207 violation; censure. *In re Jackson*, 254 Kan. 573, 866 P.2d 1048 (1994).

23. Attorney's failure to file personal injury claim and blaming client for delay, thereby allowing statute of limitations to run (resulting in client being granted summary judgment in subsequent

malpractice claim); failure to inform client as to reduction in child support income; failure to inform client as to hearing dates; and acceptance of retainer fee from out-of-state client whom attorney knew he could not represent in divorce action violate MRPC 1.1, 1.3, 1.4(a) and (b), 1.16(d), 3.3(a)(1), and 8.4(d) and (g); Rule 207(a) and (b) violations; disbarment and Rule 218 compliance ordered. *In re Spears,* 254 Kan. 904, 869 P.2d 718 (1994).

24. Attorney's mishandling of four different probate estates and failure to timely file four different foreclosures, despite representations and billings which would indicate to the contrary, held to violate DR 1-102(A)(4), (5), and (6); 6-101(A)(3); and 7-101(A)(2) and (3); Canons 1, 6, 7, and 9; and MRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c), (d), and (g); aggravating and mitigating circumstances; two-year suspension, discipline probated, and supervised probation ordered. *In re Herman,* 254 Kan. 908, 869 P.2d 721 (1994).

25. Attorney's mishandling of will and estate matter, failure to communicate with client, failure to timely handle the matter, misleading the court as to the status of the probate case, and failure to return the client's file and retainer when requested violate MRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; other violations; disbarment. *In re Jackson,* 255 Kan. 542, 874 P.2d 673 (1994).

26. Attorney's failure to timely file bankruptcy petition for clients, misrepresentations to clients as to status of case, and mishandling of bankruptcy case violate MRPC 1.1, 1.3, 1.4, 1.15, and 8.4; other violations; disbarment. *In re Jackson,* 255 Kan. 542, 874 P.2d 673 (1994).

27. Attorney's dilatory handling of three federal court cases violative of MRPC 1.1, 1.3, 1.4, and 3.2; failure to respond to inquiry from disciplinary authorities violative of Rule 207; two-year supervised probation. *In re Long,* 255 Kan. 792, 877 P.2d 421 (1994).

28. Attorney found to have violated MRPC 1.1, 1.3, 1.4, 1.15, 3.2, 3.4(c), 4.3, and 8.4(d) and (g) based on conduct in seven different complaints reflecting on attorney's lack of diligence and competence, miscommunication and lack of candor, and failure to return unearned fees; failure to cooperate in disciplinary investigation; attorney currently on disability inactive status; indefinite suspension and Rule 218 compliance ordered. *In re Jenkins,* 255 Kan. 797, 877 P.2d 423 (1994).

29. Attorney's failure to communicate with clients and poor record keeping of trust account violate MRPC 1.1, 1.3, 1.4 and 1.15; 2-year supervised probation ordered. *In re Waite,* 256 Kan. 130, 883 P.2d 1176 (1994).

30. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz,* 256 Kan. 196, 883 P.2d 779 (1994).

31. Attorney's failure to represent client in collection of foreign judgment in workers compensation case found to violate MRPC 1.1, 1.3, 1.4, 1.5(d), 1.16(d), 3.2, and 8.4(g); indefinite suspension and Rule 218 compliance ordered. *In re Griggs,* 256 Kan. 498, 886 P.2d 786 (1994).

32. Attorney who lied to the court and her clients and failed to appear for landlord-tenant case proceeding found to be in violation of MRPC 1.1, 1.3, 1.4, 3.3, 3.4, 3.5, 4.1, 8.2 and 8.4; one-year suspension and compliance with Rule 218 ordered. *In re Gershater,* 256 Kan. 512, 886 P.2d 343 (1994).

33. Attorney's mishandling of a breach of contract case and settlement violative of MRPC 1.1, 1.3, 1.4, 3.3, and 8.4; six-month suspension and compliance with Rule 218 ordered. *In re Norlen,* 256 Kan. 509, 886 P.2d 347 (1994).

34. Attorney's mishandling of probate matter and workers compensation case violates MRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4 and Rule 207; imposition of discipline suspended; two-year supervised probation. *In re Whitaker,* 256 Kan. 939, 888 P.2d 829 (1995).

35. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz,* 257 Kan. 662, 895 P.2d 603 (1995).

36. Attorney's dilatory handling of civil case and failure to file the opening brief in criminal case

violate MRPC 1.1, 1.3 and 8.4(d); two-year supervised probation. *In re Betts*, 257 Kan. 955, 895 P.2d 604 (1995).

37. Attorney's mishandling the oil and gas case violates MRPC 1.1, 1.3, 1.4 and 8.4(c); one-year probation. *In re Pilgreen*, 257 Kan. 949, 896 P.2d 389 (1995).

38. Attorney's mishandling of subrogation claims for insurance company violates MRPC 1.1, 1.3 and 1.4; published censure. *In re Morse*, 258 Kan. 248, 899 P.2d 467 (1995).

39. Attorney's failure to remit personal injury protection lien to his client's insurance company, failure to keep client informed, misrepresentation to client, and creating conflict of interest violated MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.7, 4.1, and 8.4; aggravating circumstances; indefinite suspension. *In re Seck*, 258 Kan. 530, 905 P.2d 122 (1995).

40. Attorney's neglect of three different clients' cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 3.1, and 8.4 and Rule 207; one-year suspension. *In re Geeding*, 258 Kan. 740, 907 P.2d 124 (1995).

41. Attorney disciplined in Texas for failure to communicate with clients, neglect of client's cases, failure to cooperate in investigation, and conversion of client's funds; Texas findings and conclusions adopted per Rule 202; indefinite suspension. *In re Callahan*, 258 Kan. 770, 907 P.2d 840 (1995).

42. Attorney's mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

43. Attorney's handling of counterclaim and appeal in lawsuit between home buyers and construction company violates MRPC 1.1, 1.3, 1.4, 8.4(c) and (d) and Rule 207; one-year suspension. *In re Crockett*, 259 Kan. 540, 912 P.2d 176 (1996).

44. Attorney's failure to defend client in repossession action violates MRPC 1.1, 1.3, and 1.4; continued use of alcohol and drugs and four additional complaints pending hearing or investigation negate panel's recommendation of supervised probation; one-year suspension. *In re Mitchell*, 260 Kan. 560, 919 P.2d 360 (1996).

45. Attorney's mishandling of client's assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure. *In re Brantley*, 260 Kan. 605, 920 P.2d 433 (1996).

46. Attorney's mishandling of bankruptcy proceedings for his clients violates MRPC 1.1, 1.2, 1.3, 1.4, 8.1, and 8.4 and Rule 207; disbarment. *In re Gordon*, 260 Kan. 905, 925 P.2d 840 (1996).

47. Attorney's mishandling of bankruptcy case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.16, 3.1, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Roy*, 261 Kan. 999, 933 P.2d 662 (1997).

48. Attorney's mishandling of matters involving (1) individualized education program for autistic child in public school, (2) personal injury, probate, and insurance claim arising from fatal car accident, and (3) probate matter involving estate of conservatee violates MRPC 1.1, 1.2, 1.3, 1.4, 1.7, 1.16, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dow*, 261 Kan. 989, 933 P.2d 666 (1997).

49. Attorney's mishandling of adoption case violates MRPC 1.1, 1.3, 1.4, and 8.4 and Rule 207; indefinite suspension. *In re Johnson*, 262 Kan. 275, 936 P.2d 258 (1997).

50. Attorney's failure to file negligence action in proper court and his disappearance from his law office without notice to clients violate MRPC 1.1, 1.3, 1.4, 1.5, 3.2, and 8.4 and Rule 207; disbarment. *In re Neal*, 262 Kan. 562, 937 P.2d 1234 (1997).

51. Attorney's mishandling of child support case and his ex parte communication with judge violate MRPC 1.1, 3.3, 3.5, 4.4, 8.4(c), (d), and (g), and Rules 207 and 211; aggravating and mitigating factors; indefinite suspension. *In re Black*, 262 Kan. 825, 941 P.2d 1380 (1997).

52. Attorney's missing filing and response deadlines and failure to communicate with client violate MRPC 1.1, 1.3, and 1.4; one-year supervised probation. *In re Capps*, 262 Kan. 833, 942 P.2d 588 (1997).

53. Attorney's mishandling of estate matter violates MRPC 1.1 and 1.3; two-year supervised probation; supervising attorney afforded all immunities per Rule 223. *In re Perkins*, 263 Kan. 207, 946 P.2d 998 (1997).

54. Attorney falsified records regarding sale of home to prevent one-half of proceeds from going to the Department of Social and Rehabilitation Services as credit against future Medicaid benefits in violation of MRPC 1.1, 4.1, 5.3, 8.1, and 8.4; published censure per Rule 203(a)(3). *In re Apt*, 263 Kan. 210, 946 P.2d 1002 (1997).

55. Attorney's failure to prepare necessary tax returns for an estate and pension plan documents for employer violates MRPC 1.1, 1.3, 1.4, and 8.4; supervising attorney afforded all immunities per Rule 223; two-year supervised probation and continued treatment for alcoholism, depression and personality disorders ordered. *In re Stephens*, 263 Kan. 221, 946 P.2d 1379 (1997).

56. Attorney's failure to diligently handle workers compensation case violates MRPC 1.1, 1.3, 1.4, and 1.8; two-year supervised probation. *In re Durr*, 263 Kan. 525, 949 P.2d 1130 (1997).

57. Attorney's misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and (b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

58. Attorney's failure to communicate with his client, his delay in handling of insurance settlement, and his misrepresentation of material facts to disciplinary administrator violate MRPC 1.1, 1.2(a), 1.3, 1.4(a) and (b), 8.1(a), and 8.4(d) and (g) and Rules 207 and 211; published censure per Rule 203(a)(3). *In re Potter*, 263 Kan. 766, 952 P.2d 936 (1998).

59. Attorney's mishandling of numerous cases violates MRPC 1.1, 1.3, 1.4(a), and 8.4(d); attorney allowed to plan his medical treatment and to work under supervision for the State Board of Indigents' Defense Services; three-year supervised probation. *In re Betts*, 263 Kan. 801, 953 P.2d 223 (1998).

60. Attorney's failure to diligently and competently represent and to communicate with his six clients and his failure to cooperate with the disciplinary administrator's office violate MRPC 1.1, 1.3, 1.4, 1.16, 3.4, 8.1, and 8.4 and Rule 207; suspension effective as of the date of order for purpose of Rule 219(e); indefinite suspension. *In re Wooten*, 264 Kan. 283, 955 P.2d 1239 (1998).

61. Attorney's mishandling of a chapter 7 bankruptcy proceeding violates MRPC 1.3 and 1.4; indefinite suspension recommended by the disciplinary administrator per Rule 211(f); prior offenses for violations of MRPC 1.1, 1.3, 1.4 and 1.16; two-year supervised probation. *In re Morse*, 264 Kan. 286, 954 P.2d 1092 (1998).

62. Attorney's neglect of his cases, failure to communicate with his clients, and failure to competently and diligently represent them violate MRPC 1.1, 1.3, 1.4, 3.2, 3.4(c), and 8.4(d) and (g); attorney's failure to appear before the court constitutes violation of Rule 212(d); indefinite suspension. *In re Anderson*, 264 Kan. 758, 956 P.2d 1330 (1998).

63. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

64. Attorney's failure to file an annual report, to draft the shareholder agreement, and to promptly file a suit for his client corporation violates MRPC 1.1, 1.3, and 1.8(a); he also violated MRPC 8.4(a), (c), and (d) when he made a false statement to the deputy disciplinary administrator; published censure per Rule 203(a)(3). *In re Zimmerman*, 266 Kan. 115, 965 P.2d 823 (1998).

65. Attorney's mishandling of a Chapter 7 bankruptcy case violates MRPC 1.1, 1.3, 1.15(a) and (c), and 8.4(b); his failure to cooperate in the disciplinary process violates Rule 207; one-year suspension. *In re Metz*, 266 Kan. 118, 965 P.2d 821 (1998).

66. Attorney's failure to adequately communicate with his clients and his lack of due diligence in an automobile accident case violate MRPC 1.3 and 1.4; supervising attorney granted all immunities per Rule 223; two-year supervised probation. *In re Davisson*, 266 Kan. 395, 969 P.2d 892 (1998).

67. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

68. Attorney's mishandling of a divorce case and a tort case violates MRPC 1.3 and 1.4(a); attorney's inexperience in the practice of law stated as mitigating factor; published censure per Rule 203(a)(3). *In re Levy*, 266 Kan. 411, 969 P.2d 870 (1998).

69. Attorney stipulated to violations of MRPC 1.1, 1.2, 1.3, 1.4, 3.1, and 8.4(g) in his handling of child custody case, child support case, and wrongful termination case; his failure to cooperate in investigation violates Rules 207(b) and 211(b); Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for appropriateness of probation; one-year suspension. *In re Long*, 266 Kan. 664, 972 P.2d 773 (1999).

70. Attorney's failure to appear in court on numerous occasions and his abandonment of his law practice without making any arrangements to protect his clients violate KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 8.1, and 8.4 and Rules 207 and 208(c); disbarment. *In re Ortega*, 267 Kan. 228, 978 P.2d 914 (1999).

71. Attorney's mishandling of bankruptcy case violates KRPC 1.1, 1.3, 1.4, 1.15, and 8.4; supervised probation. *In re Christians*, 267 Kan. 240, 978 P.2d 910 (1999).

72. Attorney's mishandling of collection matters violates KRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c); allegations in the hearing panel's report deemed admitted per Rule 212(c) and (d); split panel recommendation; published censure. *In re Druten*, 267 Kan. 790, 982 P.2d 978 (1999).

73. Attorney's mishandling of civil actions involving four clients violates KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.3, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

74. Attorney's mishandling of a bankruptcy matter violates KRPC 1.1, 1.3, 1.4(a), 1.15(a), and 8.4(d) and Rule 207; panel's findings supporting by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Trickey*, 268 Kan. 835, 999 P.2d 964 (2000).

75. Attorney's mishandling divorce, traffic violation, and criminal matters violates KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 5.3, and 8.4 and Rule 207; numerous mitigating and aggravating factors considered; two-year supervised probation. *In re Kellogg*, 269 Kan. 143, 4 P.3d 594 (2000).

76. Attorney's mishandling of a probate matter violates KRPC 1.1 and 8.4(d) and (g); court found no violation of Rule 216 by the hearing panel; published censure per Rule 203(a)(3). *In re Roth*, 269 Kan. 399, 7 P.3d 241 (2000).

77. Attorney's mishandling of probate matters violates KRPC 1.1, 1.3, 3.3(a), 8.1(a), and 8.4(c); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(c) and (d); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Howard*, 269 Kan. 414, 2 P.3d 766 (2000).

78. Attorneys mishandling of a paternity action violates KRPC 1.1, 1.15(d), 1.16(d), and 8.4(g) and Rule 207 by clear and convincing evidence per Rule 211(f); attorney's failure to appear in person before the court in violation of Rule 212; restitution ordered per Rule 227; one-year suspension. *In re Shumway*, 269 Kan. 796, 8 P.3d 735 (2000).

79. Attorney's mishandling of a personal injury, criminal appeal, parole, medical malpractice, juvenile offender, and civil action violates KRPC 1.1, 1.3, 1.4(a), 1.15, and 3.2 and Rule 207; two-year probation per Rule 203(a)(2); immunity granted for supervising attorney per Rule 223. *In re Sachse*, 269 Kan. 810, 8 P.3d 745 (2000).

80. Attorney surrenders license per Rule 217 pending investigation for violating KRPC 1.1, 1.3, 3.3, 8.4(c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Meyer*, 270 Kan. 160, 26 P.3d 1244 (2000).

81. Attorney's mishandling of estate, trust, workers compensation claims, EEOC action, and bankruptcy matter, and improperly borrowing money from clients, as well as failing to be diligent in representing clients and communicating with clients in five separate disciplinary complaints violates KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.7(a) and (b), 1.8(b), and 8.4(g); indefinite suspension. *In re Coggs*, 270 Kan. 381, 14 P.3d 1123 (2000).

82. Attorney's failure to provide competent representation and to diligently represent and communicate with clients violates KRPC 1.1, 1.3, 1.4(a); attorney's unauthorized practice of law following suspension violates KRPC 5.5; failure to respond to and cooperate with disciplinary administrator violates KRPC 8.1; failure to stop practicing law after suspension and failure to so notify clients violates KRPC 8.4 and Rules 207, 211, and 218; disbarment. *In re Moran*, 270 Kan. 403, 13 P.3d 1275 (2000).

83. Attorney previously disciplined three prior times now found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), and 3.1; Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for failure of attorney to develop his own probation plan; one-year suspension. *In re Zimmerman*, 270 Kan. 855, 19 P.3d 160 (2001).

84. Attorney's mishandling of child custody and order of child support case violated KRPC 1.1, 1.3, and 1.4(a) by clear and convincing evidence per Rule 211(f); indefinite suspension recommended by disciplinary administrator; published censure per Rule 203(a)(3). *In re Boaten*, 271 Kan. 282, 22 P.3d 1034 (2001).

85. Attorney voluntarily surrenders license to practice law in Missouri; her misconduct violated KRPC 1.1, 1.3, 1.4, 8.4(c) and (d) per Rule 220 as well as Rule 207(b) and Rule 211(b); disbarment. *In re Cramer*, 271 Kan. 923, 26 P.3d 1245 (2001).

86. County attorney's misconduct in seven counts violates KRPC 1.1, 3.4(e), 8.4(a), (c), (d), (e) and (g), 3.8(a) and (c), and 3.5(d); supervised probation until term ends; ordered to resign from county attorney office on January 1, 2002; ordered to elect inactive status on next renewal date of his attorney registration. *In re Swarts*, 272 Kan. 28, 30 P.3d 1011 (2001).

87. Attorney's mishandling of two separate cases violates KRPC 1.1, 1.3, 1.4, 1.16, 8.4(a), (c), (d) and (g) and Rule 207; indefinite suspension. *In re Johnson*, 272 Kan. 284, 32 P.3d 1132 (2001).

88. Attorney's mishandling of several matters violated KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.4(a), (c), (d) and (g); two-year suspension per Rule 203(a)(2); Supreme Court may impose longer sanction than those recommended by hearing panel per Rule 212(f). *In re Swisher*, 273 Kan. 143, 41 P.3d 847 (2002).

89 Attorney stipulated to violations of KRPC 1.1, 1.3, 1.4(a) and 3.4(d) in his handling of two civil actions; attorney's prior informal admonishments in three cases cited as aggravating factor; 18-months' supervised probation. *In re Works*, 273 Kan. 603, 43 P.3d 816 (2002).

90. Attorney's mishandling of three cases violated KRPC 1.1, 1.3, 1.4, and 1.16(d) for failure to competently represent clients, failure to protect former client's interests, failure to keep client informed, failing to diligently and promptly represent clients; Rule 207(b) violated by failure to provide information to Disciplinary Administrator in a timely manner; indefinite suspension. *In re Trickey*, 273 Kan. 1003, 46 P.3d 554 (2002).

91. Attorney previously disciplined found to have violated multiple offenses of KRPC 1.1, 1.3, 1.4, 3.2, 3.4, 3.5, and 8.4; eighteen months' suspension and Rules 218 and 219 compliance ordered. *In re Berry*, 274 Kan. 336, 50 P.3d 20 (2002).

92. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 8.1(b), 8.4(d), Rule 207(b), and Rule 211(b); failure to appear before Supreme Court violated Rule 212(d); disbarment per

Rule 203(a)(1). *In re Sechtem*, 274 Kan. 387, 49 P.3d 541 (2002)

93. Attorney suspended for 6 months for violating KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d); findings of fact admitted pursuant to Rule 212(d); previously indefinitely suspended pursuant to Rule 208 and Rule 806; Rule 219 compliance ordered. *In re Matson*, 274 Kan. 785, 56 P.3d 160 (2002).

94. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15; hearing panel's findings of fact supported by clear and convincing evidence per Rule 211(b) and adopted as findings of the Court; published censure per Rule 203(a)(3). *In re Wiles*, 274 Kan. 1103, 58 P.3d 711 (2002).

95. Attorney's misconduct violated KRPC 1.1 by failing to provide competent representation, KRPC 3.1 by filing a frivolous claim without good faith argument for extension, KRPC 8.4(d) and (g) by engaging in conduct that was prejudicial to the administration of justice and engaging in conduct that adversely reflected on the lawyer's fitness to practice law; Rule 211(b) by failing to file a written answer to the complaint in a timely manner; misconduct found by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact and conclusions of law adopted per Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Polsley*, 275 Kan. 233, 61 P.3d 715 (2003).

96. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

97. Attorney previously disciplined six times violated KRPC 1.1, 1.3, 1.4, and 1.5 in three complaints involving competence, diligence and promptness, communication with his clients, and attorney fees; violated Rule 211(b) by failing to file timely answers to Disciplinary Administrator and hearing panel report; indefinite suspension. *In re Barta*, 277 Kan. 912, 89 P.3d 567 (2004).

98. Attorney's misconduct violated KRPC 1.1, 1.3, and 3.2; probation imposed per Rule 211(g); supervising attorney afforded immunities granted by Rule 223; 18-months' supervised probation. *In re Johanning*, 279 Kan. 950, 111 P.3d 1061 (2005).

99. Attorney's failure to competently represent two clients led to complaints he violated KRPC 1.1, 1.3, 1.4, 1.16(d), 8.1(b), Rule 207(b) and Rule 211(b); published censure per Rule 203(a)(3). *In re Sheahon*, 278 Kan. 494, 102 P.3d 392 (2004).

100. County attorney's misconduct violated KRPC 1.1, 1.3, 3.2, 8.4(d) and (g); ordered to complete CLE program per Rule 802A and make full restitution to the county; restitution hearing prior to reinstatement required pursuant to Rule 219; one-year suspension per Rule 203(a)(2); Rule 218 compliance ordered. *In re Vanderbilt*, 279 Kan. 491, 110 P.3d 419 (2005).

101. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1 and 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

102. Attorney disciplined for improper handling of an estate matter which violated KRPC 1.1, 1.3, 1.4, 3.2, and 8.4; published censure per Rule 203(a)(3). *In re Miller*, 279 Kan. 912, 112 P.3d 169 (2005).

103. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207 and Rule 211; hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment and Rule 218 compliance ordered. *In re Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

104. Attorney previously disciplined twice before violated KRPC 1.1, 1.7, 1.8. 3.4, 5.5, and 8.4;

failure to file answer to formal complaint violated Rule 211(b); disbarment and Rule 218 compliance ordered. *In re Stover*, 278 Kan. 835, 104 P.3d 394 (2005).

105. Attorney committed numerous violations of rules of professional conduct including KRPC 1.1, 1.2, 1.3, 1.4. 1.16, 3.2, 8.1, Rule 207, and Rule 211; respondent's exceptions considered per Rule 212; disbarment and Rule 218 compliance ordered. *In re Wenger*, 279 Kan. 895, 112 P.3d 199 (2005).

106. Attorney voluntarily surrenders license per Rule 217 while four complaints with Disciplinary Administrator pending; misconduct involving KRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4(a), (c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Maker*, 280 Kan. 1, 117 P.3d 880 (2005).

107. Attorney previously disciplined four times found to have violated KRPC 1.1, 1.2, 1.3, 3.1, and 3.3; misconduct established by clear and convincing evidence per Rule 211(f); 1-year suspension per Rule 203(a)(2). *In re Watson*, 280 Kan. 375, 121 P.3d 982 (2005).

108. Defendant's 60-1507 motion denied based on ineffective assistance of counsel; KRPC 1.1 discussed regarding associating with other attorneys. *Flynn v. State*, 281 Kan.1154, 136 P.3d 909 (2006).

109. Attorney's misconduct violated KRPC 1.1 and 1.5; published censure per Rule 203(a)(3). *In re Myers*, 280 Kan. 956, 127 P.3d 325 (2006).

110. Attorney's misconduct violates KRPC 1.1, 3.1, 3.3(a)(1), 3.4(c), 4.4, 8.4(c), (d), and (g); complaint sufficiently clear and specific per Rule 211(b); panel and Disciplinary Administrator's office not required to issue subpoenas on respondent's behalf per Rule 216; Rule 222 cited by Disciplinary Administrator in objecting to introduction of records; disbarment. *In re Landrith*, 280 Kan. 619, 124 P.3d 467 (2005).

111. Attorney's multiple offenses violates KRPC 1.1, 1.3, 1.4, 8.1(b), 8.4(c) and Rule 207(b); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorney granted full immunities per Rule 223; satisfactory plan of probation submitted by respondent per Rule 211(g); 1-year suspension stayed in accordance with Rule 203(a)(2); 2-years' supervised probation. *In re Mitchell*, 280 Kan. 656, 123 P.3d 1279 (2005).

112. Attorney stipulates to findings that he violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(g), and Rule 207(b); three prior disciplinary offenses and supervised probation for prior misconduct; one-year suspension per Rule 203(a)(2). *In re Sachse*, 281 Kan. 1197, 135 P.3d 1207 (2006).

113. Attorney disciplined for his misconduct involving his handling of a patent application and which violated KRPC 1.1, 1.2(a), 1.3, 1.4(a) and 8.4(c); Supreme court not bound by recommendations of the hearing panel or Disciplinary Administrator per Rule 212(f); published censure per Rule 203(a)(3). *In re Sylvester*, 282 Kan. 391, 144 P.3d 697 (2006).

114. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

115. Attorney's misconduct in multiple complaints violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 8.4(c), and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Lampson*, 282 Kan. 700, 147 P.3d 143 (2006).

116. Attorney disciplined for violating KRPC 1.1, 1.3, 1.4, 3.4 in regard to his handling of a case filed under the Consumer Protection Act; failure to provide timely written response to client's complaint violates KRPC 8.1(b) and Rule 207(b); misconduct to be established by clear and convincing evidence per Rule 211(f); published censure pursuant to Rule 203(a)(3). *In re Arbuckle*, 283 Kan. 887, 156 P.3d 668 (2007).

117. Attorney's misconduct violated KRPC 1.1, 1.5(a), 5.5(a), and 8.4(d) for mishandling an estate and practicing law while suspended; published censure per Rule 203(a)(3). *In re Alig*, 285 Kan. 117, 169 P.3d 690 (2007).

118. Attorney's misconduct out of state violates KRPC 1.1, 1.7(b), and 8.4(d); respondent's conviction in District of Columbia deemed a conviction in Kansas under Rule 202; findings of fact deemed admitted under Rule 212(d) since respondent failed to file exceptions to the panel's report; indefinite suspension and compliance with Rules 218 and 219 ordered. *In re Evans*, 285 Kan. 147, 169 P.3d 1083 (2007).

119. Attorney, who was on probation, violated KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.3(d), and 8.4(d) in 21 cases; Rule 211(b) violated by failing to file a timely written answer to the complaint; Rule 212(d) violated by failing to appear before the court; disbarment per Rule 203(a)(1). *In re Rathbun*, 285 Kan. 137, 169 P.3d 329 (2007).

120. Attorney voluntarily surrendered license pursuant to Rule 217 pending hearing alleging multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.1(b), and Rule 207(b); disbarment. *In re Lane*, 285 Kan. 259, 171 P.3d 275 (2007).

121. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16, and 3.2; formal hearing conducted per Rule 211; hearing panel's report deemed admitted per Rule 212; supervising attorney afforded full immunities per Rule 223; Rule 211(g) probation requirements discussed; per Rule 203(a)(2), respondent's three-year suspension stayed and placed on three-years' supervised probation. *In re Bock*, 285 Kan. 815, 175 P.3d 233 (2008).

122. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(c) and (d), and Rule 207(b); misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Bishop*, 285 Kan. 1097, 179 P.3d 1096 (2008).

123. Attorney's misconduct resulting from two complaints violated KRPC 1.1, 1.3, 1.4(b), 3.4(d), 8.1(b), 8.4(c) and Rule 207(b); prior admonishment for violating KRPC 1.15 and 7.1; three-month suspension pursuant to Rule 203(b). *In re Harris*, 285 Kan. 1115, 180 P.3d 558 (2008).

124. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule 212(d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

125. Attorney previously disciplined and under indefinite suspension violated KRPC 5.5(a) for engaging in the unauthorized practice of law; KRPC 1.1 by failing to provide competent representation; and KRPC 1.16; misconduct established by clear and convincing evidence per Rule 211(f); recommendations of the hearing panel or the Disciplinary Administrator are advisory only per Rule 212(f); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Swisher*, 285 Kan. 2084, 179 P.3d 412 (2008).

126. Attorney's misconduct violated KRPC 1.1 for failing to provide competent representation; KRPC 3.2 by failing to expedite the probate of an estate, and KRPC 3.3, by failing to inform the court of irregularities; published censure in accordance with Rule 203(a)(3). *In re Wonder*, 285 Kan. 1165, 179 P.3d 451 (2008).

127. Attorney's misconduct violated KRPC 1.1, 4.1, 4.4, 5.5, and 8.4(c) through her conviction of five counts of unauthorized practice of law in Minnesota and suspension; attorney misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Hillbrant*, 286 Kan. 280, 182 P.3d 1253 (2008).

128. Attorney's misconduct in four cases violated KRPC 1.1, 1.3, 1.16(d), 3.2, 8.4(d) and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); probation plan per Rule 211(g) denied; hearing panel's findings of fact deemed admitted per Rule 212(d); one-year suspension and Rule 218 compliance ordered. *In re Toth*, 286 Kan. 320, 183 P.3d 853 (2008).

129. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2,

3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan. 708, 188 P.3d 1 (2008).

130. Attorney violated KRPC 1.1, 1.3, 1.4, 3.4(c), and Rule 207; six-month suspension is suspended and two-year probation allowed per Rule 211(g). *In re Jones*, 287 Kan. 101, 193 P.3d 899 (2008).

131. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 3.4(c), 8.4(d), Rule 207(b) and Rule 211(b); six-month suspension; Rules 218 and 219 compliance ordered. *In re Thomas*, 287 Kan. 88, 193 P.3d 907 (2008).

132. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.15, 8.4(g) and Rule 211(b); Respondent failed to file exceptions, thus, final hearing report deemed admitted under Rule 212(c); indefinite suspension. *In re Dowell*, 287 Kan. 501, 196 P.3d 915 (2008). Attorney committed violations of KRPC 1.1, 1.3, 1.4, 1.15, 8.4(g), and Rule 211(b); indefinite suspension. *In re Dowell*, 287 Kan. 501, 196 P.3d 915 (2008).

133. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule 207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

134. Attorney previously disciplined for similar misconduct found to have violated KRPC 1.1, 1.2, 1.3, 1.4(a), 3.2, 8.4(d) and (g) and Rule 211; failed to respond to complaint per Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); failed to notify Clerk of Appellate Courts of address change per Rule 208; indefinite suspension per Rule 203(a)(2). *In re Lober*, 288 Kan. 498, 204 P.3d 610 (2009).

135. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

136. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan. 173, 210 P.3d 120 (2009).

137. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

138. Attorney voluntarily surrenders license per Rule 217 with three complaints pending of violations of KRPC 1.1, 1.4, 5.5, 8.1, 8.4(c), and Rule 211; disbarment. *In re Ruther*, 289 Kan. 1130, 220 P.3d 369 (2009).

139. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan. 801, 234 P.3d 804 (2010).

140. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d) and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan. 52, 237 P.3d 667 (2010).

141. Attorney's misconduct while on indefinite suspension violated KRPC 1.1, 1.3, 1.4, 8.4, and Rule 211; clear and convincing evidence per Rule 211)(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Bishop*, 291 Kan. 382, 240 P.3d 956 (2010).

142. Attorney previously disciplined on a number of occasions found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

143. Attorney violated KRPC 1.1, 1.5(a), 3.4(c), 3.5(d), 4.4(a), 8.4(b), (c), (d), and (g) and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); required notice given per Rule 215(a); Rule 218 compliance ordered; disbarment per Rule 203(a)(1). *In re Romious*, 291 Kan. 300, 240 P.3d 945 (2010).

144. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

145. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116 including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; 1-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011).

146. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4(a), and 3.2 in mishandling an estate case; probation plan not filed in a timely manner per Rule 211(g); hearing report's findings and conclusions are deemed admitted under Rule 212(c); Rules 218 and 219 compliance ordered; 6-month suspension per Rule 203(a)(2). *In re Foster*, 292 Kan. 940, 258 P.3d 375 (2011).

147. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b), 8.4(c), and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

148. Attorney indefinitely suspended for numerous violations of KRPC 1.1, 1.3, 1.4, 3.2, 8.1, and Rule 207; misconduct established by clear and convincing evidence per Rule 211(f); compliance with Rule 219 if requests reinstatement; indefinite suspension per Rule 203(a)(2). *In re Bock*, 293 Kan. 616, 265 P.3d 552 (2011).

149. Attorney violated KRPC 1.1, 1.3, 1.4(a), and 1.15 in serving as executor of an estate; respondent's plan of probation failed to meet requirements of Rule 212(g)(1); respondent failed to file exceptions to panel's report thus, findings of fact deemed admitted under Rule 212(c), (d); 6-month suspension per Rule 203(a)(2). *In re Freed*, 294 Kan. 655, 279 P.3d 118 (2012).

150. Attorney misconduct violated numerous KRPC's, including 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.1(b); respondent failed to file timely answer to complaint per Rule 211(b); failed to file exceptions thus, findings of fact are deemed admitted under Rule 212(c), (d); respondent failed to follow his diversion agreement; one-year suspension per Rule 203(a)(2). *In re Ohaebosim*, 294 Kan. 664, 279 P.3d 113 (2012).

151. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 3.3, 3.4, 8.1, 8.4, and Rule 211(b); disbarment per Rule 203(a)(1). *In re Druten*, 297 Kan. 432, 301 P.3d 319 (2013).

152. Attorney misconduct violated KRPC 1.1; 1.3; 1.4(a); 1.15(b); 1.16(a)(2) and (d); 8.1(b), (c), and (d); 8.4(d); and Rule 207(b); 1-year suspension under Rule 203(a)(2). *In re Rittmaster*, 299 Kan. 804, 326 P.3d 376 (2014).

153. Attorney admitted to violations of KRPC 1.1, 1.3, 1.4, 1.16(a)(2), and 8.4(g); under Rule 211(f) clear and convincing evidence did not support violation of KRPC 1.16(d) for failure to return fees; 6-month suspension under Rule 203(a)(2). *In re Barker*, 299 Kan. 158, 321 P.3d 767 (2014).

154. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.16(d), and 8.4(d); 2-year suspension, with imposition suspended under terms of probation plan. *In re Dellett*, 299 Kan. 69, 324

P.3d 1033 (2014).

155. Attorney misconduct violated KRPC 1.1, 1.4, 5.5, 8.4(c), Rule 208, and Rule 218; exceptions filed under Rule 212(d); recommended 2-year suspension only advisory under Rule 218(f); disbarment imposed. *In re Beck*, 298 Kan. 881, 318 P.3d 977 (2014).

156. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman*, 300 Kan. 475, 332 P.3d 172 (2014).

157. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.16(a)(2) and (d), 3.2, and 3.4(d); 1-year suspension. *In re Murrow*, 300 Kan. 971, 336 P.3d 859 (2014).

158. Criminal defendant's approval of attorney's theory of defense does not immunize attorney from responsibility for KRPC 1.1 violation; defense counsel bears responsibility for strategic and tactical decisions; KRPC 1.2, comment 1; KRPC 1.1, comment 5; and KRPC 1.4(b) cited. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

159. Sixth Amendment right to counsel does not override attorney duties under KRPC 1.1 and 1.16 to represent clients competently or to decline representation if unqualified. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

160. State's significant interest to ensure competence under KRPC 1.1 justified any potential restriction of respondent's First Amendment rights caused by attorney discipline; Rule 202 cited. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

161. Attorney misconduct violated KRPC 1.1, 1.5, 1.7(a)(2), 1.16(a)(1), and 8.4(d) and (g) and Rule 211(b); disbarment. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

162. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 5.5(a), 8.4(d), and 8.1(b) and Rule 207(b); indefinite suspension. *In re Miller*, 300 Kan. 1082, 337 P.3d 1286 (2014).

163. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), 3.2, 5.5(a), and 8.4 (d) and (g) and Rule 218; indefinite suspension. *In re Eager*, 300 Kan. 1068, 338 P.3d 1 (2014).

164. Attorney voluntarily surrendered license under Rule 217 after complaint alleged violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4. *In re Brooks*, 301 Kan. 451, 345 P.3d 258 (2015).

165. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 3.5(c) and (d), 8.2(a), and 8.4(d) and (g); 3 years' probation. *In re Clothier*, 301 Kan. 567, 344 P.3d 370 (2015).

166. Attorney voluntarily surrendered license under Rule 217; at the time of surrender complaints had been docketed for investigation alleging violations of Rule 1.1, 1.3, 1.4, 8.3, and 8.4. *In re Bezek*, 302 Kan. 325, 352 P.3d 1014 (2015).

167. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), and 8.4(d); 60-day suspension stayed upon stated terms and conditions in accordance with Rule 203(a)(2) and (5); reinstatement to be without hearing under Rule 219(c). *In re Casad*, 304 Kan. 621, 372 P.3d 1219 (2016).

KRPC 1.2 Scope of Representation

Case Annotations

1. Attorney, under suspension at time of representation of client at trial, who fails to so inform client and who fails to pursue appeal upon client's request violates MRPC 1.2, 1.3, 1.4, and 8.4(g); indefinite suspension. *In re Vorhies*, 248 Kan. 985, 811 P.2d 1254 (1991).

2. Attorney's mishandling of estate case, misrepresentation to client and representatives from disciplinary administrator regarding status of case, failure to withdraw as counsel and failure to cooperate with subsequent counsel, and mismanagement of estate funds violative of MRPC 1.1; 1.2; 1.3; 3.2; 1.15(b); 1.16(a)(3)(d); 8.4(g); and Rule 207(a) and (b); other violations; indefinite suspension and Rule

218 compliance ordered. *In re Stapleton,* 250 Kan. 247, 824 P.2d 205 (1992).

3. Criminal defendant has ultimate authority as to plea, jury trial, and self testimony; consent to mistrial not required. *State v. Smith,* 16 Kan. App. 2d 478, 480, 825 P.2d 541 (1992).

4. Attorney's mishandling bankruptcy case, failing to abide by client's decision, and failing to keep client informed violative of MRPC 1.1, 1.2, 1.3 and 1.4; previous code and Rule 207 violations; public censure. *In re Edgar-Austin,* 253 Kan. 440, 855 P.2d 960 (1993).

5. Attorney's mishandling of employment discrimination class action and failure to inform clients as to status of case violative of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.1, and 3.2; other violations; Rule 203(a)(2) one-year suspension, Rule 203(a)(5) restitution, and Rule 218 compliance ordered. *In re King,* 253 Kan. 444, 855 P.2d 963 (1993).

6. Attorney's mishandling of divorce case resulting in client losing lien, failure to inform client as to status of case, mishandling of related bankruptcy case for client creditor, and failure to preserve judgment, and attorney's allegations and behavior during investigation of disciplinary complaint violate DR 6-101(A)(2), and MRPC 1.2(c), 1.3, 1.4(b), and 1.16(d); mitigating and aggravating circumstances; panel recommends unpublished censure; public censure. *In re Deeds,* 254 Kan. 309, 864 P.2d 1194 (1993).

7. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz,* 256 Kan. 196, 883 P.2d 779 (1994).

8. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz,* 257 Kan. 662, 895 P.2d 603 (1995).

9. General counsel who reported suspected violations to an outside agency without first consulting with the head of the organization found in violation of MRPC 1.2, 1.4, 1.6(a), 1.13(b) and 1.16. *Crandon v. State,* 257 Kan. 727, 897 P.2d 92 (1995).

10. Attorney's failure to remit personal injury protection lien to his client's insurance company, failure to keep client informed, misrepresentation to client, and creating conflict of interest violated MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.7, 4.1, and 8.4; aggravating circumstances; indefinite suspension. *In re Seck,* 258 Kan. 530, 905 P.2d 122 (1995).

11. Attorney's neglect of three different clients' cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 3.1, and 8.4 and Rule 207; one-year suspension. *In re Geeding,* 258 Kan. 740, 907 P.2d 124 (1995).

12. Attorney's mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension. *In re Gordon,* 258 Kan. 784, 908 P.2d 169 (1995).

13. Attorney's mishandling of client's assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure. *In re Brantley,* 260 Kan. 605, 920 P.2d 433 (1996).

14. Attorney's mishandling of bankruptcy proceedings for his clients violates MRPC 1.1, 1.2, 1.3, 1.4, 8.1, 8.4, and Rule 207; disbarment. *In re Gordon,* 260 Kan. 905, 925 P.2d 840 (1996).

15. Attorney's mishandling of matters involving (1) individualized education program for autistic child in public school, (2) personal injury, probate, and insurance claim arising from fatal car accident, and (3) probate matter involving estate of conservatee violates MRPC 1.1, 1.2, 1.3, 1.4, 1.7, 1.16, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dow,* 261 Kan. 989, 933 P.2d 666 (1997).

16. Attorney's mishandling of bankruptcy case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.16, 3.1, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Roy,* 261 Kan. 999, 933 P.2d 662 (1997).

17. Rule cited in discussion of adequacy of trial counsel's preparation for trial, including defendant's choice to testify. *State v. Orr,* 262 Kan. 312, 940 P.2d 42 (1997).

18. Attorney's mishandling of civil rights case violates MRPC 1.2, 1.3, 1.4, 1.7, 1.15, 5.3, and 8.4; two-year supervised probation. *In re Baxter,* 262 Kan. 555, 940 P.2d 37 (1997).

19. Attorney's mishandling of traffic cases and real property transaction, sexual harassment complaint filed against him, and disorderly conduct at the airport violate MRPC 1.2, 1.3, 1.4, 3.2, and 8.4; indefinite suspension effective as of date of order per Rule 219. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

20. Attorney's failure to communicate with his client, his delay in handling of insurance settlement, and his misrepresentation of material facts to disciplinary administrator violate MRPC 1.1, 1.2(a), 1.3, 1.4(a) and (b), 8.1(a) and 8.4(d) and (g) and Rules 207 and 211; published censure per Rule 203(a)(3). *In re Potter*, 263 Kan. 766, 952 P.2d 936 (1998).

21. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

22. Attorney's mishandling of grandparents' visitation case and municipal court case violates MRPC 1.2, 1.3, 1.4, 3.1, and 8.4; current suspension per Rule 208 noted; registered for disabled inactive status per Rule 220; published censure. *In re Taylor*, 265 Kan. 246, 959 P.2d 901 (1998).

23. Attorney surrenders license per Rule 217 while pending complaint alleges violations of MRPC 1.2, 1.3, 1.4, and 8.4(c); disbarment. *In re Badke*, 265 Kan. 464, 968 P.2d 670 (1998).

24. Attorney stipulated to violations of MRPC 1.1, 1.2, 1.3, 1.4, 3.1, and 8.4(g) in his handling of child custody case, child support case, and wrongful termination case; his failure to cooperate in investigation violates Rules 207(b) and 211(b); Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for appropriateness of probation; one-year suspension. *In re Long*, 266 Kan. 664, 972 P.2d 773 (1999).

25. Attorney's failure to notify the disciplinary administrator of his suspensions by Oklahoma Supreme Court and his misconduct which was the basis of his Oklahoma suspension violate KRPC 1.2(d) and 8.4(d) and Rules 207(c) and 211(b); indefinite suspension. *In re Holden*, 267 Kan. 788, 982 P.2d 399 (1999).

26. Attorney's selfish motive in pursuing the slip and fall case when his client told him to dismiss the case violates KRPC 1.2(a), 1.3, 1.4, 1.5(c), 1.6, and 8.4(c); published censure per Rule 203(a)(3). *In re Friesen*, 268 Kan. 57, 991 P.2d 400 (1999).

27. Attorney's mishandling of a wrongful death/personal injury case violates KRPC 1.2, 1.3, 1.4, 3.2, and 8.4 and Rule 207; failure to answer the complaint in violation of Rule 211; one-year suspension with additional condition that he pass the multistate professional responsibility examination prior to readmission. *In re Cole*, 268 Kan. 171, 991 P.2d 422 (1999).

28. Attorney indefinitely suspended for numerous ethical violations in Missouri and convicted of filing a false federal income tax return; temporary suspension per Rule 203(c)(5) effective at the time of suspension in Kansas; violations found in KRPC 1.2, 1.3, 1.4, 1.8, 1.15, 3.2, 5.1, and 8.4; indefinite suspension. *In re Shaver*, 269 Kan. 171, 4 P.3d 581 (2000).

29. Defendant in a criminal case has the ultimate authority to determine how to plead. *State v. Hedges*, 269 Kan. 895, 8 P.3d 1259 (2000).

30. Attorney committed numerous violations of rules of professional conduct including KRPC 1.1, 1.2, 1.3, 1.4, 1.16, 3.2, 8.1, Rule 207, and Rule 211; respondent's exceptions considered per Rule 212; disbarment and Rule 218 compliance ordered. *In re Wenger*, 279 Kan. 895, 112 P.3d 199 (2005).

31. Defendant contends ineffective assistance of counsel; KRPC 1.2(a) cited by Supreme Court in discussing trial counsel's responsibilities. *Flynn v. State*, 281 Kan. 1154, 136 P.3d 909 (2006).

32. Attorney previously disciplined four times violates KRPC 1.1, 1.2, 1.3, 3.1, and 3.3; misconduct established by clear and convincing evidence per Rule 211(f); 1-year suspension per Rule 203(a)(2). *In re Watson*, 280 Kan. 375, 121 P.3d 982 (2005).

33. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

34. Attorney disciplined for his misconduct involving his handling of a patent application and which violated KRPC 1.1, 1.2(a), 1.3, 1.4(a) and 8.4(c); Supreme court not bound by recommendations of the hearing panel or Disciplinary Administrator per Rule 212(f); published censure per Rule 203(a)(3). *In re Sylvester*, 282 Kan. 391, 144 P.3d 697 (2006).

35. Attorney voluntarily surrendered license pursuant to Rule 217 with three cases pending before the Supreme Court alleging multiple violations of KRPC 1.2(d), 1.4(a), 1.7, 1.8(b), 1.15(a), 8.4(b) and (g), and Rule 207(b); disbarment. *In re Cowger*, 286 Kan. 52, 182 P.3d 1204 (2008).

36. Attorney previously disciplined for similar misconduct found to have violated KRPC 1.1, 1.2, 1.3, 1.4(a), 3.2, 8.4(d) and (g) and Rule 211; failed to respond to complaint per Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); failed to notify Clerk of Appellate Courts of address change per Rule 208; indefinite suspension per Rule 203(a)(2). *In re Lober*, 288 Kan. 498, 204 P.3d 610 (2009).

37. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

38. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan. 801, 234 P.3d 804 (2010).

39. Attorney previously disciplined by 6-month suspension violates KRPC 1.2, 1.3, 1.4(a), 1.5(a), 1.15(b), 1.16(d). 8.1(b), Rule 207(b), and Rule 211; conditions set out for reinstatement under Rule 219(f); indefinite suspension per Rule 203(a)(2). *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

40. Attorney's misconduct violated KRPC 1.2, 1.7, 4.1, and 8.4; 2-year suspension per Rule 203(a)(2). *In re Galloway*, 296 Kan. 406, 293 P.3d 696 (2013).

41. Attorney misconduct violated KRPC 1.2, 1.3, 1.4(a), and 8.4(c) and (d); 6-month suspension under Rule 203(a)(2). *In re Meyer*, 299 Kan. 679, 327 P.3d 407 (2014).

42. Attorney misconduct violated KRPC 1.2(a), 1.4(a), 1.16(d), and 8.4(c) and (d) and Rule 211(b) and 218(a); indefinite suspension. *In re Johnson*, 300 Kan. 851, 335 P.3d 634 (2014).

43. Criminal defendant's approval of attorney's theory of defense does not immunize attorney from responsibility for KRPC 1.1 violation; defense counsel bears responsibility for strategic and tactical decisions; KRPC 1.2, comment 1; KRPC 1.1, comment 5; and KRPC 1.4(b) cited. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

44. Attorney misconduct violated KRPC 1.2, 1.3, 1.4(a), and 1.16(d); 3 years' supervised probation. *In re Kepfield*, 301 Kan. 662, 346 P.3d 332 (2015).

45. Attorney misconduct violated KRPC 1.2(a), 1.3, 1.4(a), 1.15(d), 8.4(c), and 8.4(d); Kansas license suspended until notification of reinstatement of good standing of Florida license provided. *In re Vaughn*, 303 Kan. 976, 368 P.3d 1088 (2016).

KRPC 1.3 Diligence

Case Annotations

1. Attorney's failure to represent clients in three separate cases after acceptance of retainer fees and failure to cooperate with disciplinary investigation found to violate DR 1-102, 6-101, 7-101, and 9-102; MRPC 1.1, 1.3, 1.4, 1.15 and 8.4; and Rule 207. Rule 203 disbarment. *In re Morphett,* 246 Kan. 499, 790 P.2d 402 (1990).

2. Attorney's mishandling of estate held to violate DR 6-101(A)(3) and MRPC 1.3, DR 1-102(A)(5), (6), and MRPC 8.4(d), and DR 7-101(A)(2) and MRPC 3.2 and 1.4(a); other violations; public censure and restitution. *In re Ebersole,* 247 Kan. 670, 801 P.2d 1323 (1990).

3. Attorney's failing to file eviction action yet telling client he had done so held to violate MRPC 1.3, 1.4, 3.2, and 8.4(c) & (g); other violations; public censure and restitution. *In re Ebersole,* 247 Kan. 670, 801 P.2d 1323 (1990).

4. Attorney's inaction which allowed statute of limitations to run and cause of action to be dismissed with prejudice despite accepting retainer and assuring client of representation violated MRPC 1.1, 1.3, 1.4, 8.4(d), and 8.4(g); indefinite suspension. *In re Cain,* 247 Kan. 673, 801 P.2d 1325 (1990).

5. Attorney retained to probate estate failed to do so, failed to record transfer of mineral interest deed resulting in levy and execution thereon, and failed to cooperate in resulting disciplinary investigation. Violations of DR 9-102(B) and MRPC 1.15; DR 1-102(A), 6-101(A)(3), 7-101(A), and 9-102(B)(1), (3), (4) and MRPC 1.3, 1.4(a), 1.15, and 8.4(c); and Rule 207. Indefinite suspension with readmission without petition upon successful completion of one-year suspension; specific conditions. *In re Ehrlich,* 248 Kan. 92, 804 P.2d 958 (1991).

6. Attorney's mishandling of collection matter and failure to cooperate with resulting investigation violate Rule 207, DR 1-102(A)(6), 6-101(A)(3), 7-101(A)(2), and 9-102(B)(1), (3), and (4); after March 1, 1988, the same behavior violates MRPC 1.3, 1.4, 1.15(d)(2)(i), (iii), and (iv), and 8.4(g); 2-year suspension recommended; many mitigating factors; 2-year supervised probation. *In re Evans,* 248 Kan. 176, 804 P.2d 344 (1991).

7. Attorney currently on supervised probation found to have violated Rule 207 and MRPC 1.3, 1.4, 1.15(d)(2)(iii), (iv), and 8.4(g) in handling employment termination case; suspension recommended; supervised probation continued for additional one year. *In re Linn,* 248 Kan. 189, 804 P.2d 350 (1991).

8. Recommended disbarment based on continued neglect of client despite prior discipline for such and failure to respond to said discipline, all in violation of MRPC 1.3, 3.2, and 8.4(g); Rule 217 surrender and disbarment; Rule 218 compliance ordered. *In re Ebersole,* 248 Kan. 496, 807 P.2d 1318 (1991).

9. Attorney who agreed to provide representation, accepted retainer, but failed to perform services in 5 situations violated MRPC 1.3, 1.4, 1.15, and 8.4(a) and (d); disability inactive status, restored to active status, temporary suspension pending resolution; reinstated upon 2-year conditional supervised probation. *In re Keil,* 248 Kan. 629, 809 P.2d 531 (1991).

10. Attorney, under suspension at time of representation of client at trial, who fails to so inform client and who fails to pursue appeal upon client's request violates MRPC 1.2, 1.3, 1.4, and 8.4(g); indefinite suspension. *In re Vorhies,* 248 Kan. 985, 811 P.2d 1254 (1991).

11. Attorney employed to probate estate failed to institute probate proceedings, failed to file inheritance tax return thereby incurring penalty and interest, and misrepresented to client that estate matters were being handled violated MRPC 1.1, 1.3, 1.4(a), and 8.4(c); indefinite suspension and Rule 218 compliance ordered. *In re McGhee,* 248 Kan. 988, 811 P.2d 884 (1991).

12. Attorney's failure to pursue personal injury action on behalf of client, resulting in summary judgment for defendant, and misrepresentation to client and disciplinary investigator as to status of that case violates DR 6-101(A)(3); MRPC 1.3, 1.4(a) and (b), 8.4(c) and (g); and Rule 207; public censure. *In re Jackson,* 249 Kan. 172, 814 P.2d 958 (1991).

13. Attorney's failure to prepare journal entry is violation of MRPC 1.1, 1.3, and 1.4; attorney on probation for other matters; public censure. *In re Black,* 249 Kan. 211, 814 P.2d 447 (1991).

14. Attorney's failure to close estate for 12-year period, failure to render court-ordered accounting, failure to satisfy federal estate tax obligations, and failure to cooperate with disciplinary investigator violate MRPC 1.1, 1.3, 1.4, 3.2, 8.4(d) and (g), DR 6-101, DR 7-101, and Rule 207; disbarment and Rule 218 compliance. *In re Coleman,* 249 Kan. 218, 815 P.2d 43 (1991).

15. Attorney's acceptance of retainer to represent client in child custody and support matter, representation to client that appropriate motions had been filed and an agreement drafted, and failure to file and/or draft such documents constitutes violation of MRPC 1.1, 1.3, and 1.4(a); previous violations aggravating factor; one-year suspension and Rule 218 compliance ordered. *In re Stapleton,* 249 Kan. 524, 819 P.2d 125 (1991).

16. Attorney's 4-year neglect of workers compensation claim, thereby preventing client recovery, and mishandling of funds violative of MRPC 1.3, 1.4, and 8.4(g); and Canons 1, 6 and 7. Attorney currently on suspension; disbarment and Rule 218 compliance ordered. *In re Cain,* 249 Kan. 578, 819 P.2d 1230 (1991).

17. Attorney's failure to appear to represent client at trial and subsequent sentencing violates MRPC 1.3, 1.4, and 8.4(d) and (g); Rule 203(a)(3) public censure. *In re Gilman,* 249 Kan. 773, 821 P.2d 327 (1991).

18. Attorney's mishandling of estate case, misrepresentation to client and representatives from disciplinary administrator regarding status of case, failure to withdraw as counsel and failure to cooperate with subsequent counsel, and mismanagement of estate funds violative of MRPC 1.1; 1.2; 1.3; 3.2; 1.15(b); 1.16(a)(3)(d); 8.4(g); and Rule 207(a) and (b); other violations; indefinite suspension and Rule 218 compliance ordered. *In re Stapleton,* 250 Kan. 247, 824 P.2d 205 (1992).

19. Attorney's failure to timely file petition for probate violative of MRPC 1.1 and 1.3; other violations; mitigating circumstances; Rule 203 public censure. *In re Copeland,* 250 Kan. 283, 823 P.2d 802 (1992).

20. Attorney's failure to designate record in federal appeal and failure to respond to show cause order violated MRPC 1.1, 1.3, 3.2, and 8.4(d), (g); other violations; indefinite suspension suspended and probated. *In re Jenkins,* 251 Kan. 264, 833 P.2d 1013 (1992).

21. Attorney's failure to forward checks received from insurance companies to client's health care providers violated MRPC 1.3, 1.4(a) and (b), and 1.15(b); other violations; indefinite suspension suspended and probated. *In re Jenkins,* 251 Kan. 264, 833 P.2d 1013 (1992).

22. Attorney on indefinite suspension subject of three complaints for failure to represent clients in violation of MRPC 1.1, 1.3, 1.4, and 8.4(c); failure to cooperate with investigation; disbarment and Rule 218 compliance. *In re McGhee,* 251 Kan. 584, 834 P.2d 379 (1992).

23. Attorney's not appearing for scheduled hearing in two cases violates MRPC 1.1 and 1.3; public censure. *In re Johnson,* 251 Kan. 826, 840 P.2d 515 (1992).

24. Attorney's delay in handling bankruptcy case violative of MRPC 1.3 and 1.4; one-year suspension. *In re Wood,* 251 Kan. 832, 840 P.2d 519 (1992).

25. Attorney's mishandling of probate case violates MPRC 1.3, 1.4, and 3.2; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

26. Attorney's mishandling of real estate matter violates MRPC 1.1, 1.3, 1.4, and 3.2; DR 6-101(A)(3); and Rule 207; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

27. Attorney's failure to file divorce papers after accepting retainer and failure to return client's money violates MRPC 1.3, 1.4, 1.15; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

28. Attorney's mishandling of personal injury case violates MRPC 1.3, 1.4, 1.16, and 3.4; other

violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

29. Attorney's failure to communicate with clients violates MRPC 1.3 and 1.4; failure to cooperate in investigation; imposition of discipline suspended; one-year supervised probation. *In re Plettner,* 251 Kan. 844, 840 P.2d 526 (1992).

30. Attorney's lack of communication, delay in filing pleadings, and failure to complete work for three clients violative of MRPC 1.3 and 1.4; failure to cooperate with investigation violative of Rule 207; attorney currently under suspension disbarred and Rule 218 compliance ordered. *In re Wood,* 252 Kan. 1074, 850 P.2d 234 (1993).

31. Attorney's mishandling of his mother's estate violative of MRPC 1.1, 1.3, and 1.15; public censure. *In re Scott,* 253 Kan. 192, 853 P.2d 60 (1993).

32. Attorney's moving to California without notifying clients, failure to return clients' files, and failure to respond to inquiries from disciplinary administrator's office violative of MRPC 1.3, 1.4, and 1.16 and Rule 207; other violations and previous suspension; disbarment and Rule 218 compliance ordered. *In re Dill,* 253 Kan. 195, 853 P.2d 696 (1993).

33. Attorney's mishandling bankruptcy case, failing to abide by client's decision, and failing to keep client informed violative of MRPC 1.1, 1.2, 1.3 and 1.4; previous code and Rule 207 violations; public censure. *In re Edgar-Austin,* 253 Kan. 440, 855 P.2d 960 (1993).

34. Attorney's failure to file probate petition, inform client of status of case, return unearned retainer, and communicate with client violative of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 3.2; other violations; one-year suspension and Rule 218 compliance ordered. *In re King,* 253 Kan. 444, 855 P.2d 963 (1993).

35. Attorney's mishandling of employment discrimination class action and failure to inform clients as to status of case violative of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.1, and 3.2; other violations; Rule 203(a)(2) one-year suspension, Rule 203(a)(5) restitution, and Rule 218 compliance ordered. *In re King,* 253 Kan. 444, 855 P.2d 963 (1993).

36. Attorney previously censured placed on indefinite suspension for violations of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 8.4 for neglect of two different client's cases; two other complaints found to be based on insufficient evidence although pattern of conduct cited and violations of Rule 207 established; Rule 218 compliance ordered. *In re Jackson,* 253 Kan. 810, 861 P.2d 124 (1993).

37. Attorney's actions in letting the statute of limitations run in four different cases violate DR 1-102(A)(4), 6-101(A)(1) and (3), and 7-101(A)(2), and MRPC 1.1, 1.3, 1.4(a) and (b), 3.2, and 8.4(c). Attorney's actions in failing to respond to requests for information and return of the case file in workers compensation case violate MRPC 1.3, 1.4(a) and (b), 1.16(a)(3) and (d), and 3.2. Eighteen-month suspension probated on conditions. *In re Jones,* 253 Kan. 836, 861 P.2d 1340 (1993).

38. Seven of nine charges based on misdemeanor convictions, dismissals, or diversions dismissed by panel due to remoteness; remaining two misdemeanor convictions violative of MRPC 8.4 (b), (d), and (g); attorney's conduct in mishandling personal injury case resulting in statute of limitations running, PIP carrier losing lien, and misrepresentation to client as to status of case violative of MRPC 1.3, 1.4, 4.1, and 8.4 (c) and (g); mitigating circumstances; one-year suspension and compliance with Rule 218 ordered. *In re Pistotnik,* 254 Kan. 294, 864 P.2d 1166 (1993).

39. Attorney's mishandling of divorce case resulting in client losing lien, failure to inform client as to status of case, mishandling of related bankruptcy case for client creditor, and failure to preserve judgment, and attorney's allegations and behavior during investigation of disciplinary complaint violate DR 6-101(A)(2), and MRPC 1.2(c), 1.3, 1.4(b), and 1.16(d); mitigating and aggravating circumstances; panel recommends unpublished censure; public censure. *In re Deeds,* 254 Kan. 309, 864 P.2d 1194 (1993).

40. Attorney's dilatory handling of estate matter violative of MRPC 1.3, 1.4, 1.16(a)(2), 3.2, and 8.4(g); Rule 207 violation; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson,* 254 Kan. 406, 867 P.2d 278 (1994).

41. Attorney's failure to file motion to modify sentence in criminal case violative of MRPC 1.1 and 1.3; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson,* 254 Kan. 406, 867 P.2d 278 (1994).

42. Attorney's mishandling of post-trial motions as local counsel in handicap employment discrimination case violative of MRPC 1.1 and 1.3; Rule 207 violation; censure. *In re Jackson,* 254 Kan. 573, 866 P.2d 1048 (1994).

43. Attorney's failure to remit client's portion in a collection matter, failure to keep client informed, misrepresentations to client as to status of collection efforts, and causing balance on trust account to repeatedly fall below amount due client violative of MRPC 1.3, 1.4(a), 1.5(d), 1.15(a), 4.1(a), and 8.4(c); aggravating and mitigating circumstances; one-year supervised probation with conditions. *In re Wisler,* 254 Kan. 600, 866 P.2d 1049 (1994).

44. Attorney's failure to file personal injury claim and blaming client for delay, thereby allowing statute of limitations to run (resulting in client being granted summary judgment in subsequent malpractice claim); failure to inform client as to reduction in child support income; failure to inform client as to hearing dates; and acceptance of retainer fee from out-of-state client whom attorney knew he could not represent in divorce action violate MRPC 1.1, 1.3, 1.4(a) and (b), 1.16(d), 3.3(a)(1), and 8.4(d) and (g); Rule 207(a) and (b) violations; disbarment and Rule 218 compliance ordered. *In re Spears,* 254 Kan. 904, 869 P.2d 718 (1994).

45. Attorney's mishandling of four different probate estates and failure to timely file four different foreclosures, despite representations and billings which would indicate to the contrary, held to violate DR 1-102(A)(4), (5), and (6); 6-101(A)(3); and 7-101(A)(2) and (3); Canons 1, 6, 7, and 9; and MRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c), (d), and (g); aggravating and mitigating circumstances; two-year suspension, discipline probated, and supervised probation ordered. *In re Herman,* 254 Kan. 908, 869 P.2d 721 (1994).

46. Attorney's failure to file incorporation papers and retention of retainer paid to handle such matter violate MRPC 1.3, 1.4, 1.15, 1.16, and 8.4; other violations; disbarment. *In re Jackson,* 255 Kan. 542, 874 P.2d 673 (1994).

47. Attorney's mishandling of will and estate matter, failure to communicate with client, failure to timely handle the matter, misleading the court as to the status of the probate case, and failure to return the client's file and retainer when requested violate MRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; other violations; disbarment. *In re Jackson,* 255 Kan. 542, 874 P.2d 673 (1994).

48. Attorney's failure to timely file bankruptcy petition for clients, misrepresentations to clients as to status of case, and mishandling of bankruptcy case violate MRPC 1.1, 1.3, 1.4, 1.15, and 8.4; other violations; disbarment. *In re Jackson,* 255 Kan. 542, 874 P.2d 673 (1994).

49. Attorney's mishandling of divorce case violates MRPC 1.3 and 1.4, and use of letterhead indicating attorney is in partnership with another when such is not the case violates MRPC 7.5(d); censure. *In re Seck,* 255 Kan. 552, 874 P.2d 678 (1994).

50. Attorney's dilatory handling of three federal court cases violative of MRPC 1.1, 1.3, 1.4, and 3.2; failure to respond to inquiry from disciplinary authorities violative of Rule 207; two-year supervised probation. *In re Long,* 255 Kan. 792, 877 P.2d 421 (1994).

51. Attorney found to have violated MRPC 1.1, 1.3, 1.4, 1.15, 3.2, 3.4(c), 4.3, and 8.4(d) and (g) based on conduct in seven different complaints reflecting on attorney's lack of diligence and competence, miscommunication and lack of candor, and failure to return unearned fees; failure to cooperate in disciplinary investigation; attorney currently on disability inactive status; indefinite suspension and Rule

218 compliance ordered. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

52. Attorney'' failure to communicate with clients and poor record keeping of trust account violate MRPC 1.1, 1.3, 1.4 and 1.15; 2-year supervised probation ordered. *In re Waite*, 256 Kan. 130, 883 P.2d 1176 (1994).

53. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

54. Attorney's failure to represent client in collection of foreign judgment in workers compensation case found to violate MRPC 1.1, 1.3, 1.4, 1.5(d), 1.16(d), 3.2, and 8.4(g); indefinite suspension and Rule 218 compliance ordered. *In re Griggs*, 256 Kan. 498, 886 P.2d 786 (1994).

55. Attorney who lied to the court and her clients and failed to appear for landlord-tenant case proceeding found to be in violation of MRPC 1.1, 1.3, 1.4, 3.3, 3.4, 3.5, 4.1, 8.2 and 8.4; one-year suspension and compliance with Rule 218 ordered. *In re Gershater*, 256 Kan. 512, 886 P.2d 343 (1994).

56. Attorney's mishandling of a breach of contract case and settlement violative of MRPC 1.1, 1.3, 1.4, 3.3, and 8.4; six-month suspension and compliance with Rule 218 ordered. *In re Norlen*, 256 Kan. 509, 886 P.2d 347 (1994).

57. Attorney's mishandling of probate matter and workers compensation case violates MRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4 and Rule 207; imposition of discipline suspended; two-year supervised probation. *In re Whitaker*, 256 Kan. 939, 888 P.2d 829 (1995).

58. Attorney's mishandling collection of bad checks violate MRPC 1.3, 1.4, 1.15(b) and 1.16(d); published censure. *In re England*, 257 Kan. 312, 894 P.2d 177 (1995).

59. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

60. Attorney's dilatory handling of civil case and failure to file the opening brief in criminal case violate MRPC 1.1, 1.3 and 8.4(d); two-year supervised probation. *In re Betts*, 257 Kan. 955, 895 P.2d 604 (1995).

61. Attorney's mishandling the oil and gas case violates MRPC 1.1, 1.3, 1.4 and 8.4(c); one-year probation. *In re Pilgreen*, 257 Kan. 949, 896 P.2d 389 (1995).

62. Attorney's mishandling of subrogation claims for insurance company violates MRPC 1.1, 1.3 and 1.4; published censure. *In re Morse*, 258 Kan. 248, 899 P.2d 467 (1995).

63. Attorney's failure to remit personal injury protection lien to his client's insurance company, failure to keep client informed, misrepresentation to client, and creating conflict of interest violated MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.7, 4.1, and 8.4; aggravating circumstances; indefinite suspension. *In re Seck*, 258 Kan. 530, 905 P.2d 122 (1995).

64. Attorney's neglect of three different clients' cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 3.1, and 8.4 and Rule 207; one-year suspension. *In re Geeding*, 258 Kan. 740, 907 P.2d 124 (1995).

65. Attorney disciplined in Texas for failure to communicate with clients, neglect of client's cases, failure to cooperate in investigation, and conversion of client's funds; Texas findings and conclusions adopted per Rule 202; indefinite suspension. *In re Callahan*, 258 Kan. 770, 907 P.2d 840 (1995).

66. Attorney's mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

67. Attorney's mishandling of client funds, failure to supervise nonlawyer assistants, and other misconduct violate MRPC 1.3, 1.5, 1.15, 5.3, and 8.4; mitigating circumstances; published censure. *In re Krogh*, 259 Kan. 163, 910 P.2d 221 (1996).

68. Attorney's handling of counterclaim and appeal in lawsuit between home buyers and construction company violates MRPC 1.1, 1.3, 1.4, 8.4(c) and (d) and Rule 207; one-year suspension. *In*

re Crockett, 259 Kan. 540, 912 P.2d 176 (1996).

69. Attorney self-reported cases in which he allowed the statute of limitations to expire on his clients' claims; violations of MRPC 1.3, 1.4, and 8.4; two-year suspension. *In re Hill*, 259 Kan. 877, 915 P.2d 49 (1996).

70. Attorney's failure to keep client reasonably informed and charging of excessive fee violate MRPC 1.3, 1.4, 1.5, and 1.16; published censure. *In re Scimeca*, 259 Kan. 893, 914 P.2d 948 (1996).

71. Attorney's failure to defend client in repossession action violates MRPC 1.1, 1.3, and 1.4; continued use of alcohol and drugs and four additional complaints pending hearing or investigation negate panel's recommendation of supervised probation; one-year suspension. *In re Mitchell*, 260 Kan. 560, 919 P.2d 360 (1996).

72. Attorney's breach of fiduciary duty as executor of estate, conduct involving dishonesty and fraud, and failure to cooperate with Disciplinary Administrator's office violate MRPC 1.3, 1.15, 8.4(c) and (d) and Rules 202 and 207; disbarment. *In re Williamson*, 260 Kan. 568, 918 P.2d 1302 (1996).

73. Attorney's mishandling of bankruptcy proceedings for his clients violates MRPC 1.1, 1.2, 1.3, 1.4, 8.1 and 8.4 and Rule 207; disbarment. *In re Gordon*, 260 Kan. 905, 925 P.2d 840 (1996).

74. Attorney's handling of civil action and post-divorce proceeding and his attempt to represent a criminal defendant while attorney was in inpatient drug treatment program violate MRPC 1.3, 1.4, 1.5(b), 1.15(a) and (b), 1.16(a), 3.3(a), 4.1 and 8.4(a), (b), (d), and (g); 3-year supervised probation. *In re Phillips*, 260 Kan. 909, 925 P.2d 435 (1996).

75. Attorney's mishandling of matters involving (1) individualized education program for autistic child in public school, (2) personal injury, probate, and insurance claim arising from fatal car accident, and (3) probate matter involving estate of conservatee violates MRPC 1.1, 1.2, 1.3, 1.4, 1.7, 1.16, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dow*, 261 Kan. 989, 933 P.2d 666 (1997).

76. Attorney's mishandling of bankruptcy case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.16, 3.1, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Roy*, 261 Kan. 999, 933 P.2d 662 (1997).

77. Attorney's mishandling of adoption case violates MRPC 1.1, 1.3, 1.4, and 8.4 and Rule 207; indefinite suspension. *In re Johnson*, 262 Kan. 275, 936 P.2d 258 (1997).

78. Attorney's mishandling of civil rights case violates MRPC 1.2, 1.3, 1.4, 1.7, 1.15, 5.3, and 8.4; two-year supervised probation. *In re Baxter*, 262 Kan. 555, 940 P.2d 37 (1997).

79. Attorney's failure to file negligence action in proper court and his disappearance from his law office without notice to clients violate MRPC 1.1, 1.3, 1.4, 1.5, 3.2, and 8.4 and Rule 207; disbarment. *In re Neal*, 262 Kan. 562, 937 P.2d 1234 (1997).

80. Attorney's missing filing and response deadlines and failure to communicate with client violate MRPC 1.1, 1.3, and 1.4; one-year supervised probation. *In re Capps*, 262 Kan. 833, 942 P.2d 588 (1997).

81. Attorney's failure to notify client in pending child custody matter of her suspension from practice of law violates MRPC 1.3, 1.4, and 1.16; published censure per Rule 203(a)(3). *In re Gershater*, 263 Kan. 199, 946 P.2d 993 (1997).

82. Attorney's mishandling of estate matter violates MRPC 1.1 and 1.3; two-year supervised probation; supervising attorney afforded all immunities per Rule 223. *In re Perkins*, 263 Kan. 207, 946 P.2d 998 (1997).

83. Attorney's mishandling of traffic cases and real property transaction, sexual harassment complaint filed against him, and disorderly conduct at the airport violate MRPC 1.2, 1.3, 1.4, 3.2, and 8.4; indefinite suspension effective as of date of order per Rule 219. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

84. Attorney's failure to prepare necessary tax returns for an estate and pension plan documents for employer violates MRPC 1.1, 1.3, 1.4, and 8.4; supervising attorney afforded all immunities per Rule

223; two-year supervised probation and continued treatment for alcoholism, depression and personality disorders ordered. *In re Stephens*, 263 Kan. 221, 946 P.2d 1379 (1997).

85. Comments to MRPC 1.3 quoted in a disqualification of attorney case to state the general rule that attorney-client relationship ends when the matter has been resolved. *Barragree v. Tri-County Electric Co-op, Inc*., 263 Kan. 446, 950 P.2d 1351 (1997).

86. Attorney's failure to diligently handle workers compensation case violates MRPC 1.1, 1.3, 1.4, and 1.8; two-year supervised probation. *In re Durr*, 263 Kan. 525, 949 P.2d 1130 (1997).

87. Attorney admitted violations of MRPC 1.3, 1.4, and 1.15; two-year suspension per Rule 203(a)(2). *In re Hamilton*, 263 Kan. 528, 949 P.2d 1139 (1997).

88. Attorney's misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and (b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

89. Attorney's failure to communicate with his client, his delay in handling of insurance settlement, and his misrepresentation of material facts to disciplinary administrator violate MRPC 1.1, 1.2(a), 1.3, 1.4(a) and (b), 8.1(a) and 8.4(d) and (g) and Rules 207 and 211; published censure per Rule 203(a)(3). *In re Potter*, 263 Kan. 766, 952 P.2d 936 (1998).

90. Attorney's mishandling of numerous cases violates MRPC 1.1, 1.3, 1.4(a), and 8.4(d); attorney allowed to plan his medical treatment and to work under supervision for the State Board of Indigents' Defense Services; three-year supervised probation. *In re Betts*, 263 Kan. 801, 953 P.2d 223 (1998).

91. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

92. Attorney's failure to diligently and competently represent and to communicate with his six clients and his failure to cooperate with the disciplinary administrator's office violate MRPC 1.1, 1.3, 1.4, 1.16, 3.4, 8.1, and 8.4 and Rule 207; suspension effective as of the date of order for purpose of Rule 219(e); indefinite suspension. *In re Wooten*, 264 Kan. 283, 955 P.2d 1239 (1998).

93. Attorney's mishandling of a chapter 7 bankruptcy proceeding violates MRPC 1.3 and 1.4; indefinite suspension recommended by the disciplinary administrator per Rule 211(f); prior offenses for violations of MRPC 1.1, 1.3, 1.4 and 1.16; two-year supervised probation. *In re Morse*, 264 Kan. 286, 954 P.2d 1092 (1998).

94. Attorney's neglect of his cases, failure to communicate with his clients, and failure to competently and diligently represent them violate MRPC 1.1, 1.3, 1.4, 3.2, 3.4(c), and 8.4(d) and (g); attorney's failure to appear before the court constitutes violation of Rule 212(d); indefinite suspension. *In re Anderson*, 264 Kan. 758, 956 P.2d 1330 (1998).

95. Attorney's mishandling of grandparents' visitation case and municipal court case violates MRPC 1.2, 1.3, 1.4, 3.1, and 8.4; current suspension per Rule 208 noted; registered for disabled inactive status per Rule 220; published censure. *In re Taylor*, 265 Kan. 246, 959 P.2d 901 (1998).

96. Attorney surrenders license per Rule 217 while pending complaint alleges violations of MRPC 1.2, 1.3, 1.4, and 8.4(c); disbarment. *In re Badke*, 265 Kan. 464, 968 P.2d 670 (1998).

97. Attorney's failure to communicate with client and tardiness in filing petition for divorce violate MRPC 1.3, 1.4, and 3.2; published censure. *In re Granger*, 265 Kan. 737, 962 P.2d 529 (1998).

98. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

99. Attorney's failure to file an annual report, to draft the shareholder agreement, and to promptly file a suit for his client corporation violates MRPC 1.1, 1.3, and 1.8(a); he also violated MRPC 8.4(a), (c), and (d) when he made a false statement to the deputy disciplinary administrator; published censure per Rule 203(a)(3). *In re Zimmerman*, 266 Kan. 115, 965 P.2d 823 (1998).

100. Attorney's mishandling of a Chapter 7 bankruptcy case violates MRPC 1.1, 1.3, 1.15(a) and (c), and 8.4(b); his failure to cooperate in the disciplinary process violates Rule 207; one-year suspension. *In re Metz*, 266 Kan. 118, 965 P.2d 821 (1998).

101. Attorney's failure to adequately communicate with his clients and his lack of due diligence in an automobile accident case violate MRPC 1.3 and 1.4; supervising attorney granted all immunities per Rule 223; two-year supervised probation. *In re Davisson*, 266 Kan. 395, 969 P.2d 892 (1998).

102. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

103. Attorney's mishandling of a divorce case and a tort case violates MRPC 1.3 and 1.4(a); attorney's inexperience in the practice of law stated as mitigating factor; published censure per Rule 203(a)(3). *In re Levy*, 266 Kan. 411, 969 P.2d 870 (1998).

104. Attorney stipulated to violations of MRPC 1.1, 1.2, 1.3, 1.4, 3.1, and 8.4(g) in his handling of child custody case, child support case, and wrongful termination case; his failure to cooperate in investigation violates Rules 207(b) and 211(b); Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for appropriateness of probation; one-year suspension. *In re Long*, 266 Kan. 664, 972 P.2d 773 (1999).

105. Attorney's failure to safekeep his clients' property and to promptly respond to the orders of the court in bankruptcy proceedings violates MRPC 1.3, 1.15, 3.4(c), and 8.4(b), (c), and (d), and Rules 207, 208, 211(b), and 802; panel recommended discipline per Rule 203(a)(1), (2), (3), or (5); indefinite suspension. *In re Fey*, 266 Kan. 674, 972 P.2d 771 (1999).

106. Attorney's failure to appear in court on numerous occasions and his abandonment of his law practice without making any arrangements to protect his clients violate KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 8.1, and 8.4 and Rules 207 and 208(c); disbarment. *In re Ortega*, 267 Kan. 228, 978 P.2d 914 (1999).

107. Attorney's mishandling of bankruptcy case violates KRPC 1.1, 1.3, 1.4, 1.15, and 8.4; supervised probation. *In re Christians*, 267 Kan. 240, 978 P.2d 910 (1999).

108. Attorney's mishandling of personal injury case, past due taxes case, and bankruptcy case violates KRPC 1.3, 1.4, 1.15, 3.2, 8.1, and 8.4; he was arrested for DUI, possession of cocaine, possession of drug paraphernalia, battery on a law enforcement officer, battery on his former girlfriend, and other charges; failure to notify and cooperate with the disciplinary administrator in violation of Rules 203(c) and 207, defense under Rule 223 raised; indefinite suspension. *In re Parker*, 267 Kan. 779, 985 P.2d 124 (1999).

109. Attorney's failure to file docketing statement and otherwise prosecute the appeal for his client violates KRPC 1.3; published censure per Rule 203(a)(3). *In re Nelson*, 267 Kan. 785, 982 P.2d 983 (1999).

110. Attorney's mishandling of collection matters violates KRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c); allegations in the hearing panel's report deemed admitted per Rule 212(c) and (d); split panel recommendation; published censure. *In re Druten*, 267 Kan. 790, 982 P.2d 978 (1999).

111. Attorney's mishandling of civil actions involving four clients violates KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.3, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

112. Attorney's selfish motive in pursuing a slip and fall case when his client told him to dismiss

the case violates KRPC 1.2(a), 1.3, 1.4, 1.5(c), 1.6, and 8.4(c); published censure per Rule 203(a)(3). *In re Friesen*, 268 Kan. 57, 991 P.2d 400 (1999).

113. Attorney's mishandling of divorce and child custody cases violates KRPC 1.3, 1.4, and 1.15; two-year supervised probation. *In re Bailey*, 268 Kan. 63, 986 P.2d 1077 (1999).

114. Attorney's mishandling of habeas corpus action violates KRPC 1.3 and 1.4 and Rule 207; allegations in the hearing panel's report deemed admitted per Rule 212(d) and (e)(4); supervising attorney afforded full immunities per Rule 223; two-year supervised probation. *In re Brunson*, 268 Kan. 69, 986 P.2d 1074 (1999).

115. Attorney's mishandling of a wrongful death/personal injury case violates KRPC 1.2, 1.3, 1.4, 3.2, and 8.4 and Rule 207; failure to answer the complaint in violation of Rule 211; one-year suspension with additional condition that he pass the multistate professional responsibility examination prior to readmission. *In re Cole*, 268 Kan. 171, 991 P.2d 422 (1999).

116. Attorney's lack of diligence and failure to communicate with clients in matters involving workers compensation, child support, and bankruptcy violate KRPC 1.3 and 1.4; supervised probation. *In re Barta*, 268 Kan. 464, 996 P.2d 317 (2000).

117. Attorney's mishandling of a bankruptcy matter violates KRPC 1.1, 1.3, 1.4(a), 1.15(a), and 8.4(d) and Rule 207; panel's findings supported by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Trickey*, 268 Kan. 835, 999 P.2d 964 (2000).

118. Attorney's mishandling divorce, traffic violation, and criminal matters violates KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 5.3, and 8.4 and Rule 207; numerous mitigating and aggravating factors considered; two-year supervised probation. *In re Kellogg*, 269 Kan. 143, 4 P.3d 594 (2000).

119. Attorney indefinitely suspended for numerous ethical violations in Missouri and convicted of filing a false federal income tax return; temporary suspension per Rule 203(c)(5) effective at the time of suspension in Kansas; violations found in KRPC 1.2, 1.3, 1.4, 1.8, 1.15, 3.2, 5.1, and 8.4; indefinite suspension. *In re Shaver*, 269 Kan. 171, 4 P.3d 581 (2000).

120. Attorney's mishandling of a personal injury case violates KRPC 1.3, 1.4, 1.16(a)(2), and 3.2; two-year supervised probation ordered; supervising attorney afforded immunity per Rule 223. *In re Francis*, 269 Kan. 178, 4 P.3d 579 (2000).

121. Attorney's mishandling of six federal court cases and two state court cases violates KRPC 1.3, 3.1, 3.2, 3.4(c) and (d), and 8.4(d) by clear and convincing evidence per Rule 211(f); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Boone*, 269 Kan. 484, 7 P.3d 270 (2000).

122. Attorney's mishandling of probate matters violates KRPC 1.1, 1.3, 3.3(a), 8.1(a), and 8.4(c); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(c) and (d); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Howard*, 269 Kan. 414, 2 P.3d 766 (2000).

123. Attorney's mishandling of a personal injury, criminal appeal, parole, medical malpractice, juvenile offender, and civil action violates KRPC 1.1, 1.3, 1.4(a), 1.15, and 3.2 and Rule 207; two-year probation per Rule 203(a)(2); immunity granted for supervising attorney per Rule 223. *In re Sachse*, 269 Kan. 810, 8 P.3d 745 (2000).

124. Attorney's failure to diligently represent and communicate with a client violates KRPC 1.3, 1.4(a), 1.16(a)(2), and 8.4(c); one-year suspension and Rule 218 and Rule 219 compliance ordered. *In re McGee*, 270 Kan. 135, 13 P.3d 11 (2000).

125. Attorney surrenders license per Rule 217 pending investigation for violating KRPC 1.1, 1.3, 3.3, 8.4(c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Meyer*, 270 Kan. 160, 26 P.3d 1244 (2000).

126. Attorney's mishandling of estate, trust, workers compensation claims, EEOC action, and

bankruptcy matter, and improperly borrowing money from clients, as well as failing to be diligent in representing clients and communicating with clients in five separate disciplinary complaints violates KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.7(a) and (b), 1.8(b), and 8.4(g); indefinite suspension. *In re Coggs*, 270 Kan. 381, 14 P.3d 1123 (2000).

127. Attorney's failure to provide competent representation and to diligently represent and communicate with clients violates KRPC 1.1, 1.3, 1.4(a); attorney's unauthorized practice of law following suspension violates KRPC 5.5; failure to respond to and cooperate with disciplinary administrator violates KRPC 8.1; failure to stop practicing law after suspension and failure to so notify clients violates KRPC 8.4 and Rules 207, 211, and 218; disbarment. *In re Moran*, 270 Kan. 403, 13 P.3d 1275 (2000).

128. Attorney's mishandling of a divorce and traffic matter violates KRPC 1.3 and 1.4(a); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Barnes*, 270 Kan. 415, 13 P.3d 1283 (2000).

129. Attorney's mishandling of employment discrimination case violated KRPC 1.3, 1.4, 3.4(d), 8.4(d) and (g), and Rule 207; failure to appear at scheduled Supreme Court disciplinary hearing; indefinite suspension and Rule 218 compliance ordered. *In re Lockett*, 270 Kan. 640, 17 P.3d 917 (2001).

130. Attorney previously disciplined three prior times now found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), and 3.1; Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for failure of attorney to develop his own probation plan; one-year suspension. *In re Zimmerman*, 270 Kan. 855, 19 P.3d 160 (2001).

131. Attorney's mishandling of numerous cases violates KRPC 1.3, 1.4, 1.15(b), 1.16(a) and (d), 3.2, 8.1(b) and Rule 207; hearing panel's report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2) and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

132. Attorney's mishandling of client funds, failure to act with reasonable diligence in another case, and commingling client's funds with his own violates KRPC 1.3, 1.4, 1.15(a) and (b); 8.4(a), (b), (c) and (g); disbarment. *In re Farrell*, 271 Kan. 291, 21 P.3d 552 (2001).

133. Attorney's mishandling of child custody and order of child support case violated KRPC 1.1, 1.3, and 1.4(a) by clear and convincing evidence per Rule 211(f); indefinite suspension recommended by disciplinary administrator; published censure per Rule 203(a)(3). *In re Boaten*, 271 Kan. 282, 22 P.3d 1034 (2001).

134. Attorney's lack of diligence, failure to communicate with client, failure to safekeep property and failure to protect client's interests when terminating representation violates KRPC 1.3, 1.4, 1.15, and 1.16: 1-year and 1-day suspension in State of Colorado; indefinite suspension in Kansas. *In re Rishel*, 271 Kan. 644, 23 P.3d 820 (2001).

135. Attorney's lack of diligence and failure to communicate with client, failure to maintain trust account for safekeeping client's property, and failure to return unearned fees when requested to do so by the client violates KRPC 1.3, 1.4, and 1.15; published censure per Rule 203(a)(3). *In re Johanning*, 271 Kan. 638, 23 P.3d 895 (2001).

136. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.5(a), 1.15(a), (b), and (c), 8.4(a), (c), and (g), Rule 207 and Rule 211 per Rule 202; disbarment per Rule 203(a)(1). *In re Cleland*, 271 Kan. 926, 27 P.3d 26 (2001).

137. Attorney voluntarily surrenders license to practice law in Missouri; her misconduct violated KRPC 1.1, 1.3, 1.4, 8.4(c) and (d) per Rule 220 as well as Rule 207(b) and Rule 211(b); disbarment. *In re Cramer*, 271 Kan. 923, 26 P.3d 1245 (2001).

138. Attorney's lack of diligence, failure to communicate with client, failure to comply with discovery, and engaging in conduct prejudicial to administration of justice violates KRPC 1.3, 1.4(a),

3.4(d), and 8.4(d); one-year suspension. *In re Coder*, 272 Kan. 758, 35 P.3d 853 (2001).

139. Attorney's mishandling of a divorce case and subsequent complaint violates KRPC 1.3, 1.4, and Rule 207; published censure per Rule 203(a)(3). *In re Brown*, 272 Kan. 767, 35 P.3d 864 (2001).

140. Attorney's mishandling of two separate cases violates KRPC 1.1, 1.3, 1.4, 1.16, 8.4(a), (c), (d) and (g) and Rule 207; indefinite suspension. *In re Johnson*, 272 Kan. 284, 32 P.3d 1132 (2001).

141. Attorney's misconduct in six different complaints as well as mishandling of his trust account result in one-year suspension per Rule 203; if reinstatement sought, requirements of Rule 219 apply. *In re Craig*, 272 Kan. 299, 32 P.3d 1174 (2001).

142. Attorney's lack of diligence and failure to communicate with client, failure to safekeep property and deliver funds promptly violates KRPC 1.3, 1.4(a), 1.15(a) and (b); published censure per Rule 203(a)(3). *In re Wall*, 272 Kan. 1298, 38 P.3d 640 (2002).

143. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(d), 3.2, 3.3(a), 8.4(a) and (g), Rule 207(b); one-year suspension per Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Winterburg*, 273 Kan. 135, 41 P.3d 842 (2002).

144. Attorney's mishandling of several matters violated KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.4(a), (c), (d) and (g); two-year suspension per Rule 203(a)(2); Supreme Court may impose longer sanction than those recommended by hearing panel per Rule 212(f). *In re Swisher*, 273 Kan. 143, 41 P.3d 847 (2002).

145. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.4(g); hearing panel's report deemed admitted under Rule 212(d); two-year suspension per Rule 203(a)(2); Rules 218 and 219 compliance ordered with conditions. *In re Moore*, 273 Kan. 154, 41 P.3d 831 (2002).

146. Attorney's lack of diligence, failure to communicate with client, failure to advise client of the right to have fee reviewed, and failure to safekeep client's funds violated KRPC 1.3, 1.4(a), 1.5(d) and 1.15(a); two-year supervised probation. *In re Singleton*, 273 Kan. 171, 41 P.3d 836 (2002).

147. Attorney stipulated to violations of KRPC 1.1, 1.3, 1.4(a) and 3.4(d) in his handling of two civil actions; attorney's prior informal admonishments in three cases cited as aggravating factor; 18-months' supervised probation. *In re Works*, 273 Kan. 603, 43 P.3d 816 (2002).

148. Attorney's mishandling of three cases violated KRPC 1.1, 1.3, 1.4, 1.16(d) for failure to competently represent clients, failure to protect former client's interests, failure to keep client informed, failing to diligently and promptly represent clients; Rule 207(b) violated by failure to provide information to Discipline Administrator; in a timely manner indefinite suspension. *In re Trickey*, 273 Kan. 1003, 46 P.3d 554 (2002).

149. Attorney previously disciplined found to have violated multiple offenses of KRPC 1.1, 1.3, 1.4, 3.2, 3.4, 3.5, and 8.4; 18 months' suspension and Rules 218 and 219 compliance ordered. *In re Berry*, 274 Kan. 336, 50 P.3d 20 (2002).

150. Attorney's mishandling of child custody case violated KRPC 1.3 for lack of diligence, 1.4 for failure to keep client informed about status of her case, 1.15(b) for failure to return unearned fees, 1.16(d) for failure to return unearned fees, 8.1(b) for failure to respond to Disciplinary Administrator's letters, 8.4(a)(c)(d) and (g) for violating KRPC's; Rule 207(b) and Rule 211(b) for failing to provide written responses to disciplinary complaint and failing to timely file an answer; 1-year suspension. *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

151. Attorney's misconduct in eleven cases violates multiple offenses of KRPC 1.3, 1.4, 1.15, 1.16, and Rule 207(b); total of 48 complaints docketed by Disciplinary Administrator; indefinite suspension per Rule 203(a)(2). *In re Shelton*, 274 Kan. 374, 49 P.3d 10 (2002).

152. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 8.1(b), 8.4(d), Rule 207(b), and Rule 211(b); failure to appear before Supreme Court violated Rule 212(d); disbarment per Rule 203(a)(1). *In re Sechtem*, 274 Kan. 387, 49 P.3d 541 (2002).

153. Attorney disbarred in Missouri found to have violated KRPC 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d) and Rule 211(b); indefinite suspension. *In re Johnson*, 274 Kan.783, 55 P.3d 913 (2002).

154. Attorney suspended for 6 months for violating KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d); findings of fact admitted pursuant to Rule 212(d); previously indefinitely suspended pursuant to Rule 208 and Rule 806; Rule 219 compliance ordered. *In re Matson*, 274 Kan. 785, 56 P.3d 160 (2002).

155. Attorney's misconduct violated multiple offenses of KRPC: 1.3, 1.4(a), 3.2, 5.5(a), 8.1(b), 8.4(a) and (d); notified per Rule 215(a); failed to respond or appear violating Rule 212(d); failed to file answer per Rule 211(b); disbarment per Rule 203(a)(1); Rule 218 compliance ordered. *In re Griswold*, 274 Kan. 776, 56 P.3d 269 (2002).

156. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15; hearing panel's findings of fact supported by clear and convincing evidence per Rule 211(b) and adopted as findings of the Court; published censure per Rule 203(a)(3). *In re Wiles*, 274 Kan. 1103, 58 P.3d 711 (2002).

157. Attorney committed multiple violations of KRPC: 1.3, 1.4, 1.16(d), and 3.2; failed to timely respond to complaints in violation of 8.1, Rule 207(b) and Rule 211(b); supervising attorney afforded full immunities per Rule 223; 2-year supervised probation. *In re Nelson*, 275 Kan. 377, 64 P.3d 413 (2003).

158. Attorney previously disciplined by supervised probation found to have committed multiple violations of KRPC: 1.3, 1.4, 3.1, and 4.2; previously violated KRPC 1.3, 3.1, 3.2, 3.4, and 8.4; pursuant to Rule 212(c), attorney filed an exception to panel's report; disciplinary panel conducted formal hearing pursuant to Rule 211; supervising attorney granted full immunities per Rule 223; supervised probation extended to 5 years with restrictions on practice. *In re Boone*, 275 Kan. 560, 66 P.3d 896 (2003).

159. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

160. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

161. Attorney previously disciplined now found to have violated KRPC 1.3 (diligence) and KRPC 1.4 (communication); hearing panel report admitted per Rule 212(c); published censure per Rule 203(a)(3). *In re Boaten*, 276 Kan. 656, 78 P.3d 458 (2003).

162. Attorney previously disciplined six times violated KRPC 1.1, 1.3, 1.4, and 1.5 in three complaints involving competence, diligence and promptness, communication with his clients, and attorney fees; violated Rule 211(b) by failing to file timely answers to Disciplinary Administrator and hearing panel report; indefinite suspension. *In re Barta*, 277 Kan. 912, 89 P.3d 567 (2004).

163. Attorney's misconduct in 20 appellate cases violated KRPC 1.3 for failing to act with reasonable diligence and promptness, KRPC 3.2 for failing to timely file appellate briefs; Rule 207(b) for failing to timely provide written responses to initial complaints; facts found by the hearing panel deemed admitted pursuant to Rule 212(c) and (d); Rules 218 and 219 compliance ordered; indefinite suspension. *In re Gorup*, 276 Kan. 664, 78 P.3d 812 (2003).

164. Attorney's supervised probation revoked following violations of KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4; failure to cooperate in investigation of complaints per Rule 207(b); failure to obtain liability insurance as condition of probation; indefinite suspension. *In re Nelson*, 277 Kan. 920, 92 P.3d 1146

(2004).

165. Attorney's mishandling of two divorce cases violated KRPC 1.3 and KRPC 1.5; KRPC 1.16 violated as to one client complaint; hearing panel report deemed admitted per Rule 212(c) and (d); charges established by clear and convincing evidence per Rule 211(f); Rule 212(f) cited and applied; published censure per Rule 203(a)(3). *In re Daugherty*, 277 Kan. 257, 83 P.3d 789 (2004).

166. Attorney previously disciplined multiple times found to have violated KRPC 1.3, 1.4, 1.15, and Rule 207; plan of probation per Rule 211(g) found not to be appropriate by hearing panel; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); indefinite suspension and Rule 218 compliance ordered. *In re Potter*, 279 Kan. 937, 112 P.3d 216 (2005).

167. County attorney's misconduct violated KRPC 1.1, 1.3, 3.2, 8.4(d) and (g); ordered to complete CLE program per Rule 802A and make full restitution to the county; restitution hearing prior to reinstatement required pursuant to Rule 219; one-year suspension per Rule 203(a)(2); Rule 218 compliance ordered. *In re Vanderbilt*, 279 Kan. 491, 110 P.3d 419 (2005).

168. Attorney violated multiple rules of professional conduct including KRPC 1.3, 8.4(c), Rule 207(b), and Rule 211(b); one-year suspension per Rule 203(a)(2); Rule 218 compliance ordered. *In re Ware*, 279 Kan. 884, 112 P.3d 155 (2005).

169. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1 and 8.4; Rule 207; Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

170. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207, and Rule 211; hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment and Rule 218 compliance ordered. *In re Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

171. Attorney's misconduct in acting as a trustee violated KRPC 1.3 (diligence), 1.4 (communication), and 1.15(b) (safekeeping property); published censure in accordance with Rule 203(a)(3). *In re Stockwell*, 278 Kan. 756, 101 P.3d 1211 (2004).

172. Attorney's misconduct violated KRPC 1.1, 1.3, and 3.2; probation imposed per Rule 211(g); supervising attorney afforded immunities granted by Rule 223; 18-months' supervised probation. *In re Johanning*, 279 Kan. 950, 111 P.3d 1061 (2005).

173. Attorney previously disciplined violated his supervised probation; now found to have violated KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4, Rule 207 and Rule 211; indefinite suspension and Rule 218 compliance. *In re Nelson*, 278 Kan. 506, 102 P.3d 1140 (2004).

174. Attorney disciplined for improper handling of an estate matter which violated KRPC 1.1, 1.3, 1.4, 3.2, and 8.4; published censure per Rule 203(a)(3). *In re Miller*, 279 Kan. 912, 112 P.3d 169 (2005).

175. Attorney committed numerous violations of rules of professional conduct including KRPC 1.1, 1.2, 1.3, 1.4. 1.16, 3.2, 8.1, Rule 207, and Rule 211; respondent's exceptions considered per Rule 212; disbarment and Rule 218 compliance ordered. *In re Wenger*, 279 Kan. 895, 112 P.3d 199 (2005).

176. Attorney's failure to competently represent two clients led to complaints he violated KRPC 1.1, 1.3, 1.4, 1.16(d), 8.1(b), Rule 207(b) and Rule 211(b); published censure per Rule 203(a)(3). *In re Sheahon*, 278 Kan. 494, 102 P.3d 392 (2004).

177. Attorney voluntarily surrenders license per Rule 217 while four complaints with Disciplinary Administrator pending; misconduct involving KRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4(a), (c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Maker*, 280 Kan. 1, 117 P.3d 880 (2005).

178. Attorney voluntarily surrenders license pursuant to Rule 217 following hearing panel's

hearing per Rule 212 that respondent violated KRPC 1.3, 1.4, 1.5, 3.4, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Boaten*, 281 Kan. 390, 132 P.3d 870 (2006).

179. Attorney's misconduct in three cases violates KRPC 1.3, 1.7, 4.2, and 8.4; compliance with Rules 218 and 219 ordered; 1-year suspension ordered per Rule 203(a)(2). *In re Pattison*, 280 Kan. 349, 121 P.3d 42 (2005).

180. Attorney's misconduct in multiple cases violates KRPC 1.3, 1.4, 5.5, 8.1, Rule 207(b), and Rule 212(b); respondent failed to appear at scheduled hearing and failed to file exceptions to panel's report in violation of Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Moore*, 280 Kan. 971, 127 P.3d 270 (2006).

181. Attorney's repeated misconduct in multiple offenses violates KRPC 1.3, 1.4, 1.15, 3.1, and Rule 207(b); formal hearing conducted per Rule 211; respondent failed to respond to charges in complaint in timely manner per Rule 207; probation extended for 1 additional year per Rule 211. *In re Rathbun*, 280 Kan. 672, 124 P.3d 1 (2005).

182. Attorney previously disciplined four times violates KRPC 1.1, 1.2, 1.3, 3.1, and 3.3; misconduct established by clear and convincing evidence per Rule 211(f); 1-year suspension per Rule 203(a)(2). *In re Watson*, 280 Kan. 375, 121 P.3d 982 (2005).

183. Attorney's misconduct violates KRPC 1.3, 3.4(d), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); final report admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Devkota*, 280 Kan. 650, 123 P.3d 1289 (2005).

184. Attorney's multiple offenses violates KRPC 1.1, 1.3, 1.4, 8.1(b), 8.4(c) and Rule 207(b); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorney granted full immunities per Rule 223; satisfactory plan of probation submitted by respondent per Rule 211(g); 1-year suspension stayed in accordance with Rule 203(a)(2); 2-years' supervised probation. *In re Mitchell*, 280 Kan. 656, 123 P.3d 1279 (2005).

185. Attorney stipulates to findings that he violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(g), and Rule 207(b); three prior disciplinary offenses and supervised probation for prior misconduct; one-year suspension per Rule 203(a)(2). *In re Sachse*, 281 Kan. 1197, 135 P.3d 1207 (2006).

186. Attorney's misconduct in multiple complaints violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 8.4(c), and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Lampson*, 282 Kan. 700, 147 P.3d 143 (2006).

187. Attorney disciplined for his misconduct involving his handling of a patent application and which violated KRPC 1.1, 1.2(a), 1.3, 1.4(a) and 8.4(c); Supreme court not bound by recommendations of the hearing panel or Disciplinary Administrator per Rule 212(f); published censure per Rule 203(a)(3). *In re Sylvester*, 282 Kan. 391, 144 P.3d 697 (2006).

188. Attorney voluntarily surrendered license to practice law pursuant to Rule 217 with two cases pending before the Supreme Court involving violations of KRPC 1.3, 3.2, 1.15, 3.4, and 8.4; disbarment. *In re Kennard*, 283 Kan. 270, 156 P.3d 596 (2007).

189. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

190. Attorney violated KRPC 1.3, 1.4, 1.15(a), and 1.16(d) relating to his handling of a conservatorship; 90-day suspension pursuant to Rule 203(a)(2). *In re Docking*, 282 Kan. 715, 147 P.3d 139 (2006).

191. Attorney committed numerous violations including KRPC 1.3, 1.4, and 3.2 involving five clients; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report

deemed admitted under Rule 212(c) and (d) when respondent fails to file exceptions; Rule 206 applicable; probation requested and set out pursuant to Rule 211; 1-year suspension stayed and respondent placed on 4-year supervised probation. *In re Hasenbank*, 283 Kan. 155, 151 P.3d 1 (2007).

192. Attorney disciplined for violating KRPC 1.1, 1.3, 1.4, 3.4 in regard to his handling of a case filed under the Consumer Protection Act; failure to provide timely written response to client's complaint violates KRPC 8.1(b) and Rule 207(b); misconduct to be established by clear and convincing evidence per Rule 211(f); published censure pursuant to Rule 203(a)(3). *In re Arbuckle*, 283 Kan. 887, 156 P.3d 668 (2007).

193. Attorney, who was on probation, violated KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.3(d), and 8.4(d) in 21 cases; Rule 211(b) violated by failing to file a timely written answer to the complaint; Rule 212(d) violated by failing to appear before the court; disbarment per Rule 203(a)(1). *In re Rathbun*, 285 Kan. 137, 169 P.3d 329 (2007).

194. Attorney who was previously disciplined for similar misconduct now violates KRPC 1.3, 1.4, 1.16(d), 8.1(b), and 8.4(d); failed to cooperate in disciplinary investigation and provide written responses to three complaints per Rule 207(b); failed to file answers per Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Webb*, 285 Kan. 130, 169 P.3d 336 (2007).

195. Attorney voluntarily surrendered license pursuant to Rule 217 pending hearing alleging multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.1(b), and Rule 207(b); disbarment. *In re Lane*, 285 Kan. 259, 171 P.3d 275 (2007).

196. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16, and 3.2; formal hearing conducted per Rule 211; hearing panel's report deemed admitted per Rule 212; supervising attorney afforded full immunities per Rule 223; Rule 211(g) probation requirements discussed; per Rule 203(a)(2), respondent's three-year suspension stayed and placed on three-years' supervised probation. *In re Bock*, 285 Kan. 815, 175 P.3d 233 (2008).

197. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(c) and (d), and Rule 207(b); misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Bishop*, 285 Kan. 1097, 179 P.3d 1096 (2008).

198. Attorney's misconduct resulting from two complaints violated KRPC 1.1, 1.3, 1.4(b), 3.4(d), 8.1(b), 8.4(c) and Rule 207(b); prior admonishment for violating KRPC 1.15 and 7.1; three-month suspension pursuant to Rule 203(b). *In re Harris*, 285 Kan. 1115, 180 P.3d 558 (2008).

199. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

200. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule 212(d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

201. Attorney's misconduct in four cases violated KRPC 1.1, 1.3, 1.16(d), 3.2, 8.4(d) and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); probation plan per Rule 211(g) denied; hearing panel's findings of fact deemed admitted per Rule 212(d); one-year suspension and Rule 218 compliance ordered. *In re Toth*, 286 Kan. 320, 183 P.3d 853 (2008).

202. Attorney's misconduct in two complaints violated KRPC 1.3, 1.4, 1.15 (a) and (b), 8.4(g), and Rule 207(b); previously disciplined twice for similar violations; probation plan per Rule 211(g) denied; ordered to repay funds owed to clients per Rule 203(a)(5); indefinite suspension in accordance with Rule 203(a)(2). *In re Corrin*, 286 Kan. 421, 184 P.3d 923 (2008).

203. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2, 3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan.708, 188 P.3d 1 (2008).

204. Attorney on administrative suspension violates KRPC 1.3, 1.4, 1.15(a), 1.16(d), and 3.2; indefinite suspension in accordance with Rule 203(a)(2). *In re Allen*, 286 Kan. 791, 188 P.3d 1 (2008).

205. Attorney's mishandling of probate estate violated KRPC 1.3, 1.15(b), 8.1(b), 8.4(d) and (g), and Rule 207(b); six-month suspension. *In re Jones*, 287 Kan. 112, 193 P.3d 899 (2008).

206. Attorney violated KRPC 1.1, 1.3, 1.4, 3.4(c), and Rule 207; six-month suspension is suspended and two-year probation allowed per Rule 211(g). *In re Jones*, 287 Kan. 101, 193 P.3d 899 (2008).

207. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 3.4(c), 8.4(d), Rule 207(b) and Rule 211(b); six-month suspension; Rules 218 and 219 compliance ordered. *In re Thomas*, 287 Kan. 88, 193 P.3d 907 (2008).

208. Attorney's misconduct while on suspension violated KRPC 1.3, 1.4, 1.16, 8.1(b), Rule 211(b), and Rule 218; one-year suspension per Rule 203(a)(2). *In re Docking*, 287 Kan. 485, 196 P.3d 1149 (2008).

209. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.15, 8.4(g) and Rule 211(b); Respondent failed to file exceptions, thus, final hearing report deemed admitted under Rule 212(c); indefinite suspension. *In re Dowell*, 287 Kan. 501, 196 P.3d 915 (2008).

210. Attorney's misconduct violated KRPC 1.3, 1.15, 4.1, and 8.4(c); violations deemed admitted under Rule 212(c); six-month suspension. *In re McPherson*, 287 Kan. 434, 196 P.3d 921 (2008).

211. Attorney committed multiple violations of KRPC 1.3, 1.4(a). 5.5(a), 8.1(b), 8.4(g), Rule 207(b), Rule 211(b), and Rule 218; findings of fact deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Lee*, 287 Kan. 676, 198 P.3d 140 (2008).

212. Attorney previously disciplined on three occasions violates KRPC 1.3, 1.4, and Rule 207(b); probation requirements of Rule 211(g) discussed; recommendations of hearing panel and Disciplinary Administrator advisory only per Rule 212(f); three-year probation plan approved. *In re Beims*, 287 Kan. 705, 198 P.3d 763 (2009).

213. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule 207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

214. Attorney previously disciplined for similar misconduct found to have violated KRPC 1.1, 1.2, 1.3, 1.4(a), 3.2, 8.4(d) and (g) and Rule 211; failed to respond to complaint per Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); failed to notify Clerk of Appellate Courts of address change per Rule 208; indefinite suspension per Rule 203(a)(2). *In re Lober*, 288 Kan. 498, 204 P.3d 610 (2009).

215. Attorney committed multiple offenses of KRPC 1.3, 1.4, 1.15, 8.3, 8.4, and Rule 207; respondent's suspension in Texas established misconduct in Kansas per Rule 202; hearing report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Piekalkiewicz*, 288 Kan. 610, 205 P.3d 734 (2009).

216. Attorney voluntarily surrendered his license pursuant to Rule 217 pending a hearing involving allegations of misconduct under KRPC 1.3, 1.4, 1.15, 8.1(b), and 8.4(b); disbarment. *In re Shafer*, 288 Kan. 657, 207 P.3d 208 (2009).

217. Attorney voluntarily surrendered license pursuant to Rule 217 pending a hearing on five

complaints alleging misconduct under KRPC 1.3, 1.4(a), 1.16, 5.5, 8.1(b), and 8.4(b) and Rules 207(b) and 211 (b); disbarment. *In re Docking*, 288 Kan. 731, 208 P.3d 739 (2009).

218. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

219. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan. 173, 210 P.3d 120 (2009).

220. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

221. Attorney voluntarily surrenders license per Rule 217 with panel hearing pending on three complaints involving violations of KRPC 1.3, 1.4(a), 5.5, 8.4(d) and Rule 211(b); disbarment. *In re Holmberg*, 289 Kan. 978, 218 P.3d 801 (2009).

222. Attorney disciplined by indefinite suspension for violating KRPC 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only and court may impose a different discipline per Rule 212(f);required notice given per Rule 215(a); indefinite suspension per Rule 203(a)(2). *In re Herrington*, 290 Kan. 58, 222 P.3d 492 (2010).

223. Attorney's misconduct violates KRPC 1.3 and 1.4 relating to diligence and communication; respondent stipulated to violating Missouri Rules of Professional Conduct and per Rule 202, these facts establish misconduct for purposes of the disciplinary proceeding in Kansas; misconduct established by clear and convincing evidence per Rule 211; published censure per Rule 203(a)(3). *In re Hasty*, 290 Kan. 386, 227 P.3d 967 (2010).

224. Attorney's misconduct in representing a client in two car accidents violated KRPC 1.3, 1.4(a), 1.7, and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and shall not prevent Supreme Court from imposing a different discipline per Rule212(f); one-year suspension per Rule 203(a)(2). *In re Kieler*, 290 Kan. 397, 227 P.3d 961 (2010).

225. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan.801, 234 P.3d 804 (2010).

226. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d) and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan. 52, 237 P.3d 667 (2010).

226. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d) and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan. 52, 237 P.3d 667 (2010).

227. Attorney's misconduct while on indefinite suspension violated KRPC 1.1, 1.3, 1.4, 8.4, and Rule 211; clear and convincing evidence per Rule 211)(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Bishop*, 291 Kan. 382, 240 P.3d 956 (2010).

228. Attorney previously disciplined on a number of occasions found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

229. Attorney previously disciplined by 6-month suspension violates KRPC 1.2, 1.3, 1.4(a),

1.5(a), 1.15(b), 1.16(d), 8.1(b), Rule 207(b), and Rule 211; conditions set out for reinstatement under Rule 219(f); indefinite suspension per Rule 203(a)(2). *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

230. Attorney violated KRPC 1.3, 1.4, Rule 207(b) and Rule 211(b) stemming from respondent's handling of a postdivorce child support matter; clear and convincing evidence found per Rule 211(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Ivester*, 291 Kan. 744, 246 P.3d 987 (2011).

231. Attorney's misconduct violated KRPC 1.3, 1.4, 1.15, Rules 207, and 211 in four civil matters; proper service obtained per Rule 215; compliance with Rules 218 and 219 ordered; indefinite suspension per Rule 203(a)(2). *In re Luttrell*, 292 Kan. 51, 252 P.3d 111 (2011).

232. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints from former clients; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

233. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116 including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; 1-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011).

234. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4(a), and 3.2 in mishandling an estate case; probation plan not filed in a timely manner per Rule 211(g); hearing report's findings and conclusions are deemed admitted under Rule 212(c); Rules 218 and 219 compliance ordered; 6-month suspension per Rule 203(a)(2). *In re Foster*, 292 Kan. 940, 258 P.3d 375 (2011).

235. Respondent's misconduct violated multiple KRPC's, including KRPC 1.3, 1.5, 1.15(a) and (d), 3.2, 8.4(c) and (g); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment pursuant to Rule 203(a)(1). *In re Holmes*, 293 Kan. 478, 264 P.3d 423 (2011).

236. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b), 8.4(c), and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

237. Attorney indefinitely suspended for numerous violations of KRPC 1.1, 1.3, 1.4, 3.2, 8.1, and Rule 207; misconduct established by clear and convincing evidence per Rule 211(f); compliance with Rule 219 if requests reinstatement; indefinite suspension per Rule 203(a)(2). *In re Bock*, 293 Kan. 616, 265 P.3d 552 (2011).

238. Attorney voluntarily surrendered license to practice law pursuant to Rule 217 with violations of KRPC 1.3, 1.4, 3.2, 8.1, and 8.4(g) and Rule 207 pending; disbarment. *In re Day*, 294 Kan. 615, 277 P.3d 1134 (2012).

239. Attorney's misconduct in handling his mother's estate violated KRPC 1.3, 3.3(a)(1), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact deemed admitted per Rule 212(c) ;6-month suspension per Rule 203(a)(2). *In re Shriver*, 294 Kan. 617, 278 P.3d 964 (2012).

240. Attorney violated KRPC 1.1, 1.3, 1.4(a), and 1.15 in serving as executor of an estate; respondent's plan of probation failed to meet requirements of Rule 212(g)(1); respondent failed to file exceptions to panel's report thus, findings of fact deemed admitted under Rule 212(c), (d); 6-month suspension per Rule 203(a)(2). *In re Freed*, 294 Kan. 655, 279 P.3d 118 (2012).

241. Attorney misconduct violated numerous KRPC's, including 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.1(b); respondent failed to file timely answer to complaint per Rule 211(b); failed to file exceptions

thus, findings of fact are deemed admitted under Rule 212(c), (d); respondent failed to follow his diversion agreement; one-year suspension per Rule 203(a)(2). *In re Ohaebosim*, 294 Kan. 664, 279 P.3d 124 (2012).

242. Attorney stipulated to violations of KRPC 1.3, 1.4(a), and 8.4(c) in immigration proceedings; pursuant to Rule 211(g), the recommendation of probation approved with modification to the probation plan; 6-month suspension stayed; 18-months' probation. *In re Link*, 294 Kan. 692, 279 P.3d 120 (2012).

243. Attorney's misconduct violated KRPC 1.3, 1.4, 1.16, 8.4, and Rule 211(b) based on multiple complaints; probation per Rule 211(g) denied; clear and convincing evidence established per Rule 211(f); respondent failed to file exceptions to final hearing report, thus deemed admitted under Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Shores*, 294 Kan. 680, 279 P.3d 710 (2012).

244. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

245. Attorney's misconduct violated KRPC 1.3, 1.15, 8.1, 8.4, and Rule 207(b); 1-year suspension. *In re Collins*, 295 Kan. 1084, 288 P.3d 847 (2012).

246. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(a) and (d), 3.2, 8.4(d), and Rule 207(b); disbarment per Rule 203(a)(1). *In re Batt*, 296 Kan. 395, 294 P.3d 241 (2013).

247. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 3.3, 3.4, 8.1, 8.4, and Rule 211(b); disbarment per Rule 203(a)(1). *In re Druten*, 297 Kan. 432, 301 P.3d 319 (2013).

248. Attorney voluntarily surrendered license under Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.3, 1.4, 1.16, 3.4(c), and 8.1(b), and Rule 207(b), 211(b), and 218. *In re Freed*, 298 Kan. 346, 312 P.3d 364 (2013).

249. Attorney misconduct violated KRPC 1.3, 1.16, 3.3(a)(1), 8.1(b), 8.4(c) and (d), and Rule 207(b); 12-month suspension. *In re Bowman*, 298 Kan. 231, 310 P.3d 1054 (2013).

250. Attorney misconduct violated KRPC 1.1; 1.3; 1.4(a); 1.15(b); 1.16(a)(2) and (d); 8.1(b), (c), and (d); 8.4(d); and Rule 207(b); 1-year suspension under Rule 203(a)(2). *In re Rittmaster*, 299 Kan. 804, 326 P.3d 376 (2014).

251. Attorney misconduct violated KRPC 1.2, 1.3, 1.4(a), and 8.4(c) and (d); 6-month suspension under Rule 203(a)(2). *In re Meyer*, 299 Kan. 679, 327 P.3d 407 (2014).

252. Attorney admitted to violations of KRPC 1.1, 1.3, 1.4, 1.16(a)(2), and 8.4(g); under Rule 211(f) clear and convincing evidence did not support violation of KRPC 1.16(d) for failure to return fees; 6-month suspension under Rule 203(a)(2). *In re Barker*, 299 Kan. 158, 321 P.3d 767 (2014).

253. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.16(d), and 8.4(d); 2-year suspension, with imposition suspended under terms of probation plan. *In re Dellett*, 299 Kan. 69, 324 P.3d 1033 (2014).

254. Attorney misconduct violated KRPC 1.3, 1.4(a), 1.16(d), Rule 207(b), and Rule 208; 18-month suspension. *In re Goodwin*, 298 Kan. 802, 316 P.3d 748 (2014).

255. Attorney misconduct violated KRPC 1.3, 1.4, 1.16(d), 3.2, 3.3(a)(1), 8.1(b), Rules 207(b), and 211(b); 18-month suspension. *In re Soderberg*, 298 Kan. 820, 316 P.3d 762 (2014).

256. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman, 300 Kan. 475*, 332 P.3d 172 (2014).

257. Attorney misconduct violated KRPC 1.3, 1.4(a) and (b), 3.4(d), and 8.4(d); indefinite suspension. *In re Hasty*, 300 Kan. 840, 335 P.3d 110 (2014).

258. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.16(a)(2) and (d), 3.2, and 3.4(d); 1-

year suspension. *In re Murrow*, 300 Kan. 971, 336 P.3d 859 (2014).

259. Attorney misconduct violated KRPC 1.3, 1.4, 1.8(e), 3.2, and 8.1 and Rule 207; 6-month suspension, stayed during 2 years' probation. *In re Delaney*, 300 Kan. 1090, 338 P.3d 11 (2014).

260. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 5.5(a), 8.4(d), and 8.1(b) and Rule 207(b); indefinite suspension. *In re Miller*, 300 Kan. 1082, 337 P.3d 1286 (2014).

261. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), 3.2, 5.5(a), and 8.4 (d) and (g) and Rule 218; indefinite suspension. *In re Eager*, 300 Kan. 1068, 338 P.3d 1 (2014).

262. Attorney misconduct violated KRPC 1.3, 1.15, and 5.3; 3-month suspension. *In re Peloquin*, 301 Kan. 1, 338 P.3d 568 (2014).

263. Attorney voluntarily surrendered license under Rule 217 after complaint alleged violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4. *In re Brooks*, 301 Kan. 451, 345 P.3d 258 (2015).

264. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 3.5(c) and (d), 8.2(a), and 8.4(d) and (g); 3 years' probation. *In re Clothier*, 301 Kan. 567, 344 P.3d 370 (2015).

265. Attorney misconduct violated KRPC 1.2, 1.3, 1.4(a), and 1.16(d); 3 years' supervised probation. *In re Kepfield*, 301 Kan. 662, 346 P.3d 332 (2015).

266. Attorney voluntarily surrendered license under Rule 217; at the time of surrender complaints had been docketed for investigation alleging violations of Rule 1.1, 1.3, 1.4, 8.3, and 8.4. *In re Bezek*, 302 Kan. 325, 352 P.3d 1014 (2015).

267. Attorney misconduct violated KRPC 1.3, 1.4(a), 8.1(a), 8.4(c), 8.4(d), and 8.4(g) and Rule 207(b); disbarment. *In re Williams*, 302 Kan. 990, 362 P.3d 816 (2015).

268. Attorney misconduct violated KRPC 1.3, 3.2, 8.1(b), 8.4(d), and 8.4(g) and Rule 207(b) and 211(b); indefinite suspension. *In re Fickler*, 303 Kan. 504, 362 P.3d 1102 (2015).

269. Attorney misconduct violated KRPC 1.2(a), 1.3, 1.4(a), 1.15(d), 8.4(c), and 8.4(d); Kansas license suspended until notification of reinstatement of good standing of Florida license provided. *In re Vaughn*, 303 Kan. 976, 368 P.3d 1088 (2016).

270. Attorney misconduct violated KRPC 1.3, 1.4(a), and 8.4(d); 2-year suspension stayed, 2 years' probation imposed; termination of probation subject to Rule 211(g). *In re Stark*, 304 Kan. 630, 375 P.3d 956 (2016).

271. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), and 8.4(d); 60-day suspension stayed upon stated terms and conditions in accordance with Rule 203(a)(2) and (5); reinstatement to be without hearing under Rule 219(c). *In re Casad*, 304 Kan. 621, 372 P.3d 1219 (2016).

KRPC 1.4 Communication

Case Annotations

1. Attorney's failure to represent clients in three separate cases after acceptance of retainer fees and failure to cooperate with disciplinary investigation found to violate DR 1-102, 6-101, 7-101, and 9-102; MRPC 1.1, 1.3, 1.4, 1.15 and 8.4; and Rule 207. Rule 203 disbarment. *In re Morphett*, 246 Kan. 499, 790 P.2d 402 (1990).

2. Attorney's mishandling of estate held to violate DR 6-101(A)(3) and MRPC 1.3, DR 1-102(A)(5), (6), and MRPC 8.4(d), and DR 7-101(A)(2) and MRPC 3.2 and 1.4(a); other violations; public censure and restitution. *In re Ebersole*, 247 Kan. 670, 801 P.2d 1323 (1990).

3. Attorney's failing to file eviction action yet telling client he had done so held to violate MRPC 1.3, 1.4, 3.2, and 8.4(c) & (g); other violations; public censure and restitution. *In re Ebersole*, 247 Kan. 670, 801 P.2d 1323 (1990).

4. Attorney's inaction which allowed statute of limitations to run and cause of action to be

dismissed with prejudice despite accepting retainer and assuring client of representation violated MRPC 1.1, 1.3, 1.4, 8.4(d), and 8.4(g); indefinite suspension. *In re Cain*, 247 Kan. 673, 801 P.2d 1325 (1990).

5. Attorney retained to probate estate failed to do so, failed to record transfer of mineral interest deed resulting in levy and execution thereon, and failed to cooperate in resulting disciplinary investigation. Violations of DR 9-102(B) and MRPC 1.15; DR 1-102(A), 6-101(A)(3), 7-101(A), and 9-102(B)(1), (3), (4) and MRPC 1.3, 1.4(a), 1.15, and 8.4(c); and Rule 207. Indefinite suspension with readmission without petition upon successful completion of one-year suspension; specific conditions. *In re Ehrlich*, 248 Kan. 92, 804 P.2d 958 (1991).

6. Attorney's mishandling of collection matter and failure to cooperate with resulting investigation violate Rule 207, DR 1-102(A)(6), 6-101(A)(3), 7-101(A)(2), and 9-102(B)(1), (3), and (4); after March 1, 1988, the same behavior violates MRPC 1.3, 1.4, 1.15(d)(2)(i), (iii), and (iv), and 8.4(g); 2-year suspension recommended; many mitigating factors; 2-year supervised probation. *In re Evans*, 248 Kan. 176, 804 P.2d 344 (1991).

7. Attorney currently on supervised probation found to have violated Rule 207 and MRPC 1.3, 1.4, 1.15(d)(2)(iii), (iv), and 8.4(g) in handling employment termination case; suspension recommended; supervised probation continued for additional one year. *In re Linn*, 248 Kan. 189, 804 P.2d 350 (1991).

8. Attorney who agreed to provide representation, accepted retainer, but failed to perform services in 5 situations violated MRPC 1.3, 1.4, 1.15, and 8.4(a) and (d); disability inactive status, restored to active status, temporary suspension pending resolution; reinstated upon 2-year conditional supervised probation. *In re Keil*, 248 Kan. 629, 809 P.2d 531 (1991).

9. Attorney, under suspension at time of representation of client at trial, who fails to so inform client and who fails to pursue appeal upon client's request violates MRPC 1.2, 1.3, 1.4, and 8.4(g); indefinite suspension. *In re Vorhies*, 248 Kan. 985, 811 P.2d 1254 (1991).

10. Attorney employed to probate estate failed to institute probate proceedings, failed to file inheritance tax return thereby incurring penalty and interest, and misrepresented to client that estate matters were being handled violated MRPC 1.1, 1.3, 1.4(a), and 8.4(c); indefinite suspension and Rule 218 compliance ordered. *In re McGhee*, 248 Kan. 988, 811 P.2d 884 (1991).

11. Attorney's failure to pursue personal injury action on behalf of client, resulting in summary judgment for defendant, and misrepresentation to client and disciplinary investigator as to status of that case violates DR 6-101(A)(3); MRPC 1.3, 1.4(a) and (b), 8.4(c) and (g); and Rule 207; public censure. *In re Jackson*, 249 Kan. 172, 814 P.2d 958 (1991).

12. Attorney's failure to prepare journal entry is violation of MRPC 1.1, 1.3, and 1.4; attorney on probation for other matters; public censure. *In re Black*, 249 Kan. 211, 814 P.2d 447 (1991).

13. Attorney's failure to close estate for 12-year period, failure to render court-ordered accounting, failure to satisfy federal estate tax obligations, and failure to cooperate with disciplinary investigator violate MRPC 1.1, 1.3, 1.4, 3.2, 8.4(d) and (g), DR 6-101, DR 7-101, and Rule 207; disbarment and Rule 218 compliance. *In re Coleman*, 249 Kan. 218, 815 P.2d 43 (1991).

14. Attorney's acceptance of retainer to represent client in child custody and support matter, representation to client that appropriate motions had been filed and an agreement drafted, and failure to file and/or draft such documents constitutes violation of MRPC 1.1, 1.3, and 1.4(a); previous violations aggravating factor; one-year suspension and Rule 218 compliance ordered. *In re Stapleton*, 249 Kan. 524, 819 P.2d 125 (1991).

15. Attorney's 4-year neglect of workers compensation claim, thereby preventing client recovery, and mishandling of funds violative of MRPC 1.3, 1.4, and 8.4(g); and Canons 1, 6 and 7. Attorney currently on suspension; disbarment and Rule 218 compliance ordered. *In re Cain*, 249 Kan. 578, 819 P.2d 1230 (1991).

16. Attorney's failure to appear to represent client at trial and subsequent sentencing violates

MRPC 1.3, 1.4, and 8.4(d) and (g); Rule 203(a)(3) public censure. *In re Gilman,* 249 Kan. 773, 821 P.2d 327 (1991).

17. Attorney's failure to forward checks received from insurance companies to client's health care providers violated MRPC 1.3, 1.4(a) and (b), and 1.15(b); other violations; indefinite suspension suspended and probated. *In re Jenkins,* 251 Kan. 264, 833 P.2d 1013 (1992).

18. Attorney on indefinite suspension subject of three complaints for failure to represent clients in violation of MRPC 1.1, 1.3, 1.4, and 8.4(c); failure to cooperate with investigation; disbarment and Rule 218 compliance. *In re McGhee,* 251 Kan. 584, 834 P.2d 379 (1992).

19. Attorney's failure to comply with discovery requests, misrepresentation to court, and failure to advise client, resulting in sanctions against client, violate MRPC 1.1, 1.4, 3.4(a) and (d), and 8.4(a), (c), and (d); firm failure to supervise among mitigating factors; one-year suspension. *In re Dwight,* 251 Kan. 588, 834 P.2d 382 (1992).

20. Attorney's mishandling of client's funds, conversion of conservatorship funds, failure to inform client, drug possession conviction, and retention of legal fees without representing client violate MRPC 1.4(a) and (b), 1.15, and 8.4(a), (b), (c), (d), and (g); attorney appears pursuant to Rule 212(d); mitigating factors; indefinite suspension and Rule 218 compliance. *In re Morris,* 251 Kan. 592, 834 P.2d 384 (1992).

21. Attorney's mishandling of probate case violates MPRC 1.3, 1.4, and 3.2; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

22. Attorney's mishandling of real estate matter violates MRPC 1.1, 1.3, 1.4, and 3.2; DR 6-101(A)(3); and Rule 207; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

23. Attorney's failure to file divorce papers after accepting retainer and failure to return client's money violates MRPC 1.3, 1.4, 1.15; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

24. Attorney's mishandling of personal injury case violates MRPC 1.3, 1.4, 1.16, and 3.4; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

25. Attorney's failure to communicate with clients violates MRPC 1.3 and 1.4; failure to cooperate in investigation; imposition of discipline suspended; one-year supervised probation. *In re Plettner,* 251 Kan. 844, 840 P.2d 526 (1992).

26. Attorney's forging of judge's signature in probate matter resulting in felony conviction violative of MRPC 4.1; 8.4(b), (c), (d), and (g); failure to communicate with client violative of MRPC 1.4; previous violations; indefinite suspension and Rule 218 compliance ordered. *In re Pomeroy,* 252 Kan. 1044, 850 P.2d 222 (1993).

27. Attorney's lack of communication, delay in filing pleadings, and failure to complete work for three clients violative of MRPC 1.3 and 1.4; failure to cooperate with investigation violative of Rule 207; attorney currently under suspension disbarred and Rule 218 compliance ordered. *In re Wood,* 252 Kan. 1074, 850 P.2d 234 (1993).

28. Attorney's moving to California without notifying clients, failure to return clients' files, and failure to respond to inquiries from disciplinary administrator's office violative of MRPC 1.3, 1.4, and 1.16 and Rule 207; other violations and previous suspension; disbarment and Rule 218 compliance ordered. *In re Dill,* 253 Kan. 195, 853 P.2d 696 (1993).

29. Attorney's mishandling bankruptcy case, failing to abide by client's decision, and failing to keep client informed violative of MRPC 1.1, 1.2, 1.3 and 1.4; previous code and Rule 207 violations; public censure. *In re Edgar-Austin,* 253 Kan. 440, 855 P.2d 960 (1993).

30. Attorney's failure to file probate petition, inform client of status of case, return unearned retainer, and communicate with client violative of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 3.2; other violations; one-year suspension and Rule 218 compliance ordered. *In re King*, 253 Kan. 444, 855 P.2d 963 (1993).

31. Attorney's mishandling of employment discrimination class action and failure to inform clients as to status of case violative of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.1, and 3.2; other violations; Rule 203(a)(2) one-year suspension, Rule 203(a)(5) restitution, and Rule 218 compliance ordered. *In re King*, 253 Kan. 444, 855 P.2d 963 (1993).

32. Attorney previously censured placed on indefinite suspension for violations of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 8.4 for neglect of two different client's cases; two other complaints found to be based on insufficient evidence although pattern of conduct cited and violations of Rule 207 established; Rule 218 compliance ordered. *In re Jackson*, 253 Kan. 810, 861 P.2d 124 (1993).

33. Attorney's actions in letting the statute of limitations run in four different cases violate DR 1-102(A)(4), 6-101(A)(1) and (3), and 7-101(A)(2), and MRPC 1.1, 1.3, 1.4(a) and (b), 3.2, and 8.4(c). Attorney's actions in failing to respond to requests for information and return of the case file in workers compensation case violate MRPC 1.3, 1.4(a) and (b), 1.16(a)(3) and (d), and 3.2. Eighteen-month suspension probated on conditions. *In re Jones*, 253 Kan. 836, 861 P.2d 1340 (1993).

34. Rule cited in discussion of attorney's duty to keep clients informed of settlement offers and consult with clients regarding strategy. *McConwell v. FMG of Kansas City, Inc.*, 18 Kan. App. 2d 839, 861 P.2d 830 (1993).

35. Seven of nine charges based on misdemeanor convictions, dismissals, or diversions dismissed by panel due to remoteness; remaining two misdemeanor convictions violative of MRPC 8.4 (b), (d), and (g); attorney's conduct in mishandling personal injury case resulting in statute of limitations running, PIP carrier losing lien, and misrepresentation to client as to status of case violative of MRPC 1.3, 1.4, 4.1, and 8.4 (c) and (g); mitigating circumstances; one-year suspension and compliance with Rule 218 ordered. *In re Pistotnik*, 254 Kan. 294, 864 P.2d 1166 (1993).

36. Attorney's mishandling of divorce case resulting in client losing lien, failure to inform client as to status of case, mishandling of related bankruptcy case for client creditor, and failure to preserve judgment, and attorney's allegations and behavior during investigation of disciplinary complaint violate DR 6-101(A)(2), and MRPC 1.2(c), 1.3, 1.4(b), and 1.16(d); mitigating and aggravating circumstances; panel recommends unpublished censure; public censure. *In re Deeds*, 254 Kan. 309, 864 P.2d 1194 (1993).

37. Attorney's dilatory handling of estate matter violative of MRPC 1.3, 1.4, 1.16(a)(2), 3.2, and 8.4(g); Rule 207 violation; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson*, 254 Kan. 406, 867 P.2d 278 (1994).

38. Attorney's failure to remit client's portion in a collection matter, failure to keep client informed, misrepresentations to client as to status of collection efforts, and causing balance on trust account to repeatedly fall below amount due client violative of MRPC 1.3, 1.4(a), 1.5(d), 1.15(a), 4.1(a), and 8.4(c); aggravating and mitigating circumstances; one-year supervised probation with conditions. *In re Wisler*, 254 Kan. 600, 866 P.2d 1049 (1994).

39. Attorney's failure to file personal injury claim and blaming client for delay, thereby allowing statute of limitations to run (resulting in client being granted summary judgment in subsequent malpractice claim); failure to inform client as to reduction in child support income; failure to inform client as to hearing dates; and acceptance of retainer fee from out-of-state client whom attorney knew he could not represent in divorce action violate MRPC 1.1, 1.3, 1.4(a) and (b), 1.16(d), 3.3(a)(1), and 8.4(d) and (g); Rule 207(a) and (b) violations; disbarment and Rule 218 compliance ordered. *In re Spears*, 254 Kan. 904, 869 P.2d 718 (1994).

40. Attorney's mishandling of four different probate estates and failure to timely file four different foreclosures, despite representations and billings which would indicate to the contrary, held to violate DR 1-102(A)(4), (5), and (6); 6-101(A)(3); and 7-101(A)(2) and (3); Canons 1, 6, 7, and 9; and MRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c), (d), and (g); aggravating and mitigating circumstances; two-year suspension, discipline probated, and supervised probation ordered. *In re Herman*, 254 Kan. 908, 869 P.2d 721 (1994).

41. Attorney's failure to file incorporation papers and retention of retainer paid to handle such matter violate MRPC 1.3, 1.4, 1.15, 1.16, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

42. Attorney's mishandling of will and estate matter, failure to communicate with client, failure to timely handle the matter, misleading the court as to the status of the probate case, and failure to return the client's file and retainer when requested violate MRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

43. Attorney's failure to timely file bankruptcy petition for clients, misrepresentations to clients as to status of case, and mishandling of bankruptcy case violate MRPC 1.1, 1.3, 1.4, 1.15, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

44. Attorney's mishandling of divorce case violates MRPC 1.3 and 1.4, and use of letterhead indicating attorney is in partnership with another when such is not the case violates MRPC 7.5(d); censure. *In re Seck*, 255 Kan. 552, 874 P.2d 678 (1994).

45. Attorney's failure to notify client about the status of her case and the attorney's temporary suspension violates MRPC 1.4; other violations; indefinite suspension and Rule 218 compliance ordered. *In re Nelson*, 255 Kan. 555, 874 P.2d 1201 (1994).

46. Attorney's dilatory handling of three federal court cases violative of MRPC 1.1, 1.3, 1.4, and 3.2; failure to respond to inquiry from disciplinary authorities violative of Rule 207; two-year supervised probation. *In re Long*, 255 Kan. 792, 877 P.2d 421 (1994).

47. Attorney found to have violated MRPC 1.1, 1.3, 1.4, 1.15, 3.2, 3.4(c), 4.3, and 8.4(d) and (g) based on conduct in seven different complaints reflecting on attorney's lack of diligence and competence, miscommunication and lack of candor, and failure to return unearned fees; failure to cooperate in disciplinary investigation; attorney currently on disability inactive status; indefinite suspension and Rule 218 compliance ordered. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

48. Attorney's failure to communicate with clients and poor record keeping of trust account violate MRPC 1.1, 1.3, 1.4 and 1.15; 2-year supervised probation ordered. *In re Waite*, 256 Kan. 130, 883 P.2d 1176 (1994).

49. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

50. Attorney's failure to represent client in collection of foreign judgment in workers compensation case found to violate MRPC 1.1, 1.3, 1.4, 1.5(d), 1.16(d), 3.2, and 8.4(g); indefinite suspension and Rule 218 compliance ordered. *In re Griggs*, 256 Kan. 498, 886 P.2d 786 (1994).

51. Attorney who lied to the court and her clients and failed to appear for landlord-tenant case proceeding found to be in violation of MRPC 1.1, 1.3, 1.4, 3.3, 3.4, 3.5, 4.1, 8.2 and 8.4; one-year suspension and compliance with Rule 218 ordered. *In re Gershater*, 256 Kan. 512, 886 P.2d 343 (1994).

52. Attorney's mishandling of a breach of contract case and settlement violative of MRPC 1.1, 1.3, 1.4, 3.3, and 8.4; six-month suspension and compliance with Rule 218 ordered. *In re Norlen*, 256 Kan. 509, 886 P.2d 347 (1994).

53. Attorney's mishandling of probate matter and workers compensation case violates MRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4 and Rule 207; imposition of discipline suspended; two-year supervised probation. *In re Whitaker*, 256 Kan. 939, 888 P.2d 829 (1995).

54. Attorney's mishandling collection of bad checks violate MRPC 1.3, 1.4, 1.15(b) and 1.16(d); published censure. *In re England*, 257 Kan. 312, 894 P.2d 177 (1995).

55. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

56. Attorney's mishandling the oil and gas case violates MRPC 1.1, 1.3, 1.4 and 8.4(c); one-year probation. *In re Pilgreen*, 257 Kan. 949, 896 P.2d 389 (1995).

57. General counsel who reported suspected violations to an outside agency without first consulting with the head of the organization found in violation of MRPC 1.2, 1.4, 1.6(a), 1.13(b) and 1.16. *Crandon v. State*, 257 Kan. 727, 897 P.2d 92 (1995).

58. Attorney's mishandling of subrogation claims for insurance company violates MRPC 1.1, 1.3 and 1.4; published censure. *In re Morse*, 258 Kan. 248, 899 P.2d 467 (1995).

59. Attorney's forging a client's signature on affidavit and filing it in court violate MRPC 1.4, 3.3, 3.4 and 8.4(c), (d) and (g); published censure. *In re Caller*, 258 Kan. 250, 899 P.2d 468 (1995).

60. Attorney's failure to remit personal injury protection lien to his client's insurance company, failure to keep client informed, misrepresentation to client, and creating conflict of interest violated MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.7, 4.1, and 8.4; aggravating circumstances; indefinite suspension. *In re Seck*, 258 Kan. 530, 905 P.2d 122 (1995).

61. Attorney's neglect of three different clients' cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 3.1, and 8.4 and Rule 207; one-year suspension. *In re Geeding*, 258 Kan. 740, 907 P.2d 124 (1995).

62. Attorney disciplined in Texas for failure to communicate with clients, neglect of client's cases, failure to cooperate in investigation, and conversion of client's funds; Texas findings and conclusions adopted per Rule 202; indefinite suspension. *In re Callahan*, 258 Kan. 770, 907 P.2d 840 (1995).

63. Attorney's mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

64. Attorney's handling of counterclaim and appeal in lawsuit between home buyers and construction company violates MRPC 1.1, 1.3, 1.4, 8.4(c) and (d) and Rule 207; one-year suspension. *In re Crockett*, 259 Kan. 540, 912 P.2d 176 (1996).

65. Attorney self-reported cases in which he allowed the statute of limitations to expire on his clients' claims; violations of MRPC 1.3, 1.4, and 8.4; two-year suspension. *In re Hill*, 259 Kan. 877, 915 P.2d 49 (1996).

66. Attorney's failure to keep client reasonably informed and charging of excessive fee violate MRPC 1.3, 1.4, 1.5, and 1.16; published censure. *In re Scimeca*, 259 Kan. 893, 914 P.2d 948 (1996).

67. Attorney's failure to defend client in repossession action violates MRPC 1.1, 1.3, and 1.4; continued use of alcohol and drugs and four additional complaints pending hearing or investigation negate panel's recommendation of supervised probation; one-year suspension. *In re Mitchell*, 260 Kan. 560, 919 P.2d 360 (1996).

68. Attorney's mishandling of client's assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure. *In re Brantley*, 260 Kan. 605, 920 P.2d 433 (1996).

69. Attorney's mishandling of bankruptcy proceedings for his clients violates MRPC 1.1, 1.2, 1.3, 1.4, 8.1 and 8.4 and Rule 207; disbarment. *In re Gordon*, 260 Kan. 905, 925 P.2d 840 (1996).

70. Attorney's handling of civil action and post-divorce proceeding and his attempt to represent a criminal defendant while attorney was in inpatient drug treatment program violate MRPC 1.3, 1.4, 1.5(b), 1.15(a) and (b), 1.16(a), 3.3(a), 4.1, and 8.4(a), (b), (d), and (g); three-year supervised probation. *In re Phillips*, 260 Kan. 909, 925 P.2d 435 (1996).

71. Attorney's failure to act with reasonable diligence and promptness in an eviction case, commingling of clients' funds with his own, and failure to cooperate with disciplinary administrator's office violate MRPC 1.4, 1.5, 1.9, 1.15, 1.16, 8.1 and 8.4 and Rule 207; one-year suspension. *In re Howlett*, 261 Kan. 167, 928 P.2d 52 (1996).

72. Attorney's mishandling of bankruptcy case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.16, 3.1, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Roy*, 261 Kan. 999, 933 P.2d 662 (1997).

73. Attorney's mishandling of matters involving (1) individualized education program for autistic child in public school, (2) personal injury, probate, and insurance claim arising from fatal car accident, and (3) probate matter involving estate of conservatee violates MRPC 1.1, 1.2, 1.3, 1.4, 1.7, 1.16, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dow*, 261 Kan. 989, 933 P.2d 666 (1997).

74. Attorney's mishandling of personal injury case, removing disputed fee funds from his trustee account, failure to communicate with client, delaying notification to insurance company of his termination, and charging unreasonable fee violate MRPC 1.15, 1.4, 1.16(a)(3) and (d), and 1.5(a); two-year probation and restitution ordered. *Gerhardt v. Harris*, 261 Kan. 1007, 934 P.2d 976 (1997); *In re Harris*, 261 Kan. 1063, 934 P.2d 965 (1997).

75. Attorney's mishandling of adoption case violates MRPC 1.1, 1.3, 1.4, and 8.4 and Rule 207; indefinite suspension. *In re Johnson*, 262 Kan. 275, 936 P.2d 258 (1997).

76. Attorney's failure to file negligence action in proper court and his disappearance from his law office without notice to clients violate MRPC 1.1, 1.3, 1.4, 1.5, 3.2, and 8.4 and Rule 207; disbarment. *In re Neal*, 262 Kan. 562, 937 P.2d 1234 (1997).

77. Attorney's mishandling of civil rights case violates MRPC 1.2, 1.3, 1.4, 1.7, 1.15, 5.3, and 8.4; two-year supervised probation. *In re Baxter*, 262 Kan. 555, 940 P.2d 37 (1997).

78. Attorney's missing filing and response deadlines and failure to communicate with client violate MRPC 1.1, 1.3, and 1.4; one-year supervised probation. *In re Capps*, 262 Kan. 833, 942 P.2d 588 (1997).

79. Attorney's failure to notify client in pending child custody matter of her suspension from practice of law violates MRPC 1.3, 1.4, and 1.16; published censure per Rule 203(a)(3). *In re Gershater*, 263 Kan. 199, 946 P.2d 993 (1997).

80. Attorney's mishandling of traffic cases and real property transaction, sexual harassment complaint filed against him, and disorderly conduct at the airport violate MRPC 1.2, 1.3, 1.4, 3.2, and 8.4; indefinite suspension effective as of date of order per Rule 219. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

81. Attorney's failure to prepare necessary tax returns for an estate and pension plan documents for employer violates MRPC 1.1, 1.3, 1.4, and 8.4; supervising attorney afforded all immunities per Rule 223; two-year supervised probation and continued treatment for alcoholism, depression and personality disorders ordered. *In re Stephens*, 263 Kan. 221, 946 P.2d 1379 (1997).

82. Attorney's failure to diligently handle workers compensation case violates MRPC 1.1, 1.3, 1.4, and 1.8; two-year supervised probation. *In re Durr*, 263 Kan. 525, 949 P.2d 1130 (1997).

83. Attorney admitted violations of MRPC 1.3, 1.4, and 1.15; two-year suspension per Rule 203(a)(2). *In re Hamilton*, 263 Kan. 528, 949 P.2d 1139 (1997).

84. Attorney's misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and (b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

85. Attorney's failure to communicate with his client, his delay in handling of insurance settlement, and his misrepresentation of material facts to disciplinary administrator violate MRPC 1.1, 1.2(a), 1.3, 1.4(a) and (b), 8.1(a) and 8.4(d) and (g) and Rules 207 and 211; published censure per Rule

203(a)(3). *In re Potter*, 263 Kan. 766, 952 P.2d 936 (1998).

86. Attorney's mishandling of numerous cases violates MRPC 1.1, 1.3, 1.4(a), and 8.4(d); attorney allowed to plan his medical treatment and to work under supervision for the State Board of Indigents' Defense Services; three-year supervised probation. *In re Betts*, 263 Kan. 801, 953 P.2d 223 (1998).

87. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

88. Attorney's failure to diligently and competently represent and to communicate with his six clients and his failure to cooperate with the disciplinary administrator's office violate MRPC 1.1, 1.3, 1.4, 1.16, 3.4, 8.1, and 8.4 and Rule 207; suspension effective as of the date of order for purpose of Rule 219(e); indefinite suspension. *In re Wooten*, 264 Kan. 283, 955 P.2d 1239 (1998).

89. Attorney's mishandling of a chapter 7 bankruptcy proceeding violates MRPC 1.3 and 1.4; indefinite suspension recommended by the disciplinary administrator per Rule 211(f); prior offenses for violations of MRPC 1.1, 1.3, 1.4 and 1.16; two-year supervised probation. *In re Morse*, 264 Kan. 286, 954 P.2d 1092 (1998).

90. Attorney's neglect of his cases, failure to communicate with his clients, and failure to competently and diligently represent them violate MRPC 1.1, 1.3, 1.4, 3.2, 3.4(c), and 8.4(d) and (g); attorney's failure to appear before the court constitutes violation of Rule 212(d); indefinite suspension. *In re Anderson*, 264 Kan. 758, 956 P.2d 1330 (1998).

91. Attorney's mishandling of grandparents' visitation case and municipal court case violates MRPC 1.2, 1.3, 1.4, 3.1, and 8.4; current suspension per Rule 208 noted; registered for disabled inactive status per Rule 220; published censure. *In re Taylor*, 265 Kan. 246, 959 P.2d 901 (1998).

92. Attorney surrenders license per Rule 217 while pending complaint alleges violations of MRPC 1.2, 1.3, 1.4, and 8.4(c); disbarment. *In re Badke*, 265 Kan. 464, 968 P.2d 670 (1998).

93. Attorney's failure to communicate with client and tardiness in filing petition for divorce violate MRPC 1.3, 1.4, and 3.2; published censure. *In re Granger*, 265 Kan. 737, 962 P.2d 529 (1998).

94. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2). *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

95. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

96. Attorney's failure to adequately communicate with his clients and his lack of due diligence in an automobile accident case violate MRPC 1.3 and 1.4; supervising attorney granted all immunities per Rule 223; two-year supervised probation. *In re Davisson*, 266 Kan. 395, 969 P.2d 892 (1998).

97. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

98. Attorney's mishandling of a divorce case and a tort case violates MRPC 1.3 and 1.4(a); attorney's inexperience in the practice of law stated as mitigating factor; published censure per Rule 203(a)(3). *In re Levy*, 266 Kan. 411, 969 P.2d 870 (1998).

99. Attorney stipulated to violations of MRPC 1.1, 1.2, 1.3, 1.4, 3.1, and 8.4(g) in his handling of

child custody case, child support case, and wrongful termination case; his failure to cooperate in investigation violates Rules 207(b) and 211(b); Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for appropriateness of probation; one-year suspension. *In re Long*, 266 Kan. 664, 972 P.2d 773 (1999).

100. Attorney's failure to notify his client of the issuance of a bench warrant for arrest violates MRPC 1.4 and his failure to cooperate with the investigation violates Rule 207; two-year supervised probation ordered; supervising attorney afforded immunity per Rule 223. *In re Islas*, 266 Kan. 679, 972 P.2d 764 (1999).

101. Plaintiff's attorneys failed to provide her with notice of a settlement hearing in violation of KRPC 1.4. *Miller v. Sloan, Listrom, Eisenbarth, Sloan & Glassman*, 267 Kan. 245, 978 P.2d 922 (1999).

102. Attorney's failure to appear in court on numerous occasions and his abandonment of his law practice without making any arrangements to protect his clients violate KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 8.1, and 8.4 and Rules 207 and 208(c); disbarment. *In re Ortega*, 267 Kan. 228, 978 P.2d 914 (1999).

103. Attorney's mishandling of bankruptcy case violates KRPC 1.1, 1.3, 1.4, 1.15, and 8.4; supervised probation. *In re Christians*, 267 Kan. 240, 978 P.2d 910 (1999).

104. Attorney's mishandling of personal injury case, past due taxes case, and bankruptcy case violates KRPC 1.3, 1.4, 1.15, 3.2, 8.1, and 8.4; he was arrested for DUI, possession of cocaine, possession of drug paraphernalia, battery on a law enforcement officer, battery on his former girlfriend, and other charges; failure to notify and cooperate with the disciplinary administrator in violation of Rules 203(c) and 207, defense under Rule 223 raised; indefinite suspension. *In re Parker*, 267 Kan. 779, 985 P.2d 124 (1999).

105. Attorney's mishandling of collection matters violates KRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c); allegations in the hearing panel's report deemed admitted per Rule 212(c) and (d); split panel recommendation; published censure. *In re Druten*, 267 Kan. 790, 982 P.2d 978 (1999).

106. Attorney's mishandling of civil actions involving four clients violates KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.3, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

107. Attorney's selfish motive in pursuing a slip and fall case when his client told him to dismiss the case violates KRPC 1.2(a), 1.3, 1.4, 1.5(c), 1.6, and 8.4(c); published censure per Rule 203(a)(3). *In re Friesen*, 268 Kan. 57, 991 P.2d 400 (1999).

108. Attorney's mishandling of divorce and child custody cases violates KRPC 1.3, 1.4, and 1.15; two-year supervised probation. *In re Bailey*, 268 Kan. 63, 986 P.2d 1077 (1999).

109. Attorney's mishandling of habeas corpus action violates KRPC 1.3 and 1.4 and Rule 207; allegations in the hearing panel's report deemed admitted per Rule 212(d) and (e)(4); supervising attorney afforded full immunities per Rule 223; two-year supervised probation. *In re Brunson*, 268 Kan. 69, 986 P.2d 1074 (1999).

110. Attorney's mishandling of a wrongful death/personal injury case violates KRPC 1.2, 1.3, 1.4, 3.2, and 8.4 and Rule 207; failure to answer the complaint in violation of Rule 211; one-year suspension with additional condition that he pass the multistate professional responsibility examination prior to readmission. *In re Cole*, 268 Kan. 171, 991 P.2d 422 (1999).

111. Attorney's lack of diligence and failure to communicate with clients in matters involving workers compensation, child support, and bankruptcy violate KRPC 1.3 and 1.4; supervised probation. *In re Barta*, 268 Kan. 464, 996 P.2d 317 (2000).

112. Attorney's mishandling of a bankruptcy matter violates KRPC 1.1, 1.3, 1.4(a), 1.15(a), and 8.4(d) and Rule 207; panel's findings supporting by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Trickey*, 268 Kan. 835, 999 P.2d 964 (2000).

113. Attorney's mishandling divorce, traffic violation, and criminal matters violates KRPC 1.1,

1.3, 1.4, 1.5, 1.16, 5.3, and 8.4 and Rule 207; numerous mitigating and aggravating factors considered; two-year supervised probation. *In re Kellogg*, 269 Kan. 143, 4 P.3d 594 (2000).

114. Attorney indefinitely suspended for numerous ethical violations in Missouri and convicted of filing a false federal income tax return; temporary suspension per Rule 203(c)(5) effective at the time of suspension in Kansas; violations found in KRPC 1.2, 1.3, 1.4, 1.8, 1.15, 3.2, 5.1, and 8.4; indefinite suspension. *In re Shaver*, 269 Kan. 171, 4 P.3d 581 (2000).

115. Attorney's mishandling of a personal injury case violates KRPC 1.3, 1.4, 1.16(a)(2), and 3.2; two-year supervised probation ordered; supervising attorney afforded immunity per Rule 223. *In re Francis*, 269 Kan. 178, 4 P.3d 579 (2000).

116. Attorney's mishandling of a personal injury, criminal appeal, parole, medical malpractice, juvenile offender, and civil action violates KRPC 1.1, 1.3, 1.4(a), 1.15, and 3.2 and Rule 207; two-year probation per Rule 203(a)(2); immunity granted for supervising attorney per Rule 223. *In re Sachse*, 269 Kan. 810, 8 P.3d 745 (2000).

117. Attorney's failure to diligently represent and communicate with a client violates KRPC 1.3, 1.4(a), 1.16(a)(2), and 8.4(c); one-year suspension and Rule 218 and Rule 219 compliance ordered. *In re McGee*, 270 Kan. 135, 13 P.3d 11 (2000).

118. Attorney's mishandling of estate, trust, workers compensation claims, EEOC action, and bankruptcy matter, and improperly borrowing money from clients, as well as failing to be diligent in representing clients and communicating with clients in five separate disciplinary complaints violates KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.7(a) and (b), 1.8(b), and 8.4(g); indefinite suspension. *In re Coggs*, 270 Kan. 381, 14 P.3d 1123 (2000).

119. Attorney's failure to provide competent representation and to diligently represent and communicate with clients violates KRPC 1.1, 1.3, 1.4(a); attorney's unauthorized practice of law following suspension violates KRPC 5.5; failure to respond to and cooperate with disciplinary administrator violates KRPC 8.1; failure to stop practicing law after suspension and failure to so notify clients violates KRPC 8.4 and Rules 207, 211, and 218; disbarment. *In re Moran*, 270 Kan. 403, 13 P.3d 1275 (2000).

120. Attorney's mishandling of a divorce and traffic matter violates KRPC 1.3 and 1.4(a); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Barnes*, 270 Kan. 415, 13 P.3d 1283 (2000).

121. Attorney's mishandling of employment discrimination case violated KRPC 1.3, 1.4, 3.4(d), 8.4(d) and (g), and Rule 207; failure to appear at scheduled Supreme Court disciplinary hearing; indefinite suspension and Rule 218 compliance ordered. *In re Lockett*, 270 Kan. 640, 17 P.3d 917 (2001).

122. Attorney previously disciplined three prior times now found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), and 3.1; Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for failure of attorney to develop his own probation plan; one-year suspension. *In re Zimmerman*, 270 Kan. 855, 19 P.3d 160 (2001).

123. Attorney's mishandling of numerous cases violates KRPC 1.3, 1.4, 1.15(b), 1.16(a) and (d), 3.2, 8.1(b) and Rule 207; hearing panel's report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2) and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

124. Attorney's mishandling of client funds, failure to act with reasonable diligence in another case, and commingling client's funds with his own violates KRPC 1.3, 1.4, 1.15(a) and (b); 8.4(a), (b), (c) and (g); disbarment. *In re Farrell*, 271 Kan. 291, 21 P.3d 552 (2001).

125. Attorney's mishandling of child custody and order of child support case violated KRPC 1.1, 1.3, and 1.4(a) by clear and convincing evidence per Rule 211(f); indefinite suspension recommended by disciplinary administrator; published censure per Rule 203(a)(3). *In re Boaten*, 271 Kan. 282, 22 P.3d

1034 (2001).

126. Attorney's lack of diligence, failure to communicate with client, failure to safekeep property and failure to protect client's interests when terminating representation violates KRPC 1.3, 1.4, 1.15, and 1.16: 1-year and 1-day suspension in State of Colorado; indefinite suspension in Kansas. *In re Rishel*, 271 Kan. 644, 23 P.3d 820 (2001).

127. Attorney's lack of diligence and failure to communicate with client, failure to maintain trust account for safekeeping client's property, and failure to return unearned fees when requested to do so by the client violates KRPC 1.3, 1.4, and 1.15; published censure per Rule 203(a)(3). *In re Johanning*, 271 Kan. 638, 23 P.3d 895 (2001).

128. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.5(a), 1.15(a), (b), and (c), 8.4(a), (c), and (g), Rule 207 and Rule 211 per Rule 202; disbarment per Rule 203(a)(1). *In re Cleland*, 271 Kan. 926, 27 P.3d 26 (2001).

129. Attorney voluntarily surrenders license to practice law in Missouri; her misconduct violated KRPC 1.1, 1.3, 1.4, 8.4(c) and (d) per Rule 220 as well as Rule 207(b) and Rule 211(b); disbarment. *In re Cramer*, 271 Kan. 923, 26 P.3d 1245 (2001).

130. Attorney's mishandling of a divorce case and subsequent complaint violates KRPC 1.3, 1.4, and Rule 207; published censure per Rule 203(a)(3). *In re Brown*, 272 Kan. 767, 35 P.3d 864 (2001).

131. Attorney's mishandling of two separate cases violates KRPC 1.1, 1.3, 1.4, 1.16, 8.4(a), (c), (d) and (g) and Rule 207; indefinite suspension. *In re Johnson*, 272 Kan. 284, 32 P.3d 1132 (2001).

133. Attorney's misconduct in six different complaints as well as mishandling of his trust account result in one-year suspension per Rule 203; if reinstatement sought, requirements of Rule 219 apply. *In re Craig*, 272 Kan. 299, 32 P.3d 1174 (2001).

133. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 5.4(a), 5.5(b), 7.3 and 8.4; two-year supervised probation. *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

134. Attorney's lack of diligence, failure to communicate with client, failure to comply with discovery, and engaging in conduct prejudicial to administration of justice violates KRPC 1.3, 1.4(a), 3.4(d), and 8.4(d); one-year suspension. *In re Coder*, 272 Kan. 758, 35 P.3d 853 (2001).

135. Attorney's lack of diligence and failure to communicate with client, failure to safekeep property and deliver funds promptly violates KRPC 1.3, 1.4(a), 1.15(a) and (b); published censure per Rule 203(a)(3). *In re Wall*, 272 Kan. 1298, 38 P.3d 640 (2002).

136. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(d), 3.2, 3.3(a), 8.4(a) and (g), Rule 207(b); one-year suspension per Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Winterburg*, 273 Kan. 135, 41 P.3d 842 (2002).

137. Attorney's mishandling of several matters violated KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.4(a), (c), (d) and (g); two-year suspension per Rule 203(a)(2); Supreme Court may impose longer sanction than those recommended by hearing panel per Rule 212(f). *In re Swisher*, 273 Kan. 143, 41 P.3d 847 (2002).

138. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.4(g); hearing panel's report deemed admitted under Rule 212(d); two-year suspension per Rule 203(a)(2); Rules 218 and 219 compliance ordered with conditions. *In re Moore*, 273 Kan. 154, 41 P.3d 831 (2002).

139. Attorney's lack of diligence, failure to communicate with client, failure to advise client of the right to have fee reviewed, and failure to safekeep client's funds violated KRPC 1.3, 1.4(a), 1.5(d) and 1.15(a); two-year supervised probation. *In re Singleton*, 273 Kan. 171, 41 P.3d 836 (2002).

140. Attorney stipulated to violations of KRPC 1.1, 1.3, 1.4(a) and 3.4(d) in his handling of two civil actions; attorney's prior informal admonishments in three cases cited as aggravating factor; eighteen-months' supervised probation. *In re Works*, 273 Kan. 603, 43 P.3d 816 (2002).

141. Attorney's mishandling of three cases violated KRPC 1.1, 1.3, 1.4, and 1.16(d) for failure to competently represent clients, failure to protect former client's interests, failure to keep client informed, failing to diligently and promptly represent clients; Rule 207(b) violated by failure to provide information to Disciplinary Administrator in a timely manner; indefinite suspension. *In re Trickey*, 273 Kan. 1003, 46 P.3d 554 (2002).

142. Attorney's misconduct for failure to inform client the status of his license, violation of the KRPC's by representing a client without his license, the unauthorized practice of law, and failure to register with the Clerk of the Appellate Courts and pay registration fee violates KRPC 1.4(b), 1.16(a)(1), 5.5(a), 8.4(d), Rule 208(a) and Rule 218(a); ninety-day suspension. *In re Hunter*, 273 Kan. 1015, 46 P.3d 1199 (2002).

143. Attorney previously disciplined found to have violated multiple offenses of KRPC 1.1, 1.3, 1.4, 3.2, 3.4, 3.5, and 8.4; 18 months' suspension and Rules 218 and 219 compliance ordered. *In re Berry*, 274 Kan. 336, 50 P.3d 20 (2002).

144. Attorney's mishandling of child custody case violated KRPC 1.3 for lack of diligence, 1.4 for failure to keep client informed about status of her case, 1.15(b) for failure to return unearned fees, 1.16(d) for failure to return unearned fees, 8.1(b) for failure to respond to Disciplinary Administrator's letters, 8.4(a)(c)(d) and (g) for violating KRPC's; Rule 207(b) and Rule 211(b) for failing to provide written responses to disciplinary complaint and failing to timely file an answer; one-year suspension. *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

145. Attorney's misconduct in eleven cases violates multiple offenses of KRPC 1.3, 1.4, 1.15, 1.16, and Rule 207(b); total of 48 complaints docketed by Disciplinary Administrator; indefinite suspension per Rule 203(a)(2). *In re Shelton*, 274 Kan. 374, 49 P.3d 10 (2002).

146. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 8.1(b), 8.4(d), Rule 207(b), and Rule 211(b); failure to appear before Supreme Court violated Rule 212(d); disbarment per Rule 203(a)(1). *In re Sechtem*, 274 Kan. 387, 49 P.3d 541 (2002).

147. Attorney disbarred in Missouri found to have violated KRPC 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d) and Rule 211(b); indefinite suspension. *In re Johnson*, 274 Kan. 783, 55 P.3d 913 (2002).

148. Attorney suspended for 6 months for violating KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d); findings of fact admitted pursuant to Rule 212(d); previously indefinitely suspended pursuant to Rule 208 and Rule 806; Rule 219 compliance ordered. *In re Matson*, 274 Kan. 785, 56 P.3d 160 (2002).

149. Attorney's misconduct violated multiple offenses of KRPC: 1.3, 1.4(a), 3.2, 5.5(a), 8.1(b), 8.4(a) and (d); notified per Rule 215(a); failed to respond or appear violating Rule 212(d); failed to file answer per Rule 211(b); disbarment per Rule 203(a)(1); Rule 218 compliance ordered. *In re Griswold*, 274 Kan. 776, 56 P.3d 269 (2002).

150. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15; hearing panel's findings of fact supported by clear and convincing evidence per Rule 211(b) and adopted as findings of the Court; published censure per Rule 203(a)(3). *In re Wiles*, 274 Kan. 1103, 58 P.3d 711 (2002).

151. Attorney committed multiple violations of KRPC: 1.3, 1.4, 1.16(d), and 3.2; failed to timely respond to complaints in violation of 8.1, Rule 207(b) and Rule 211(b); supervising attorney afforded full immunities per Rule 223; 2-year supervised probation. *In re Nelson*, 275 Kan. 377, 64 P.3d 413 (2003).

152. Attorney misconduct in numerous bankruptcy cases violates KRPC 1.4 for failing to keep clients informed, KRPC 3.3 for knowingly making false statements of material facts, KRPC 8.4(c) and (d) for providing false and misleading information and engaging in conduct that was prejudicial to the administration of justice; Supreme Court granted attorney's motion for rehearing which suspended effect of our original decision until rehearing per Rule 7.06; attorney requested censure per Rule 203(a)(3); 1-year suspension and Rule 218 compliance ordered. *In re Wagle*, 275 Kan. 543, 66 P.3d 884 (2003).

153. Attorney previously disciplined by supervised probation found to have committed multiple violations of KRPC: 1.3, 1.4, 3.1, and 4.2; previously violated KRPC 1.3, 3.1, 3.2, 3.4, and 8.4; pursuant to Rule 212(c), attorney filed an exception to panel's report; disciplinary panel conducted formal hearing pursuant to Rule 211; supervising attorney granted full immunities per Rule 223; supervised probation extended to 5 years with restrictions on practice. In re Boone, 275 Kan. 560, 66 P.3d 896 (2003).

154. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan.920, 69 P.3d 537 (2003).

155. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

156. Attorney previously disciplined now found to have violated KRPC 1.3 (diligence) and KRPC 1.4 (communication); hearing panel report admitted per Rule 212(c); published censure per Rule 203 (a)(3). *In re Boaten*, 276 Kan. 656, 78 P.3d 458 (2003).

157. Attorney previously disciplined and on probation found to have violated KRPC 1.4 for failing to communicate with a client; KRPC 8.1(b) and Rule 207 for failing to respond to the Disciplinary Administrator; 1-year suspension. *In re Lober*, 276 Kan. 633, 78 P.3d 442 (2003).

158. Attorney's supervised probation revoked following violations of KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4; failure to cooperate in investigation of complaints per Rule 207(b); failure to obtain liability insurance as condition of probation; indefinite suspension. *In re Nelson*, 277 Kan. 920, 92 P.3d 1146 (2004).

159. Attorney previously disciplined six times violated KRPC 1.1, 1.3, 1.4, and 1.5 in three complaints involving competence, diligence and promptness, communication with his clients, and attorney fees; violated Rule 211(b) by failing to file timely answers to Disciplinary Administrator and hearing panel report; indefinite suspension. *In re Barta*, 277 Kan. 912, 89 P.3d 567 (2004).

160. Attorney previously disciplined and on probation violated KRPC 1.4 and 1.5; one-year suspension. *In re Francis*, 276 Kan. 898, 79 P.3d 1285 (2003).

161. Attorney's failure to competently represent two clients led to complaints he violated KRPC 1.1, 1.3, 1.4, 1.16(d), 8.1(b), Rule 207(b) and Rule 211(b); published censure per Rule 203(a)(3). *In re Sheahon*, 278 Kan. 494, 102 P.3d 392 (2004).

162. Attorney disciplined for improper handling of an estate matter which violated KRPC 1.1, 1.3, 1.4, 3.2, and 8.4; published censure per Rule 203(a)(3). *In re Miller*, 279 Kan. 912, 112 P.3d 169 (2005).

163. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1, and 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212© and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

164. Attorney previously disciplined violated his supervised probation; now found to have violated KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4, Rule 207 and Rule 211; indefinite suspension and Rule 218 compliance. *In re Nelson*, 278 Kan. 506, 102 P.3d 1140 (2004).

165. Attorney previously disciplined violated his supervised probation; now found to have violated KRPC 1.3, 1.4, 1.15, and Rule 207; plan of probation per Rule 211(g) found not to be appropriate by hearing panel; charges established by clear and convincing evidence per Rule 211(f); hearing panel's

report deemed admitted under Rule 212(c) and (d); indefinite suspension and Rule 218 compliance ordered. *In re Potter*, 279 Kan. 937, 112 P.3d 216 (2005).

166. Attorney's misconduct in acting as a trustee violated KRPC 1.3 (diligence), 1.4 (communication), and 1.15(b) (safekeeping property); published censure in accordance with Rule 203(a)(3). *In re Stockwell*, 278 Kan. 756, 101 P.3d 1211 (2004).

167. Attorney committed numerous violations of rules of professional conduct including KRPC 1.1, 1.2, 1.3, 1.4, 1.16, 3.2, 8.1, Rule 207, and Rule211; respondent's exceptions considered per Rule 212; disbarment and Rule 218 compliance ordered. *In re Wenger*, 279 Kan. 895, 112 P.3d 199 (2005).

168. Attorney disciplined for multiple violations of rules of professional conduct including KRPC 8.4 and 1.4; compliance with Rule 219 ordered if reinstatement sought; indefinite suspension and Rule 218 compliance ordered. *In re Islas*, 279 Kan. 930, 112 P.3d 210 (2005).

169. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207, and Rule 211; hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment and Rule 218 compliance ordered. *In re Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

170. Attorney voluntarily surrendered license per Rule 217 while four complaints with Disciplinary Administrator pending; misconduct involving KRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4(a), (c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Maker*, 280 Kan. 1, 117 P.3d 880 (2005).

171. Attorney's misconduct in multiple cases violates KRPC 1.3, 1.4, 5.5, 8.1, Rule 207(b), and Rule 212(b); respondent failed to appear at scheduled hearing and failed to file exceptions to panel's report in violation of Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Moore*, 280 Kan. 971, 127 P.3d 270 (2006).

172. Attorney stipulates to findings that he violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(g), and Rule 207(b); three prior disciplinary offenses and supervised probation for prior misconduct; one-year suspension per Rule 203(a)(2). *In re Sachse*, 281 Kan. 1197, 135 P.3d 1207 (2006).

173. Attorney's repeated misconduct in multiple offenses violates KRPC 1.3, 1.4, 1.15, 3.1, and Rule 207(b); formal hearing conducted per Rule 211; respondent failed to respond to charges in complaint in timely manner per Rule 207; probation extended for 1 additional year per Rule 211. *In re Rathbun*, 280 Kan. 672, 124 P.3d 1 (2005).

174. Attorney voluntarily surrenders license pursuant to Rule 217 following hearing panel's hearing per Rule 212 that respondent violated KRPC 1.3, 1.4, 1.5, 3.4, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Boaten*, 281 Kan. 390, 132 P.3d 870 (2006).

175. Attorney's multiple offenses violates KRPC 1.1, 1.3, 1.4, 8.1(b), 8.4(c) and Rule 207(b); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorney granted full immunities per Rule 223; satisfactory plan of probation submitted by respondent per Rule 211(g); 1-year suspension stayed in accordance with Rule 203(a)(2); 2-years' supervised probation. *In re Mitchell*, 280 Kan. 656, 123 P.3d 1279 (2005).

176. Attorney violated KRPC 1.3, 1.4, 1.15(a), and 1.16(d) relating to his handling of a conservatorship; 90-day suspension pursuant to Rule 203(a)(2). *In re Docking*, 282 Kan. 715, 147 P.3d 139 (2006).

177. Attorney committed multiple violations of KRPC's including KRPC 1.4, 1.15, 3.2, 3.4, and 8.4 involving communication, safekeeping property, expediting litigation, fairness to opposing party and counsel, and misconduct; pursuant to Rule 202, respondent violated KRPC 1.4(a), 1.15(a), and 8.4(c); indefinite suspension pursuant to Rule 203(a)(2). *In re Wiles*, 283 Kan. 173, 150 P.3d 859 (2007).

178. Attorney committed numerous violations including KRPC 1.3, 1.4, and 3.2 involving five clients; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report

deemed admitted under Rule 212(c) and (d) when respondent fails to file exceptions; Rule 206 applicable; probation requested and set out pursuant to Rule 211; 1-year suspension stayed and respondent placed on 4-year supervised probation. *In re Hasenbank*, 283 Kan. 155, 151 P.3d 1 (2007).

179. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

180. Attorney disciplined for his misconduct involving his handling of a patent application and which violated KRPC 1.1, 1.2(a), 1.3, 1.4(a) and 8.4(c); Supreme court not bound by recommendations of the hearing panel or Disciplinary Administrator per Rule 212(f); published censure per Rule 203(a)(3). *In re Sylvester*, 282 Kan. 391, 144 P.3d 697 (2006).

181. Attorney disciplined for violating KRPC 1.1, 1.3, 1.4, 3.4 in regard to his handling of a case filed under the Consumer Protection Act; failure to provide timely written response to client's complaint violates KRPC 8.1(b) and Rule 207(b); misconduct to be established by clear and convincing evidence per Rule 211(f); published censure pursuant to Rule 203(a)(3). *In re Arbuckle*, 283 Kan. 887, 156 P.3d 668 (2007).

182. Attorney, who was on probation, violated KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.3(d), and 8.4(d) in 21 cases; Rule 211(b) violated by failing to file a timely written answer to the complaint; Rule 212(d) violated by failing to appear before the court; disbarment per Rule 203(a)(1). *In re Rathbun*, 285 Kan. 137, 169 P.3d 329 (2007).

183. Attorney who was previously disciplined for similar misconduct now violates KRPC 1.3, 1.4, 1.16(d), 8.1(b), and 8.4(d); failed to cooperate in disciplinary investigation and provide written responses to three complaints per Rule 207(b); failed to file answers per Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Webb*, 285 Kan. 130, 169 P.3d 336 (2007).

184. Attorney voluntarily surrendered license pursuant to Rule 217 pending hearing alleging multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.1(b), and Rule 207(b); disbarment. *In re Lane*, 285 Kan. 259, 171 P.3d 275 (2007).

185. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16, and 3.2; formal hearing conducted per Rule 211; hearing panel's report deemed admitted per Rule 212; supervising attorney afforded full immunities per Rule 223; Rule 211(g) probation requirements discussed; per Rule 203(a)(2), respondent's three-year suspension stayed and placed on three-years' supervised probation. *In re Bock*, 285 Kan. 815, 175 P.3d 233 (2008).

186. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(c) and (d), and Rule 207(b); misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Bishop*, 285 Kan. 1097, 179 P.3d 1096 (2008).

187. Attorney's misconduct resulting from two complaints violated KRPC 1.1, 1.3, 1.4(b), 3.4(d), 8.1(b), 8.4(c) and Rule 207(b); prior admonishment for violating KRPC 1.15 and 7.1; three-month suspension pursuant to Rule 203(b). *In re Harris*, 285 Kan. 1115, 180 P.3d 558 (2008).

188. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

189. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule 212(d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

190. Attorney voluntarily surrendered license pursuant to Rule 217 with three cases pending before the Supreme Court alleging multiple violations of KRPC 1.2(d), 1.4(a), 1.7, 1.8(b), 1.15(a), 8.4(b) and (g), and Rule 207(b); disbarment. *In re Cowger*, 286 Kan. 52, 182 P.3d 1204 (2008).

191. Attorney's misconduct in two complaints violated KRPC 1.3, 1.4, 1.15 (a) and (b), 8.4(g), and Rule 207(b); previously disciplined twice for similar violations; probation plan per Rule 211(g) denied; ordered to repay funds owed to clients per Rule 203(a)(5); indefinite suspension in accordance with Rule 203(a)(2). *In re Corrin*, 286 Kan.421, 184 P.3d 923 (2008).

192. Attorney on administrative suspension violates KRPC 1.3, 1.4, 1.15(a), 1.16(d), and 3.2; indefinite suspension in accordance with Rule 203(a)(2). *In re Allen*, 286 Kan. 791, 188 P.3d 953 (2008).

193. Attorney violated KRPC 1.1, 1.3, 1.4, 3.4(c), and Rule 207; six-month suspension is suspended and two-year probation allowed per Rule 211(g). *In re Jones*, 287 Kan. 101, 193 P.3d 899 (2008).

194. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 3.4(c), 8.4(d), Rule 207(b) and Rule 211(b); six-month suspension; Rules 218 and 219 compliance ordered. *In re Thomas*, 287 Kan. 88, 193 P.3d 907 (2008).

195. Attorney's misconduct while on suspension violated KRPC 1.3, 1.4, 1.16, 8.1(b), Rule 211(b), and Rule 218; one-year suspension per Rule 203(a)(2). *In re Docking*, 287 Kan. 485, 196 P.3d 1149 (2008).

196. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.15, 8.4(g) and Rule 211(b); Respondent failed to file exceptions, thus, final hearing report deemed admitted under Rule 212(c); indefinite suspension. *In re Dowell*, 287 Kan. 501, 196 P.3d 915 (2008).

197. Attorney committed multiple violations of KRPC 1.3, 1.4(a). 5.5(a), 8.1(b), 8.4(g), Rule 207(b), Rule 211(b), and Rule 218; findings of fact deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Lee*, 287 Kan. 676, 198 P.3d 140 (2008).

198. Attorney previously disciplined on three occasions violates KRPC 1.3, 1.4, and Rule 207(b); probation requirements of Rule 211(g) discussed; recommendations of hearing panel and Disciplinary Administrator advisory only per Rule 212(f); three-year probation plan approved. *In re Beims*, 287 Kan. 705, 198 P.3d 763 (2009).

199. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule 207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

200. Attorney previously disciplined for similar misconduct found to have violated KRPC 1.1, 1.2, 1.3, 1.4(a), 3.2, 8.4(d) and (g) and Rule 211; failed to respond to complaint per Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); failed to notify Clerk of Appellate Courts of address change per Rule 208; indefinite suspension per Rule 203(a)(2). *In re Lober*, 288 Kan. 498, 204 P.3d 610 (2009).

201. Attorney committed multiple offenses of KRPC 1.3, 1.4, 1.15, 8.3, 8.4, and Rule 207; respondent's suspension in Texas established misconduct in Kansas per Rule 202; hearing report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Piekalkiewicz*, 288 Kan. 610, 205 P.3d 734 (2009).

202. Attorney voluntarily surrendered his license pursuant to Rule 217 pending a hearing involving allegations of misconduct under KRPC 1.3, 1.4, 1.15, 8.1(b), and 8.4(b); disbarment. *In re Shafer*, 288 Kan. 657, 207 P.3d 208 (2009).

203. Attorney voluntarily surrendered license pursuant to Rule 217 pending a hearing on five complaints alleging misconduct under KRPC 1.3, 1.4(a), 1.16, 5.5, 8.1(b), and 8.4(b) and Rules 207(b) and 211 (b); disbarment. *In re Docking*, 288 Kan. 731, 208 P.3d 739 (2009).

204. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the

Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

205. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan. 173, 210 P.3d 120 (2009).

206. Attorney on suspension committed violations of KRPC 1.4, 3.4, 5.5, and 8.4; respondent filed exceptions and a brief pursuant to Rule 212; no exceptional circumstances exist to warrant discovery deposition per Rule 216(f) and Internal Operating Rule D.4; disbarment. *In re Wiles*, 289 Kan. 201, 210 P.3d 613 (2009).

207. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

208. Attorney voluntarily surrenders license per Rule 217 with panel hearing pending on three complaints involving violations of KRPC 1.3, 1.4(a), 5.5, 8.4(d) and Rule 211(b); disbarment. *In re Holmberg*, 289 Kan. 978, 218 P.3d 801 (2009).

209. Attorney voluntarily surrenders license per Rule 217 with three complaints pending of violations of KRPC 1.1, 1.4, 5.5, 8.1, 8.4(c), and Rule 211; disbarment. *In re Ruther*, 289 Kan. 1130, 220 P.3d 369 (2009).

210. Attorney disciplined by indefinite suspension for violating KRPC 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only and court may impose a different discipline per Rule 212(f);required notice given per Rule 215(a); indefinite suspension per Rule 203(a)(2). *In re Herrington*, 290 Kan. 58, 222 P.3d 492 (2010).

211. Attorney's misconduct violates KRPC 1.3 and 1.4 relating to diligence and communication; respondent stipulated to violating Missouri Rules of Professional Conduct and per Rule 202, these facts establish misconduct for purposes of the disciplinary proceeding in Kansas; misconduct established by clear and convincing evidence per Rule 211; published censure per Rule 203(a)(3). *In re Hasty*, 290 Kan. 386, 227 P.3d 967 (2010).

212. Attorney's misconduct in representing a client in two car accidents violated KRPC 1.3, 1.4(a), 1.7, and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and shall not prevent Supreme Court from imposing a different discipline per Rule212(f); one-year suspension per Rule 203(a)(2). *In re Kieler*, 290 Kan. 397, 227 P.3d 961 (2010).

213. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d) and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan.52, 237 P.3d 667 (2010).

214. Attorney's misconduct while on indefinite suspension violated KRPC 1.1, 1.3, 1.4, 8.4, and Rule 211; clear and convincing evidence per Rule 211)(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Bishop*, 291 Kan. 382, 240 P.3d 956 (2010).

215. Attorney previously disciplined three times found to have violated KRPC 1.4(a), 1.16(d), 5.5(a), 8.1(b), 8.4(c), Rule 207(b), Rule 211(b), and Rule 218(a); hearing panel's recommendation advisory only and court may impose different discipline per Rule 212(f); disbarment per Rule 203(a)(1). *In re Jones*, 291 Kan. 405, 243 P.3d 1101 (2010).

216. Attorney previously disciplined on a number of occasions found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

217. Attorney previously disciplined by 6-month suspension violates KRPC 1.2, 1.3, 1.4(a), 1.5(a), 1.15(b), 1.16(d). 8.1(b), Rule 207(b), and Rule 211; conditions set out for reinstatement under Rule 219(f); indefinite suspension per Rule 203(a)(2). *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

218. Attorney violated KRPC 1.3, 1.4, Rule 207(b), and Rule 211(b), stemming from respondent's handling of a postdivorce child support matter; clear and convincing evidence found per Rule 211(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Ivester*, 291 Kan. 744, 246 P.3d 987 (2011).

219. Attorney's misconduct violated KRPC 1.3, 1.4, 1.15, Rules 207, and 211 in four civil matters; proper service obtained per Rule 215; compliance with Rules 218 and 219 ordered; indefinite suspension per Rule 203(a)(2). *In re Luttrell*, 292 Kan. 51, 252 P.3d 111 (2011).

220. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

221. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116 including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; 1-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011).

222. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4(a), and 3.2 in mishandling an estate case; probation plan not filed in a timely manner per Rule 211(g); hearing report's findings and conclusions are deemed admitted under Rule 212(c); Rules 218 and 219 compliance ordered; 6-month suspension per Rule 203(a)(2). *In re Foster*, 292 Kan. 940, 258 P.3d 375 (2011).

223. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b), 8.4(c), and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

224. Attorney indefinitely suspended for numerous violations of KRPC 1.1, 1.3, 1.4, 3.2, 8.1, and Rule 207; misconduct established by clear and convincing evidence per Rule 211(f); compliance with Rule 219 if requests reinstatement; indefinite suspension per Rule 203(a)(2). *In re Bock*, 293 Kan. 616, 265 P.3d 552 (2011).

225. Attorney voluntarily surrendered license to practice law pursuant to Rule 217 with violations of KRPC 1.3, 1.4, 3.2, 8.1, and 8.4(g) and Rule 207 pending; disbarment. *In re Day*, 294 Kan. 615, 277 P.3d 1134 (2012).

226. Attorney violated KRPC 1.1, 1.3, 1.4(a), and 1.15 in serving as executor of an estate; respondent's plan of probation failed to meet requirements of Rule 212(g)(1); respondent failed to file exceptions to panel's report thus, findings of fact deemed admitted under Rule 212(c), (d); 6-month suspension per Rule 203(a)(2). *In re Freed*, 294 Kan. 655, 279 P.3d 118 (2012).

227. Attorney misconduct violated numerous KRPC's, including 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.1(b); respondent failed to file timely answer to complaint per Rule 211(b); failed to file exceptions thus, findings of fact are deemed admitted under Rule 212(c), (d); respondent failed to follow his diversion agreement; one-year suspension per Rule 203(a)(2). *In re Ohaebosim*, 294 Kan. 664, 279 P.3d 124 (2012).

228. Attorney stipulated to violations of KRPC 1.3, 1.4(a), and 8.4(c) in immigration proceedings; pursuant to Rule 211(g), the recommendation of probation approved with modification to the probation plan; 6-month suspension stayed; 18-months' probation. *In re Link*, 294 Kan. 692, 279 P.3d 720 (2012).

229. Attorney's misconduct violated KRPC 1.3, 1.4, 1.16, 8.4, and Rule 211(b) based on multiple

complaints; probation per Rule 211(g) denied; clear and convincing evidence established per Rule 211(f); respondent failed to file exceptions to final hearing report, thus deemed admitted under Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Shores*, 294 Kan. 680, 279 P.3d 710 (2012).

230. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

231. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(a) and (d), 3.2, 8.4(d), and Rule 207(b); disbarment per Rule 203(a)(1). *In re Batt*, 296 Kan. 395, 294 P.3d 241 (2013).

232. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 3.3, 3.4, 8.1, 8.4, and Rule 211(b); disbarment per Rule 203(a)(1). *In re Druten*, 297 Kan. 432, 301 P.3d 319 (2013).

233. Attorney voluntarily surrendered license under Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.3, 1.4, 1.16, 3.4(c), and 8.1(b), and Rule 207(b), 211(b), and 218. *In re Freed*, 298 Kan. 346, 312 P.3d 364 (2013).

234. Attorney misconduct violated KRPC 1.2, 1.3, 1.4(a), and 8.4(c) and (d); 6-month suspension under Rule 203(a)(2). *In re Meyer*, 299 Kan. 679, 327 P.3d 407 (2014).

235. Attorney admitted to violations of KRPC 1.1, 1.3, 1.4, 1.16(a)(2), and 8.4(g); under Rule 211(f) clear and convincing evidence did not support violation of KRPC 1.16(d) for failure to return fees; 6-month suspension under Rule 203(a)(2). *In re Barker*, 299 Kan. 158, 321 P.3d 767 (2014).

236. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.16(d), and 8.4(d); 2-year suspension, with imposition suspended under terms of probation plan. *In re Dellett*, 299 Kan. 69, 324 P.3d 1033 (2014).

237. Attorney misconduct violated KRPC 1.1, 1.4, 5.5, 8.4(c), Rule 208, and Rule 218; exceptions filed under Rule 212(d); recommended 2-year suspension only advisory under Rule 218(f); disbarment imposed. *In re Beck*, 298 Kan. 881, 318 P.3d 977 (2014).

238. Attorney misconduct violated KRPC 1.3, 1.4(a), 1.16(d), Rule 207(b), and Rule 208; 18-month suspension. *In re Goodwin*, 298 Kan. 802, 316 P.3d 748 (2014).

239. Attorney misconduct violated KRPC 1.3, 1.4, 1.16(d), 3.2, 3.3(a)(1), 8.1(b), Rules 207(b), and 211(b); 18-month suspension. *In re Soderberg*, 298 Kan. 820, 316 P.3d 762 (2014).

240. Attorney misconduct violated KRPC 1.1; 1.3; 1.4(a); 1.15(b); 1.16(a)(2) and (d); 8.1(b), (c), and (d); 8.4(d); and Rule 207(b); 1-year suspension under Rule 203(a)(2). *In re Rittmaster*, 299 Kan. 804, 326 P.3d 376 (2014).

241. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman*, 300 Kan. 475, 332 P.3d 172 (2014).

242. Attorney misconduct violated KRPC 1.2(a), 1.4(a), 1.16(d), and 8.4(c) and (d) and Rule 211(b) and 218(a); indefinite suspension. *In re Johnson*, 300 Kan. 851, 335 P.3d 634 (2014).

243. Attorney misconduct violated KRPC 1.3, 1.4(a) and (b), 3.4(d), and 8.4(d); indefinite suspension. *In re Hasty*, 300 Kan. 840, 335 P.3d 110 (2014).

244. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.16(a)(2) and (d), 3.2, and 3.4(d); 1-year suspension. *In re Murrow*, 300 Kan. 971, 336 P.3d 859 (2014).

245. Criminal defendant's approval of attorney's theory of defense does not immunize attorney from responsibility for KRPC 1.1 violation; defense counsel bears responsibility for strategic and tactical decisions; KRPC 1.2, comment 1; KRPC 1.1, comment 5; and KRPC 1.4(b) cited. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

246. Attorney misconduct violated KRPC 1.3, 1.4, 1.8(e), 3.2, and 8.1 and Rule 207; 6-month suspension, stayed during 2 years' probation. *In re Delaney*, 300 Kan. 1090, 338 P.3d 11 (2014).

247. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 5.5(a), 8.4(d), and 8.1(b) and Rule 207(b); indefinite suspension. *In re Miller*, 300 Kan. 1082, 337 P.3d 1286 (2014).

248. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), 3.2, 5.5(a), and 8.4 (d) and (g) and Rule 218; indefinite suspension. *In re Eager*, 300 Kan. 1068, 338 P.3d 1 (2014).

249. Attorney misconduct violated KRPC 1.4(a), 8.1(b), and 8.4(g); and Rules 207(b), 208, and 218; 1-year suspension. *In re Thompson*, 301 Kan. 428, 343 P.3d 108 (2015).

250. Attorney voluntarily surrendered license under Rule 217 after complaint alleged violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4. *In re Brooks*, 301 Kan. 451, 345 P.3d 258 (2015).

251. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 3.5(c) and (d), 8.2(a), and 8.4(d) and (g); 3 years' probation. *In re Clothier*, 301 Kan. 567, 344 P.3d 370 (2015).

252. Attorney misconduct violated KRPC 1.2, 1.3, 1.4(a), and 1.16(d); 3 years' supervised probation. *In re Kepfield*, 301 Kan. 662, 346 P.3d 332 (2015).

253. Attorney misconduct violated KRPC 1.4(a) and 5.3; published censure. *In re Ehrlich*, 302 Kan. 174, 351 P.3d 1268 (2015).

254. Attorney misconduct violated KRPC 1.4(a) and 8.4(d); indefinite suspension. *In re Cline*, 301 Kan. 165, 351 P.3d 1262 (2015).

255. Attorney voluntarily surrendered license under Rule 217; at the time of surrender complaints had been docketed for investigation alleging violations of Rule 1.1, 1.3, 1.4, 8.3, and 8.4. *In re Bezek*, 302 Kan. 325, 352 P.3d 1014 (2015).

256. Attorney misconduct violated KRPC 1.3, 1.4(a), 8.1(a), 8.4(c), 8.4(d), and 8.4(g) and Rule 207(b); disbarment. *In re Williams*, 302 Kan. 990, 362 P.3d 816 (2015).

257. Attorney misconduct violated KRPC 1.2(a), 1.3, 1.4(a), 1.15(d), 8.4(c), and 8.4(d); Kansas license suspended until notification of reinstatement of good standing of Florida license provided. *In re Vaughn*, 303 Kan. 976, 368 P.3d 1088 (2016).

258. Attorney misconduct violated KRPC 1.4(a), 1.8(h)(1), 1.15(a), 1.16(d), 2.1, and 8.3(a) and Rule 207(c); published censure. *In re Haitbrink*, 304 Kan. 531, 375 P.3d 296 (2016).

259. Attorney misconduct violated KRPC 1.3, 1.4(a), and 8.4(d); 2-year suspension stayed, 2 years' probation imposed; termination of probation subject to Rule 211(g). *In re Stark*, 304 Kan. 630, 375 P.3d 956 (2016).

260. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), and 8.4(d); 60-day suspension stayed upon stated terms and conditions in accordance with Rule 203(a)(2) and (5); reinstatement to be without hearing under Rule 219(c). *In re Casad*, 304 Kan. 621, 372 P.3d 1219 (2016).

KRPC 1.5 Fees

Case Annotations

1. Attorney referral fee permitted under MRPC 1.5(g) without regard to services rendered. DR 2-107(A) no longer applicable. *Ryder v. Farmland Mut. Ins. Co.*, 248 Kan. 352, 807 P.2d 109 (1991).

2. Rule 1.5(e) provides a vehicle for clients to seek court intervention in attorney fee contract disputes. *Ryder v. Farmland Mut. Ins. Co.*, 248 Kan. 352, 807 P.2d 109 (1991).

3. Rule cited in appeal of contingent fee award in condemnation case. *Board of Sedgwick County Comm'rs v. Kiser Living Trust*, 250 Kan. 84, 107, 825 P.2d 130 (1992).

4. Court lists eight factors found in MRPC 1.5(a) in determining reasonableness of attorney fees in eminent domain case. *City of Wichita v. BG Products, Inc.*, 252 Kan. 367, 374, 845 P.2d 649 (1993).

5. Attorney's mishandling of employment discrimination class action and failure to inform clients as to status of case violative of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.1, and 3.2; other violations; Rule

203(a)(2) one-year suspension, Rule 203(a)(5) restitution, and Rule 218 compliance ordered. *In re King*, 253 Kan. 444, 855 P.2d 963 (1993).

6. Attorney's failure to remit client's portion in a collection matter, failure to keep client informed, misrepresentations to client as to status of collection efforts, and causing balance on trust account to repeatedly fall below amount due client violative of MRPC 1.3, 1.4(a), 1.5(d), 1.15(a), 4.1(a), and 8.4(c); aggravating and mitigating circumstances; one-year supervised probation with conditions. *In re Wisler*, 254 Kan. 600, 866 P.2d 1049 (1994).

7. Attorney fees contingent on amount of maintenance received in divorce action violative of MRPC 1.5(f)(1); censure. *In re Jarvis*, 254 Kan. 829, 869 P.2d 671 (1994).

8. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

9. Attorney's failure to represent client in collection of foreign judgment in workers compensation case found to violate MRPC 1.1, 1.3, 1.4, 1.5(d), 1.16(d), 3.2, and 8.4(g); indefinite suspension and Rule 218 compliance ordered. *In re Griggs*, 256 Kan. 498, 886 P.2d 786 (1994).

10. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

11. Rules of determining reasonableness of fees under MRPC 1.5(a) discussed; trial court has authority to set reasonable fees under 1.5(e), but that authority does not make the fees unliquidated for the purposes of prejudgment interest. *Miller v. Botwin*, 258 Kan. 108, 899 P.2d 1004 (1995).

12. Attorney's failure to remit personal injury protection lien to his client's insurance company, failure to keep client informed, misrepresentation to client, and creating conflict of interest violated MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.7, 4.1, and 8.4; aggravating circumstances; indefinite suspension. *In re Seck*, 258 Kan. 530, 905 P.2d 122 (1995).

13. Attorney's neglect of three different clients' cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 3.1, and 8.4 and Rule 207; one-year suspension. *In re Geeding*, 258 Kan. 740, 907 P.2d 124 (1995).

14. Attorney's charging unreasonable fees in an estate matter violates MRPC 1.5; ordered to abide by his agreement to repay; published censure. *In re Tuley*, 258 Kan. 762, 907 P.2d 844 (1995).

15. Attorney's mishandling of client funds, failure to supervise nonlawyer assistants, and other misconduct violate MRPC 1.3, 1.5, 1.15, 5.3, and 8.4; mitigating circumstances; published censure. *In re Krogh*, 259 Kan. 163, 910 P.2d 221 (1996).

16. Attorney's failure to keep client reasonably informed and charging of excessive fee violate MRPC 1.3, 1.4, 1.5, and 1.16; published censure. *In re Scimeca*, 259 Kan. 893, 914 P.2d 948 (1996).

17. Attorney's mishandling of client's assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure. *In re Brantley*, 260 Kan. 605, 920 P.2d 433 (1996).

18. Attorney's handling of civil action and post-divorce proceeding and his attempt to represent a criminal defendant while attorney was in inpatient drug treatment program violate MRPC 1.3, 1.4, 1.5(b), 1.15(a) and (b), 1.16(a), 3.3(a), 4.1, and 8.4(a), (b), (d), and (g); three-year supervised probation. *In re Phillips*, 260 Kan. 909, 925 P.2d 435 (1996).

19. Attorney's failure to act with reasonable diligence and promptness in an eviction case, commingling of clients' funds with his own, and failure to cooperate with disciplinary administrator's office violate MRPC 1.4, 1.5, 1.9, 1.15, 1.16, 8.1 and 8.4 and Rule 207; one-year suspension. *In re Howlett*, 261 Kan. 167, 928 P.2d 52 (1996).

20. Attorney's mishandling of bankruptcy case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.16, 3.1, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Roy*, 261 Kan. 999, 933 P.2d 662 (1997).

21. Client not required to follow MRPC 1.5(e) procedure in attorney fee dispute case. *Gerhardt v.*

Harris, 261 Kan. 1007, 934 P.2d 976 (1997).

22. Attorney's mishandling of personal injury case, removing disputed fee funds from his trustee account, failure to communicate with client, delaying notification to insurance company of his termination, and charging unreasonable fee violate MRPC 1.15, 1.4, 1.16(a)(3) and (d), and 1.5(a); two-year probation and restitution ordered. *Gerhardt v. Harris*, 261 Kan. 1007, 934 P.2d 976 (1997); *In re Harris*, 261 Kan. 1063, 934 P.2d 965 (1997).

23. Attorney's failure to file negligence action in proper court and his disappearance from his law office without notice to clients violate MRPC 1.1, 1.3, 1.4, 1.5, 3.2, and 8.4 and Rule 207; disbarment. *In re Neal*, 262 Kan. 562, 937 P.2d 1234 (1997).

24. The graduated contingency fee rates to Workers Compensation Act do not interfere with court's inherent power to regulate practice of law or unconstitutionally violate separation of powers doctrine. *Injured Workers of Kansas v. Franklin*, 262 Kan. 840, 942 P.2d 591 (1997).

25. Attorney neglected to act for client after accepting retainer; violation of MRPC 1.5; indefinite suspension. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

26. Eight factors considered in determining reasonableness of attorney fees. *DeSpiegelaere v. Killion*, 24 Kan. App. 2d 542, 947 P.2d 1039 (1997).

27. Motion is filed per MRPC 1.5(d) requesting the court divide litigation expenses between litigants. *Gillespie v. Seymour*, 263 Kan. 650, 952 P.2d 1313 (1998).

28. Attorney violated MRPC 1.5(d) by his failure to utilize a written contingent fee arrangement and to advise his client of her right to have the arrangement and recovery reviewed by court for reasonableness; published censure. *In re Potter*, 263 Kan. 766, 952 P.2d 936 (1998).

29. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

30. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2). *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

31. Attorney's improper handling of trust account violates MRPC 1.5(b) and 1.15; 2-year suspension. *In re Barta*, 265 Kan. 762, 962 P.2d 532 (1998).

32. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

33. In a wrongful death action where plaintiffs' counsel was awarded fees out of recovery, MRPC 1.7, 1.5(d) and (f), and 1.8(g) were discussed. *Baugh v. Baugh*, 266 Kan. 871, 973 P.2d 202 (1999).

34. Attorney's settlement of malpractice claim with a former client without advising her that she should seek independent legal advice violates KRPC 1.8(h); violations of KRPC 1.5(b) and 8.4 (g) found not established by clear and convincing evidence; published censure. *In re Carson*, 268 Kan. 134, 991 P.2d 896 (1999).

35. Attorney's selfish motive in pursuing a slip and fall case when his client told him to dismiss the case violates KRPC 1.2(a), 1.3, 1.4, 1.5(c), 1.6, and 8.4(c); published censure per Rule 203(a)(3). *In re Friesen*, 268 Kan. 57, 991 P.2d 400 (1999).

36. Eight factors in Rule 1.5 are considered in deciding the reasonableness of an attorney fee. *Link, Inc. v. City of Hays*, 268 Kan. 372, 997 P.2d 697 (2000).

37. Attorney's mishandling divorce, traffic violation, and criminal matters violates KRPC 1.1, 1.3,

1.4, 1.5, 1.16, 5.3, and 8.4 and Rule 207; numerous mitigating and aggravating factors considered; two-year supervised probation. *In re Kellogg*, 269 Kan. 143, 4 P.3d 594 (2000).

38. Court disapproves a contingent fee under the facts precluded by statutory provisions. *Excel Corp. v. Jimenez*, 269 Kan. 291, 7 P.3d 1118 (2000).

39. Court affirms the district court's determination of attorney fees in accord with KRPC 1.5. *Davis v. Miller*, 269 Kan. 732, 7 P.3d 1123 (2000).

40. Attorney violated KRPC 1.5(d), 1.15, and 8.4(c) by his failure to provide written contingency fee contract; failure to provide complete accounting to client; and failure to reimburse witness for travel expense; published censure per Rule 203(a)(3). *In re Warner*, 270 Kan. 119, 11 P.3d 1160 (2000).

41. Attorney's mishandling of estate, trust, workers compensation claims, EEOC action, and bankruptcy matter, and improperly borrowing money from clients, as well as failing to be diligent in representing clients and communicating with clients in five separate disciplinary complaints violates KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.7(a) and (b), 1.8(b), and 8.4(g); indefinite suspension. *In re Coggs*, 270 Kan. 381, 14 P.3d 1123 (2000).

42. Attorney charging unreasonable fees in an employment matter violates KRPC 1.5 by clear and convincing evidence per Rule 211(f); restitution made; published censure per Rule 203(a)(3). *In re Arabia*, 270 Kan. 742, 19 P.3d 113 (2001).

43. Attorney previously disciplined three prior times now found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), and 3.1; Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for failure of attorney to develop his own probation plan; one-year suspension. *In re Zimmerman*, 270 Kan. 855, 19 P.3d 160 (2001).

44. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.5(a), 1.15(a), (b), and (c), 8.4(a), (c), and (g), Rule 207 and Rule 211 per Rule 202; disbarment per Rule 203(a)(1). *In re Cleland*, 271 Kan. 926, 27 P.3d 26 (2001).

45. KRPC 1.5(e) drafted to provide a client a method for review of a disputed fee contract with attorney; KRPC 1.5(e) has no application to a dispute arising out of an oral agreement between two clients of the same firm. *Gillespie v. Seymour*, 272 Kan. 1387, 39 P.3d 61 (2002).

46. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 5.4(a), 5.5(b), 7.3 and 8.4; two-year supervised probation. *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

47. Attorney's lack of diligence, failure to communicate with client, failure to advise client of the right to have fee reviewed, and failure to safekeep client's funds violated KRPC 1.3, 1.4(a), 1.5(d) and 1.15(a); two-year supervised probation. *In re Singleton*, 273 Kan. 171, 41 P.3d 836 (2002).

48. Attorney previously disciplined now found to have violated KRPC 1.5 by billing clients for time not spent on their case, 1.15 by failing to keep complete trust account records and not providing requested accountings, 8.4(c) for engaging in fraudulent conduct by miscalculating her bill for clients; indefinite suspension and Rules 218 and 219 compliance. *In re Kellogg*, 274 Kan. 281, 50 P.3d 57 (2002).

49. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15; hearing panel's findings of fact supported by clear and convincing evidence per Rule 211(b) and adopted as findings of the Court; published censure per Rule 203(a)(3). *In re Wiles*, 274 Kan. 1103, 58 P.3d 711 (2002).

50. District court abused its discretion in the amount of attorney fees awarded since there was no hearing or findings by the court; attorney fees award vacated and remanded to district court for further consideration. *Johnson v. Westhoff Sand Co.*, 31 Kan. App. 2d 259, 62 P.3d 685 (2003).

51. Appellant's request for attorney fees failed to comply with requirements of Rule 7.07(b); KRPC 1.5(a) cited to discuss factors used in assessing the reasonableness of a fee. *Ferguson v. Smith*, 31 Kan. App. 2d 311, 63 P.3d 1119 (2003).

52. Attorney's misconduct in handling estate fees violated KRPC 1.5(a), 1.16(d), and 1.15(b);

published censure per Rule 203(a)(3). *In re Angst*, 275 Kan. 388, 64 P.3d 350 (2003).

53. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

54. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan..65, 71 P.3d 1150 (2003).

55. Attorney previously disciplined and on probation violated KRPC 1.4 and 1.5; one-year suspension. *In re Francis*, 276 Kan. 898, 79 P.3d 1285 (2003).

56. Attorney previously disciplined six times violated KRPC 1.1, 1.3, 1.4, and 1.5 in three complaints involving competence, diligence and promptness, communication with his clients, and attorney fees; violated Rule 211(b) by failing to file timely answers to Disciplinary Administrator and hearing panel report; indefinite suspension. *In re Barta*, 277 Kan. 912, 89 P.3d 567 (2004).

57. Attorney's mishandling of two divorce cases violated KRPC 1.3 and KRPC 1.5; KRPC 1.16 violated as to one client complaint; hearing panel report deemed admitted per Rule 212(c) and (d); charges established by clear and convincing evidence per Rule 211(f); Rule 212(f) cited and applied; published censure per Rule 203(a)(3). *In re Daugherty*, 277 Kan. 257, 83 P.3d 789 (2004).

58. Attorney's supervised probation revoked following violations of KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4; failure to cooperate in investigation of complaints per Rule 207(b); failure to obtain liability insurance as condition of probation; indefinite suspension. *In re Nelson*, 277 Kan. 920, 92 P.3d 1146 (2004).

59. Supreme Court cited KRPC 1.5 in discussing the reasonableness of attorney fees awarded in testamentary trust case; appellate courts may fix counsel fees when in disagreement with view of trial judge. *In re Estate of Somers*, 277 Kan. 761, 89 P.3d 898 (2004).

60. Attorney previously disciplined violated his supervised probation; now found to have violated KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4, Rule 207, and Rule 211; indefinite suspension and Rule 218 compliance ordered. *In re Nelson*, 278 Kan. 506, 102 P.3d 1140 (2004).

61. District court's award of attorney fees to plaintiff's attorney held to be reasonable based on provisions set out in KRPC 1.5(a). *Ortiz v. Biscanin*, 34 Kan. App. 2d 445, 122 P.3d 365 (2004).

62. Attorney previously suspended for 1 year and admonished several years later violates KRPC 1.5, 1.15(b), 4.1, and 8.4(c); formal hearing per Rule 211 held; repeated violations of KRPC's noted; disbarment in accordance with Rule 203(a)(1). *In re Christian*, 281 Kan. 1203, 135 P.3d 1069 (2006).

63. Factors set forth in KRPC 1.5(a) considered in determining reasonableness of attorney fees; due to time and labor involved per KRPC 1.5(a)(1), plaintiffs' award of attorney fees affirmed. *Wenrich v. Employers Mut. Ins. Co.*, 35 Kan. App. 2d 582, 132 P.3d 970 (2006).

64. Attorney voluntarily surrenders license pursuant to Rule 217 following hearing panel's hearing per Rule 212 that respondent violated KRPC 1.3, 1.4, 1.5, 3.4, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Boaten*, 281 Kan. 390, 132 P.3d 870 (2006).

65. Factors in KRPC 1.5(a) will be considered in determining the reasonableness of attorney fees. *Johnson v. Westhoff Sand Co.*, 281 Kan. 930, 135 P.3d 1127 (2006).

66. Attorney's misconduct in multiple complaints violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 8.4(c), and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Lampson*, 282 Kan. 700, 147 P.3d 143

(2006).

67. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

68. Attorney violated numerous KRPC's including 1.5, 1.15, and 1.16 in several cases; Rule 211(b) violated by failing to file an answer to the formal complaint; misconduct established by clear and convincing evidence pursuant to Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); per Rule 212(f) Supreme Court may impose sanctions greater or lesser than the recommendations of hearing panel or Disciplinary Administrator; indefinite suspension pursuant to Rule 203(a)(2). *In re Waite*, 283 Kan. 270, 153 P.3d 517 (2007).

69. Attorney's misconduct violated KRPC 1.5, 3.1, and 8.4 in billing for unreasonable fees and misrepresenting claims when representing the State of Kansas in claims filed against the Workers Compensation Fund; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c) and (d) since Respondent failed to file exceptions; two-year suspension per Rule 203(a)(2). *In re Miller*, 282 Kan. 689, 147 P.3d 150 (2006).

70. Attorney's misconduct violated KRPC 1.1, 1.5(a), 5.5(a), and 8.4(d) for mishandling an estate and practicing law while suspended; published censure per Rule 203(a)(3). *In re Alig*, 285 Kan. 117, 169 P.3d 690 (2007).

71. Attorney, who was on probation, violated KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.3(d), and 8.4(d) in 21 cases; Rule 211(b) violated by failing to file a timely written answer to the complaint; Rule 212(d) violated by failing to appear before the court; disbarment per Rule 203(a)(1). *In re Rathbun*, 285 Kan. 137, 169 P.3d 329 (2007).

72. Motion filed asking the district court to resolve a dispute over attorney fees under KRPC 1.5; equitable distribution ordered. *Cooke v. Gillespie*, 285 Kan. 748, 176 P.3d 144 (2008).

73. In defendant's ineffective assistance of counsel claim, a suspension of the defendant's attorney six years later for misconduct involving KRPC 1.5, 1.15, 1.16, and Rule 211(b) does not itself constitute ineffective assistance. *Wilson v. State*, 40 Kan. App. 2d 170, 192 P.3d 1121 (2008).

74. KRPC 1.5(a) factors discussed in case involving award of attorney fees; no abuse of discretion in trial court's award of attorney fees. *State, ex rel., SRS v. Cleland*, 42 Kan. App. 2d 482, 213 P.3d 1091 (2009).

75. KRPC 1.5(g)'s requirement of reasonable attorney fees is discussed. *Shamberg, Johnson & Bergman, Chtd. v. Oliver*, 289 Kan. 891, 220 P.3d 333 (2009).

76 .The trial judge identified and considered six of the eight relevant factors to be considered in determining the reasonableness of an attorney fee per KPRC 1.5(a). *Mercy Regional Health Center v. Brinegar*, 43 Kan. App. 2d 156, 223 P.3d 311 (2010).

77. Attorney's misconduct violated KRPC 1.5(a), 3.3, and 8.4(c); findings of fact deemed admitted per Rule 212(d); findings supported by clear and convincing evidence per Rule 211(f); two-year suspension per Rule 203(a)(2). *In re Orrick*, 290 Kan. 727, 233 P.3d 257 (2010).

78. A district court must consider all of the KRPC 1.5(a) factors to determine the reasonableness of attorney fees. *Wittig v. Westar Energy, Inc.*, 44 Kan. App. 2d 216, 235 P.3d 535 (2010).

79. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan. 801, 234 P.3d 804 (2010).

80. District judges are experts on attorney fees and must use KRPC 1.5(a) as the methodology to assess the reasonableness for attorney fees, including such fees requested in a corporate advancement

proceeding. *Westar Energy, Inc. v. Wittig*, 44 Kan. App. 2d 182, 235 P.3d 515 (2010).

81. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d) and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan. 52, 237 P.3d 667 (2010).

82. Attorney's misconduct while on indefinite suspension violated KRPC 1.1, 1.3, 1.4, 8.4, and Rule 211; clear and convincing evidence per Rule 211)(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Bishop*, 291 Kan. 382, 240 P.3d 956 (2010).

83. Attorney previously disciplined three times found to have violated KRPC 1.4(a), 1.16(d), 5.5(a), 8.1(b), 8.4(c), Rule 207(b), Rule 211(b), and Rule 218(a); hearing panel's recommendation advisory only and court may impose different discipline per Rule 212(f); disbarment per Rule 203(a)(1). *In re Jones*, 291 Kan. 405, 243 P.3d 1101 (2010).

84. Attorney previously disciplined on a number of occasions found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

85. Attorney previously disciplined by 6-month suspension violates KRPC 1.2, 1.3, 1.4(a), 1.5(a), 1.15(b), 1.16(d). 8.1(b), Rule 207(b), and Rule 211; conditions set out for reinstatement under Rule 219(f); indefinite suspension per Rule 203(a)(2). *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

86. Attorney violated KRPC 1.3, 1.4, Rule 207(b), and Rule 211(b), stemming from respondent's handling of a postdivorce child support matter; clear and convincing evidence found per Rule 211(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Ivester*, 291 Kan. 744, 246 P.3d 987 (2011). 87. Attorney's misconduct violated KRPC 1.3, 1.4, 1.15, Rules 207, and 211 in four civil matters; proper service obtained per Rule 215; compliance with Rules 218 and 219 ordered; indefinite suspension per Rule 203(a)(2). *In re Luttrell*, 292 Kan. 51, 252 P.3d 111 (2011).

88. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

89. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116 including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; 1-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011).

90. Respondent's misconduct violated multiple KRPC's, including KRPC 1.3, 1.5, 1.15(a) and (d), 3.2, 8.4(c) and (g); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment pursuant to Rule 203(a)(1). *In re Holmes*, 293 Kan. 478, 264 P.3d 423 (2011).

91. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b), 8.4(c), and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

92. District court reviewed the eight factors set forth in KRPC 1.5(a) and did not abuse its discretion in the amount it awarded to class action counsel for attorney fees. *Freebird, Inc. v. Cimarex Energy Co.*, 46 Kan. App. 2d 631, 264 P.3d 500 (2011).

93. The adoption by the KCC of the eight factors found in KRPC 1.5(a) as a method for the determination of the reasonableness of attorney fee requests as a part of the KCC's determination of rate case expenses is approved. *Citizens' Utility Ratepayer Bd. v. Kansas Corporation Comm'n*, 47 Kan. App. 2d 1112, 284 P.3d 348 (2012).

94. Court cites KRPC 1.5 in discussing reasonableness of an attorney fee since there is not an inherent tie between the reasonableness of the sales price for real estate and an attorney's services related to the sale. *Stewart Title of the Midwest v. Reece & Nichols Realtors*, 294 Kan. 553, 276 P.3d 188 (2012).

95. Attorney violated KRPC 1.5(f)(2) by making a contingency fee arrangement in a criminal case. *State v. Cheatham*, 296 Kan. 417, 292 P.3d 318 (2013).

96. Attorney violated KRPC 1.5, 1.15, and 8.4 by misrepresenting hours worked and converting client funds to pay personal taxes; disbarment per Rule 203(a)(1). *In re Davis*, 296 Kan. 531, 303 P.3d 250 (2013).

97. No clear and convincing evidence was present to establish attorney charged unreasonable fees in violation of KRPC 1.5. *In re Small*, 296 Kan. 759, 294 P.3d 1165 (2013).

98. Attorney's misconduct violated KRPC 1.5(f)(1), 1.7, 1.8(k), 1.15(a), (b), and (d)(2)(iii), 3.3(a)(1), and 8.4(b); disbarment per Rule 203(a)(1). *In re Alberg*, 296 Kan. 795, 294 P.3d 1192 (2013).

99. KRPC 1.5(a) cited to discuss factors used in assessing the reasonableness of a fee. *Snider v. American Family Mut. Ins. Co.*, 297 Kan. 157, 298 P.3d 1120 (2013).

100. District Court had authority to clarify its orders regarding attorney fees during ongoing proceedings; appellate court upheld district court's conclusion that attorney fees were reasonable under the eight factors of KRPC 1.5. *In re Marriage of Bergmann & Sokol*, 49 Kan.App.2d 45, 305 P.3d 664 (2013).

101. Appellate court remanded case to district court, instructing it to review reasonableness of attorney fees under eight factors listed in KRPC 1.5(a). *Davis v. Winning Streak Sports, LLC*, 48 Kan. App. 2d 677, 301 P.3d 709 (2013).

102. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.16(d), and 8.4(d); 2-year suspension, with imposition suspended under terms of probation plan. *In re Dellett*, 299 Kan. 69, 324 P.3d 1033 (2014).

103. Attorney misconduct violated KRPC 1.1, 1.5, 1.7(a)(2), 1.16(a)(1), and 8.4(d) and (g) and Rule 211(b); disbarment. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

104. Party seeking appellate attorney fees under Rule 7.07(b)(2)(C) must file affidavit specifying KRPC 1.5(a) factors for reasonableness of fees. *In re Estate of Strader*, 301 Kan. 50, 339 P.3d 769 (2014).

105. District court award of attorney fees appropriately applied KRPC 1.5(a) factors; KRPC 1.5(a) factors also used to assess appellate attorney fees. *In re F.*, 51 Kan. App. 2d 126, 341 P.3d 1290 (2015).

106. Attorney voluntarily surrendered license under Rule 217 after complaint alleged violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4. *In re Brooks*, 301 Kan. 451, 345 P.3d 258 (2015).

107. In determining reasonableness of attorney fees, court should take into account criteria outlined in KRPC 1.5(a). *Consolver v. Hotze*, 51 Kan. App. 2d 286, 346 P.3d 1094 (2015).

108. Attorney misconduct violated KRPC 1.5(a) and (b), 1.7(a)(2), 1.8(a), 1.15(a), and 8.4(c) and (g); disbarment. *In re Rankin*, 302 Kan. 181, 351 P.3d 1274 (2015).

KRPC 1.6 Client-Lawyer Relationship: Confidentiality of Information

Case Annotations

1. Acquiring information protected by MRPC 1.6 and 1.9(b) prerequisite to 1.10(b) disqualification; irrebuttable presumption created by ABA Code of Professional Responsibility contrasted to specific requirements and findings mandated by Model Rules of Professional Conduct. *Lansing-Delaware Water District v. Oak Lane Park, Inc.*, 248 Kan. 563, 808 P.2d 1369 (1991).

2. Circumstances when disclosure of confidential information is permitted discussed. *Lansing-Delaware Water District v. Oak Lane Park, Inc.*, 248 Kan. 563, 808 P.2d 1369 (1991).

3. On appeal in suit for payment of legal services, trial court order to produce documents is upheld,

finding no attorney-client privilege existed as to fee matter; MRPC 1.7(b)(1), (2). *Wallace, Saunders, Austin, Brown & Enochs, Chtd. v. Louisburg Grain Co.,* 16 Kan. App. 2d 30, 37-38, 818 P.2d 805 (1991). On review, the Supreme Court modifies order to produce and orders in camera trial court inspection to limit discovery of documents to those related only to the case at bar, citing Kansas comment to MRPC 1.6. *Wallace, Saunders, Austin, Brown & Enochs, Chtd. v. Louisburg Grain Co.,* 250 Kan. 54, 62-63, 824 P.2d 933 (1991).

4. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

5. General counsel who reported suspected violations to an outside agency without first consulting with the head of the organization found in violation of MRPC 1.2, 1.4, 1.6(a), 1.13(b) and 1.16. *Crandon v. State*, 257 Kan. 727, 897 P.2d 92 (1995).

6. Rule mentioned in a discussion of conflict of interest in an attorney disqualification case. *Associated Wholesale Grocers, Inc. v. Americold Corp*., 266 Kan. 1047, 975 P.2d 231 (1999).

7. Rule mentioned in the discussion of propriety of attorney's cross-examination of a former client. *Calver v. Hinson*, 267 Kan. 369, 982 P.2d 970 (1999).

8. Case remanded to examine in camera the materials submitted by plaintiff for the purpose of determining whether substantial relationship exists between present case and the matter in which defense attorney's associate represented plaintiff. *Monroe v. City of Topeka*, 267 Kan. 440, 988 P.2d 228 (1999).

9. Attorney's selfish motive in pursuing a slip and fall case when his client told him to dismiss the case violates KRPC 1.2(a), 1.3, 1.4, 1.5(c), 1.6, and 8.4(c); published censure per Rule 203(a)(3). *In re Friesen*, 268 Kan. 57, 991 P.2d 400 (1999).

10. Attorney violated KRPC 1.6(a) (confidentiality of information) by revealing information about his client; KRPC 1.7(b) (conflict of interest) by representing a client which materially limited his representation of another client; KRPC 1.16(d) (terminating representation) by failing to protect his client's interests by disclosing confidential information in six instances; KRPC 8.4(a) (misconduct) by offering to disclose negative information about his former client; misconduct established by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Bryan*, 275 Kan. 202, 61 P.3d 641 (2003).

11. Defendant's allegation of his court-appointed attorney violating KRPC 1.6 regarding confidentiality of information not found by district court; court did not abuse its discretion in denying defendant's request for new counsel. *State v. Richardson*, 40 Kan. App. 2d 602, 193 P.3d 599 (2008).

12. Attorney's misconduct violated KRPC 1.6 and 1.13; per Rule 211(f) misconduct established by clear and convincing evidence; hearing panel's final report deemed admitted under Rule 212(c); ninety-day suspension per Rule 203(a)(2). *In re Harding*, 290 Kan. 81, 223 P.3d 303 (2010).

13. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan. 801, 234 P.3d 804 (2010).

14. Rule cited in discussing confidentiality of information in real estate case: duty of attorney to maintain his client's confidences vs. broker's duty of disclosure under the Brokerage Relationships in Real Estate Transaction Act. *Stewart Title of the Midwest v. Reece & Nichols Realtors*, 294 Kan. 553, 276 P.3d 188 (2012).

15. Judge advocate who revealed confidential information and transmitted classified documents regarding individual detainees at Guantanamo Bay violated KRPC 1.6(a), 1.13, and 8.4(b); disbarment per Rule 203(a)(1). *In re Diaz*, 295 Kan. 1071, 288 P.3d 486 (2012).

16. Attorney's letter to former client's new counsel was unnecessary but did not violate KRPC 1.6. *In re Small*, 296 Kan. 759, 294 P.3d 1165 (2013).

17. Attorney misconduct violated KRPC 1.7(a), 3.1, 3.3(d), 4.4(a), 8.4(d), and 8.4(e); 2-year suspension. *In re Holste*, 302 Kan. 880, 358 P.3d 850 (2015).

18. Conflict of interest found where former client testified as witness against current client; client's oral statement alone insufficient to waive conflict of interest; KRPC 1.7 cited. *State v. Jackson*, 52 Kan. App. 2d 125, 363 P.3d 408 (2015).

19. Attorney misconduct violated KRPC 1.7(a)(2), 1.8(a), 1.8(e), 1.9(a), 1.15(d), and 8.4(d); 1-year suspension. *In re Odo*, 304 Kan. 844, 375 P.3d 320 (2016).

KRPC 1.7 Conflict of Interest: Current Clients

Case Annotations

1. Comment to Rule cited in habeas corpus proceeding to review trial court's disqualification, on conflict of interest grounds, of public defender whose office had represented prosecution witness; disqualification and mistrial upheld; writ denied; see also Rules 1.9, 1.10. *In re Habeas Corpus Petition of Hoang*, 245 Kan. 560, 566, 781 P.2d 731 (1989).

2. On appeal in suit for payment of legal services, trial court order to produce documents is upheld, finding no attorney-client privilege existed as to fee matter; MRPC 1.7(b)(1), (2). *Wallace, Saunders, Austin, Brown & Enochs, Chtd. v. Louisburg Grain Co.*, 16 Kan. App. 2d 30, 37-38, 818 P.2d 805 (1991). On review, the Supreme Court modifies order to produce and orders in camera trial court inspection to limit discovery of documents to those related only to the case at bar, citing Kansas comment to MRPC 1.6. *Wallace, Saunders, Austin, Brown & Enochs, Chtd. v. Louisburg Grain Co.*, 250 Kan. 54, 62-63, 824 P.2d 933 (1991).

3. Attorney's borrowing a total of $117,000 in five unsecured interest-free loans, with no certain due date, from mother who had retained attorney to represent her son in pending criminal matter violative of DR 5-104(a), DR 7-101(A)(3), DR 1-102(A)(1) and (6), MRPC 1.7, MRPC 1.8(a), MRPC 1.15(d)(2)(iii) and (iv), MRPC 8.4(a) and (g), and Rule 704 oath; other violations; indefinite suspension and Rule 218 compliance ordered. *In re Norwood*, 252 Kan. 711, 847 P.2d 1314 (1993).

4. Attorney's borrowing $15,000 from client violates MRPC 1.7, MRPC 1.8(a), MRPC 1.15(d)(2)(iii) and (iv), MRPC 8.4(a) and (g), and Rule 704 oath; other violations; indefinite suspension and Rule 218 compliance ordered. *In re Norwood*, 252 Kan. 711, 847 P.2d 1314 (1993).

5. Scrivener of will revision who also represented 2 beneficiaries in unrelated action against other beneficiaries held to have no conflict under MRPC 1.7(a) or (b). *In re Estate of Koch*, 18 Kan. App. 2d 188, 210-28, 849 P.2d 977 (1993).

6. Canon 9 "appearance of impropriety" standard is general statement; MRPC 1.7 deals with specific issue at bar. *In re Estate of Koch*, 18 Kan. App. 2d 188, 216, 849 P.2d 977 (1993).

7. Client may waive conflict of interest Rules 1.7 and 1.9 and consent to attorney's representation despite anticipated adverse testimony. *LeaseAmerica Corp. v. Stewart*, 19 Kan. App. 2d 740, 876 P.2d 184 (1994).

8. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

9. Subordinate attorneys are not relieved of their responsibility for a violation of the rules of professional conduct simply because they acted at the direction of their supervisor, if they know beforehand that their conduct will be a violation of MRPC 1.7 and 1.16. *McCurdy v. Kansas Dept. of Transportation*, 21 Kan. App. 2d 262, 898 P.2d 650 (1995).

10. Conflict of interest under MRPC 1.7 discussed in regard to criminal defendant's constitutional right to effective assistance of counsel. *State v. Wallace*, 258 Kan. 639, 908 P.2d 1267 (1995).

11. County attorney found to have had conflict of interest in representing client investigated for neglect of her children, engaged in undignified or discourteous conduct degrading to tribunal, and engaged in conduct adversely reflecting o his fitness to practice law; two-year probation; participation in ethics programs and personal apology to judge in open court ordered. *In re Kraushaar*, 258 Kan. 772, 907 P.2d 836 (1995).

12. Attorney's mishandling of client's assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure. *In re Brantley*, 260 Kan. 605, 920 P.2d 433 (1996).

13. Attorney's mishandling of matters involving (1) individualized education program for autistic child in public school, (2) personal injury, probate, and insurance claim arising from fatal car accident, and (3) probate matter involving estate of conservatee violates MRPC 1.1, 1.2, 1.3, 1.4, 1.7, 1.16, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dow*, 261 Kan. 989, 933 P.2d 666 (1997).

14. Attorney's mishandling of civil rights case violates MRPC 1.2, 1.3, 1.4, 1.7, 1.15, 5.3, and 8.4; two-year supervised probation. *In re Baxter*, 262 Kan. 555, 940 P.2d 37 (1997).

15. In a civil litigation, burden of proof of conflict of interest under MRPC 1.7(a) disqualification motion is discussed; requirements of proof to disqualify under MRPC 1.7(a), 1.9(b), and 1.10(a) and (b) motions are discussed. *Barragree v. Tri-County Electric Co-op, Inc*., 263 Kan. 446, 950 P.2d 1351 (1997).

16. Rule mentioned in attorney fee dispute between litigants. *Gillespie v. Seymour*, 263 Kan. 650, 952 P.2d 1313 (1998).

17. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

18. In a wrongful death action where plaintiffs' counsel was awarded fees out of recovery, MRPC 1.7, 1.5(d) and (f), and 1.8(g) were discussed. *Baugh v. Baugh*, 266 Kan. 871, 973 P.2d 202 (1999).

19. County prosecutor's office treated as "lawyer's firm" used in KRPC 3.7(b); KRPC 1.7 and 1.9 do not prohibit an attorney in county attorney's office from prosecuting a case in which another attorney of that office is a material witness; no violation of KRPC 3.8 found; comment to KRPC 1.10 mentioned. *State v. Dimaplas*, 267 Kan. 65, 978 P.2d 891 (1999).

20. Attorney's conflict of interest in handling mortgage foreclosure cases violates KRPC 1.7 and 1.8; panel's findings supported by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Geeding*, 270 Kan. 139, 12 P.3d 369 (2000).

21. Attorney's mishandling of estate, trust, workers compensation claims, EEOC action, and bankruptcy matter, and improperly borrowing money from clients, as well as failing to be diligent in representing clients and communicating with clients in five separate disciplinary complaints violates KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.7(a) and (b), 1.8(b), and 8.4(g); indefinite suspension. *In re Coggs*, 270 Kan. 381, 14 P.3d 1123 (2000).

22. In adoption case, attorney may represent both adoptive parents and birth parents subject to certain conditions including consent from both parties, full disclosure to both parties, and informing both parties of the legal consequences of adoption. *In re Adoption of Baby Girl T*, 28 Kan. App. 2d 712, 21 P.3d 581 (2001).

23. In a civil action, the burden of proof of conflict of interest under KRPC 1.7 disqualification motion is discussed; requirements of proof to disqualify are discussed; held trial court did not err in refusing to disqualify law firm. *Quality Developers, Inc. v. Thorman*, 29 Kan. App. 2d 702, 31 P.3d 296 (2001).

24. KRPC 1.7 cited contending conflict of interest of law firm representing two clients. *Gillespie v. Seymour*, 272 Kan. 1387, 39 P.3d 61 (2002).

25. Trial court correctly held a party has no standing to raise conflict of interest issue with another party's attorney since KRPC 1.7 only applies to party's own attorney. *National Bank of Andover, N.A. v. Aero Standard Tooling, Inc.*, 30 Kan. App. 2d 784, 49 P.3d 547 (2002).

26. Attorney violated KRPC 1.6(a) (confidentiality of information) by revealing information about his client; KRPC 1.7(b) (conflict of interest) by representing a client which materially limited his representation of another client; KRPC 1.16(d) (terminating representation) by failing to protect his client's interests by disclosing confidential information in six instances; KRPC 8.4(a) (misconduct) by offering to disclose negative information about his former client; misconduct established by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Bryan*, 275 Kan. 202, 61 P.3d 641 (2003).

27. Attorney's supervised probation revoked following violations of KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4; failure to cooperate in investigation of complaints per Rule 207(b); failure to obtain liability insurance as condition of probation; indefinite suspension. *In re Nelson*, 277 Kan. 920, 92 P.3d 1146 (2004).

28. Attorney's supervised probation revoked following violations of KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4; failure to cooperate in investigation of complaints per Rule 207(b); failure to obtain liability insurance as condition of probation; indefinite suspension. *In re Nelson*, 277 Kan. 920, 92 P.3d 1146 (2004).

29. KRPC 1.7 Comment cited in discussion of possible conflict of interest in lawyer's present representation and representation of a former client. *State v. Carver*, 32 Kan. App. 2d 1070, 95 P.3d 1104 (2004).

30. Attorney previously disciplined twice before violated KRPC 1.1, 1.7, 1.8, 3.4, 5.5, and 8.4; failure to file answer to formal complaint violated Rule 211(b); disbarment and Rule 218 compliance ordered. *In re Stover*, 278 Kan. 835, 104 P.3d 394 (2005).

31. Attorney previously disciplined violated his supervised probation; now found to have violated KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4, Rule 207 and Rule 211; indefinite suspension and Rule 218 compliance ordered. *In re Nelson*, 278 Kan. 506, 102 P.3d 1140 (2004).

32. Attorney voluntarily surrendered his license per Rule 217 while complaint pending alleging violations of KRPC 1.7, 1.8, 1.15, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Weller*, 280 Kan. 14, 118 P.3d 1237 (2005).

33. Attorney's misconduct in three cases violates KRPC 1.3, 1.7, 4.2, and 8.4; compliance with Rules 218 and 219 ordered; 1-year suspension ordered per Rule 203(a)(2). *In re Pattison*, 280 Kan. 349, 121 P.3d 42 (2005).

34. KRPC 1.7(b) discussed and applied; defendant's allegation of conflict of interest by his attorney not found by court. *State v. McGee*, 280 Kan. 890, 126 P.3d 1110 (2006).

35. Attorney violated KRPC 1.7(a) by accepting fees and representing opposing parties and 8.4(b) and (d) by committing criminal acts and obstructing justice; published censure in accordance with Rule 203(a)(3). *In re Antosh*, 285 Kan. 124, 169 P.3d 1091 (2007).

36. Attorney's misconduct out of state violates KRPC 1.1, 1.7(b), and 8.4(d); respondent's conviction in District of Columbia deemed a conviction in Kansas under Rule 202; findings of fact deemed admitted under Rule 212(d) since respondent failed to file exceptions to the panel's report; indefinite suspension and compliance with Rules 218 and 219 ordered. *In re Evans*, 285 Kan. 147, 169 P.3d 1083 (2007).

37. Attorney's misconduct in a dispute with a client and his own criminal conduct violated KRPC 1.7, 1.8, and 8.4(a), (b), and (d); indefinite suspension in accordance with Rule 203(a)(2). *In re Davidson*, 285 Kan. 798, 175 P.3d 855 (2008).

38. Attorney voluntarily surrendered license pursuant to Rule 217 with three cases pending before the Supreme Court alleging multiple violations of KRPC 1.2(d), 1.4(a), 1.7, 1.8(b), 1.15(a), 8.4(b) and (g), and Rule 207(b); disbarment. *In re Cowger*, 286 Kan. 52, 182 P.3d 1204 (2008).

39. Defendant filed to establish that any conflict of interest under KRPC 1.7 or KRPC 1.10 that attorney may have had as a result of concurrently representing the victims in civil matters substantially affected the criminal prosecution so as to impair defendant's right to a fair trial. *State v. Pabst*, 287 Kan. 1, 192 P.3d 630 (2008).

40. Attorney's misconduct in representing a client in two car accidents violated KRPC 1.3, 1.4(a), 1.7, and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and shall not prevent Supreme Court from imposing a different discipline per Rule212(f); one-year suspension per Rule 203(a)(2). *In re Kieler*, 290 Kan. 397, 227 P.3d 961 (2010).

41. KRPC 1.7 and KRPC 1.9 cited in discussion of possible conflict of interest in lawyer's representation of client; decision of district court disqualifying lawyer is reversed and remanded. *Venters v. Sellers*, 293 Kan. 87, 261 P.3d 538 (2011).

42. Court cites KRPC 1.7(a)(2), in discussing attorney's personal benefit that irreconcilably clashed with that of his client. *Stewart Title of the Midwest v. Reece & Nichols Realtors*, 294 Kan. 553, 276 P.3d 188 (2012).

43. Attorney's misconduct violated KRPC 1.7(a)(2), 5.5(a), Rule 208(c), and KPRC 8.4(c), relating to his conflict of interest representation of an arson suspect and her husband; Rules 218 and 219 compliance ordered; one-year suspension. *In re Johnson*, 294 Kan. 575, 276 P.3d 213 (2012).

44. Attorney's unlawful acceptance of prescription medication from client and conviction for unlawful possession of hydrocodone violated KRPC 1.7 and 8.4(b); 40-month suspension per Rule 203(a)(2). *In re Meek*, 295 Kan. 1160, 289 P.3d 95 (2012).

45. KRPC 1.7 and 1.9 cited in holding attorney had conflict of interest in representing a criminal defendant where same attorney also represented victim, as victim's guardian ad litem. *State v. Galaviz*, 296 Kan. 168, 291 P.3d 62 (2012).

46. Attorney's misconduct violated KRPC 1.2, 1.7, 4.1, and 8.4; 2-year suspension per Rule 203(a)(2). *In re Galloway*, 296 Kan. 406, 293 P.3d 696 (2013).

47. Attorney's misconduct violated KRPC 1.5(f)(1), 1.7, 1.8(k), 1.15(a), (b), and (d)(2)(iii), 3.3(a)(1), and 8.4(b); disbarment per Rule 203(a)(1). *In re Alberg*, 296 Kan. 795, 294 P.3d 1192 (2013).

48. District court abused discretion in relying on KRPC 1.16(c) to deny attorney's motion to withdraw; KRPC not designed to provide law for criminal proceedings; KRPC 1.7, Comment 6, discussing conflict of interest cited. *State v. Stovall*, 298 Kan. 362, 312 P.3d 1271 (2013).

49. District court inquiry into conflict of interest did not require applying KRPC 1.7(b)(4), 1.9(a), and 1.11(a). *State v. Bowen*, 299 Kan. 339, 323 P.3d 853 (2014).

50. Alleged violations of KRPC 8.4 may constitute grounds for finding conflict of interest or deficient performance; remanded for hearing on consequences of alleged conflict of interest in violation of KRPC 1.7. *Sola-Morales v. State*, 300 Kan. 875, 335 P.3d 1162 (2014).

51. Attorney violated KRPC 1.7 in criminal case where flat-fee agreement, client's inability to pay, and attorney's need to devote his time to fee-generating matters created conflict of interest. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

52. Attorney misconduct violated KRPC 1.1, 1.5, 1.7(a)(2), 1.16(a)(1), and 8.4(d) and (g) and Rule 211(b); disbarment. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

53. Attorney misconduct violated KRPC 1.7, 1.8, and 8.4(c) and (d); indefinite suspension. *In re Jarvis*, 301 Kan. 881, 349 P.3d 445 (2015).

54. Attorney misconduct violated KRPC 1.5(a) and (b), 1.7(a)(2), 1.8(a), 1.15(a), and 8.4(c) and (g); disbarment. *In re Rankin*, 302 Kan. 181, 351 P.3d 1274 (2015).

KRPC 1.8 Conflict of Interest: Current Clients: Specific Rules

Case Annotations

1. Attorney's borrowing a total of $117,000 in five unsecured interest-free loans, with no certain due date, from mother who had retained attorney to represent her son in pending criminal matter violative of DR 5-104(a), DR 7-101(A)(3), DR 1-102(A)(1) and (6), MRPC 1.7, MRPC 1.8(a), MRPC 1.15(d)(2)(iii) and (iv), MRPC 8.4(a) and (g), and Rule 704 oath; other violations; indefinite suspension and Rule 218 compliance ordered. *In re Norwood*, 252 Kan. 711, 847 P.2d 1314 (1993).

2. Attorney's borrowing $15,000 from client violates MRPC 1.7, MRPC 1.8(a), MRPC 1.15(d)(2)(iii) and (iv), MRPC 8.4(a) and (g), and Rule 704 oath; other violations; indefinite suspension and Rule 218 compliance ordered. *In re Norwood*, 252 Kan. 711, 847 P.2d 1314 (1993).

3. MRPC 1.8(g) cited in trust dispute in issue regarding representation of multiple clients with conflicting interests. *Giblin v. Giblin*, 253 Kan. 240, 854 P.2d 816 (1993).

4. Loans to attorneys from clients must be in writing and clients must be advised to seek independent advice with regard to same, pursuant to MRPC 1.8(a); indefinite suspension and compliance with Rule 218 ordered. *In re Jancich*, 255 Kan. 787, 877 P.2d 417 (1994).

5. Attorney's transfer of assets as bank trust officer from a trust to another without consent of a bank violates MRPC 1.8 and 8.4; his representation of two sons whose position was directly opposite of his former client, their mother, violates MRPC 1.9; published censure. *In re Whalen*, 256 Kan. 944, 888 P.2d 395 (1995).

6. Attorney's failure to diligently handle workers compensation case violates MRPC 1.1, 1.3, and 1.4; and his entering into agreement on payment with client without advising him to seek independent legal advice violates MRPC 1.8; two-year supervised probation. *In re Durr*, 263 Kan. 525, 949 P.2d 1130 (1997).

7. Attorney's misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and (b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

8. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

9. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2). *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

10. Attorney's failure to file an annual report, to draft the shareholder agreement, and to promptly file a suit for his client corporation violates MRPC 1.1, 1.3, and 1.8(a); he also violated MRPC 8.4(a), (c), and (d) when he made a false statement to the deputy disciplinary administrator; published censure per Rule 203(a)(3). *In re Zimmerman*, 266 Kan. 115, 965 P.2d 823 (1998).

11. In a wrongful death action where plaintiffs' counsel was awarded fees out of recovery, MRPC 1.7, 1.5(d) and (f), and 1.8(g) were discussed. *Baugh v. Baugh*, 266 Kan. 871, 973 P.2d 202 (1999).

12. Attorney's settlement of malpractice claim with a former client without advising her that she should seek independent legal advice violates KRPC 1.8(h); violations of KRPC 1.5(b) and 8.4 (g) found not established by clear and convincing evidence; published censure. *In re Carson*, 268 Kan. 134, 991 P.2d 896 (1999).

13. Attorney indefinitely suspended for numerous ethical violations in Missouri and convicted of

filing a false federal income tax return; temporary suspension per Rule 203(c)(5) effective at the time of suspension in Kansas; violations found in KRPC 1.2, 1.3, 1.4, 1.8, 1.15, 3.2, 5.1 and 8.4; indefinite suspension. *In re Shaver*, 269 Kan. 171, 4 P.3d 581 (2000).

14. Attorney's conflict of interest in handling mortgage foreclosure cases violates KRPC 1.7 and 1.8; panel's findings supported by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Geeding*, 270 Kan. 139, 12 P.3d 369 (2000).

15. Attorney's mishandling of estate, trust, workers compensation claims, EEOC action, and bankruptcy matter, and improperly borrowing money from clients, as well as failing to be diligent in representing clients and communicating with clients in five separate disciplinary complaints violates KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.7(a) and (b), 1.8(b), and 8.4(g); indefinite suspension. *In re Coggs*, 270 Kan. 381, 14 P.3d 1123 (2000).

16. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

17. Attorney previously disciplined twice before violated KRPC 1.1, 1.7, 1.8, 3.4, 5.5, and 8.4; failure to file answer to formal complaint violated Rule 211(b); disbarment and Rule 218 compliance ordered. *In re Stover*, 278 Kan. 835, 104 P.3d 394 (2005).

18. Attorney voluntarily surrendered his license per Rule 217 while complaint pending alleging violations of KRPC 1.7, 1.8, 1.15, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Weller*, 280 Kan. 14, 118 P.3d 1237 (2005).

19. Attorney's misconduct in a dispute with a client and his own criminal conduct violated KRPC 1.7, 1.8, and 8.4(a), (b), and (d); indefinite suspension in accordance with Rule 203(a)(2). *In re Davidson*, 285 Kan. 798, 175 P.3d 855 (2008).

20. Attorney voluntarily surrendered license pursuant to Rule 217 with three cases pending before the Supreme Court alleging multiple violations of KRPC 1.2(d), 1.4(a), 1.7, 1.8(b), 1.15(a), 8.4(b) and (g), and Rule 207(b); disbarment. *In re Cowger*, 286 Kan. 52, 182 P.3d 1204 (2008).

21. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

22. Attorney's misconduct violated KRPC 1.8(a) and 8.4(g); misconduct established by clear and convincing evidence per Rule 211 (f); hearing panel's report deemed admitted per Rule 212(c); one-year suspension per Rule 203(a)(2). *In re Weichman*, 290 Kan. 70, 222 P.3d 485 (2010).

23. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan. 801, 234 P.3d 804 (2010).

24. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d) and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan. 52, 237 P.3d 667 (2010).

25. Supreme Court cites KRPC 1.8(f): A lawyer shall not accept compensation for representing a client from one other than the client. *Stewart Title of the Midwest v. Reece & Nichols Realtors*, 294 Kan.

553, 276 P.3d 188 (2012).

26. Attorney's misconduct violated KRPC 1.5(f)(1), 1.7, 1.8(k), 1.15(a), (b), and (d)(2)(iii), 3.3(a)(1), and 8.4(b); disbarment per Rule 203(a)(1). *In re Alberg*, 296 Kan. 795, 294 P.3d 1192 (2013).

27. Attorney misconduct violated KRPC 1.3, 1.4, 1.8(e), 3.2, and 8.1 and Rule 207; 6-month suspension, stayed during 2 years' probation. *In re Delaney*, 300 Kan. 1090, 338 P.3d 11 (2014).

28. Attorney misconduct violated KRPC 1.7, 1.8, and 8.4(c) and (d); indefinite suspension. *In re Jarvis*, 301 Kan. 881, 349 P.3d 445 (2015).

29. Attorney misconduct violated KRPC 1.5(a) and (b), 1.7(a)(2), 1.8(a), 1.15(a), and 8.4(c) and (g); disbarment. *In re Rankin*, 302 Kan. 181, 351 P.3d 1274 (2015).

30. Attorney misconduct violated KRPC 1.8(a), 1.8(e), 1.15(a), 1.15(d), and 8.4(c); indefinite suspension stayed, minimum of 2 years' probation imposed. *In re Mandelbaum*, 304 Kan. 67, 373 P.3d 710 (2016).

31. Attorney misconduct violated KRPC 1.4(a), 1.8(h)(1), 1.15(a), 1.16(d), 2.1, and 8.3(a) and Rule 207(c); published censure. *In re Haitbrink*, 304 Kan. 531, 375 P.3d 296 (2016).

32. Attorney misconduct violated KRPC 1.7(a)(2), 1.8(a), 1.8(e), 1.9(a), 1.15(d), and 8.4(d); 1-year suspension. *In re Odo*, 304 Kan. 844, 375 P.3d 320 (2016).

KRPC 1.9 Duties to Former Clients

Case Annotations

1. Rule applied in habeas corpus proceeding to review trial court's disqualification, on conflict of interest grounds, of public defender whose office had represented prosecution witness; disqualification and mistrial upheld; writ denied; see also Rules 1.7 and 1.10. *In re Habeas Corpus Petition of Hoang*, 245 Kan. 560, 566, 781 P.2d 731 (1989).

2. Disqualification of attorney based on a conflict of interest owing to previous representation of opposing client; "substantially related matter" same test as in Rule 225, Canon 4. *Geisler by Geisler v. Wyeth Laboratories*, 716 F. Supp. 520, 524 (D. Kan. 1989).

3. Acquiring information protected by MRPC 1.6 and 1.9(b) prerequisite to 1.10(b) disqualification; irrebuttable presumption created by ABA Code of Professional Responsibility contrasted to specific requirements and findings mandated by Model Rules of Professional Conduct. *Lansing-Delaware Water District v. Oak Lane Park, Inc.*, 248 Kan. 563, 808 P.2d 1369 (1991).

4. Application of MRPC 1.9 to circumstances occasioned by attorney's changing law firms is discussed; Rule 1.10(b) disqualification affirmed. *Lansing-Delaware Water District v. Oak Lane Park, Inc.*, 248 Kan. 563, 808 P.2d 1369 (1991).

5. Attorney disqualified pursuant to MRPC 1.9(a) from representing estate of decedent who was major shareholder of corporation for which attorney drafted stock repurchase agreement in the event of stockholder disability, retirement, or death; attorney's involvement made him material witness, requiring disqualification under MRPC 3.7(a) and DR 5-102; right to appeal attorney disqualification rests with client, not attorney. *Miller v. Insurance Management Assocs., Inc.*, 249 Kan. 102, 815 P.2d 89 (1991).

6. On appeal of DUI conviction, hearing required to determine whether prosecutor acquired confidential or privileged information in defendant's initial consultation with prosecutor who had originally been appointed to represent defendant. *City of Hutchinson v. Gilmore*, 16 Kan. App. 2d 646, 827 P.2d 784 (1992).

7. Client may waive conflict of interest Rules 1.7 and 1.9 and consent to attorney's representation

despite anticipated adverse testimony. *LeaseAmerica Corp. v. Stewart*, 19 Kan. App. 2d 740, 876 P.2d 184 (1994).

8. Attorney's transfer of assets as bank trust officer from a trust to another without consent of a bank violates MRPC 1.8 and 8.4; his representation of two sons whose position was directly opposite of his former client, their mother, violates MRPC 1.9; published censure. *In re Whalen*, 256 Kan. 944, 888 P.2d 395 (1995).

9. Disqualification of attorney under MRPC 1.9(a) discussed; burden of proof; irrebuttable presumption; no hearing should be held. *Chrispens v. Coastal Refining & Mktg, Inc.*, 257 Kan. 745, 897 P.2d 104 (1995).

10. When disqualification is sought under both 1.9(a) and 1.10(b), evidentiary hearing is required; no irrebuttable presumption exists; specific factual findings required. *Chrispens v. Coastal Refining & Mktg, Inc.*, 257 Kan. 745, 897 P.2d 104 (1995).

11. Attorney's mishandling of client's assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure. *In re Brantley*, 260 Kan. 605, 920 P.2d 433 (1996).

12. Attorney's failure to act with reasonable diligence and promptness in an eviction case, commingling of clients' funds with his own, and failure to cooperate with disciplinary administrator's office violate MRPC 1.4, 1.5, 1.9, 1.15, 1.16, 8.1 and 8.4 and Rule 207; one-year suspension. *In re Howlett*, 261 Kan. 167, 928 P.2d 52 (1996).

13. In a civil litigation, burden of proof of conflict of interest under MRPC 1.7(a) disqualification motion is discussed; requirements of proof to disqualify under MRPC 1.7(a), 1.9(b), and 1.10(a) and (b) motions are discussed. *Barragree v. Tri-County Electric Co-op, Inc*., 263 Kan. 446, 950 P.2d 1351 (1997).

14. No implied attorney-client relationship found; no violations of MRPC 1.9 or 1.10. *Associated Wholesale Grocers, Inc. v. Americold Corp*., 266 Kan. 1047, 975 P.2d 231 (1999).

15. County prosecutor's office treated as "lawyer's firm" used in KRPC 3.7(b); KRPC 1.7 and 1.9 do not prohibit an attorney in county attorney's office from prosecuting a case in which another attorney of that office is a material witness; no violation of KRPC 3.8 found; comment to KRPC 1.10 mentioned. *State v. Dimaplas*, 267 Kan. 65, 978 P.2d 891 (1999).

16. Case remanded to examine in camera the materials submitted by plaintiff for the purpose of determining whether substantial relationship exists between present case and the matter in which defense attorney's associate represented plaintiff. *Monroe v. City of Topeka*, 267 Kan. 440, 988 P.2d 228 (1999).

17. Court assumes there is no evidence in the record to support that part of the case that is not properly keyed to the record per Rule 6.02(d). *State v. Drach*, 268 Kan. 636, 1 P.3d 864 (2000).

18. No attorney-client relationship found; no violations of KRPC 1.9 or 1.10. *State ex rel. Stovall v. Meneley*, 271 Kan. 355, 22 P.3d 124 (2001).

19. KRPC 1.9 and the Comment discussed in determining if a conflict of interest existed between lawyer's present representation and representation of a former client. *State v. Carver*, 32 Kan. App. 2d 1070, 95 P.3d 104 (2004).

20. District court's finding of a conflict of interest per KRPC 1.9 involving a former client is not a final decision for purposes of an appeal pursuant to K.S.A. 60-2102(a)(4). *Flores Rentals v. Flores*, 283 Kan. 476, 153 P.3d 523 (2007).

21. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan. 801, 234 P.3d 804 (2010).

22. KRPC 1.7 and KRPC 1.9 cited in discussion of possible conflict of interest in lawyer's representation of client; decision of district court disqualifying lawyer is reversed and remanded. *Venters*

v. Sellers, 293 Kan. 87, 261 P.3d 538 (2011).

23. KRPC 1.7 and 1.9 cited in holding attorney had conflict of interest in representing a criminal defendant where same attorney also represented victim, as victim's guardian ad litem. *State v. Galaviz*, 296 Kan. 168, 291 P.3d 62 (2012).

24. District court inquiry into conflict of interest did not require applying KRPC 1.7(b)(4), 1.9(a), and 1.11(a). *State v. Bowen*, 299 Kan. 339, 323 P.3d 853 (2014).

25. Attorney misconduct violated KRPC 1.7(a)(2), 1.8(a), 1.8(e), 1.9(a), 1.15(d), and 8.4(d); 1-year suspension. *In re Odo*, 304 Kan. 844, 375 P.3d 320 (2016).

KRPC 1.10 Imputation of Conflicts of Interest: General Rule

Case Annotations

1. Public defender's office is legal services organization; hence, is "firm" and subject to conflict of interest rules. *In re Habeas Corpus Petition of Hoang*, 245 Kan. 560, 566, 781 P.2d 731 (1989).

2. Rule 1.10(a) is per se rule of imputed disqualification, regardless of whether client confidences shared intra-firm; "Chinese Wall" exception. *Geisler by Geisler v. Wyeth Laboratories*, 716 F. Supp. 520, 524 (D. Kan. 1989).

3. Attorney who had been a director and shareholder in defense firm, and whose wife was legal assistant in same firm and assigned to case at bar, left firm and 15 months later joined plaintiff's firm; trial court granted defense motion to disqualify plaintiff's counsel, denied continuance; MRPC 1.10(b), (d) and Confidentiality Comment construed to mandate hearing to determine whether attorney acquired material and confidential information during former employment; Rule 225 presumption noted; "Chinese Wall" screening per MRPC 1.11 inappropriate. *Parker v. Volkswagenwerk Aktiengesellschaft*, 245 Kan. 580, 585, 781 P.2d 1099 (1989).

4. Sections (a), (b), and (c) of rule apply different analyses to different situations, following *Parker v. Volkswagenwerk Aktiengesellschaft*, 245 Kan. 580, 781 P.2d 1099 (1989). Section (b) requires specific factual findings of actual knowledge of material and confidential information. *Graham v. Wyeth Laboratories*, 906 F.2d 1419 (10th Cir. 1990).

5. Evidentiary hearing required to determine motion to disqualify under MRPC 1.10(b); specific findings required for disqualification. *Lansing-Delaware Water District v. Oak Lane Park, Inc.*, 248 Kan. 563, 808 P.2d 1369 (1991).

6. Acquiring information protected by MRPC 1.6 and 1.9(b) prerequisite to 1.10(b) disqualification; irrebuttable presumption created by ABA Code of Professional Responsibility contrasted to specific requirements and findings mandated by Model Rules of Professional Conduct. *Lansing-Delaware Water District v. Oak Lane Park, Inc.*, 248 Kan. 563, 808 P.2d 1369 (1991).

7. Use of screening devices or "Chinese Wall" to prevent knowledge of incoming attorney from tainting other firm members not provided for in ABA Model Rules or model rules as adopted in Kansas; Supreme Court rejects use of screening devices. *Lansing-Delaware Water District v. Oak Lane Park, Inc.*, 248 Kan. 563, 808 P.2d 1369 (1991).

8. On appeal of DUI conviction, hearing required to determine whether prosecutor acquired confidential or privileged information in defendant's initial consultation with prosecutor who had originally been appointed to represent defendant. *City of Hutchinson v. Gilmore*, 16 Kan. App. 2d 646, 827 P.2d 784 (1992).

9. "Appearance of impropriety" standard rejected in favor of "function approach" in determining attorney disqualification issues. *In re Estate of Koch*, 18 Kan. App. 2d 188, 212-13, 849 P.2d 977 (1993).

10. Disqualification of attorney under MRPC 1.9(a) discussed; burden of proof; irrebuttable

presumption; no hearing should be held. *Chrispens v. Coastal Refining & Mktg, Inc.*, 257 Kan. 745, 897 P.2d 104 (1995).

11. When disqualification is sought under both 1.9(a) and 1.10(b), evidentiary hearing is required; no irrebuttable presumption exists; specific factual findings required. *Chrispens v. Coastal Refining & Mktg, Inc.*, 257 Kan. 745, 897 P.2d 104 (1995).

12. In a civil litigation, burden of proof of conflict of interest under MRPC 1.7(a) disqualification motion is discussed; requirements of proof to disqualify under MRPC 1.7(a), 1.9(b), and 1.10(a) and (b) motions are discussed. *Barragree v. Tri-County Electric Co-op, Inc*., 263 Kan. 446, 950 P.2d 1351 (1997).

13. No implied attorney-client relationship found; no violations of MRPC 1.9 or 1.10. *Associated Wholesale Grocers, Inc. v. Americold Corp*., 266 Kan. 1047, 975 P.2d 231 (1999).

14. County prosecutor's office treated as "lawyer's firm" used in KRPC 3.7(b); KRPC 1.7 and 1.9 do not prohibit an attorney in county attorney's office from prosecuting a case in which another attorney of that office is a material witness; no violation of KRPC 3.8 found; comment to KRPC 1.10 mentioned. *State v. Dimaplas*, 267 Kan. 65, 978 P.2d 891 (1999).

15. Case remanded to examine in camera the materials submitted by plaintiff for the purpose of determining whether substantial relationship exists between present case and the matter in which defense attorney's associate represented plaintiff. *Monroe v. City of Topeka*, 267 Kan. 440, 988 P.2d 228 (1999).

16. Disqualification of law firm employing nonattorney under KRPC 1.10 and 5.3 granted; KRPC rejects use of screening devices and Supreme Court makes no exception for nonlawyers. Imputed disqualification when nonlawyer employee having privileged information accepts employment with law firm with materially adverse interests. *Zimmerman v. Mahaska Bottling Co.*, 270 Kan. 810, 19 P.3d 784 (2001).

17. No attorney-client relationship found; no violations of KRPC 1.9 or 1.10. *State ex rel. Stovall v. Meneley*, 271 Kan. 355, 22 P.3d 124 (2001).

18. The determination of the existence of a conflict of interest requiring disqualification of an attorney is governed by an abuse of discretion standard; no abuse of discretion found by trial court in this case. *State v. Sweat*, 30 Kan. App. 2d 756, 48 P.3d 8 (2002).

19. Defendant failed to establish any conflict of interest under KRPC 1.7 or KRPC 1.10 that attorney may have had as a result of concurrently representing the victims in civil matters substantially affected the criminal prosecution so as to impair the defendant's right to a fair trial. *Pabst v. State*, 287 Kan. 1, 192 P.3d 630 (2008).

20. No substantial competent evidence before the district court supported extension of imputed disqualification under KRPC 1.10 to an attorney merely alleged to be cocounsel to plaintiff's attorney; whether two or more lawyers constitute a firm within this definition can depend on the specific facts; see Comment [1]. *Venters v. Sellers*, 293 Kan. 87, 261 P.3d 538 (2011).

KRPC 1.11 Successive Government and Private Employment

Case Annotations

1. Attorney who had been a director and shareholder in defense firm, and whose wife was legal assistant in same firm and assigned to case at bar, left firm and 15 months later joined plaintiff's firm; trial court granted defense motion to disqualify plaintiff's counsel, denied continuance; MRPC 1.10(b), (d) and Confidentiality Comment construed to mandate hearing to determine whether attorney acquired material and confidential information during former employment; Rule 225 presumption noted; "Chinese Wall" screening per MRPC 1.11 inappropriate. *Parker v. Volkswagenwerk Aktiengesellschaft*, 245 Kan. 580, 585, 781 P.2d 1099 (1989).

2. Attorney, serving as part-time hearing officer for Kansas Department of Revenue, dismissed eight cases of persons who had employed him as attorney in their DUI cases; violation of MRPC 1.11 and 8.4(c) and (d); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Gribble*, 261 Kan. 985, 933 P.2d 672 (1997).

3. District court inquiry into conflict of interest did not require applying KRPC 1.7(b)(4), 1.9(a), and 1.11(a). *State v. Bowen*, 299 Kan. 339, 323 P.3d 853 (2014).

KRPC 1.12 Former Judge, Arbitrator, Mediator or other Third-Party Neutral

Case Annotations

1. Under KRPC 1.12(a), a lawyer shall not represent anyone in connection with a matter in which the lawyer participated personally and substantially as a judge or any other adjudicative officer or law clerk to such a person as an arbitrator, mediator, or other third-party neutral, unless all parties to the proceedings give informed consent confirmed in writing. *Boldridge v. State*, 289 Kan. 618, 215 P.3d 585 (2009).

KRPC 1.13 Organization as Client

Case Annotations

1. General counsel who reported suspected violations to an outside agency without first consulting with the head of the organization found in violation of MRPC 1.2, 1.4, 1.6(a), 1.13(b) and 1.16. *Crandon v. State*, 257 Kan. 727, 897 P.2d 92 (1995).

2. Attorney's misconduct violated KRPC 1.6 and 1.13; per Rule 211(f) misconduct established by clear and convincing evidence; hearing panel's final report deemed admitted under Rule 212(c); ninety-day suspension per Rule 203(a)(2). *In re Harding*, 290 Kan. 81, 223 P.3d 303 (2010).

3. Judge advocate who revealed confidential information and transmitted classified documents regarding individual detainees at Guantanamo Bay violated KRPC 1.6(a), 1.13, and 8.4(b); disbarment per Rule 203(a)(1). *In re Diaz*, 295 Kan. 1071, 288 P.3d 486 (2012).

KRPC 1.14 Client with Diminished Capacity

Case Annotations

1. Attorney's mishandling of client's assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure. *In re Brantley*, 260 Kan. 605, 920 P.2d 433 (1996).

2. Attorney's violation of his fiduciary duties to his ward as guardian and conservator of an incapacitated person violate KRPC 1.14 and 8.4(c), (d), and (g); indefinite suspension. *In re Leising*, 269 Kan. 162, 4 P.3d 586 (2000).

3. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 5.4(a), 5.5(b), 7.3 and 8.4; two-year supervised probation. *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

KRPC 1.15 Safekeeping Property

Case Annotations

1. Attorney's failure to represent clients in three separate cases after acceptance of retainer fees and failure to cooperate with disciplinary investigation found to violate DR 1-102, 6-101, 7-101, and 9-102; MRPC 1.1, 1.3, 1.4, 1.15 and 8.4; and Rule 207. Rule 203 disbarment. *In re Morphett,* 246 Kan. 499, 790 P.2d 402 (1990).

2. Attorney retained to probate estate failed to do so, failed to record transfer of mineral interest deed resulting in levy and execution thereon, and failed to cooperate in resulting disciplinary investigation. Violations of DR 9-102(B) and MRPC 1.15; DR 1-102(A), 6-101(A)(3), 7-101(A), and 9-102(B)(1), (3), (4) and MRPC 1.3, 1.4(a), 1.15, and 8.4(c); and Rule 207. Indefinite suspension with readmission without petition upon successful completion of one-year suspension; specific conditions. *In re Ehrlich,* 248 Kan. 92, 804 P.2d 958 (1991).

3. Attorney's mishandling of collection matter and failure to cooperate with resulting investigation violate Rule 207, DR 1-102(A)(6), 6-101(A)(3), 7-101(A)(2), and 9-102(B)(1), (3), and (4); after March 1, 1988, the same behavior violates MRPC 1.3, 1.4, 1.15(d)(2)(i), (iii), and (iv), and 8.4(g); 2-year suspension recommended; many mitigating factors; 2-year supervised probation. *In re Evans,* 248 Kan. 176, 804 P.2d 344 (1991).

4. Attorney retained by collection agency to collect on student loan in default failed to forward payments made; subsequent IRS setoff; violations of DR 1-102(A)(3), 9-102(B)(1), (3), and (4), and 7-101(A)(2); also MRPC (c) and 1.15(d)(2)(i), (iii), and (iv). Two-year conditional probation and restitution. *In re Stephens,* 248 Kan. 186, 804 P.2d 1005 (1991).

5. Attorney currently on supervised probation found to have violated Rule 207 and MRPC 1.3, 1.4, 1.15(d)(2)(iii), (iv), and 8.4(g) in handling employment termination case; suspension recommended; supervised probation continued for additional one year. *In re Linn,* 248 Kan. 189, 804 P.2d 350 (1991).

6. Attorney who agreed to provide representation, accepted retainer, but failed to perform services in 5 situations violated MRPC 1.3, 1.4, 1.15, and 8.4(a) and (d); disability inactive status, restored to active status, temporary suspension pending resolution; reinstated upon 2-year conditional supervised probation. *In re Keil,* 248 Kan. 629, 809 P.2d 531 (1991).

7. Attorney's check kiting operation with her personal bank accounts and attorney trust account violates MRPC 1.15 and 8.4; 1-year conditional probation, supervised. *In re Heaven,* 249 Kan. 224, 813 P.2d 928 (1991).

8. Attorney's mishandling of estate case, misrepresentation to client and representatives from disciplinary administrator regarding status of case, failure to withdraw as counsel and failure to cooperate with subsequent counsel, and mismanagement of estate funds violative of MRPC 1.1; 1.2; 1.3; 3.2; 1.15(b); 1.16(a)(3)(d); 8.4(g); and Rule 207(a) and (b); other violations; indefinite suspension and Rule 218 compliance ordered. *In re Stapleton,* 250 Kan. 247, 824 P.2d 205 (1992).

9. Attorney's failure to maintain estate funds in trust account, misrepresentations at disciplinary hearings as to the balance in the account, and failure to respond to inquiries from the disciplinary administrator regarding the account violative of MRPC 1.15(a), (d); 8.4(c), (d); and Rule 207. Indefinite suspension and Rule 218 compliance ordered. *In re Stapleton,* 250 Kan. 247, 824 P.2d 205 (1992).

10. Attorney's failure to forward checks received from insurance companies to client's health care providers violated MRPC 1.3, 1.4(a) and (b), and 1.15(b); other violations; indefinite suspension suspended and probated. *In re Jenkins,* 251 Kan. 264, 833 P.2d 1013 (1992).

11. Attorney's mishandling of client's funds, conversion of conservatorship funds, failure to inform client, drug possession conviction, and retention of legal fees without representing client violate MRPC 1.4(a) and (b), 1.15, and 8.4(a), (b), (c), (d), and (g); attorney appears pursuant to Rule 212(d); mitigating factors;

indefinite suspension and Rule 218 compliance. *In re Morris*, 251 Kan. 592, 834 P.2d 382 (1992).

12. Attorney's recordkeeping of time spent and case preparation violated MRPC 1.15(d)(2)(iii) and (iv); public censure. *In re Seck*, 251 Kan. 829, 840 P.2d 516 (1992).

13. Attorney's failure to file divorce papers after accepting retainer and failure to return client's money violates MRPC 1.3, 1.4, 1.15; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer*, 251 Kan. 838, 840 P.2d 522 (1992).

14. Attorney's borrowing a total of $117,000 in five unsecured interest-free loans, with no certain due date, from mother who had retained attorney to represent her son in pending criminal matter violative of DR 5-104(a), DR 7-101(A)(3), DR 1-102(A)(1) and (6), MRPC 1.7, MRPC 1.8(a), MRPC 1.15(d)(2)(iii) and (iv), MRPC 8.4(a) and (g), and Rule 704 oath; other violations; indefinite suspension and Rule 218 compliance ordered. *In re Norwood*, 252 Kan. 711, 847 P.2d 1314 (1993).

15. Attorney's borrowing $15,000 from client violates MRPC 1.7, MRPC 1.8(a), MRPC 1.15(d)(2)(iii) and (iv), MRPC 8.4(a) and (g), and Rule 704 oath; other violations; indefinite suspension and Rule 218 compliance ordered. *In re Norwood*, 252 Kan. 711, 847 P.2d 1314 (1993).

16. Attorney's mishandling of his mother's estate violative of MRPC 1.1, 1.3, and 1.15; public censure. *In re Scott*, 253 Kan. 192, 853 P.2d 60 (1993).

17. Attorney's failure to file probate petition, inform client of status of case, return unearned retainer, and communicate with client violative of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 3.2; other violations; one-year suspension and Rule 218 compliance ordered. *In re King*, 253 Kan. 444, 855 P.2d 963 (1993).

18. Attorney's mishandling of employment discrimination class action and failure to inform clients as to status of case violative of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.1, and 3.2; other violations; Rule 203(a)(2) one-year suspension, Rule 203(a)(5) restitution, and Rule 218 compliance ordered. *In re King*, 253 Kan. 444, 855 P.2d 963 (1993).

19. Attorney previously censured placed on indefinite suspension for violations of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 8.4 for neglect of two different client's cases; two other complaints found to be based on insufficient evidence although pattern of conduct cited and violations of Rule 207 established; Rule 218 compliance ordered. *In re Jackson*, 253 Kan. 810, 861 P.2d 124 (1993).

20. Commingling client funds and personal funds in trust account, using trust account funds for personal expenses, and allowing trust account balance to fall below amount due clients violative of MRPC 1.15(a), (b), and (d)(2)(iv), and MRPC 8.4(g); Rule 207 violation; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson*, 254 Kan. 406, 867 P.2d 278 (1994).

21. Attorney not required to place minimum fee in trust account; charge under MRPC 1.15 dismissed; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson*, 254 Kan. 406, 867 P.2d 278 (1994).

22. Attorney's failure to remit client's portion in a collection matter, failure to keep client informed, misrepresentations to client as to status of collection efforts, and causing balance on trust account to repeatedly fall below amount due client violative of MRPC 1.3, 1.4(a), 1.5(d), 1.15(a), 4.1(a), and 8.4(c); aggravating and mitigating circumstances; one-year supervised probation with conditions. *In re Wisler*, 254 Kan. 600, 866 P.2d 1049 (1994).

23. Attorney's misappropriation of funds from trust accounts violative of Canons 1 and 9 and MRPC 1.15 and 8.4; indefinite suspension and Rule 218 compliance ordered. *In re Lunt*, 255 Kan. 529, 874 P.2d 1198 (1994).

24. Attorney's repeated refusal to provide court-ordered accountings of a conservatorship of which she is the named conservator, refusal to reveal the names of the financial institution where the conservatorship funds are deposited, and refusal to answer questions concerning the topic or invoke the Fifth Amendment at district court hearings and before the disciplinary hearing panel violate MRPC 1.15, 3.4, and

8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

25. Attorney's failure to file incorporation papers and retention of retainer paid to handle such matter violate MRPC 1.3, 1.4, 1.15, 1.16, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

26. Attorney's mishandling of will and estate matter, failure to communicate with client, failure to timely handle the matter, misleading the court as to the status of the probate case, and failure to return the client's file and retainer when requested violate MRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

27. Attorney's failure to timely file bankruptcy petition for clients, misrepresentations to clients as to status of case, and mishandling of bankruptcy case violate MRPC 1.1, 1.3, 1.4, 1.15, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

28. Violations of MRPC 1.15 and 8.1 and Rule 207 found based on attorney's receiving money from client, not placing it in trust account, and making false statements to disciplinary investigators; other violations charged; indefinite suspension and compliance with Rule 218 ordered. *In re Jancich*, 255 Kan. 787, 877 P.2d 417 (1994).

29. Attorney found to have violated MRPC 1.1, 1.3, 1.4, 1.15, 3.2, 3.4(c), 4.3, and 8.4(d) and (g) based on conduct in seven different complaints reflecting on attorney's lack of diligence and competence, miscommunication and lack of candor, and failure to return unearned fees; failure to cooperate in disciplinary investigation; attorney currently on disability inactive status; indefinite suspension and Rule 218 compliance ordered. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

30. Attorney's failure to communicate with clients and poor record keeping of trust account violate MRPC 1.1, 1.3, 1.4 and 1.15; 2-year supervised probation ordered. *In re Waite*, 256 Kan. 130, 883 P.2d 1176 (1994).

31. Attorney found to have violated MRPC 1.15 and 8.4 in dealing with settlement of client's case while on supervised probation for other violations; three-year supervised probation. *In re Jackson*, 256 Kan. 492, 885 P.2d 1259 (1994).

32. Attorney's mishandling collection of bad checks violate MRPC 1.3, 1.4, 1.15(b) and 1.16(d); published censure. *In re England*, 257 Kan. 312, 894 P.2d 177 (1995).

33. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

34. Attorney found in violation of MRPC 1.15(a), (b), (c) and (d), 8.4(d) and Rule 207; two-year probation. *In re Johnson*, 257 Kan. 946, 895 P.2d 1256 (1995).

35. Attorney's failure to remit personal injury protection lien to his client's insurance company, failure to keep client informed, misrepresentation to client, and creating conflict of interest violated MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.7, 4.1, and 8.4; aggravating circumstances; indefinite suspension. *In re Seck*, 258 Kan. 530, 905 P.2d 122 (1995).

36. Attorney disciplined in Texas for failure to communicate with clients, neglect of client's cases, failure to cooperate in investigation, and conversion of client's funds; Texas findings and conclusions adopted per Rule 202; indefinite suspension. *In re Callahan*, 258 Kan. 770, 907 P.2d 840 (1995).

37. Attorney formerly suspended indefinitely found to have violated MRPC 1.15 for failure to perform his legal duties and maintain communication with client in regard to safekeeping of client's property; indefinite suspension concurrent with his present indefinite suspension. Application to tangible personal property discussed. *In re Jenkins*, 258 Kan. 779, 907 P.2d 825 (1995).

38. Attorney's mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

39. Attorney's mishandling of client funds, failure to supervise nonlawyer assistants, and other

misconduct violate MRPC 1.3, 1.5, 1.15, 5.3, and 8.4; mitigating circumstances; published censure. *In re Krogh*, 259 Kan. 163, 910 P.2d 221 (1996).

40. Attorney's handling of insurance drafts violates MRPC 1.15(b) and Rule 207; published censure. *In re McIntosh*, 259 Kan. 532, 912 P.2d 182 (1995).

41. Attorney's improper accounting and failure to safeguard clients' funds violate MRPC 1.15 and 8.4, and Rule 207; indefinite suspension. *In re Munyon*, 259 Kan. 889, 914 P.2d 574 (1996).

42. Attorney's breach of fiduciary duty as executor of estate, conduct involving dishonesty and fraud, and failure to cooperate with Disciplinary Administrator's office violate MRPC 1.3, 1.15, 8.4(c) and (d) and Rules 202 and 207; disbarment. *In re Williamson*, 260 Kan. 568, 918 P.2d 1302 (1996).

43. Attorney's handling of civil action and post-divorce proceeding and his attempt to represent a criminal defendant while attorney was in inpatient drug treatment program violate MRPC 1.3, 1.4, 1.5(b), 1.15(a) and (b), 1.16(a), 3.3(a), 4.1, and 8.4(a), (b), (d), and (g); three-year supervised probation. *In re Phillips*, 260 Kan. 909, 925 P.2d 435 (1996).

44. Attorney's failure to act with reasonable diligence and promptness in an eviction case, commingling of clients' funds with his own, and failure to cooperate with disciplinary administrator's office violate MRPC 1.4, 1.5, 1.9, 1.15, 1.16, 8.1 and 8.4 and Rule 207; one-year suspension. *In re Howlett*, 261 Kan. 167, 928 P.2d 52 (1996).

45. Attorney's mishandling of personal injury case, removing disputed fee funds from his trustee account, failure to communicate with client, delaying notification to insurance company of his termination, and charging unreasonable fee violate MRPC 1.15, 1.4, 1.16(a)(3) and (d), and 1.5(a); two-year probation and restitution ordered. *Gerhardt v. Harris*, 261 Kan. 1007, 934 P.2d 976 (1997); *In re Harris*, 261 Kan. 1063, 934 P.2d 965 (1997).

46. Attorney's mishandling of civil rights case violates MRPC 1.2, 1.3, 1.4, 1.7, 1.15, 5.3, and 8.4; two-year supervised probation. *In re Baxter*, 262 Kan. 555, 940 P.2d 37 (1997).

47. Attorney's failure to keep fees separate from his personal account and to return promptly unused portions violated MRPC 1.15; indefinite suspension. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

48. Attorney's failure to provide documents from his files at the reasonable request of his clients or their new counsel violates MRPC 1.15; two-year supervised probation. *In re Stephens*, 263 Kan. 221, 946 P.2d 1379 (1997).

49. Attorney's mishandling of lease of house rental for a client violates MRPC 1.15 and 8.4; indefinite suspension. *In re Seck*, 263 Kan. 482, 949 P.2d 1122 (1997).

50. Attorney admitted violations of MRPC 1.3, 1.4, and 1.15; two-year suspension per Rule 203(a)(2). *In re Hamilton*, 263 Kan. 528, 949 P.2d 1139 (1997).

51. Attorney's misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and (b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

52. Attorney violated MRPC 1.15(d) when he lost documents entrusted to him by client; three-year supervised probation. *In re Betts*, 263 Kan. 801, 953 P.2d 223 (1998).

53. Attorney's failure to return retainer to his client violates MRPC 1.15; published censure. *In re Taylor*, 265 Kan. 246, 959 P.2d 901 (1998).

54. Attorney charged with crimes of battery, disorderly conduct, and failure to stop at traffic control device and entered diversion agreement; also found to have obtained duplicative reimbursement for his travel expenses to attend seminar; violations of MRPC 1.15 and 8.4 found; published censure per Rule 203(a)(3). *In re Sutton*, 265 Kan. 251, 959 P.2d 904 (1998).

55. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive

and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2). *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

56. Attorney's improper handling of trust account violates MRPC 1.5(b) and 1.15; 2-year suspension. *In re Barta*, 265 Kan. 762, 962 P.2d 532 (1998).

57. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

58. Attorney's mishandling of a Chapter 7 bankruptcy case violates MRPC 1.1, 1.3, 1.15(a) and (c), and 8.4(b); his failure to cooperate in the disciplinary process violates Rule 207; one-year suspension. *In re Metz*, 266 Kan. 118, 965 P.2d 821 (1998).

59. Attorney's failure to safekeep his clients' property and to promptly respond to the orders of the court in bankruptcy proceedings violates MRPC 1.3, 1.15, 3.4(c), and 8.4(b), (c), and (d), and Rules 207, 208, 211(b), and 802; panel recommended discipline per Rule 203(a)(1), (2), (3), or (5); indefinite suspension. *In re Fey*, 266 Kan. 674, 972 P.2d 771 (1999).

60. Attorney's failure to appear in court on numerous occasions and his abandonment of his law practice without making any arrangements to protect his clients violate KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 8.1, and 8.4 and Rules 207 and 208(c); disbarment. *In re Ortega*, 267 Kan. 228, 978 P.2d 914 (1999).

61. Attorney's mishandling of bankruptcy case violates KRPC 1.1, 1.3, 1.4, 1.15, and 8.4; supervised probation. *In re Christians*, 267 Kan. 240, 978 P.2d 910 (1999).

62. Attorney's mishandling of personal injury case, past due taxes case, and bankruptcy case violates KRPC 1.3, 1.4, 1.15, 3.2, 8.1, and 8.4; he was arrested for DUI, possession of cocaine, possession of drug paraphernalia, battery on a law enforcement officer, battery on his former girlfriend, and other charges; failure to notify and cooperate with the disciplinary administrator in violation of Rules 203(c) and 207, defense under Rule 223 raised; indefinite suspension. *In re Parker*, 267 Kan. 779, 985 P.2d 124 (1999).

63. Attorney surrenders license per Rule 217 while violation of KRPC 1.15 is shown; disbarment. *In re Arnold*, 268 Kan. 77, 985 P.2d 843 (1999).

64. Attorney's mishandling of civil actions involving four clients violates KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.3, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

65. Attorney's mishandling of divorce and child custody cases violates KRPC 1.3, 1.4, and 1.15; two-year supervised probation. *In re Bailey*, 268 Kan. 63, 986 P.2d 1077 (1999).

66. Attorney's convictions of conspiracy to commit mail fraud, mail fraud, and misappropriation of funds by a fiduciary violate KRPC 1.15 and 8.4 per Rule 202; hearing panel determination and recommendation to the Supreme Court requested per Rule 211(f); disbarment. *In re Richardson*, 268 Kan. 831, 1 P.3d 328 (2000).

67. Attorney's mishandling of a bankruptcy matter violates KRPC 1.1, 1.3, 1.4(a), 1.15(a), and 8.4(d), and Rule 207; panel's findings supported by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Trickey*, 268 Kan. 835, 999 P.2d 964 (2000).

68. Attorney indefinitely suspended for numerous ethical violations in Missouri and convicted of filing a false federal income tax return; temporary suspension per Rule 203(c)(5) effective at the time of suspension in Kansas; violations found in KRPC 1.2, 1.3, 1.4, 1.8, 1.15, 3.2, 5.1, and 8.4; indefinite suspension. *In re Shaver*, 269 Kan. 171, 4 P.3d 581 (2000).

69. Attorney's mishandling of a client fund violates KRPC 1.15 and 8.4; two-year suspension per Rule 203(a)(2). *In re Lucas*, 269 Kan. 785, 7 P.3d 1186 (2000).

70. Attorney's mishandling of a paternity action violates KRPC 1.1, 1.15(d), 1.16(d), and 8.4(g) and Rule 207 by clear and convincing evidence per Rule 211(f); attorney's failure to appear in person before the

court in violation of Rule 212; restitution ordered per Rule 227; one-year suspension. *In re Shumway*, 269 Kan. 796, 8 P.3d 735 (2000).

71. Attorney's mishandling of a personal injury, criminal appeal, parole, medical malpractice, juvenile offender, and civil action violates KRPC 1.1, 1.3, 1.4(a), 1.15, and 3.2, and Rule 207; two-year probation per Rule 203(a)(2); immunity granted for supervising attorney per Rule 223. *In re Sachse*, 269 Kan. 810, 8 P.3d 745 (2000).

72. Attorney's improper accounting and failure to safeguard clients' funds violate KRPC 1.15 and 8.4(c), (d), and (g); 1-year suspension. *In re Lund*, 270 Kan. 865, 19 P.3d 110 (2001).

73. Attorney violated KRPC 1.5(d), 1.15, and 8.4(c) by his failure to provide written contingency fee contract; failure to provide complete accounting to client; and failure to reimburse witness for travel expense; published censure per Rule 203(a)(3). *In re Warner*, 270 Kan. 119, 11 P.3d 1160 (2000).

74. Attorney's lack of diligence and failure to communicate with client, failure to maintain trust account for safekeeping client's property, and failure to return unearned fees when requested to do so by the client violates KRPC 1.3, 1.4, and 1.15; published censure per Rule 203(a)(3). *In re Johanning*, 271 Kan. 638, 23 P.3d 895 (2001).

75. Attorney's mishandling of numerous cases violates KRPC 1.3, 1.4, 1.15(b), 1.16(a) and (d), 3.2, 8.1(b) and Rule 207; hearing panel's report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2) and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

76. Attorney's mishandling of client funds, failure to act with reasonable diligence in another case, and commingling client's funds with his own violates KRPC 1.3, 1.4, 1.15(a) and (b); 8.4(a), (b), (c) and (g); disbarment. *In re Farrell*, 271 Kan. 291, 21 P.3d 552 (2001).

77. Attorney's lack of diligence, failure to communicate with client, failure to safekeep property and failure to protect client's interests when terminating representation violates KRPC 1.3, 1.4, 1.15, and 1.16: 1-year and 1-day suspension in State of Colorado; indefinite suspension in Kansas. *In re Rishel*, 271 Kan. 644, 23 P.3d 820 (2001).

78. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.5(a), 1.15(a), (b), and (c), 8.4(a), (c), and (g), Rule 207 and Rule 211 per Rule 202; disbarment per Rule 203(a)(1). *In re Cleland*, 271 Kan. 926, 27 P.3d 26 (2001).

79. Attorney's misconduct in six different complaints as well as mishandling of his trust account result in one-year suspension per Rule 203; if reinstatement sought, requirements of Rule 219 apply. *In re Craig*, 272 Kan. 299, 32 P.3d 1174 (2001).

80. Attorney's conviction for fraud and deceptive commercial practice violated KRPC 1.15, 4.1, and 8.4(b), (c), (d), and (g); 2-year suspension per Rule 203 and Rule 218 compliance. *In re Rausch*, 272 Kan. 308, 32 P.3d 1181 (2001).

81. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 7.3, and 8.4; supervising attorney afforded full immunities per Rule 223; two-year supervised probation. *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

82. Attorney's lack of diligence and failure to communicate with client, failure to safekeep property and deliver funds promptly violates KRPC 1.3, 1.4(a), 1.15(a) and (b); published censure per Rule 203(a)(3). *In re Wall*, 272 Kan..1298, 38 P.3d 640 (2002).

83. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.4(g); hearing panel's report deemed admitted under Rule 212(d); two-year suspension per Rule 203(a)(2); Rules 218 and 219 compliance ordered with conditions. *In re Moore*, 273 Kan. 154, 41 P.3d 831 (2002).

84. Attorney's lack of diligence, failure to communicate with client, failure to advise client of the right to have fee reviewed, and failure to safekeep client's funds violated KRPC 1.3, 1.4(a), 1.5(d) and 1.15(a); two-year supervised probation. *In re Singleton*, 273 Kan. 171, 41 P.3d 836 (2002).

85. Attorney previously disciplined now found to have violated KRPC 1.5 by billing clients for time not spent on their case, 1.15 by failing to keep complete trust account records and not providing requested accountings, 8.4(c) for engaging in fraudulent conduct by miscalculating her bill for clients; indefinite suspension and Rules 218 and 219 compliance. *In re Kellogg*, 274 Kan. 281, 50 P.3d 57 (2002).

86. Attorney's mishandling of child custody case violated KRPC 1.3 for lack of diligence, 1.4 for failure to keep client informed about status of her case, 1.15(b) for failure to return unearned fees, 1.16(d) for failure to return unearned fees, 8.1(b) for failure to respond to Disciplinary Administrator's letters, 8.4(a)(c)(d) and (g) for violating KRPC's; Rule 207(b) and Rule 211(b) for failing to provide written responses to disciplinary complaint and failing to timely file an answer; one-year suspension. *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

87. Attorney's misconduct in eleven cases violates multiple offenses of KRPC 1.3, 1.4, 1.15, 1.16, and Rule 207(b); total of 48 complaints docketed by Disciplinary Administrator; indefinite suspension per Rule 203(a)(2). *In re Shelton*, 274 Kan. 374, 49 P.3d 10 (2002).

88. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15; hearing panel's findings of fact supported by clear and convincing evidence per Rule 211(b) and adopted as findings of the Court; published censure per Rule 203(a)(3). *In re Wiles*, 274 Kan. 1103, 58 P.3d 711 (2002).

89. Attorney committed multiple violations of KRPC: 1.3, 1.4, 1.15, 1.16(d), and 3.2; failed to timely respond to complaints in violation of 8.1, Rule 207(b) and Rule 211(b); supervising attorney afforded full immunities per Rule 223; 2-year supervised probation. *In re Nelson*, 275 Kan. 377, 64 P.3d 413 (2003).

90. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

91. Attorney previously censured for KRPC 8.4(b) and (d) and admonished for KRPC 1.16(d) now found to have violated KRPC 1.15, 5.1, and 8.4(a); Internal Operating Rule E.8. cited for appropriateness of probation; supervising attorney afforded full immunities per Rule 223; misconduct established by clear and convincing evidence per Rule 211(f) and hearing panel's report deemed admitted under Rule 212(c) and (d); Rule 219 hearing not required at end of 2-year probation; 16 specific terms and conditions set forth in probation plan; Rule 218 compliance ordered; 2-year supervised probation. *In re Conwell*, 275 Kan. 902, 69 P.3d 589 (2003)

92. Attorney's misconduct in handling estate fees violated KRPC 1.5(a), 1.16(d), and 1.15(b); published censure per Rule 203(a)(3). *In re Angst*, 275 Kan. 388, 64 P.3d 350 (2003).

93. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC: including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

94. Attorney committed multiple violations of KRPC 1.15, 8.1, 8.4(a), (b), (c), (d), and (g), and Rule 207(b); exceptions filed to several findings per Rule 212(c); misconduct found by clear and convincing evidence per Rule 211(f); disbarment. *In re Wright*, 276 Kan. 357, 76 P.3d 1018 (2003).

95. Prior to the hearing of a disciplinary panel, attorney stipulated to violations of KRPC 1.15(d)(1) regarding safekeeping of client funds and KRPC 8.4(c) and (g) for professional misconduct; indefinite suspension per Rule 203(a)(2). *In re Johnson*, 276 Kan. 904, 80 P.3d 32 (2003).

96. Attorney surrenders license per Rule 217 while seven complaints pending alleging misconduct in representing clients in immigration matters including failure to provide records as required pursuant to KRPC

1.15(a); disbarment. *In re Phillips*, 278 Kan. 337, 97 P.3d 492 (2004).

97. Attorney previously disciplined three times found to have violated KRPC 1.15 for mishandling checks and money and failing to return clients' funds; KRPC 8.4 for repeated misconduct involving dishonesty, fraud, deceit or misrepresentation; Rule 207 for failing to cooperate with the disciplinary process; Rule 212 for failing to respond or appear before the Supreme Court and for failing to file exceptions to the final hearing report; disbarment per Rule 203(a)(1). *In re King*, 278 Kan. 378, 98 P.3d 980 (2004).

98. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207, and Rule 211; hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment and Rule 218 compliance ordered. *Inre Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

99. Attorney surrenders license per Rule 217 while review pending before Supreme Court per Rule2 12; violations include KRPC 1.15(b), 8.4(c) and (g); disbarment and Rule 218 compliance ordered. *In re Spikes*, 279 Kan. 522, 111 P.3d 635 (2005).

100. Attorney previously disciplined multiple times found to have violated KRPC 1.3, 1.4, 1.15, and Rule 207; plan of probation per Rule 211(g) found not to be appropriate by hearing panel; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted per Rule 212(c) and (d); indefinite suspension and Rule 218 compliance ordered. *In re Potter*, 279 Kan. 937, 112 P.3d 216 (2005).

101. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1, 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson* n, 278 Kan. 512, 101 P.3d 1207 (2004).

102. Attorney's misconduct in acting as a trustee violated KRPC 1.3 (diligence), 1.4 (communication), and 1.15(b) (safekeeping property); published censure in accordance with Rule 203(a)(3). *In re Stockwell*, 278 Kan. 756, 101 P.3d 1211 (2004).

103. Attorney voluntarily surrendered his license per Rule 217 while complaint pending alleging violations of KRPC 1.7, 1.8, 1.15, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Weller*, 280 Kan. 14, 118 P.3d 1237 (2005).

104. Attorney's repeated misconduct in multiple offenses violates KRPC 1.3, 1.4, 1.15, 3.1, and Rule 207(b); formal hearing conducted per Rule 211; respondent failed to respond to charges in complaint in timely manner per Rule 207; probation extended for 1 additional year per Rule 211. *In re Rathbun*, 280 Kan. 672, 124 P.3d 1 (2005).

105. Attorney previously suspended for 1 year and admonished several years later violates KRPC 1.5, 1.15(b), 4.1, and 8.4(c); formal hearing per Rule 211 held; repeated violations of KRPC's noted; disbarment in accordance with Rule 203(a)(1). *In re Christian*, 281 Kan. 1203, 135 P.3d 1069 (2006).

106. Attorney voluntarily surrendered license pursuant to Rule 217 with two cases pending before the Supreme Court involving violations of KRPC 1.3, 3.2, 1.15, 3.4, and 8.4; disbarment. *In re Kennard*, 283 Kan. 270, 156 P.3d 596 (2007).

107. Attorney disciplined for violating numerous violations of KRPC 1.15 and KRPC 8.4; respondent failed to respond to Disciplinary Administrator's initial complaint as well as failing to provide a written answer to the formal complaint thus violating Rule 207(b) and Rule 211(b); notified per Rule 215; misconduct established by clear and convincing evidence per Rule 211(f); panel's final report deemed admitted per Rule 212; panel's recommendation is advisory only per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Purinton*, 283 Kan. 880, 156 P.3d 660 (2007).

108. Attorney's misconduct in multiple complaints violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 8.4(c), and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Lampson*, 282 Kan. 700, 147 P.3d 143 (2006).

109. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary

investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

110. Attorney violated KRPC 1.15 in handling informal traffic diversion funds in his capacity as county attorney; Court cites Rule 6.02(e) in noting failure of respondent to properly brief issue; hearing panel notes Rule 701(f)(2) permits disclosure of honor violation in law school to the Disciplinary Administrator; recommendation of hearing panel advisory only per Rule 212; published censure per Rule 203(a)(3). *In re Black*, 283 Kan. 862, 156 P.3d 641 (2007).

111. Attorney violated numerous KRPC's including 1.5, 1.15, and 1.16 in several cases; Rule 211(b) violated by failing to file an answer to the formal complaint; misconduct established by clear and convincing evidence pursuant to Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); per Rule 212(f) Supreme Court may impose sanctions greater or lesser than the recommendations of hearing panel or Disciplinary Administrator; indefinite suspension pursuant to Rule 203(a)(2). *In re Waite*, 283 Kan. 270, 153 P.3d 517 (2007).

112. Attorney violated KRPC 1.3, 1.4, 1.15(a), and 1.16(d) relating to his handling of a conservatorship; 90-day suspension pursuant to Rule 203(a)(2). *In re Docking*, 282 Kan. 715, 147 P.3d 139 (2006).

113. Attorney committed multiple violations of KRPC's including KRPC 1.4, 1.15, 3.2, 3.4, and 8.4 involving communication, safekeeping property, expediting litigation, fairness to opposing party and counsel, and misconduct; pursuant to Rule 202, respondent violated KRPC 1.4(a), 1.15(a), and 8.4(c); indefinite suspension pursuant to Rule 203(a)(2). *In re Wiles*, 283 Kan. 173, 150 P.3d 859 (2007).

114. Attorney voluntarily surrendered license pursuant to Rule 217 while panel hearing pending alleging violations of KRPC 1.15(a) and (d), and KRPC 8.4(b), (c), and (g); disbarment and Rule 218 compliance ordered. *In re Dent*, 284 Kan. 760, 165 P.3d 298 (2007).

115. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16, and 3.2; formal hearing conducted per Rule 211; hearing panel's report deemed admitted per Rule 212; supervising attorney afforded full immunities per Rule 223; Rule 211(g) probation requirements discussed; per Rule 203(a)(2), respondent's three-year suspension stayed and placed on three-years' supervised probation. *In re Bock*, 285 Kan. 815, 175 P.3d 233 (2008).

116. Attorney failed to respond or appear before the hearing panel or the Supreme Court in response to misconduct in violation of KRPC 1.15(d)(1), (d)(3)(iii), (e), and Rule 211(b; hearing report deemed admitted under Rule 212(c) and (d); indefinite suspension. *In re Ruther*, 285 Kan. 808, 175 P.3d 251 (2008).

117. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

118. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule 212(d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

119. Attorney voluntarily surrendered license pursuant to Rule 217 with three cases pending before the Supreme Court alleging multiple violations of KRPC 1.2(d), 1.4(a), 1.7, 1.8(b), 1.15(a), 8.4(b) and (g), and Rule 207(b); disbarment. *In re Cowger*, 286 Kan. 52, 182 P.3d 1204 (2008).

120. Attorney's misconduct violated KRPC 1.15(a) and (b), 5.3(b), and 8.4(c) by mishandling her trust account, imperiling client funds, and failing to promptly deliver funds to a client; suspended a 1-year suspension conditioned upon a 3-year period of compliance with all KRPC's well as complying with KRPC 1.15(d)(2) and Rule 216A. *In re Quinn*, 286 Kan. 301, 184 P.3d 235 (2008).

121. Attorney's misconduct in two complaints violated KRPC 1.3, 1.4, 1.15 (a) and (b), 8.4(g), and Rule 207(b); previously disciplined twice for similar violations; probation plan per Rule 211(g) denied; ordered to repay funds owed to clients per Rule 203(a)(5); indefinite suspension in accordance with Rule 203(a)(2). *In re Corrin*, 286 Kan. 421, 184 P.3d 923 (2008).

122. Attorney on administrative suspension violates KRPC 1.3, 1.4, 1.15(a), 1.16(d), and 3.2; indefinite suspension in accordance with Rule 203(a)(2). *In re Allen*, 286 Kan. 791, 188 P.3d 953 (2008).

123. In defendant's ineffective assistance of counsel claim, a suspension of the defendant's attorney six years later for misconduct involving KRPC 1.5, 1.15, 1.16, and Rule 211(b) does not itself constitute ineffective assistance. *Wilson v. State*, 40 Kan. App. 2d 170, 192 P.3d 1121 (2008).

124. Attorney's mishandling of probate estate violated KRPC 1.3, 1.15(b), 8.1(b), 8.4(d) and (g), and Rule 207(b); six-month suspension. *In re Jones*, 287 Kan. 112, 193 P.3d 899 (2008).

125. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.15, 8.4(g) and Rule 211(b); Respondent failed to file exceptions, thus, final hearing report deemed admitted under Rule 212(c); indefinite suspension. *In re Dowell*, 287 Kan. 501, 196 P.3d 915 (2008).

126. Attorney's misconduct violated KRPC 1.3, 1.15, 4.1, and 8.4(c); violations deemed admitted under Rule 212(c); six-month suspension. *In re McPherson*, 287 Kan. 434, 196 P.3d 921 (2008).

127. Attorney committed multiple offenses of KRPC 1.3, 1.4, 1.15, 8.3, 8.4, and Rule 207; respondent's suspension in Texas established misconduct in Kansas per Rule 202; hearing report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Piekalkiewicz*, 288 Kan. 610, 205 P.3d 734 (2009).

128. Attorney voluntarily surrendered his license pursuant to Rule 217 pending a hearing involving allegations of misconduct under KRPC 1.3, 1.4, 1.15, 8.1(b), and 8.4(b); disbarment. *In re Shafer*, 288 Kan. 657, 207 P.3d 208 (2009).

129. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan. 173, 210 P.3d 120 (2009).

130. Attorney disciplined by a three-year suspension for violating KRPC 1.15, 3.3, and 8.4; hearing panel's report deemed admitted under Rule 212(c); respondent may apply by motion for suspension of the remaining two years of his three-year suspension. *In re Shepherd*, 289 Kan. 1116, 220 Kan. 359 (2009).

131. Attorney disciplined by indefinite suspension for violating KRPC 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only and court may impose a different discipline per Rule 212(f);required notice given per Rule 215(a); indefinite suspension per Rule 203(a)(2). *In re Herrington*, 290 Kan. 58, 222 P.3d 492 (2010).

132. Attorney's misconduct involving safekeeping property violated KRPC 1.15(b), 8.1(b), Rule 207(b), and Rule 211(b); misconduct established through clear and convincing evidence per Rule 211(f); indefinite suspension per Rule 203(a)(2). *In re Gentry*, 290 Kan. 324, 227 P.3d 956 (2010).

133. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan. 801, 234 P.3d 804 (2010).

134. Attorney previously disciplined on a number of occasions found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

135. Attorney previously disciplined by 6-month suspension violates KRPC 1.2, 1.3, 1.4(a), 1.5(a), 1.15(b), 1.16(d). 8.1(b), Rule 207(b) and Rule 211; conditions set out for reinstatement under Rule 219(f); indefinite suspension per Rule 203(a)(2). *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

136. Attorney's misconduct violated KRPC 1.3, 1.4, 1.15, Rules 207, and 211 in four civil matters;

proper service obtained per Rule 215; compliance with Rules 218 and 219 ordered; indefinite suspension per Rule 203(a)(2). *In re Luttrell*, 292 Kan. 51, 252 P.3d 111 (2011).

137. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

138. Respondent's misconduct violated multiple KRPC's, including KRPC 1.3, 1.5, 1.15(a) and (d), 3.2, 8.4(c) and (g); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment pursuant to Rule 203(a)(1). *In re Holmes*, 293 Kan. 478, 264 P.3d 423 (2011).

139. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b), 8.4(c), and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

140. Attorney violated KRPC 1.1, 1.3, 1.4(a), and 1.15 in serving as executor of an estate; respondent's plan of probation failed to meet requirements of Rule 212(g)(1); respondent failed to file exceptions to panel's report thus, findings of fact deemed admitted under Rule 212(c), (d); 6-month suspension per Rule 203(a)(2). *In re Freed*, 294 Kan. 655, 279 P.3d 118 (2012).

141. Attorney misconduct violated numerous KRPC's, including 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.1(b); respondent failed to file timely answer to complaint per Rule 211(b); failed to file exceptions thus, findings of fact are deemed admitted under Rule 212(c), (d); respondent failed to follow his diversion agreement; one-year suspension per Rule 203(a)(2). *In re Ohaebosim*, 294 Kan. 664, 279 P.3d 124 (2012).

142. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

143. Attorney's misconduct violated KRPC 1.3, 1.15, 8.1, 8.4, and Rule 207(b); 1-year suspension. *In re Collins*, 295 Kan. 1084, 288 P.3d 847 (2012).

144. Attorney violated KRPC 1.5, 1.15, and 8.4 by misrepresenting hours worked and converting client's funds to pay for personal taxes; disbarment per Rule 203(a)(1). *In re Davis*, 296 Kan. 531, 303 P.3d 250 (2013).

145. Attorney's misconduct violated KRPC 1.5(f)(1), 1.7, 1.8(k), 1.15(a), (b), and (d)(2)(iii), 3.3(a)(1), and 8.4(b); disbarment per Rule 203(a)(1). *In re Alberg*, 296 Kan. 795, 294 P.3d 1192 (2013).

146. Attorney misconduct violated KRPC 1.1; 1.3; 1.4(a); 1.15(b); 1.16(a)(2) and (d); 8.1(b), (c), and (d); 8.4(d); and Rule 207(b); 1-year suspension under Rule 203(a)(2). *In re Rittmaster*, 299 Kan. 804, 326 P.3d 376 (2014).

147. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), 3.2, 5.5(a), and 8.4 (d) and (g) and Rule 218; indefinite suspension. *In re Eager*, 300 Kan. 1068, 338 P.3d 1 (2014).

148. Attorney misconduct violated KRPC 1.3, 1.15, and 5.3; 3-month suspension. *In re Peloquin*, 301 Kan. 1, 338 P.3d 568 (2014).

149. Attorney voluntarily surrendered license under Rule 217 after complaint alleged violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4. *In re Brooks*, 301 Kan. 451, 345 P.3d 258 (2015).

150. Attorney misconduct violated KRPC 1.5(a) and (b), 1.7(a)(2), 1.8(a), 1.15(a), and 8.4(c) and (g); disbarment. *In re Rankin*, 302 Kan. 181, 351 P.3d 1274 (2015).

151. Attorney misconduct violated KRPC 1.2(a), 1.3, 1.4(a), 1.15(d), 8.4(c), and 8.4(d); Kansas license suspended until notification of reinstatement of good standing of Florida license provided. *In re Vaughn*, 303 Kan. 976, 368 P.3d 1088 (2016).

152. Attorney misconduct violated KRPC 1.8(a), 1.8(e), 1.15(a), 1.15(d), and 8.4(c); indefinite

suspension stayed, minimum of 2 years' probation imposed. *In re Mandelbaum*, 304 Kan. 67, 373 P.3d 710 (2016).

153. Attorney misconduct violated KRPC 1.15(a) and 1.16(d); published censure. *In re Thurston*, 304 Kan. 146, 371 P.3d 879 (2016).

154. Attorney misconduct violated KRPC 1.4(a), 1.8(h)(1), 1.15(a), 1.16(d), 2.1, and 8.3(a) and Rule 207(c); published censure. *In re Haitbrink*, 304 Kan. 531, 375 P.3d 296 (2016).

155. Attorney misconduct violated KRPC 1.7(a)(2), 1.8(a), 1.8(e), 1.9(a), 1.15(d), and 8.4(d); 1-year suspension. *In re Odo*, 304 Kan. 844, 375 P.3d 320 (2016).

KRPC 1.16 Declining or Terminating Representation

Case Annotations

1. Attorney's mishandling of estate case, misrepresentation to client and representatives from disciplinary administrator regarding status of case, failure to withdraw as counsel and failure to cooperate with subsequent counsel, and mismanagement of estate funds violative of MRPC 1.1; 1.2; 1.3; 3.2; 1.15(b); 1.16(a)(3)(d); 8.4(g); and Rule 207(a) and (b); other violations; indefinite suspension and Rule 218 compliance ordered. *In re Stapleton*, 250 Kan. 247, 824 P.2d 205 (1992).

2. Attorney's mishandling of personal injury case violates MRPC 1.3, 1.4, 1.16, and 3.4; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer*, 251 Kan. 838, 840 P.2d 522 (1992).

3. Attorney's moving to California without notifying clients, failure to return clients' files, and failure to respond to inquiries from disciplinary administrator's office violative of MRPC 1.3, 1.4, and 1.16 and Rule 207; other violations and previous suspension; disbarment and Rule 218 compliance ordered. *In re Dill*, 253 Kan. 195, 853 P.2d 696 (1993).

4. Attorney's failure to file probate petition, inform client of status of case, return unearned retainer, and communicate with client violative of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 3.2; other violations; one-year suspension and Rule 218 compliance ordered. *In re King*, 253 Kan. 444, 855 P.2d 963 (1993).

5. Attorney previously censured placed on indefinite suspension for violations of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 8.4 for neglect of two different client's cases; two other complaints found to be based on insufficient evidence although pattern of conduct cited and violations of Rule 207 established; Rule 218 compliance ordered. *In re Jackson*, 253 Kan. 810, 861 P.2d 124 (1993).

6. Attorney's mishandling of divorce case resulting in client losing lien, failure to inform client as to status of case, mishandling of related bankruptcy case for client creditor, and failure to preserve judgment, and attorney's allegations and behavior during investigation of disciplinary complaint violate DR 6-101(A)(2), and MRPC 1.2(c), 1.3, 1.4(b), and 1.16(d); mitigating and aggravating circumstances; panel recommends unpublished censure; public censure. *In re Deeds*, 254 Kan. 309, 864 P.2d 1194 (1993).

7. Attorney's dilatory handling of estate matter violative of MRPC 1.3, 1.4, 1.16(a)(2), 3.2, and 8.4(g); Rule 207 violation; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson*, 254 Kan. 406, 867 P.2d 278 (1994).

8. Attorney's failure to file personal injury claim and blaming client for delay, thereby allowing statute of limitations to run (resulting in client being granted summary judgment in subsequent malpractice claim); failure to inform client as to reduction in child support income; failure to inform client as to hearing dates; and acceptance of retainer fee from out-of-state client whom attorney knew he could not represent in divorce action violate MRPC 1.1, 1.3, 1.4(a) and (b), 1.16(d), 3.3(a)(1), and 8.4(d) and (g); Rule 207(a) and (b) violations; disbarment and Rule 218 compliance ordered. *In re Spears*, 254 Kan. 904, 869 P.2d 718 (1994).

9. Attorney's failure to file incorporation papers and retention of retainer paid to handle such matter violate MRPC 1.3, 1.4, 1.15, 1.16, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

10. Attorney's mishandling of will and estate matter, failure to communicate with client, failure to timely handle the matter, misleading the court as to the status of the probate case, and failure to return the client's file and retainer when requested violate MRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

11. Attorney's retention of retainer fee after being temporarily suspended from practice violates MRPC 1.16(d); other violations; indefinite suspension and Rule 218 compliance ordered. *In re Nelson*, 255 Kan. 555, 874 P.2d 1201 (1994).

12. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

13. Attorney's failure to represent client in collection of foreign judgment in workers compensation case found to violate MRPC 1.1, 1.3, 1.4, 1.5(d), 1.16(d), 3.2, and 8.4(g); indefinite suspension and Rule 218 compliance ordered. *In re Griggs*, 256 Kan. 498, 886 P.2d 786 (1994).

14. Attorney's mishandling collection of bad checks violate MRPC 1.3, 1.4, 1.15(b) and 1.16(d); published censure. *In re England*, 257 Kan. 312, 894 P.2d 177 (1995).

15. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

16. General counsel who reported suspected violations to an outside agency without first consulting with the head of the organization found in violation of MRPC 1.2, 1.4, 1.6(a), 1.13(b) and 1.16. *Crandon v. State*, 257 Kan. 727, 897 P.2d 92 (1995).

17. Subordinate attorneys are not relieved of their responsibility for a violation of the rules of professional conduct simply because they acted at the direction of their supervisor, if they know beforehand that their conduct will be a violation of MRPC 1.7 and 1.16. *McCurdy v. Kansas Dept. of Transportation*, 21 Kan. App. 2d 262, 898 P.2d 650 (1995).

18. Attorney's failure to keep client reasonably informed and charging of excessive fee violate MRPC 1.3, 1.4, 1.5, and 1.16; published censure. *In re Scimeca*, 259 Kan. 893, 914 P.2d 948 (1996).

19. Attorney's handling of civil action and post-divorce proceeding and his attempt to represent a criminal defendant while attorney was in inpatient drug treatment program violate MRPC 1.3, 1.4, 1.5(b), 1.15(a) and (b), 1.16(a), 3.3(a), 4.1, and 8.4(a), (b), (d), and (g); three-year supervised probation. *In re Phillips*, 260 Kan. 909, 925 P.2d 435 (1996).

20. Attorney's failure to act with reasonable diligence and promptness in an eviction case, commingling of client's funds with his own, and failure to cooperate with disciplinary administrator's office violate MRPC 1.4, 1.5, 1.9, 1.15, 1.16, 8.1 and 8.4 and Rule 207; one-year suspension. *In re Howlett*, 261 Kan. 167, 928 P.2d 52 (1996).

21. Attorney's mishandling of bankruptcy case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.16, 3.1, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Roy*, 261 Kan. 999, 933 P.2d 662 (1997).

22. Attorney's mishandling of matters involving (1) individualized education program for autistic child in public school, (2) personal injury, probate, and insurance claim arising from fatal car accident, and (3) probate matter involving estate of conservatee violates MRPC 1.1, 1.2, 1.3, 1.4, 1.7, 1.16, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dow*, 261 Kan. 989, 933 P.2d 666 (1997).

23. Attorney's mishandling of personal injury case, removing disputed fee funds from his trustee account, failure to communicate with client, delaying notification to insurance company of his termination, and charging unreasonable fee violate MRPC 1.15, 1.4, 1.16(a)(3) and (d), and 1.5(a); two-year probation and restitution ordered. *Gerhardt v. Harris*, 261 Kan. 1007, 934 P.2d 976 (1997); *In re Harris*, 261 Kan. 1063,

934 P.2d 965 (1997).

24. Attorney's failure to notify client in pending child custody matter of her suspension from practice of law violates MRPC 1.3, 1.4, and 1.16; published censure per Rule 203(a)(3). *In re Gershater*, 263 Kan. 199, 946 P.2d 993 (1997).

25. Attorney's continued representation of clients despite his physical and mental condition which materially impaired his ability to act as their attorney violated MRPC 1.16; indefinite suspension. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

26. Attorney's failure to withdraw his representation when his mental and physical condition is materially impaired due to alcoholism violates MRPC 1.16; two-year supervised probation. *In re Stephens*, 263 Kan. 221, 946 P.2d 1379 (1997).

27. Attorney's failure to diligently and competently represent and to communicate with his six clients and his failure to cooperate with the disciplinary administrator's office violate MRPC 1.1, 1.3, 1.4, 1.16, 3.4, 8.1, and 8.4 and Rule 207; suspension effective as of the date of order for purpose of Rule 219(e); indefinite suspension. *In re Wooten*, 264 Kan. 283, 955 P.2d 1239 (1998).

28. Attorney's mishandling of a chapter 7 bankruptcy proceeding violates MRPC 1.3 and 1.4; indefinite suspension recommended by the disciplinary administrator per Rule 211(f); prior offenses for violations of MRPC 1.1, 1.3, 1.4 and 1.16; two-year supervised probation. *In re Morse*, 264 Kan. 286, 954 P.2d 1092 (1998).

29. Attorney's withdrawing a client's files after discharged violates MRPC 1.16 and 8.4; ordered to pay attorney fees incurred by the former client in recovery of his files; attorney's failure to personally appear before the court noted as violation of Rule 212(d); published censure per Rule 211(f). *In re Palmer*, 264 Kan. 752, 956 P.2d 1333 (1998).

30. Attorney violated MRPC 1.16(a) when his alcoholism not only prevented him from adequately representing his clients but also from withdrawing his representation in a timely manner; indefinite suspension. *In re Anderson*, 264 Kan. 758, 956 P.2d 1330 (1998).

31. Attorney's failure to terminate his representation of clients violated MRPC 1.16(a)(2) when his alcoholism interfered with his ability to represent them; published censure. *In re Taylor*, 265 Kan. 246, 959 P.2d 901 (1998).

32. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2). *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

33. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

34. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

35. Attorney's failure to appear in court on numerous occasions and his abandonment of his law practice without making any arrangements to protect his clients violate KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 8.1, and 8.4 and Rules 207 and 208(c); disbarment. *In re Ortega*, 267 Kan. 228, 978 P.2d 914 (1999).

36. Attorney's mishandling of civil actions involving four clients violates KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.3, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

37. Attorney's mishandling divorce, traffic violation, and criminal matters violates KRPC 1.1, 1.3,

1.4, 1.5, 1.16, 5.3, and 8.4 and Rule 207; numerous mitigating and aggravating factors considered; two-year supervised probation. *In re Kellogg*, 269 Kan. 143, 4 P.3d 594 (2000).

38. Attorney's mishandling of a personal injury case violates KRPC 1.3, 1.4, 1.16(a)(2), and 3.2; two-year supervised probation ordered; supervising attorney afforded immunity per Rule 223. *In re Francis*, 269 Kan. 178, 4 P.3d 579 (2000).

39. Attorney's mishandling of a paternity action violates KRPC 1.1, 1.15(d), 1.16(d) and 8.4(g) and Rule 207 by clear and convincing evidence per Rule 211(f); attorney's failure to appear in person before the court in violation of Rule 212; restitution ordered per Rule 227; one-year suspension. *In re Shumway*, 269 Kan. 796, 8 P.3d 735 (2000).

40. Attorney's failure to diligently represent and communicate with a client violates KRPC 1.3, 1.4(a), 1.16(a)(2), and 8.4(c); one-year suspension and Rule 218 and Rule 219 compliance ordered. *In re McGee*, 270 Kan. 135, 13 P.3d 11 (2000).

41. Attorney's mishandling of numerous cases violates KRPC 1.3, 1.4, 1.15(b), 1.16(a) and (d), 3.2, 8.1(b) and Rule 207; hearing panel's report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2) and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

42. Attorney's lack of diligence, failure to communicate with client, failure to safekeep property and failure to protect client's interests when terminating representation violates KRPC 1.3, 1.4, 1.15, and 1.16: 1-year and 1-day suspension in State of Colorado; indefinite suspension in Kansas. *In re Rishel*, 271 Kan. 644, 23 P.3d 820 (2001).

43. Attorney's misconduct in six different complaints as well as mishandling of his trust account result in one-year suspension per Rule 203; if reinstatement sought, requirements of Rule 219 apply. *In re Craig*, 272 Kan. 299, 32 P.3d 1174 (2001).

44. Attorney's mishandling of two separate cases violates KRPC 1.1, 1.3, 1.4, 1.16, 8.4(a), (c), (d) and (g) and Rule 207; indefinite suspension. *In re Johnson*, 272 Kan. 284, 32 P.3d 1132 (2001).

45. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 5.4(a), 5.5(b), 7.3 and 8.4; two-year supervised probation. *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

46. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(d), 3.2, 3.3(a), 8.4(a) and (g), Rule 207(b); one-year suspension per Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Winterburg*, 273 Kan. 135, 41 P.3d 842 (2002).

47. Attorney's mishandling of several matters violated KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.4(a), (c), (d) and (g); two-year suspension per Rule 203(a)(2); Supreme Court may impose longer sanction than those recommended by hearing panel per Rule 212(f). *In re Swisher*, 273 Kan. 143, 41 P.3d 827 (2002).

48. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.4(g); hearing panel's report deemed admitted under Rule 212(d); two-year suspension per Rule 203(a)(2); Rules 218 and 219 compliance ordered with conditions. *In re Moore*, 273 Kan. 154, 41 P.3d 831 (2002).

49. Attorney's mishandling of three cases violated KRPC 1.1, 1.3, 1.4, and 1.16(d) for failure to competently represent clients, failure to protect former client's interests, failure to keep client informed, failing to diligently and promptly represent clients; Rule 207(b) violated by failure to provide information to Disciplinary Administrator in a timely manner; indefinite suspension. *In re Trickey*, 273 Kan. 1003, 46 P.3d 554 (2002).

50. Attorney's misconduct for failure to inform client the status of his license, violation of the KRPC's by representing a client without his license, the unauthorized practice of law, and failure to register with the Clerk of the Appellate Courts and pay registration fee violates KRPC 1.4(b), 1.16(a)(1), 5.5(a), 8.4(d), Rule 208(a) and Rule 218(a); 90-day suspension. *In re Hunter*, 273 Kan. 1015, 46 P.3d 1199 (2002).

51. Attorney's mishandling of child custody case violated KRPC 1.3 for lack of diligence, 1.4 for

failure to keep client informed about status of her case, 1.15(b) for failure to return unearned fees, 1.16(d) for failure to return unearned fees, 8.1(b) for failure to respond to Disciplinary Administrator's letters, 8.4(a)(c)(d) and (g) for violating KRPC's; Rule 207(b) and Rule 211(b) for failing to provide written responses to disciplinary complaint and failing to timely file an answer; 1-year suspension. *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

52. Attorney's misconduct in eleven cases violates multiple offenses of KRPC 1.3, 1.4, 1.15, 1.16, and Rule 207(b); total of 48 complaints docketed by Disciplinary Administrator; indefinite suspension per Rule 203(a)(2). *In re Shelton*, 274 Kan. 374, 49 P.3d 10 (2002).

53. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 8.1(b), 8.4(d), Rule 207(b), and Rule 211(b); failure to appear before Supreme Court violated Rule 212(d); disbarment per Rule 203(a)(1). *In re Sechtem*, 274 Kan. 387, 49 P.3d 541 (2002).

54. Attorney committed multiple violations of KRPC 1.3, 1.4, 1.16(d), and 3.2; failed to timely respond to complaints in violation of 8.1, Rule 207(b) and Rule 211(b); supervising attorney afforded full immunities per Rule 223; 2-year supervised probation. *In re Nelson*, 275 Kan. 377, 64 P.3d 413 (2003).

55. Attorney's misconduct in handling estate fees violated KRPC 1.5(a), 1.16(d), and 1.15(b); published censure per Rule 203(a)(3). *In re Angst*, 275 Kan. 388, 64 P.3d 350 (2003).

56. Attorney previously censured for KRPC 8.4(b) and (d) and admonished for KRPC 1.16(d) now found to have violated KRPC 1.15, 5.1, and 8.4(a); Internal Operating Rule E.8. cited for appropriateness of probation; supervising attorney afforded full immunities per Rule 223; misconduct established by clear and convincing evidence per Rule 211(f) and hearing panel's report deemed admitted under Rule 212(c) and (d); Rule 219 hearing not required at end of 2-year probation; 16 specific terms and conditions set forth in probation plan; Rule 218 compliance ordered; 2-year supervised probation. *In re Conwell*, 275 Kan. 902, 69 P.3d 589 (2003).

57. Attorney violated KRPC 1.6(a) (confidentiality of information) by revealing information about his client; KRPC 1.7(b) (conflict of interest) by representing a client which materially limited his representation of another client; KRPC 1.16(d)(terminating representation) by failing to protect his client's interests by disclosing confidential information in six instances; KRPC 8.4(a) (misconduct) by offering to disclose negative information about his former client; misconduct established by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Bryan*, 275 Kan. 202, 61 P.3d 641 (2003).

58. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

59. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC: including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

60. Attorney's mishandling of two divorce cases violated KRPC 1.3 and KRPC 1.5; KRPC 1.16 violated as to one client complaint; hearing panel report deemed admitted per Rule 212(c) and (d); charges established by clear and convincing evidence per Rule 211(f); Rule 212(f) cited and applied; published censure per Rule 203(a)(3). *In re Daugherty*, 277 Kan. 257, 83 P.3d 789 (2004).

61. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1, 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted per Rule 212(c) and (d);

temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

62. Attorney committed numerous violations of rules of professional conduct including KRPC 1.1, 1.2, 1.3, 1.4, 1.16, 3.2, 8.1, Rule 207, and Rule 211; respondent's exceptions considered per Rule 212; disbarment and Rule 218 compliance ordered. *In re Wenger*, 279 Kan. 895, 112 P.3d 199 (2005).

63. Attorney's failure to competently represent two clients led to complaints he violated KRPC 1.1, 1.3, 1.4, 1.16(d), 8.1(b), Rule 207(b) and Rule 211(b); published censure per Rule 203(a)(3). *In re Sheahon*, 278 Kan. 494, 102 P.3d 392 (2004).

64. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207, and Rule 211; hearing panel's report deemed admitted under Rule 212(d) and (d); disbarment and Rule 218 compliance ordered. *In re Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

65. Attorney violated KRPC 1.3, 1.4, 1.15(a), and 1.16(d) relating to his handling of a conservatorship; 90-day suspension pursuant to Rule 203(a)(2). *In re Docking*, 282 Kan. 715, 147 P.3d 139 (2006).

66. Attorney violated numerous KRPC's including 1.5, 1.15, and 1.16 in several cases; Rule 211(b) violated by failing to file an answer to the formal complaint; misconduct established by clear and convincing evidence pursuant to Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); per Rule 212(f) Supreme Court may impose sanctions greater or lesser than the recommendations of hearing panel or Disciplinary Administrator; indefinite suspension pursuant to Rule 203(a)(2). *In re Waite*, 283 Kan. 270, 153 P.3d 517 (2007).

67. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

68. Attorney on suspension for failing to pay attorney registration fee and failing to comply with annual CLE requirements violated KRPC 1.16 and 5.5; misconduct established by clear and convincing evidence per Rule 211(f); final report deemed admitted per Rule 212; indefinite suspension per Rule 203(a)(2). *In re Petzold*, 285 Kan. 110, 169 P.3d 686 (2007).

69. Attorney, who was on probation, violated KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.3(d), and 8.4(d) in 21 cases; Rule 211(b) violated by failing to file a timely written answer to the complaint; Rule 212(d) violated by failing to appear before the court; disbarment per Rule 203(a)(1). *In re Rathbun*, 285 Kan. 137, 169 P.3d 329 (2007).

70. Attorney who was previously disciplined for similar misconduct now violates KRPC 1.3, 1.4, 1.16(d), 8.1(b), and 8.4(d); failed to cooperate in disciplinary investigation and provide written responses to three complaints per Rule 207(b); failed to file answers per Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Webb*, 285 Kan. 130, 169 P.3d 336 (2007).

71. Attorney voluntarily surrendered license pursuant to Rule 217 pending hearing alleging multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.1(b), and Rule 207(b); disbarment. *In re Lane*, 285 Kan. 259, 171 P.3d 275 (2007).

72. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16, and 3.2; formal hearing conducted per Rule 211; hearing panel's report deemed admitted per Rule 212; supervising attorney afforded full immunities per Rule 223; Rule 211(g) probation requirements discussed; per Rule 203(a)(2), respondent's three-year suspension stayed and placed on three-years' supervised probation. *In re Bock*, 285 Kan. 815, 175 P.3d 233 (2008).

73. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a);

disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

74. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule 212(d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

75. Attorney previously disciplined and under indefinite suspension violated KRPC 5.5(a) for engaging in the unauthorized practice of law; KRPC 1.1 by failing to provide competent representation; and KRPC 1.16; misconduct established by clear and convincing evidence per Rule 211(f); recommendations of the hearing panel or the Disciplinary Administrator are advisory only per Rule 212(f); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Swisher*, 285 Kan. 2084, 179 P.3d 412 (2008).

76. Attorney's misconduct in four cases violated KRPC 1.1, 1.3, 1.16(d), 3.2, 8.4(d) and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); probation plan per Rule 211(g) denied; hearing panel's findings of fact deemed admitted per Rule 212(d); one-year suspension and Rule 218 compliance ordered. *In re Toth*, 286 Kan. 320, 183 P.3d 853 (2008).

77. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2, 3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan.708, 188 P.3d 1 (2008).

78. Attorney on administrative suspension violates KRPC 1.3, 1.4, 1.15(a), 1.16(d), and 3.2; indefinite suspension in accordance with Rule 203(a)(2). *In re Allen*, 286 Kan. 791, 188 P.3d 953 (2008).

79. In defendant's ineffective assistance of counsel claim, a suspension of the defendant's attorney six years later for misconduct involving KRPC 1.5, 1.15, 1.16, and Rule 211(b) does not itself constitute ineffective assistance. *Wilson v. State*, 40 Kan. App. 2d 170, 192 P.3d 1121 (2008).

80. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 3.4(c), 8.4(d), Rule 207(b) and Rule 211(b); six-month suspension; Rules 218 and 219 compliance ordered. *In re Thomas*, 287 Kan. 88, 193 P.3d 907 (2008).

81. Attorney's misconduct while on suspension violated KRPC 1.3, 1.4, 1.16, 8.1(b), Rule 211(b), and Rule 218; one-year suspension per Rule 203(a)(2). *In re Docking*, 287 Kan. 485, 196 P.3d 1149 (2008).

82. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule 207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

83. Attorney voluntarily surrendered license pursuant to Rule 217 pending a hearing on five complaints alleging misconduct under KRPC 1.3, 1.4(a), 1.16, 5.5, 8.1(b), and 8.4(b) and Rules 207(b) and 211 (b); disbarment. *In re Docking*, 288 Kan. 731, 208 P.3d 739 (2009).

84.Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

85. Attorney disciplined by indefinite suspension for violating KRPC 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only and court may impose a different discipline per Rule 212(f);required notice given per Rule 215(a); indefinite suspension per Rule 203(a)(2). *In re Herrington*, 290 Kan. 58, 222 P.3d 492 (2010).

86. Attorney previously disciplined three times found to have violated KRPC 1.4(a), 1.16(d), 5.5(a), 8.1(b), 8.4(c), Rule 207(b), Rule 211(b), and Rule 218(a); hearing panel's recommendation

advisory only and court may impose different discipline per Rule 212(f); disbarment per Rule 203(a)(1). *In re Jones*, 291 Kan. 405, 243 P.3d 1101 (2010).

87. Attorney previously disciplined by 6-month suspension violates KRPC 1.2, 1.3, 1.4(a), 1.5(a), 1.15(b), 1.16(d). 8.1(b), Rule 207(b), and Rule 211; conditions set out for reinstatement under Rule 219(f); indefinite suspension per Rule 203(a)(2). *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

88. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b), 8.4(c), and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

89. A lawyer shall not represent a client if the representation will result in violation of the rules of professional conduct or other law. *Stewart Title of the Midwest v. Reece & Nichols Realtors*, 294 Kan. 553, 276 P.3d 188 (2012).

90. Attorney misconduct violated numerous KRPC's, including 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.1(b); respondent failed to file timely answer to complaint per Rule 211(b); failed to file exceptions thus, findings of fact are deemed admitted under Rule 212(c), (d); respondent failed to follow his diversion agreement; one-year suspension per Rule 203(a)(2). *In re Ohaebosim*, 294 Kan. 664, 279 P.3d 124 (2012).

91. Attorney's misconduct violated KRPC 1.3, 1.4, 1.16, 8.4, and Rule 211(b) based on multiple complaints; probation per Rule 211(g) denied; clear and convincing evidence established per Rule 211(f); respondent failed to file exceptions to final hearing report, thus deemed admitted under Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Shores*, 294 Kan. 680, 279 P.3d 710 (2012).

92. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

93. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(a) and (d), 3.2, 8.4(d), and Rule 207(b); disbarment per Rule 203(a)(1). *In re Batt*, 296 Kan. 395, 294 P.3d 241 (2013).

94. District court abused discretion in relying on KRPC 1.16(c) to deny attorney's motion to withdraw; KRPC not designed to provide law for criminal proceedings; KRPC 1.7, Comment 6, discussing conflict of interest, cited. *State v. Stovall*, 298 Kan. 362, 312 P.3d 1271 (2013).

95. Attorney voluntarily surrendered license under Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.3, 1.4, 1.16, 3.4(c), and 8.1(b), and Rule 207(b), 211(b), and 218. *In re Freed*, 298 Kan. 346, 312 P.3d 364 (2013).

96. Attorney misconduct violated KRPC 1.3, 1.16, 3.3(a)(1), 8.1(b), 8.4(c) and (d), and Rule 207(b); 12-month suspension. *In re Bowman*, 298 Kan. 231, 310 P.3d 1054 (2013).

97. Attorney misconduct violated KRPC 1.1; 1.3; 1.4(a); 1.15(b); 1.16(a)(2) and (d); 8.1(b), (c), and (d); 8.4(d); and Rule 207(b); 1-year suspension under Rule 203(a)(2). *In re Rittmaster*, 299 Kan. 804, 326 P.3d 376 (2014).

98. Attorney admitted to violations of KRPC 1.1, 1.3, 1.4, 1.16(a)(2), and 8.4(g); under Rule 211(f) clear and convincing evidence did not support violation of KRPC 1.16(d) for failure to return fees; 6-month suspension under Rule 203(a)(2). *In re Barker*, 299 Kan. 158, 321 P.3d 767 (2014).

99. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.16(d), and 8.4(d); 2-year suspension, with imposition suspended under terms of probation plan. *In re Dellett*, 299 Kan. 69, 324 P.3d 1033 (2014).

100. Attorney misconduct violated KRPC 1.3, 1.4(a), 1.16(d), Rule 207(b), and Rule 208; 18-month suspension. *In re Goodwin*, 298 Kan. 802, 316 P.3d 748 (2014).

101. Attorney misconduct violated KRPC 1.3, 1.4, 1.16(d), 3.2, 3.3(a)(1), 8.1(b), Rules 207(b),

and 211(b); 18-month suspension. *In re Soderberg*, 298 Kan. 820, 316 P.3d 762 (2014).

102. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman, 300 Kan. 475*, 332 P.3d 172 (2014).

103. Attorney misconduct violated KRPC 1.2(a), 1.4(a), 1.16(d), and 8.4(c) and (d) and Rule 211(b) and 218(a); indefinite suspension. *In re Johnson*, 300 Kan. 851, 335 P.3d 634 (2014).

104. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.16(a)(2) and (d), 3.2, and 3.4(d); 1-year suspension. *In re Murrow*, 300 Kan. 971, 336 P.3d 859 (2014).

105. Sixth Amendment right to counsel does not override attorney duties under KRPC 1.1 and 1.16 to represent clients competently or to decline representation if unqualified. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

106. Attorney misconduct violated KRPC 1.1, 1.5, 1.7(a)(2), 1.16(a)(1), and 8.4(d) and (g) and Rule 211(b); disbarment. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

107. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), 3.2, 5.5(a), and 8.4 (d) and (g) and Rule 218; indefinite suspension. *In re Eager*, 300 Kan. 1068, 338 P.3d 1 (2014).

108. Attorney voluntarily surrendered license under Rule 217 after complaint alleged violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4. *In re Brooks*, 301 Kan. 451, 345 P.3d 258 (2015).

109. In case involving attorney fee dispute, held that former client had right to discharge lawyer at any time with or without cause; KRPC 1.16(a)(3), comment 4 cited. *Consolver v. Hotze*, 51 Kan. App. 2d 286, 346 P.3d 1094 (2015).

110. Attorney misconduct violated KRPC 1.2, 1.3, 1.4(a), and 1.16(d); 3 years' supervised probation. *In re Kepfield*, 301 Kan. 662, 346 P.3d 332 (2015).

111. Attorney misconduct violated KRPC 1.15(a) and 1.16(d); published censure. *In re Thurston*, 304 Kan. 146, 371 P.3d 879 (2016).

112. Attorney misconduct violated KRPC 1.16(d), KRPC 3.2, KRPC 3.3(a)(1), KRPC 3.4(d), KRPC 8.1(b), KRPC 8.4(c), and KRPC 8.4(d); 18-month suspension. *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

113. Attorney misconduct violated KRPC 1.4(a), 1.8(h)(1), 1.15(a), 1.16(d), 2.1, and 8.3(a) and Rule 207(c); published censure. *In re Haitbrink*, 304 Kan. 531, 375 P.3d 296 (2016).

114. Concurrence analyzes distinctions between attorney advocating against client's position versus merely expressing independent legal judgment on duty to withdraw; KRPC 1.16 cited. *State v. Pfannenstiel*, 302 Kan. 747, 357 P.3d 877 (2015).

115. Attorney's actions in transfer of case file to former client did not violate KRPC 1.16(d). *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

COUNSELOR

KRPC 2.1 Advisor

Case Annotations

1. Attorney’s engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

2. Attorney misconduct violated KRPC 1.4(a), 1.8(h)(1), 1.15(a), 1.16(d), 2.1, and 8.3(a) and Rule 207(c); published censure. *In re Haitbrink*, 304 Kan. 531, 375 P.3d 296 (2016).

KRPC 2.3 Lawyer Serving as Third-Party Neutral

Case Annotations

1. MRPC 2.3 and comment discussed in nonclient third-party lender's legal malpractice claim against borrower's attorney; duty to third person dependent on direct representation or intended reliance. *Bank IV Wichita v. Arn, Mullins, Unruh, Kuhn & Wilson*, 250 Kan. 490, 827 P.2d 758 (1992).

ADVOCATE

KRPC 3.1 Meritorious Claims and Contentions

Case Annotations

1. Attorney's right to advocate his position limited by rule. *In re Anderson*, 247 Kan. 208, 795 P.2d 64 (1990).

2. Attorney's failure to obey bankruptcy court orders, failure to pay court-ordered sanctions, persisting to file proceedings prohibited under the bankruptcy code, and failure to appear, all of which resulted in attorney's being barred from appearing in U.S. Bankruptcy Court for District of Kansas, held to violate DR 1-102(A)(5) and (6), DR 7-101(A)(1), DR 7-102(A)(2), MRPC 8.4(d) and (g), and MRPC 3.1; attorney's failure to modify debtors' reorganization plan to accurately reflect creditors, failure to appear, and failure to relinquish client files upon termination of services held to violate MRPC 1.1, 1.3, and 1.4; mitigating circumstances; imposition of discipline suspended pending one-year conditional probation. *In re Black*, 247 Kan. 664, 801 P.2d 1319 (1990).

3. Attorney's false statement in probate petition that there was a lost will violative of MRPC 3.1 and 3.3; other violations; mitigating circumstances; Rule 203(a)(3) public censure. *In re Copeland*, 250 Kan. 283, 823 P.2d 802 (1992).

4. Attorney's incompetence in handling bankruptcy matter violative of MRPC 1.1, 3.1, 3.3, and 8.4; public censure. *In re Ramcharan-Maharajh*, 252 Kan. 701, 847 P.2d 1307 (1993).

5. Attorney's mishandling of employment discrimination class action and failure to inform clients as to status of case violative of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.1, and 3.2; other violations; Rule 203(a)(2) one-year suspension, Rule 203(a)(5) restitution, and Rule 218 compliance ordered. *In re King*, 253 Kan. 444, 855 P.2d 963 (1993).

6. Rule cited in discussion of negligence against attorney case. *OMI Holdings, Inc. v. Howell*, 260 Kan. 305, 918 P.2d 1274 (1996).

7. Attorney's mishandling of bankruptcy case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.16, 3.1, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Roy*, 261 Kan. 999, 933 P.2d 662 (1997).

8. Attorney’s misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and (b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

9. Attorney's mishandling of grandparents' visitation case and municipal court case violates MRPC 1.2, 1.3, 1.4, 3.1, and 8.4; current suspension per Rule 208 noted; registered for disabled inactive status per Rule 220; published censure. *In re Taylor*, 265 Kan. 246, 959 P.2d 901 (1998).

10. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

11. Attorney stipulated to violations of MRPC 1.1, 1.2, 1.3, 1.4, 3.1, and 8.4(g) in his handling of child custody case, child support case, and wrongful termination case; his failure to cooperate in investigation violates Rules 207(b) and 211(b); Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for appropriateness of probation; one-year suspension. *In re Long*, 266 Kan. 664, 972 P.2d 773 (1999).

12. Attorney's causing an order nunc pro tunc to reduce his client's criminal sentence violates MRPC 3.1 and 4.1; dissenting panel member found an additional violation of MRPC 8.4(d); published censure per Rule 203(a)(3). *In re Senecal*, 266 Kan. 669, 974 P.2d 517 (1999).

13. Attorney's mishandling of six federal court cases and two state court cases violates KRPC 1.3, 3.1, 3.2, 3.4(c) and (d), and 8.4(d) by clear and convincing evidence per Rule 211(f); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Boone*,, 269 Kan. 484, 7 P.3d 270 (2000).

14. Attorney previously disciplined three prior times now found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), and 3.1; Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for failure of attorney to develop his own probation plan; one-year suspension. *In re Zimmerman*, 270 Kan. 855, 19 P.3d 160 (2001).

15. Attorney previously disciplined by supervised probation found to have committed multiple violations of KRPC: 1.3, 1.4, 3.1, and 4.2; previously violated KRPC 1.3, 3.1, 3.2, 3.4, and 8.4; pursuant to Rule 212(c), attorney filed an exception to panel's report; disciplinary panel conducted formal hearing pursuant to Rule 211; supervising attorney granted full immunities per Rule 223; supervised probation extended to 5 years with restrictions on practice. *In re Boone*, 275 Kan. 560, 66 P.3d 896 (2003).

16. Attorney on disabled status filed 14 lawsuits in his own name, violating KRPC 3.1, 3.3(a)(1), 3.4(d), 8.4(c) and (d), and 3.5(c); civil judgment by opposing parties raised presumption of validity per Rule 202; disbarment. *In re Benson*, 275 Kan. 913, 69 P.3d 544 (2003).

17. Attorney's misconduct violated KRPC 1.1 by failing to provide competent representation, KRPC 3.1 by filing a frivolous claim without good faith argument for extension, KRPC 8.4(d) and (g) by engaging in conduct that was prejudicial to the administration of justice and engaging in conduct that adversely reflected on the lawyer's fitness to practice law; Rule 211(b) by failing to file a written answer to the complaint in a timely manner; misconduct found by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact and conclusions of law adopted per Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Polsley*, 275 Kan. 233, 61 P.3d 715 (2003).

18. Attorney disciplined for numerous violations of rules of professional conduct including KRPC 3.1, 3.3, 4.1, and 8.4; required notice given per Rule 215; disbarment and Rule 218 compliance ordered. *In re Nathanson*, 279 Kan. 921, 112 P.3d 162 (2005).

19. Attorney's misconduct violates KRPC 1.1, 3.1, 3.3(a)(1), 3.4(c), 4.4, 8.4(c), (d), and (g); complaint sufficiently clear and specific per Rule 211(b); panel and Disciplinary Administrator's office not required to issue subpoenas on respondent's behalf per Rule 216; Rule 222 cited by Disciplinary Administrator in objecting to introduction of records; disbarment. *In re Landrith*, 280 Kan. 619, 124 P.3d 467 (2005).

20. Attorney's repeated misconduct in multiple offenses violates KRPC 1.3, 1.4, 1.15, 3.1, and

Rule 207(b); formal hearing conducted per Rule 211; respondent failed to respond to charges in complaint in timely manner per Rule 207; probation extended for 1 additional year per Rule 211. *In re Rathbun*, 280 Kan. 672, 124 P.3d 1 (2005).

21. Attorney previously disciplined four times violates KRPC 1.1, 1.2, 1.3, 3.1, and 3.3; misconduct established by clear and convincing evidence per Rule 211(f); 1-year suspension per Rule 203(a)(2). *In re Watson*, 280 Kan. 375, 121 P.3d 982 (2005).

22. Attorney's misconduct violates KRPC 3.1 and KRPC 8.4(b) and (d) in bankruptcy case and by failing to file income taxes over a period of years; imposition of discipline suspended for 2 years, provided respondent complies with conditions imposed by Supreme Court. *In re Brunton*, 282 Kan. 423, 144 P.3d 606 (2006).

23. Attorney's misconduct violated KRPC 1.5, 3.1, and 8.4 in billing for unreasonable fees and misrepresenting claims when representing the State of Kansas in claims filed against the Workers Compensation Fund; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c) and (d) since Respondent failed to file exceptions; two-year suspension per Rule 203(a)(2). *In re Miller*, 282 Kan. 689, 147 P.3d 150 (2006).

24. Attorney who was previously censured in Kansas and in a reciprocal discipline proceeding in Illinois violated KRPC 3.1, 3.3(a)(1) and (3); 3.4(b), 8.1(b), 8.4(b), (c) and (d) per Rule 202; respondent received reciprocal attorney discipline and sanctions in Missouri and Illinois; hearing panel's final report deemed admitted under Rule 212(c) and (d); indefinite suspension pursuant to Rule 203(a)(2). *In re Daugherty*, 285 Kan.1143, 180 P.3d 536 (2008).

25. The legislature, like the governor, lacks constitutional authority to intrude into the attorney general's duties as an officer of the court, citing KRPC 3.1. *State ex rel. Morrison v. Sebelius*, 285 Kan. 875, 179 P.3d 366 (2008).

26. Attorney's misconduct violates KRPC 3.1, 3.2, and 3.4 for bringing a frivolous claim, failing to expedite a case, failing to comply with a discovery request and to appear in court, and failing to meet a deadline set by the court; failure to file exceptions constitutes admission per Rule 212(c); previously disciplined on three occasions; two-year suspension in accordance with Rule 203(a)(2). *In re Harris*, 286 Kan.532, 186 P.3d 737 (2008).

27. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2, 3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan. 708, 188 P.3d 1 (2008).

28. Attorney misconduct violated KRPC 3.1, 3.3(a)(1), and 8.4(c), (d), and (g); published censure. *In re Colvin*, 300 Kan. 864, 336 P.3d 823 (2014).

29. Attorney misconduct violated KRPC 1.7(a), 3.1, 3.3(d), 4.4(a), 8.4(d), and 8.4(e); 2-year suspension. *In re Holste*, 302 Kan. 880, 358 P.3d 850 (2015).

KRPC 3.2 Expediting Litigation

Case Annotations

1. Attorney's mishandling of estate held to violate DR 6-101(A)(3) and MRPC 1.3, DR 1-102(A)(5) & (6) and MRPC 8.4(d), and DR 7-101(A)(2) and MRPC 3.2 and 1.4(a); other violations; public censure and restitution. *In re Ebersole*, 247 Kan. 670, 801 P.2d 1323 (1990).

2. Attorney's failing to file eviction action yet telling client he had done so held to violate MRPC

1.3, 1.4, 3.2, and 8.4(c) & (g); other violations; public censure and restitution. *In re Ebersole,* 247 Kan. 670, 801 P.2d 1323 (1990).

3. Recommended disbarment based on continued neglect of client despite prior discipline for such and failure to respond to said discipline, all in violation of MRPC 1.3, 3.2, and 8.4(g); Rule 217 surrender and disbarment; Rule 218 compliance ordered. *In re Ebersole,* 248 Kan. 496, 807 P.2d 1318 (1991).

4. Attorney's failure to close estate for 12-year period, failure to render court-ordered accounting, failure to satisfy federal estate tax obligations, and failure to cooperate with disciplinary investigator violate MRPC 1.1, 1.3, 1.4, 3.2, 8.4(d) and (g), DR 6-101, DR 7-101, and Rule 207; disbarment and Rule 218 compliance. *In re Coleman,* 249 Kan. 218, 815 P.2d 43 (1991).

5. Attorney's mishandling of estate case, misrepresentation to client and representatives from disciplinary administrator regarding status of case, failure to withdraw as counsel and failure to cooperate with subsequent counsel, and mismanagement of estate funds violative of MRPC 1.1; 1.2; 1.3; 3.2; 1.15(b); 1.16(a)(3)(d); 8.4(g); and Rule 207(a) and (b); other violations; indefinite suspension and Rule 218 compliance ordered. *In re Stapleton,* 250 Kan. 247, 824 P.2d 205 (1992).

6. Attorney's failure to designate record in federal appeal and failure to respond to show cause order violated MRPC 1.1, 1.3, 3.2, and 8.4(d), (g); other violations; indefinite suspension suspended and probated. *In re Jenkins,* 251 Kan. 264, 833 P.2d 1013 (1992).

7. Attorney's mishandling of probate case violates MPRC 1.3, 1.4, and 3.2; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

8. Attorney's mishandling of real estate matter violates MRPC 1.1, 1.3, 1.4, and 3.2; DR 6-101(A)(3); and Rule 207; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer,* 251 Kan. 838, 840 P.2d 522 (1992).

9. Attorney's failure to file probate petition, inform client of status of case, return unearned retainer, and communicate with client violative of MRPC 1.1, 1.3, 1.4, 1.15, 1.16, and 3.2; other violations; one-year suspension and Rule 218 compliance ordered. *In re King,* 253 Kan. 444, 855 P.2d 963 (1993).

10. Attorney's mishandling of employment discrimination class action and failure to inform clients as to status of case violative of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.1, and 3.2; other violations; Rule 203(a)(2) one-year suspension, Rule 203(a)(5) restitution, and Rule 218 compliance ordered. *In re King,* 253 Kan. 444, 855 P.2d 963 (1993).

11. Attorney's actions in letting the statute of limitations run in four different cases violate DR 1-102(A)(4), 6-101(A)(1) and (3), and 7-101(A)(2), and MRPC 1.1, 1.3, 1.4(a) and (b), 3.2, and 8.4(c). Attorney's actions in failing to respond to requests for information and return of the case file in workers compensation case violate MRPC 1.3, 1.4(a) and (b), 1.16(a)(3) and (d), and 3.2. Eighteen-month suspension probated on conditions. *In re Jones,* 253 Kan. 836, 861 P.2d 1340 (1993).

12. Attorney's dilatory handling of estate matter violative of MRPC 1.3, 1.4, 1.16(a)(2), 3.2, and 8.4(g); Rule 207 violation; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson,* 254 Kan. 406, 867 P.2d 278 (1994).

13. Attorney's mishandling of four different probate estates and failure to timely file four different foreclosures, despite representations and billings which would indicate to the contrary, held to violate DR 1-102(A)(4), (5), and (6); 6-101(A)(3); and 7-101(A)(2) and (3); Canons 1, 6, 7, and 9; and MRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c), (d), and (g); aggravating and mitigating circumstances; two-year suspension, discipline probated, and supervised probation ordered. *In re Herman,* 254 Kan. 908, 869 P.2d 721 (1994).

14. Attorney's mishandling of will and estate matter, failure to communicate with client, failure to timely handle the matter, misleading the court as to the status of the probate case, and failure to return the

client's file and retainer when requested violate MRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

15. Attorney's dilatory handling of three federal court cases violative of MRPC 1.1, 1.3, 1.4, and 3.2; failure to respond to inquiry from disciplinary authorities violative of Rule 207; two-year supervised probation. *In re Long*, 255 Kan. 792, 877 P.2d 421 (1994).

16. Attorney found to have violated MRPC 1.1, 1.3, 1.4, 1.15, 3.2, 3.4(c), 4.3, and 8.4(d) and (g) based on conduct in seven different complaints reflecting on attorney's lack of diligence and competence, miscommunication and lack of candor, and failure to return unearned fees; failure to cooperate in disciplinary investigation; attorney currently on disability inactive status; indefinite suspension and Rule 218 compliance ordered. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

17. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

18. Attorney's failure to represent client in collection of foreign judgment in workers compensation case found to violate MRPC 1.1, 1.3, 1.4, 1.5(d), 1.16(d), 3.2, and 8.4(g); indefinite suspension and Rule 218 compliance ordered. *In re Griggs*, 256 Kan. 498, 886 P.2d 786 (1994).

19. Attorney's mishandling of probate matter and workers compensation case violates MRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4 and Rule 207; imposition of discipline suspended; two-year supervised probation. *In re Whitaker*, 256 Kan. 939, 888 P.2d 829 (1995).

20. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

21. Attorney's neglect of three different clients' cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 3.1, and 8.4 and Rule 207; one-year suspension. *In re Geeding*, 258 Kan. 740, 907 P.2d 124 (1995).

22. Attorney's mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

23. Attorney's failure to file negligence action in proper court and his disappearance from his law office without notice to clients violate MRPC 1.1, 1.3, 1.4, 1.5, 3.2, and 8.4 and Rule 207; disbarment. *In re Neal*, 262 Kan. 562, 937 P.2d 1234 (1997).

24. Attorney's mishandling of traffic cases and real property transaction, sexual harassment complaint filed against him, and disorderly conduct at the airport violate MRPC 1.2, 1.3, 1.4, 3.2, and 8.4; indefinite suspension effective as of date of order per Rule 219. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

25. Attorney's misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and (b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

26. Attorney's neglect of his cases, failure to communicate with his clients, and failure to competently and diligently represent them violate MRPC 1.1, 1.3, 1.4, 3.2, 3.4(c), and 8.4(d) and (g); attorney's failure to appear before the court constitutes violation of Rule 212(d); indefinite suspension. *In re Anderson*, 264 Kan. 758, 956 P.2d 1330 (1998).

27. Attorney's failure to communicate with client and tardiness in filing petition for divorce violate MRPC 1.3, 1.4, and 3.2; published censure. *In re Granger*, 265 Kan. 737, 962 P.2d 529 (1998).

28. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

29. Attorney's mishandling of personal injury case, past due taxes case, and bankruptcy case

violates KRPC 1.3, 1.4, 1.15, 3.2, 8.1, and 8.4; he was arrested for DUI, possession of cocaine, possession of drug paraphernalia, battery on a law enforcement officer, battery on his former girlfriend, and other charges; failure to notify and cooperate with the disciplinary administrator in violation of Rules 203(c) and 207, defense under Rule 223 raised; indefinite suspension. *In re Parker*, 267 Kan. 779, 985 P.2d 124 (1999).

30. Attorney's mishandling of collection matters violates KRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c); allegations in the hearing panel's report deemed admitted per Rule 212(c) and (d); split panel recommendation; published censure. *In re Druten*, 267 Kan. 790, 982 P.2d 978 (1999).

31. Attorney's mishandling of a wrongful death/personal injury case violates KRPC 1.2, 1.3, 1.4, 3.2, and 8.4 and Rule 207; failure to answer the complaint in violation of Rule 211; one-year suspension with additional condition that he pass the multistate professional responsibility examination prior to readmission. *In re Cole*, 268 Kan. 171, 991 P.2d 422 (1999).

32. Attorney indefinitely suspended for numerous ethical violations in Missouri and convicted of filing a false federal income tax return; temporary suspension per Rule 203(c)(5) effective at the time of suspension in Kansas; violations found in KRPC 1.2, 1.3, 1.4, 1.8, 1.15, 3.2, 5.1, and 8.4; indefinite suspension. *In re Shaver*, 269 Kan. 171, 4 P.3d 581 (2000).

33. Attorney's mishandling of a personal injury case violates KRPC 1.3, 1.4, 1.16(a)(2), and 3.2; two-year supervised probation ordered; supervising attorney afforded immunity per Rule 223. *In re Francis*, 269 Kan. 178, 4 P.3d 579 (2000).

34. Attorney's mishandling of six federal court cases and two state court cases violates KRPC 1.3, 3.1, 3.2, 3.4(c) and (d), and 8.4(d) by clear and convincing evidence per Rule 211(f); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Boone*, 269 Kan. 484, 7 P.3d 270 (2000).

35. Attorney's mishandling of a personal injury, criminal appeal, parole, medical malpractice, juvenile offender, and civil action violates KRPC 1.1, 1.3, 1.4(a), 1.15, and 3.2, and Rule 207; two-year probation per Rule 203(a)(2); immunity granted for supervising attorney per Rule 223. *In re Sachse*, 269 Kan. 810, 8 P.3d 745 (2000).

36. Attorney's mishandling of numerous cases violates KRPC 1.3, 1.4, 1.15(b), 1.16(a) and (d), 3.2, 8.1(b) and Rule 207; hearing panel's report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2) and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

37. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(d), 3.2, 3.3(a), 8.4(a) and (g), Rule 207(b); one-year suspension per Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Winterburg*, 273 Kan. 135, 41 P.3d 842 (2002).

38. Attorney's mishandling of several matters violated KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.4(a), (c), (d) and (g); two-year suspension per Rule 203(a)(2); Supreme Court may impose longer sanction than those recommended by hearing panel per Rule 212(f). *In re Swisher*, 273 Kan. 143, 41 P.3d 847 (2002).

39. Attorney previously disciplined found to have violated multiple offenses of KRPC 1.1, 1.3, 1.4, 3.2, 3.4, 3.5, and 8.4; eighteen-months' suspension and Rules 218 and 219 compliance ordered. *In re Berry*, 274 Kan. 336, 50 P.3d 20 (2002).

40. Attorney disbarred in Missouri found to have violated KRPC 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d) and Rule 211(b); indefinite suspension. *In re Johnson*, 274 Kan. 783, 55 P.3d 913 (2002).

41. Attorney's misconduct violated multiple offenses of KRPC: 1.3, 1.4(a), 3.2, 5.5(a), 8.1(b), 8.4(a) and (d); notified per Rule 215(a); failed to respond or appear violating Rule 212(d); failed to file answer per Rule 211(b); disbarment per Rule 203(a)(1); Rule 218 compliance ordered. *In re Griswold*, 274 Kan.776, 56 P.3d 269 (2002).

42. Attorney suspended for 6 months for violating KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d);

findings of fact admitted pursuant to Rule 212(d); previously indefinitely suspended pursuant to Rule 208 and Rule 806; Rule 219 compliance ordered. *In re Matson*, 274 Kan. 785, 56 P.3d 160 (2002).

43. Attorney committed multiple violations of KRPC: 1.3, 1.4, 1.16(d), and 3.2; failed to timely respond to complaints in violation of 8.1, Rule 207(b) and Rule 211(b); supervising attorney afforded full immunities per Rule 223; 2-year supervised probation. *In re Nelson*, 275 Kan. 377, 64 P.3d 413 (2003).

44. Attorney previously disciplined by supervised probation found to have committed multiple violations of KRPC: 1.3, 1.4, 3.1, and 4.2; previously violated KRPC 1.3, 3.1, 3.2, 3.4, and 8.4; pursuant to Rule 212(c), attorney filed an exception to panel's report; disciplinary panel conducted formal hearing pursuant to Rule 211; supervising attorney granted full immunities per Rule 223; supervised probation extended to 5 years with restrictions on practice. *In re Boone*, 275 Kan. 560, 66 P.3d 896 (2003).

45. Attorney's misconduct in 20 appellate cases violated KRPC 1.3 for failing to act with reasonable diligence and promptness, KRPC 3.2 for failing to timely file appellate briefs; Rule 207(b) for failing to timely provide written responses to initial complaints; facts found by the hearing panel deemed admitted pursuant to Rule 212(c) and (d); Rules 218 and 219 compliance ordered; indefinite suspension. *In re Gorup*, 276 Kan. 664, 78 P.3d 812 (2003).

46. Attorney's misconduct violated KRPC 1.1, 1.3, and 3.2; probation imposed per Rule 211(g); supervising attorney afforded immunities granted by Rule 223; 18-months' supervised probation. *In re Johanning*, 279 Kan. 950, 111 P.3d 1061 (2005).

47. Attorney violated the terms of his probation by violating KRPC 3.2, 3.3, 3.4, and 8.4; waived his right to file response and for oral argument before Supreme court per Rule 211; indefinite suspension and compliance with Rule 218. *In re Singleton*, 279 Kan. 515, 111 P.3d 630 (2005).

48. County attorney's misconduct violated KRPC 1.1, 1.3, 3.2, 8.4(d) and (g); ordered to complete CLE program per Rule 802A and make full restitution to the county; restitution hearing prior to reinstatement required pursuant to Rule 219; one-year suspension per Rule 203(a)(2); Rule 218 compliance ordered. *In re Vanderbilt*, 279 Kan. 491, 110 P.3d 419 (2005).

49. Attorney disciplined for improper handling of an estate matter which violated KRPC 1.1, 1.3, 1.4, 3.2, and 8.4; published censure per Rule 203(a)(3). *In re Miller*, 279 Kan. 912, 112 P.3d 169 (2005).

50. Attorney committed numerous violations of rules of professional conduct including KRPC 1.1, 1.2, 1.3, 1.4, 1.16, 3.2, 8.1, Rule 207, and Rule 211; respondent's exceptions considered per Rule 212; disbarment and Rule 218 compliance ordered. *In re Wenger*, 279 Kan. 895, 112 P.3d 199 (2005).

51. Attorney voluntarily surrenders license per Rule 217 while four complaints with Disciplinary Administrator pending; misconduct involving KRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4(a), (c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Maker*, 280 Kan. 1, 117 P.3d 880 (2005).

52. Attorney stipulates to findings that he violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(g), and Rule 207(b); three prior disciplinary offenses and supervised probation for prior misconduct; one-year suspension per Rule 203(a)(2). *In re Sachse*, 281 Kan. 1197, 135 P.3d 1207 (2006).

53. Attorney committed numerous violations including KRPC 1.3, 1.4, and 3.2 involving five clients; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d) when respondent fails to file exceptions; Rule 206 applicable; probation requested and set out pursuant to Rule 211; 1-year suspension stayed and respondent placed on 4-year supervised probation. *In re Hasenbank*, 283 Kan. 155, 151 P.3d 1 (2007).

54. Attorney voluntarily surrendered license pursuant to Rule 217 with two cases pending before the Supreme Court involving violations of KRPC 1.3, 3.2, 1.15, 3.4, and 8.4; disbarment. *In re Kennard*, 283 Kan. 270, 156 P.3d 596 (2007).

55. Attorney committed multiple violations of KRPC's including KRPC 1.4, 1.15, 3.2, 3.4, and 8.4 involving communication, safekeeping property, expediting litigation, fairness to opposing party and counsel, and misconduct; pursuant to Rule 202, respondent violated KRPC 1.4(a), 1.15(a), and 8.4(c);

indefinite suspension pursuant to Rule 203(a)(2). *In re Wiles*, 283 Kan. 173, 150 P.3d 859 (2007).

56. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

57. Attorney voluntarily surrendered license pursuant to Rule 217 pending hearing alleging multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.1(b), and Rule 207(b); disbarment. *In re Lane*, 285 Kan. 259, 171 P.3d 275 (2007).

58. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16, and 3.2; formal hearing conducted per Rule 211; hearing panel's report deemed admitted per Rule 212; supervising attorney afforded full immunities per Rule 223; Rule 211(g) probation requirements discussed; per Rule 203(a)(2), respondent's three-year suspension stayed and placed on three-years' supervised probation. *In re Bock*, 285 Kan. 815, 175 P.3d 233 (2008).

59. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(c) and (d), and Rule 207(b); misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Bishop*, 285 Kan. 1097, 179 P.3d 1096 (2008).

60. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule 212(d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

61. Attorney's misconduct violated KRPC 1.1 for failing to provide competent representation; KRPC 3.2 by failing to expedite the probate of an estate, and KRPC 3.3, by failing to inform the court of irregularities; published censure in accordance with Rule 203(a)(3). *In re Wonder*, 285 Kan. 1165, 179 P.3d 451 (2008).

62. Attorney's misconduct in four cases violated KRPC 1.1, 1.3, 1.16(d), 3.2, 8.4(d) and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); probation plan per Rule 211(g) denied; hearing panel's findings of fact deemed admitted per Rule 212(d); one-year suspension and Rule 218 compliance ordered. *In re Toth*, 286 Kan. 320, 183 P.3d 853 (2008).

63. Attorney's misconduct violates KRPC 3.1, 3.2, and 3.4 for bringing a frivolous claim, failing to expedite a case, failing to comply with a discovery request and to appear in court, and failing to meet a deadline set by the court; failure to file exceptions constitutes admission per Rule 212(c); previously disciplined on three occasions; two-year suspension in accordance with Rule 203(a)(2). *In re Harris*, 286 Kan.532, 186 P.3d 737 (2008).

64. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2, 3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan. 708 , 188 P.3d 1 (2008).

65. Attorney on administrative suspension violates KRPC 1.3, 1.4, 1.15(a), 1.16(d), and 3.2; indefinite suspension in accordance with Rule 203(a)(2). *In re Allen*, 286 Kan. 791, 188 P.3d 953 (2008).

66. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 3.4(c), 8.4(d), Rule 207(b) and Rule 211(b); six-month suspension; Rules 218 and 219 compliance ordered. *In re Thomas*, 287 Kan. 88, 193 P.3d 907 (2008).

67. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule 207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

68. Attorney previously disciplined for similar misconduct found to have violated KRPC 1.1, 1.2, 1.3, 1.4(a), 3.2, 8.4(d) and (g) and Rule 211; failed to respond to complaint per Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); failed to notify Clerk of Appellate Courts of address change per Rule 208; indefinite suspension per Rule 203(a)(2). *In re Lober*, 288 Kan. 498, 204 P.3d 610 (2009).

69. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

70. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

71. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4(a), and 3.2 in mishandling an estate case; probation plan not filed in a timely manner per Rule 211(g); hearing report's findings and conclusions are deemed admitted under Rule 212(c); Rules 218 and 219 compliance ordered; 6-month suspension per Rule 203(a)(2). *In re Foster*, 292 Kan. 940, 258 P.3d 375 (2011).

72. Respondent's misconduct violated multiple KRPC's, including KRPC 1.3, 1.5, 1.15(a) and (d), 3.2, 8.4(c) and (g); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment pursuant to Rule 203(a)(1). *In re Holmes*, 293 Kan. 478, 264 P.3d 423 (2011).

73. Attorney indefinitely suspended for numerous violations of KRPC 1.1, 1.3, 1.4, 3.2, 8.1, and Rule 207; misconduct established by clear and convincing evidence per Rule 211(f); compliance with Rule 219 if requests reinstatement; indefinite suspension per Rule 203(a)(2). *In re Bock*, 293 Kan. 616, 265 P.3d 552 (2011).

74. Attorney voluntarily surrendered license to practice law pursuant to Rule 217 with violations of KRPC 1.3, 1.4, 3.2, 8.1, and 8.4(g) and Rule 207 pending; disbarment. *In re Day*, 294 Kan. 615, 277 P.3d 1134 (2012).

75. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(a) and (d), 3.2, 8.4(d), and Rule 207(b); disbarment per Rule 203(a)(1). *In re Batt*, 296 Kan. 395, 294 P.3d 241 (2013).

76. Attorney misconduct violated KRPC 1.3, 1.4, 1.16(d), 3.2, 3.3(a)(1), 8.1(b), Rules 207(b), and 211(b); 18-month suspension. *In re Soderberg*, 298 Kan. 820, 316 P.3d 762 (2014).

77. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman*, 300 Kan. 475, 332 P.3d 172 (2014).

78. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.16(a)(2) and (d), 3.2, and 3.4(d); 1-year suspension. *In re Murrow*, 300 Kan. 971, 336 P.3d 859 (2014).

79. Attorney misconduct violated KRPC 1.3, 1.4, 1.8(e), 3.2, and 8.1 and Rule 207; 6-month suspension, stayed during 2 years' probation. *In re Delaney*, 300 Kan. 1090, 338 P.3d 11 (2014).

80. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), 3.2, 5.5(a), and 8.4 (d) and (g) and Rule 218; indefinite suspension. *In re Eager*, 300 Kan. 1068, 338 P.3d 1 (2014).

81. Attorney misconduct violated KRPC 1.3, 3.2, 8.1(b), 8.4(d), and 8.4(g) and Rule 207(b) and 211(b); indefinite suspension. *In re Fickler*, 303 Kan. 504, 362 P.3d 1102 (2015).

82. Attorney misconduct violated KRPC 1.16(d), KRPC 3.2, KRPC 3.3(a)(1), KRPC 3.4(d), KRPC 8.1(b), KRPC 8.4(c), and KRPC 8.4(d); 18-month suspension. *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

83. Panel's conclusion that attorney violated KRPC 3.2 by withholding quitclaim deed in attempt

to have sanctions against her removed not supported by clear and convincing evidence. *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

KRPC 3.3 Candor Toward the Tribunal

Case Annotations

1. Attorney charged with *inter alia* violation of MRPC 3.3 and 8.2; suspended on other grounds. *In re Anderson*, 247 Kan. 208, 795 P.2d 64 (1990).

2. Attorney who used a handgun "to demonstrate a point" to complainant who was preparing to name attorney's friend as father of complainant's child, and who prepared and submitted false affidavits to disciplinary administrator regarding the incident, violated Rules 8.1 and 8.4(c); insufficient evidence to find charged violations of Rules 3.3; 3.4; 3.5; 4.1; 4.4; 8.4(a), (b), (d), (g); or Rule 207. One-year suspension. *In re Wood*, 247 Kan. 219, 794 P.2d 660 (1990).

3. Attorney's false statement in probate petition that there was a lost will violative of MRPC 3.1 and 3.3; other violations; mitigating circumstances; Rule 203(a)(3) public censure. *In re Copeland*, 250 Kan. 283, 823 P.2d 802 (1992).

4. Attorney's incompetence in handling bankruptcy matter violative of MRPC 1.1, 3.1, 3.3, and 8.4; public censure. *In re Ramcharan-Maharajh*, 252 Kan. 701, 847 P.2d 1307 (1993).

5. Attorney who lied to the court and her clients and failed to appear for landlord-tenant case proceeding found to be in violation of MRPC 1.1, 1.3, 1.4, 3.3, 3.4, 3.5, 4.1, 8.2 and 8.4; one-year suspension and compliance with Rule 218 ordered. *In re Gershater*, 256 Kan. 512, 886 P.2d 343 (1994).

6. Attorney’s mishandling of a breach of contract case and settlement violative of MRPC 1.1, 1.3, 1.4, 3.3, and 8.4; six-month suspension and compliance with Rule 218 ordered. *In re Norlen*, 256 Kan. 509, 886 P.2d 347 (1994).

7. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

8. Attorney’s forging a client’s signature on affidavit and filing it in court violate MRPC 1.4, 3.3, 3.4 and 8.4(c), (d) and (g); published censure. *In re Caller*, 258 Kan. 250, 899 P.2d 468 (1995).

9. Attorney’s mishandling of client’s assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure. *In re Brantley*, 260 Kan. 605, 920 P.2d 433 (1996).

10. MRPC 3.3(d) cited as ground for party’s request for attorney fees in child support case. *In re Marriage of Patterson*, 22 Kan. App. 2d 522, 920 P.2d 450 (1996).

11. Attorney’s handling of civil action and post-divorce proceeding and his attempt to represent a criminal defendant while attorney was in inpatient drug treatment program violate MRPC 1.3, 1.4, 1.5(b), 1.15(a) and (b), 1.16(a), 3.3(a), 4.1, and 8.4(a), (b), (d), and (g); three-year supervised probation. *In re Phillips*, 260 Kan. 909, 925 P.2d 435 (1996).

12. Attorney's mishandling of bankruptcy case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.16, 3.1, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Roy*, 261 Kan. 999, 933 P.2d 662 (1997).

13. Attorney's presenting an altered will for probate violates MRPC 3.3(a)(1) and 8.4(c) and (d); published censure per Rule 203(a)(3). *In re Grant*, 262 Kan. 269, 936 P.2d 1360 (1997).

14. Attorney's mishandling of child support case and his ex parte communication with judge violate MRPC 1.1, 3.3, 3.5, 4.4, 8.4(c), (d), and (g), and Rules 207 and 211; aggravating and mitigating factors; indefinite suspension. *In re Black*, 262 Kan. 825, 941 P.2d 1380 (1997).

15. Attorney's failure to appear in court when he was released on his own recognizance from the charge of disorderly conduct violated MRPC 3.3; indefinite suspension. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

16. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

17. The State has no duty to conduct a voir dire of a grand jury; KRPC 3.3(d) and 3.8 mentioned. *State v. Snodgrass*, 267 Kan. 185, 979 P.2d 664 (1999).

18. Attorney's mishandling of civil actions involving four clients violates KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.3, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

19. Attorney's mishandling of probate matters violates KRPC 1.1, 1.3, 3.3(a), 8.1(a), and 8.4(c); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(c) and (d); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Howard*, 269 Kan. 414, 2 P.3d 766 (2000).

20. Attorney who was previously suspended for 1 year found to have violated KRPC 3.3(a), 8.4(d) and (g), Rule 207(b), and 211; indefinite suspension. *In re Gershater*, 270 Kan. 620, 17 P.3d 929 (2001).

21. Attorney surrenders license per Rule 217 pending investigation for violating KRPC 1.1, 1.3, 3.3, 8.4(c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Meyer*, 270 Kan. 160, 26 P.3d 1244 (2000).

22. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(d), 3.2, 3.3(a), 8.4(a) and (g), Rule 207(b); one-year suspension per Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Winterburg*, 273 Kan.135, 41 P.3d 842 (2002).

23. Attorney misconduct in numerous bankruptcy cases violates KRPC 1.4 for failing to keep clients informed, KRPC 3.3 for knowingly making false statements of material facts, KRPC 8.4(c) and (d) for providing false and misleading information and engaging in conduct that was prejudicial to the administration of justice; Supreme Court granted attorney's motion for rehearing which suspended effect of our original decision until rehearing per Rule 7.06; attorney requested censure per Rule 203(a)(3); 1-year suspension and Rule 218 compliance ordered. *In re Wagle*, 275 Kan. 543, 66 P.3d 884 (2003).

24. Attorney licensed to practice law in Missouri, but not in Kansas, failed to comply with Rule 216; violated Mo. Rules of Professional Conduct which are identical to and thus, based on Rule 202, violate KRPC 3.3(a)(1), 4.1(a), 8.1(b), 8.4(a) and (d); also found to have violated KRPC 7.1, 8.4(c) and (g); violated Rule 211(b) by failing to timely file answer to formal complaint; indefinite prohibition from practicing law before any Kansas court, administrative tribunal, or state agency. *In re Franco*, 275 Kan. 571, 66 P.3d 805 (2003).

25. Attorney on disabled status filed 14 lawsuits in his own name, violating KRPC 3.1, 3.3(a)(1), 3.4(d), 8.4(c) and (d), and 3.5(c); civil judgment by opposing parties raised presumption of validity per Rule 202; disbarment. *In re Benson*, 275 Kan. 913, 69 P.3d 544 (2003).

26. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

27. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct

was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

28. Attorney's misconduct in multiple cases violated KRPC 3.3, 3.4, 3.8, and 8.4 involving candor toward a tribunal, fairness to an opposing party, her duties as a prosecutor, and misconduct; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Jordan*, 278 Kan. 254, 91P.3d 1168 (2004).

29. Attorney violated the terms of his probation by violating KRPC 3.2, 3.3, 3.4, and 8.4; waived his right to file response and for oral argument before Supreme Court per Rule 211; indefinite suspension and compliance with Rule 218. *In re Singleton*, 279 Kan. 515, 111 P.3d 630 (2005).

30. Attorney disciplined for numerous violations of rules of professional conduct including KRPC 3.1, 3.3, 4.1, and 8.4; required notice given per Rule 215; disbarment and Rule 218 compliance ordered. *In re Nathanson*, 279 Kan. 921, 112 P.3d 162 (2005).

31. Attorney previously disciplined four times violates KRPC 1.1, 1.2, 1.3, 3.1, and 3.3; misconduct established by clear and convincing evidence per Rule 211(f); 1-year suspension per Rule 203(a)(2). *In re Watson*, 280 Kan. 375, 121 P.3d 982 (2005).

32. Attorney's misconduct violates KRPC 1.1, 3.1, 3.3(a)(1), 3.4(c), 4.4, 8.4(c), (d), and (g); complaint sufficiently clear and specific per Rule 211(b); panel and Disciplinary Administrator's office not required to issue subpoenas on respondent's behalf per Rule 216; Rule 222 cited by Disciplinary Administrator in objecting to introduction of records; disbarment. *In re Landrith*, 280 Kan. 619, 124 P.3d 467 (2005).

33. Defendant's 60-1507 claim of ineffective assistance of counsel denied by Court of Appeals, which cited KRPC 3.3 for requiring attorney to express candor to the court while arguing on client's behalf. *McDermed v. State*, 36 Kan. App. 2d 806, 811, 146 P.3d 222 (2006).

34. Attorney disbarred for numerous violations including KRPC 3.3, 8.4(a), (b), (c), (d), and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only per Rule 212(f); required notice given per Rule 215(a); disbarment pursuant to Rule 203(a)(1). *In re Arabia*, 283 Kan. 851, 156 P.3d 668 (2007).

35. Attorney violated KRPC 3.3(d) and 8.4(d) relating to duty of candor in ex parte proceeding and engaging in conduct prejudicial to administration of justice in representing a client; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); published censure pursuant to Rule 203(a)(3). *In re Lazzo*, 283 Kan. 167, 150 P.3d 887 (2007).

36. Attorney, who was on probation, violated KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.3(d), and 8.4(d) in 21 cases; Rule 211(b) violated by failing to file a timely written answer to the complaint; Rule 212(d) violated by failing to appear before the court; disbarment per Rule 203(a)(1). *In re Rathbun*, 285 Kan. 137, 169 P.3d 329 (2007).

37. Attorney who was previously censured in Kansas and in a reciprocal discipline proceeding in Illinois violated KRPC 3.1, 3.3(a)(1) and (3); 3.4(b), 8.1(b), 8.4(b), (c) and (d) per Rule 202; respondent received reciprocal attorney discipline and sanctions in Missouri and Illinois; hearing panel's final report deemed admitted under Rule 212(c) and (d); indefinite suspension pursuant to Rule 203(a)(2). *In re Daugherty*, 285 Kan.1143, 180 P.3d 536 (2008).

38. Attorney's misconduct violated KRPC 1.1 for failing to provide competent representation;

KRPC 3.2 by failing to expedite the probate of an estate, and KRPC 3.3, by failing to inform the court of irregularities; published censure in accordance with Rule 203(a)(3). *In re Wonder*, 285 Kan. 1165, 179 P.3d 451 (2008).

39. KRPC 3.3 discussed in holding that appointed counsel's argument against defendant's interest prejudiced his appeal; defendant granted new hearing. *State v. Hemphill*, 286 Kan. 583, 186 P.3d 777 (2008).

40. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2, 3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan.708 , 188 P.3d 1 (2008).

41. Plaintiff requested this court find defense counsel in violation of KRPC 3.3 for failing to cite applicable case. *O'Neill v. Dunham*, 41 Kan. App. 2d 540, 203 P.3d 68 (2009).

42. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

43. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan. 173, 210 P.3d 120 (2009).

44. Under KRPC 3.3, defendant's counsel had a duty of candor toward the court and could not offer evidence he knew to be false or make arguments he knew had no merit. *Alford v. State*, 42 Kan. App. 2d 392, 212 P.3d 250 (2009).

45. Attorney disciplined by a three-year suspension for violating KRPC 1.15, 3.3, and 8.4; hearing panel's report deemed admitted under Rule 212(c); respondent may apply by motion for suspension of the remaining two years of his three-year suspension. *In re Shepherd*, 289 Kan. 1116, 220 Kan. 359 (2009).

46. Attorney's misconduct violated KRPC 1.5(a), 3.3, and 8.4(c); findings of fact deemed admitted per Rule 212(d); findings supported by clear and convincing evidence per Rule 211(f); two-year suspension per Rule 203(a)(2). *In re Orrick*, 290 Kan. 727, 233 P.3d 257 (2010).

47. Attorney's misconduct in handling his mother's estate violated KRPC 1.3, 3.3(a)(1), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact deemed admitted per Rule 212(c) ; 6-month suspension per Rule 203(a)(2). *In re Shriver*, 294 Kan. 617, 278 P.3d 964 (2012).

48. Attorney's misconduct violated KRPC 1.5(f)(1), 1.7, 1.8(k), 1.15(a), (b), and (d)(2)(iii), 3.3(a)(1), and 8.4(b); disbarment per Rule 203(a)(1). *In re Alberg*, 296 Kan. 795, 294 P.3d 1192 (2013).

49. Attorney's misconduct violated KRPC 3.3(a)(1) and 3.5(c)(2) and (c)(3); 1-year suspension per Rule 203(a)(2). *In re Stockwell*, 296 Kan. 860, 295 P.3d 572 (2013).

50. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 3.3, 3.4, 8.1, 8.4, and Rule 211(b); disbarment per Rule 203(a)(1). *In re Druten*, 297 Kan. 432, 301 P.3d 319 (2013).

51. Alleged violation of KRPC 3.3(a)(1) argued as ground for award of attorney fees in child custody case. *In re Marriage of Bergmann & Sokol*, 49 Kan. App. 2d 45, 305 P.3d 664 (2013).

52. Attorney misconduct violated KRPC 3.3(a)(1) and (3); 5.1(c); 8.1(b); and 8.4(c), (d), and (g); clear and convincing evidence did not support finding of other specific violations of KRPC 3.3(a)(1), 3.6, 3.8(f), 5.3(b), 8.1(a), and 8.4(c) and (g); indefinite suspension under Rule 203(a)(2). *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

53. A violation of KRPC 3.3(a)(1), knowingly making a false statement, requires actual knowledge of the fact in question, under definition contained in KRPC 1.0(g); constructive knowledge

insufficient; knowledge may be inferred from circumstances. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

54. KRPC 3.3 and KRPC 8.2 cited in noting attorney obligation to show deference and respect for tribunals. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

55. Evidence insufficient to find attorney had knowledge of false testimony at a time while under obligation to correct testimony; KRPC 3.3, Comment 13 cited, discussing practical time limits of obligation to correct false testimony. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

56. Attorney misconduct violated KRPC 1.3, 1.16, 3.3(a)(1), 8.1(b), 8.4(c) and (d), and Rule 207(b); 12-month suspension. *In re Bowman*, 298 Kan. 231, 310 P.3d 1054 (2013).

57. Attorney misconduct violated KRPC 1.3, 1.4, 1.16(d), 3.2, 3.3(a)(1), 8.1(b), Rules 207(b), and 211(b); 18-month suspension. *In re Soderberg*, 298 Kan. 820, 316 P.3d 762 (2014).

58. Attorney misconduct violated KRPC 3.1, 3.3(a)(1), and 8.4(c), (d), and (g); published censure. *In re Colvin*, 300 Kan. 864, 336 P.3d 823 (2014).

59. Attorney misconduct violated KRPC 1.7(a), 3.1, 3.3(d), 4.4(a), 8.4(d), and 8.4(e); 2-year suspension. *In re Holste*, 302 Kan. 880, 358 P.3d 850 (2015).

60. Attorney misconduct violated KRPC 1.16(d), KRPC 3.2, KRPC 3.3(a)(1), KRPC 3.4(d), KRPC 8.1(b), KRPC 8.4(c), and KRPC 8.4(d); 18-month suspension. *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

61. Clear and convincing evidence did not support panel's finding that attorney violated KRPC 3.3(a)(1) by allegedly lying about basis for continuance. *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

KRPC 3.4 Fairness to Opposing Party and Counsel

Case Annotations

1. Attorney who used a handgun "to demonstrate a point" to complainant who was preparing to name attorney's friend as father of complainant's child, and who prepared and submitted false affidavits to disciplinary administrator regarding the incident, violated Rules 8.1 and 8.4(c); insufficient evidence to find charged violations of Rules 3.3; 3.4; 3.5; 4.1; 4.4; 8.4(a), (b), (d), (g); or Rule 207. One-year suspension. *In re Wood*, 247 Kan. 219, 794 P.2d 660 (1990).

2. Defendant's conviction reversed, in part, due to prosecutorial misconduct in violation of MRPC 3.4(e), the counterpart of Rule 225 DR 7-106(c)(1), (2), (3), and (4). *State v. Zamora*, 247 Kan. 684, 803 P.2d 568 (1990).

3. Closing argument comment held to violate MRPC 3.4(e); reference to matters not in evidence. *Glynos v. Jagoda*, 249 Kan. 473, 481, 819 P.2d 1202 (1991).

4. Prosecutor's comment in closing argument is violative of Model Rules of Professional Conduct. *State v. Jordan*, 250 Kan. 180, 196, 825 P.2d 157 (1992).

5. Attorney's failure to comply with discovery requests, misrepresentation to court, and failure to advise client, resulting in sanctions against client, violate MRPC 1.1, 1.4, 3.4(a) and (d), and 8.4(a), (c), and (d); firm failure to supervise among mitigating factors; one-year suspension. *In re Dwight*, 251 Kan. 588, 834 P.2d 382 (1992).

6. Attorney's mishandling of personal injury case violates MRPC 1.3, 1.4, 1.16, and 3.4; other violations; imposition of discipline suspended; one-year supervised probation. *In re Meyer*, 251 Kan. 838, 840 P.2d 522 (1992).

7. In reversing criminal conviction due to prosecutorial misconduct in closing argument, MRPC

3.4(e) held to replace and incorporate DR 7-106(C)(1), (2), (3), and (4). *State v. Ruff*, 252 Kan. 625, 847 P.2d 1258 (1993).

8. Attorney's repeated refusal to provide court-ordered accountings of a conservatorship of which she is the named conservator, refusal to reveal the names of the financial institution where the conservatorship funds are deposited, and refusal to answer questions concerning the topic or invoke the Fifth Amendment at district court hearings and before the disciplinary hearing panel violate MRPC 1.15, 3.4, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

9. Attorney found to have violated MRPC 1.1, 1.3, 1.4, 1.15, 3.2, 3.4(c), 4.3, and 8.4(d) and (g) based on conduct in seven different complaints reflecting on attorney's lack of diligence and competence, miscommunication and lack of candor, and failure to return unearned fees; failure to cooperate in disciplinary investigation; attorney currently on disability inactive status; indefinite suspension and Rule 218 compliance ordered. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

10. Attorney who lied to the court and her clients and failed to appear for landlord-tenant case proceeding found to be in violation of MRPC 1.1, 1.3, 1.4, 3.3, 3.4, 3.5, 4.1, 8.2 and 8.4; one-year suspension and compliance with Rule 218 ordered. *In re Gershater*, 256 Kan. 512, 886 P.2d 343 (1994).

11. Prosecutor's comment in closing argument is not violative of MRPC 3.4(e). *State v. Duke*, 256 Kan. 703, 887 P.2d 110 (1994).

12. Attorney's forging a client's signature on affidavit and filing it in court violate MRPC 1.4, 3.3, 3.4 and 8.4(c), (d) and (g); published censure. *In re Caller*, 258 Kan. 250, 899 P.2d 468 (1995).

13. Attorney may not make assertions of fact in the form of questions to a witness absent a good faith basis for believing the asserted matters to be true. *State v. Marble*, 21 Kan. App. 2d 509, 901 P.2d 521 (1995).

14. MRPC 3.4 is noted in discussion of defendant's claim that prosecutor made comments to appeal to the jury's religious fervor. *State v. Smith*, 258 Kan. 321, 904 P.2d 999 (1995).

15. Attorney's mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

16. Attorney's disorderly conduct stemmed from his intoxication, and his leaving treatment facility violated Supreme Court's conditions of probation; indefinite suspension. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

17. Attorney's failure to diligently and competently represent and to communicate with his six clients and his failure to cooperate with the disciplinary administrator's office violate MRPC 1.1, 1.3, 1.4, 1.16, 3.4, 8.1, and 8.4 and Rule 207; suspension effective as of the date of order for purpose of Rule 219(e); indefinite suspension. *In re Wooten*, 264 Kan. 283, 955 P.2d 1239 (1998).

18. Attorney's neglect of his cases, failure to communicate with his clients, and failure to competently and diligently represent them violate MRPC 1.1, 1.3, 1.4, 3.2, 3.4(c), and 8.4(d) and (g); attorney's failure to appear before the court constitutes violation of Rule 212(d); indefinite suspension. *In re Anderson*, 264 Kan. 758, 956 P.2d 1330 (1998).

19. Attorney's failure to safekeep his clients' property and to promptly respond to the orders of the court in bankruptcy proceedings violates MRPC 1.3, 1.15, 3.4(c), and 8.4(b), (c), and (d), and Rules 207, 208, 211(b), and 802; panel recommended discipline per Rule 203(a)(1), (2), (3), or (5); indefinite suspension. *In re Fey*, 266 Kan. 674, 972 P.2d 771 (1999).

20. Rule mentioned in the discussion of prosecutorial misconduct in cross-examination. *State v. Cravatt*, 267 Kan. 314, 979 P.2d 679 (1999).

21. Prosecutor's personal opinion on the defendant's credibility and the credibility of the State's evidence considered violation of KRPC 3.4(e). *State v. Pabst*, 268 Kan. 501, 996 P.2d 321 (2000).

22. Attorney's mishandling of six federal court cases and two state court cases violates KRPC 1.3, 3.1, 3.2, 3.4(c) and (d), and 8.4(d) by clear and convincing evidence per Rule 211(f); supervising attorney

afforded immunity per Rule 223; two-year supervised probation. *In re Boone*, 269 Kan. 484, 7 P.3d 270 (2000).

23. Attorney's mishandling of employment discrimination case violated KRPC 1.3, 1.4, 3.4(d), 8.4(d) and (g), and Rule 207; failure to appear at scheduled Supreme Court disciplinary hearing; indefinite suspension and Rule 218 compliance ordered. *In re Lockett*, 270 Kan. 640, 17 P.3d 917 (2001).

24. Prosecutorial misconduct in closing argument and in commenting on witness' credibility discussed in reversing conviction. *State v. Hazley*, 28 Kan. App. 2d 664, 19 P.3d 800 (2001).

25. KRPC 3.4(b) cited by defendant in his 60-1507 motion, arguing ineffective assistance of counsel; no violation found and 60-1507 motion denied. *Edwards v. State*, 29 Kan. App. 2d 75, 25 P.3d 142 (2001).

26. Prosecutor's plea bargain with a criminal defendant's accomplice, through which to prosecute secures the accomplice's testimony against the defendant, does not violate KRPC 3.4(b). *State v. Davis*, 271 Kan. 892, 26 P.3d 681 (2001).

27. KRPC 3.4 is cited and the standards for determining prosecutorial misconduct in closing argument are discussed. *State v. Wright*, 30 Kan. App. 2d 48, 40 P.3d 304 (2002).

28. Attorney's lack of diligence, failure to communicate with client, failure to comply with discovery, and engaging in conduct prejudicial to administration of justice violates KRPC 1.3, 1.4(a), 3.4(d), and 8.4(d); one-year suspension. *In re Coder*, 272 Kan. 758, 35 P.3d 853 (2001).

29. KRPC 3.4 discussed regarding prosecutorial misconduct during trial; comment of prosecutor, not egregious enough to be considered reversible error. *State v. Gholston*, 272 Kan. 601, 35 P.3d 868 (2001).

30. KRPC 3.4(e) cited in discussion of whether prosecutor had a good faith basis for questions asked of witnesses and in expressing personal belief as to testimony given or evidence or the guilt of defendant; net effect of prosecutorial misconduct might have provided additional basis for reversal. *State v. Kleypas*, 272 Kan. 894, 40 P.3d 139 (2001).

31. County attorney's misconduct in seven counts violates KRPC 1.1, 3.4(e), 8.4(a), (c), (d), (e) and (g), 3.8(a) and (c), and 3.5(d); supervised probation until term ends; ordered to resign from county attorney office on January 1, 2002; ordered to elect inactive status on next renewal date of his attorney registration. *In re Swarts*, 272 Kan. 28, 30 P.3d 1011 (2001).

32. Attorney stipulated to violations of KRPC 1.1, 1.3, 1.4(a) and 3.4(d) in his handling of two civil actions; attorney's prior informal admonishments in three cases cited as aggravating factor; eighteen-months' supervised probation. *In re Works*, 273 Kan. 603, 43 P.3d 816 (2002).

33. Attorney previously disciplined found to have violated multiple offenses of KRPC 1.1, 1.3, 1.4, 3.2, 3.4, 3.5, and 8.4; eighteen-months' suspension and Rules 218 and 219 compliance ordered. *In re Berry*, 274 Kan. 336, 50 P.3d 20 (2002).

34. Attorney on disabled status filed 14 lawsuits in his own name, violating KRPC 3.1, 3.3(a)(1), 3.4(d), 8.4(c) and (d), and 3.5(c); civil judgment by opposing parties raised presumption of validity per Rule 202; disbarment. *In re Benson*, 275 Kan. 913, 69 P.3d 544 (2003).

35. Attorney previously disciplined by supervised probation found to have committed multiple violations of KRPC: 1.3, 1.4, 3.1, and 4.2; previously violated KRPC 1.3, 3.1, 3.2, 3.4, and 8.4; pursuant to Rule 212(c), attorney filed an exception to panel's report; disciplinary panel conducted formal hearing pursuant to Rule 211; supervising attorney granted full immunities per Rule 223; supervised probation extended to 5 years with restrictions on practice. *In re Boone*, 275 Kan. 560, 66 P.3d 896 (2003).

36. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

37. Attorney's misconduct in multiple cases violated KRPC 3.3, 3.4, 3.8, and 8.4 involving candor toward a tribunal, fairness to an opposing party, her duties as a prosecutor, and misconduct; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Jordan*, 278 Kan. 254, 91 P.3d 1168 (2004).

38. Rule cited in discussion of prosecutorial comment on the credibility of a witness. *State v. Graham*, 277 Kan.121, 83 P.3d 143 (2004).

39. Defense counsel, as well as the prosecutor, are prohibited from commenting on the credibility of a witness; further, if the trial court overrules a prosecutor's objection to defense counsel calling a State witness a liar, it compounds the violation of KRPC 3.4(e). *State v. Johnson*, 32 Kan. App. 2d 619, 86 P.3d 551 (2004).

40. Rule 3.4(e) cited for rule that it is misconduct for a prosecutor to state a personal opinion as to the credibility of a witness or as to the guilt or innocence of the accused. *State v. McHenry*, 276 Kan. 513, 78 P.3d 403 (2003).

41. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207, and Rule 211; hearing panel's report deemed admitted under Rule 212(c) and 9d); disbarment and Rule 218 compliance ordered. *In re Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

42. Attorney previously disciplined twice before violated KRPC 1.1, 1.7, 1.8, 3.4, 5.5, and 8.4; failure to file answer to formal complaint violated Rule 211(b); disbarment and Rule 218 compliance ordered. *In re Stover*, 278 Kan. 835, 104 P.3d 394 (2005).

43. Attorney violated the terms of his probation by violating KRPC 3.2, 3.3, 3.4, and 8.4; waived his right to file response and for oral argument before Supreme Court per Rule 211; indefinite suspension and compliance with Rule 218. *In re Singleton*, 279 Kan. 515, 111 P.3d 630 (2005).

44. Attorney's misconduct violates KRPC 1.3, 3.4(d), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); final report admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Devkota*, 280 Kan. 650, 123 P.3d 1289 (2005).

45. Attorney voluntarily surrenders license pursuant to Rule 217 following hearing panel's hearing per Rule 212 that respondent violated KRPC 1.3, 1.4, 1.5, 3.4, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Boaten*, 281 Kan. 390, 132 P.3d 870 (2006).

46. Attorney's misconduct violates KRPC 1.1, 3.1, 3.3(a)(1), 3.4(c), 4.4, 8.4(c), (d), and (g); complaint sufficiently clear and specific per Rule 211(b); panel and Disciplinary Administrator's office not required to issue subpoenas on respondent's behalf per Rule 216; Rule 222 cited by Disciplinary Administrator in objecting to introduction of records; disbarment. *In re Landrith*, 280 Kan. 619, 124 P.3d 467 (2005).

47. Although prosecutor's comment stating his personal opinion regarding defendant's guilt violates KRPC 3.4, his comments did not deny defendant a fair trial in this case; conviction affirmed. *State v. Hankerson*, 34 Kan. App. 2d 629, 122 P.3d 408 (2005).

48. Attorney committed multiple violations of KRPC's including KRPC 1.4, 1.15, 3.2, 3.4, and 8.4 involving communication, safekeeping property, expediting litigation, fairness to opposing party and counsel, and misconduct; pursuant to Rule 202, respondent violated KRPC 1.4(a), 1.15(a), and 8.4(c); indefinite suspension pursuant to Rule 203(a)(2). *In re Wiles*, 283 Kan. 173, 150 P.3d 859 (2007).

49. Attorney voluntarily surrendered license pursuant to Rule 217 with two cases pending before the Supreme Court involving violations of KRPC 1.3, 3.2, 1.15, 3.4, and 8.4; disbarment. *In re Kennard*, 283 Kan. 270, 156 P.3d 596 (2007).

50. Defendant argued the prosecutor improperly expressed his personal opinion in closing arguments and vouched for witnesses' credibility, thus violating KRPC 3.4(e); prosecutor's comments

found to be harmless error. *State v. Birth*, 37 Kan. App. 2d 753, 158 P.3d 345 (2007).

51. Attorney disciplined for violating KRPC 1.1, 1.3, 1.4, 3.4 in regard to his handling of a case filed under the Consumer Protection Act; failure to provide timely written response to client's complaint violates KRPC 8.1(b) and Rule 207(b); misconduct to be established by clear and convincing evidence per Rule 211(f); published censure pursuant to Rule 203(a)(3). *In re Arbuckle*, 283 Kan. 887, 156 P.3d 668 (2007).

52. Attorney who was previously censured in Kansas and in a reciprocal discipline proceeding in Illinois violated KRPC 3.1, 3.3(a)(1) and (3); 3.4(b), 8.1(b), 8.4(b), (c) and (d) per Rule 202; respondent received reciprocal attorney discipline and sanctions in Missouri and Illinois; hearing panel's final report deemed admitted under Rule 212(c) and (d); indefinite suspension pursuant to Rule 203(a)(2). *In re Daugherty*, 285 Kan.1143, 180 P.3d 536 (2008).

53. Attorney's misconduct resulting from two complaints violated KRPC 1.1, 1.3, 1.4(b), 3.4(d), 8.1(b), 8.4(c) and Rule 207(b); prior admonishment for violating KRPC 1.15 and 7.1; three-month suspension pursuant to Rule 203(b). *In re Harris*, 285 Kan. 1115, 180 P.3d 558 (2008).

54. Attorney under indefinite suspension for failing to comply with administrative requirements of maintaining his law license committed violations of KRPC including 3.4(f), 4.1(a), and Rule 207(b); respondent claimed Rule 211(e) violated; court states no actual showing of prejudice to respondent per Rule 224; indefinite suspension pursuant to Rule 203(a)(2); sanctions imposed by court may be greater or lesser than those proposed by hearing panel or Disciplinary Administrator per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Walsh*, 286 Kan. 235, 182 P.3d 1218 (2008).

55. Attorney's misconduct violates KRPC 3.1, 3.2, and 3.4 for bringing a frivolous claim, failing to expedite a case, failing to comply with a discovery request and to appear in court, and failing to meet a deadline set by the court; failure to file exceptions constitutes admission per Rule 212(c); previously disciplined on three occasions; two-year suspension in accordance with Rule 203(a)(2). *In re Harris*, 286 Kan.532, 186 P.3d 737 (2008).

56. Attorney's misconduct in two complaints arising out of a post-divorce child custody action violated KRPC 3.4(a), 4.1(a), and 8.4(a), (c), and (d); published censure in accordance with Rule 203(a)(3). *In re Jensen*, 286 Kan. 1160, 191 P.3d 1118 (2008).

57. Attorney violated KRPC 1.1, 1.3, 1.4, 3.4(c), and Rule 207; six-month suspension is suspended and two-year probation allowed per Rule 211(g). *In re Jones*, 287 Kan. 101, 193 P.3d 899 (2008).

58. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 3.4(c), 8.4(d), Rule 207(b) and Rule 211(b); six-month suspension; Rules 218 and 219 compliance ordered. *In re Thomas*, 287 Kan. 88, 193 P.3d 907 (2008).

59. KRPC 3.4(e) cited in discussing prosecutorial misconduct as reversible error and reversing conviction and remanding for new trial. *State v. Morris*, 40 Kan. App. 2d 769, 196 P.3d 422 (2008).

60. Attorney on suspension committed violations of KRPC 1.4, 3.4, 5.5, and 8.4; respondent filed exceptions and a brief pursuant to Rule 212; no exceptional circumstances exist to warrant discovery deposition per Rule 216(f) and Internal Operating Rule D.4; disbarment. *In re Wiles*, 289 Kan. 201, 210 P.3d 613 (2009).

61. Attorney violated KRPC 1.1, 1.5(a), 3.4(c), 3.5(d), 4.4(a), 8.4(b), (c), (d), and (g), and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); required notice given per Rule 215(a); Rule 218 compliance ordered; disbarment per Rule 203(a)(1). *In re Romious*, 291 Kan. 300, 240 P.3d 945 (2010).

62. Prosecutor's statements violated KRPC 3.4 by alluding to matters which were not supported by evidence; conduct did not deny defendant a fair trial and no reversible error found. *State v. McCaslin*, 291 Kan. 697, 245 P.3d 1030 (2010).

63. A prosecutor commits misconduct by making an improper comment, even if the improper comment is made in response to arguments or statements by defense counsel; discussion of prosecutorial misconduct relating to Rule 3.4(e). *State v. Marshall*, 294 Kan. 850, 281 P.3d 1112 (2012).

64. Citing KRPC 3.4, court holds prosecutor may not assert sole possession of the truth in closing argument. *State v. Smith*, 296 Kan. 111, 293 P.3d 669 (2012).

65. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 3.3, 3.4, 8.1, 8.4, and Rule 211(b); disbarment per Rule 203(a)(1). *In re Druten*, 297 Kan. 432, 301 P.3d 319 (2013).

66. Attorney voluntarily surrendered license under Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.3, 1.4, 1.16, 3.4(c), and 8.1(b), and Rule 207(b), 211(b), and 218. *In re Freed*, 298 Kan. 346, 312 P.3d 364 (2013).

67. KRPC 3.4(e) cited in noting it is improper for prosecutor to misstate the law; held prosecutor's statements not improper, viewed in context. *State v. Morningstar*, 299 Kan. 1236, 329 P.3d 1093 (2014).

68. Rule 3.4 and Rule 3.8 cited in noting prosecutor not allowed to offer personal opinion on credibility; held prosecutor statements within latitude, not misconduct. *State v. Williams*, 299 Kan. 911, 329 P.3d 400 (2014).

69. KRPC 3.4(e) cited in holding prosecutor committed misconduct by offering personal opinion on witness credibility and by referring to facts not in evidence; reversed and remanded for new trial. *State v. Akins*, 298 Kan. 592, 315 P.3d 868 (2014).

70. Attorney misconduct violated KRPC 1.3, 1.4(a) and (b), 3.4(d), and 8.4(d); indefinite suspension. *In re Hasty*, 300 Kan. 840, 335 P.3d 110 (2014).

71. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.16(a)(2) and (d), 3.2, and 3.4(d); 1-year suspension. *In re Murrow*, 300 Kan. 971, 336 P.3d 859 (2014).

72. Prosecutor's statement emphasizing victim's children left without father held to be misconduct under KRPC 3.4 and 3.8; error determined harmless. *State v. Holt*, 300 Kan. 985, 336 P.3d 312 (2014).

73. Prosecutor's use of sarcasm in rebuttal argument did not amount to statement of personal opinion as prohibited by KRPC 3.4(e). *State v. Longoria*, 301 Kan. 489, 343 P.3d 1128 (2015).

74. Prosecutor's comments to jury constituted improper personal opinion regarding witness credibility; KRPC 3.4(e) cited. *State v. Knox*, 301 Kan. 671, 347 P.3d 656 (2015).

75. Prosecutor prohibited from referring to facts not in evidence; KRPC 3.4 cited. *State v. Woods*, 301 Kan. 852, 348 P.3d 583 (2015).

76. Attorney misconduct violated KRPC 1.16(d), KRPC 3.2, KRPC 3.3(a)(1), KRPC 3.4(d), KRPC 8.1(b), KRPC 8.4(c), and KRPC 8.4(d); 18-month suspension. *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

77. Direct examination of client designed to elicit strong denials was not violation of ethical duties under KRPC 3.4(e) and did not constitute deficient performance. *Fuller v. State*, 303 Kan. 478, 363 P.3d 373 (2015).

78. Court rejected panel's finding of aggravating factor where attorney fee sanction at issue overturned by Court of Appeals and where underlying conduct did not violate KRPC 3.4(d). *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

KRPC 3.5 Impartiality and Decorum of the Tribunal

Case Annotations

1. Attorney who used a handgun "to demonstrate a point" to complainant who was preparing to name attorney's friend as father of complainant's child, and who prepared and submitted false affidavits to disciplinary administrator regarding the incident, violated Rules 8.1 and 8.4(c); insufficient evidence to find charged violations of Rules 3.3; 3.4; 3.5; 4.1; 4.4; 8.4(a), (b), (d), (g); or Rule 207. One-year suspension. *In re Wood,* 247 Kan. 219, 794 P.2d 660 (1990).

2. Lawyers' communication with judge regarding possible juror misconduct, without informing opposing counsel of same, violated MRPC 3.5(c). *State v. Cady,* 248 Kan. 743, 811 P.2d 1130 (1991).

3. Attorney who lied to the court and her clients and failed to appear for landlord-tenant case proceeding found to be in violation of MRPC 1.1, 1.3, 1.4, 3.3, 3.4, 3.5, 4.1, 8.2 and 8.4; one-year suspension and compliance with Rule 218 ordered. *In re Gershater*, 256 Kan. 512, 886 P.2d 343 (1994).

4. County attorney found to have had conflict of interest in representing client investigated for neglect of her children, engaged in undignified or discourteous conduct degrading to tribunal and engaged in conduct unfit to practice law; two-year probation; participation in ethics programs and personal apology to judge in open court ordered. *In re Kraushaar*, 258 Kan. 772, 907 P.2d 836 (1995).

5. Rule cited in discussion of attorney's duty as witness. *OMI Holdings, Inc. v. Howell*, 260 Kan. 305, 918 P.2d 1274 (1996).

6. Attorney's mishandling of child support case and his ex parte communication with judge violate MRPC 1.1, 3.3, 3.5, 4.4, 8.4(c), (d), and (g), and Rules 207 and 211; aggravating and mitigating factors; indefinite suspension. *In re Black*, 262 Kan. 825, 941 P.2d 1380 (1997).

7. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2). *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

8. Attorney's conversation with a judge regarding a case still pending before the judge was found inappropriate under the circumstances. *Subway Restaurants, Inc. v. Kessler*, 266 Kan. 433, 970 P.2d 526 (1998).

9. County attorney's misconduct in seven counts violates KRPC 1.1, 3.4(e), 8.4(a), (c), (d), (e) and (g), 3.8(a) and (c), and 3.5(d); supervised probation until term ends; ordered to resign from county attorney office on January 1, 2002; ordered to elect inactive status on next renewal date of his attorney registration. *In re Swarts*, 272 Kan. 28, 30 P.3d 1011 (2001).

10. Attorney previously disciplined found to have violated multiple offenses of KRPC 1.1, 1.3, 1.4, 3.2, 3.4, 3.5, and 8.4; eighteen-months' suspension and Rules 218 and 219 compliance ordered. *In re Berry*, 274 Kan. 336, 50 P.3d 20 (2002).

11. Attorney on disabled status filed 14 lawsuits in his own name, violating KRPC 3.1, 3.3(a)(1), 3.4(d), 8.4(c) and (d), and 3.5(c); civil judgment by opposing parties raised presumption of validity per Rule 202; disbarment. *In re Benson*, 275 Kan. 913, 69 P.3d 544 (2003).

12. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

13. Attorney's misconduct violates KRPC 3.5(c) and (d) and KRPC 8.2 during the course of a jury trial; charges were established by clear and convincing evidence per Rule 211(f); hearing panel's report admitted per Rule 212(c) and (d); published censure imposed per Rule 203(a)(3). *In re Eckelman*,

282 Kan. 415, 144 P.3d 713 (2006).

14. Pursuant to KRPC 3.5(b), attorneys may communicate with willing jurors after discharge of the jury. *Williams v. Lawton*, 288 Kan. 768, 207 P.3d 1027 (2009).

15. Attorney violated KRPC 1.1, 1.5(a), 3.4(c), 3.5(d), 4.4(a), 8.4(b), (c), (d), and (g), and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); required notice given per Rule 215(a); disbarment per Rule 203(a)(1) and Rule 218 compliance ordered. *In re Romious*, 291 Kan. 300, 240 P.3d 945 (2010).

16. Attorney's misconduct in an immigration matter violated KRPC 3.5(d) and 8.4(d); misconduct established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and does not limit Supreme Court's discretion to impose other discipline per Rule 212(f); published censure per Rule 203(a)(3). *In re Chavez*, 292 Kan. 45, 251 P.3d 628 (2011).

17. Attorney's misconduct violated KRPC 3.3(a)(1) and 3.5(c)(2) and (c)(3); 1-year suspension per Rule 203(a)(2). *In re Stockwell*, 296 Kan. 860, 295 P.3d 572 (2013).

18. Attorney misconduct violated KRPC 3.5(d), 8.1(a), and 8.4(c) and (d); 3-year suspension, stayed during 3 years' probation. *In re Rumsey*, 301 Kan. 438, 343 P.3d 93 (2015).

19. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 3.5(c) and (d), 8.2(a), and 8.4(d) and (g); 3 years' probation. *In re Clothier*, 301 Kan. 567, 344 P.3d 370 (2015).

KRPC 3.6 Trial Publicity

Case Annotations

1. Identical rule held void for vagueness as applied by Nevada Supreme Court. *Gentile v. State Bar of Nevada*, 501 U.S. 1030, 115 L. Ed. 2d 888, 111 S. Ct. 2720 (1991).

2. Stated reason for attorney general's press conference not one of the permissible extrajudicial statements by a lawyer involved in litigation as discussed in KRPC 3.6; however, since no prejudice resulted from this action, attorney general not held in contempt. *Alpha Med. Clinic v. Anderson*, 280 Kan. 903, 929, 128 P.3d 364 (2006).

3. Rule discussed regarding trial publicity. *Comprehensive Health of Planned Parenthood v. Kline*, 287 Kan. 372, 197 P.3d 370 (2008).

4. Attorney misconduct violated KRPC 3.3(a)(1) and (3); 5.1(c); 8.1(b); and 8.4(c), (d), and (g); clear and convincing evidence did not support finding of other specific violations of KRPC 3.3(a)(1), 3.6, 3.8(f), 5.3(b), 8.1(a), and 8.4(c) and (g); indefinite suspension under Rule 203(a)(2). *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

KRPC 3.7 Lawyer as Witness

Case Annotations

1. Attorney disqualified pursuant to MRPC 1.9(a) from representing estate of decedent who was major shareholder of corporation for which attorney drafted stock repurchase agreement in the event of stockholder disability, retirement, or death; attorney's involvement made him material witness, requiring disqualification under MRPC 3.7(a) and DR 5-102; right to appeal attorney disqualification rests with client, not attorney. *Miller v. Insurance Management Assocs., Inc.*, 249 Kan. 102, 815 P.2d 89 (1991).

2. The "likely to be called as a witness" language in MRPC 3.7 is more restrictive than the "ought to be called as a witness" language of DR 5-101(B) and 5-102(A), placing a greater burden on the party

seeking disqualification of an attorney. *LeaseAmerica Corp. v. Stewart,* 19 Kan. App. 2d 740, 876 P.2d 184 (1994).

3. Motion for disqualification of attorney likely to be a witness should not be granted absent a showing attorney will give evidence material to litigated issues, evidence cannot be obtained elsewhere, and testimony is prejudicial or potentially so to testifying attorney's client. *LeaseAmerica Corp. v. Stewart,* 19 Kan. App. 2d 740, 876 P.2d 184 (1994).

4. Client may waive conflict of interest Rules 1.7 and 1.9 and consent to attorney's representation despite anticipated adverse testimony. *LeaseAmerica Corp. v. Stewart,* 19 Kan. App. 2d 740, 876 P.2d 184 (1994).

5. Attorney's failure to remit personal injury protection lien to his client's insurance company, failure to keep client informed, misrepresentation to client, and creating conflict of interest violated MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.7, 4.1, and 8.4; aggravating circumstances; indefinite suspension. *In re Seck*, 258 Kan. 530, 905 P.2d 122 (1995).

6. MRPC 3.7 does not prevent deputy disciplinary administrator from prosecuting a case in which another deputy disciplinary administrator is a material witness. *In re Harris,* 261 Kan. 1063, 934 P.2d 965 (1997).

7. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

8. County prosecutor's office treated as "lawyer's firm" used in KRPC 3.7(b); KRPC 1.7 and 1.9 do not prohibit an attorney in county attorney's office from prosecuting a case in which another attorney of that office is a material witness, no violation of KRPC 3.8 found; comment to KRPC 1.10 mentioned. *State v. Dimaplas*, 267 Kan. 65, 978 P.2d 891 (1999).

9. Defendant's attorney testified on his behalf during trial, and prosecutor's comments at closing in regard to that testimony was one basis for new trial to be ordered for defendant. *State v. Pham*, 27 Kan. App. 2d 996, 10 P.3d 780 (2000).

10. A lawyer is disqualified from acting as an advocate under KRPC 3.7 when there is a likelihood that the lawyer will be a necessary witness. This standard requires opposing party to bear higher burden on a disqualification motion, permits court to delay ruling until it can be determined that no other witness can testify, and obviates disqualification if the lawyer's testimony is merely cumulative. *National Bank of Andover, N.A. v. Aero Standard Tooling, Inc.*, 30 Kan. App. 2d 784, 49 P.3d 547 (2002).

11. Defendant's public defender's possible conflict of interest requires appeal to be remanded to district court for reconsideration of motion to withdraw plea. *State v. Toney*, 39 Kan. App. 2d 1036, 187 P.3d 138 (2008).

12. Plaintiff's lawyer was not subject to disqualification in 2009 under KRPC 3.7 because he was not likely to be a necessary witness on causation in a medical malpractice case. *Venters v. Sellers*, 293 Kan. 87, 261 P.3d 538 (2011).

13. Court cites KRPC 3.7(a) in stating that practice of prosecutor being called as a witness in a case in which the prosecutor is personally participating is disfavored. *State v. Rivera*, 48 Kan. App. 2d 417, 291 P.3d 512 (2012).

KRPC 3.8 Special Responsibilities of a Prosecutor

Case Annotations

1. County prosecutor's office treated as "lawyer's firm" used in KRPC 3.7(b); KRPC 1.7 and 1.9 do not prohibit an attorney in county attorney's office from prosecuting a case in which another attorney of that office is a material witness; no violation of KRPC 3.8 found; comment to KRPC 1.10 mentioned. *State v. Dimaplas*, 267 Kan. 65, 978 P.2d 891 (1999).

2. The State has no duty to conduct a voir dire of a grand jury; KRPC 3.3(d) and 3.8 mentioned. *State v. Snodgrass*, 267 Kan. 185, 979 P.2d 664 (1999).

3. County attorney's misconduct in seven counts violates KRPC 1.1, 3.4(e), 8.4(a), (c), (d), (e) and (g), 3.8(a) and (c), and 3.5(d); supervised probation until term ends; ordered to resign from county attorney office on January 1, 2002; ordered to elect inactive status on next renewal date of his attorney registration. *In re Swarts*, 272 Kan. 28, 30 P.3d 1011 (2001).

4. Attorney's misconduct in multiple cases violated KRPC 3.3, 3.4, 3.8, and 8.4 involving candor toward a tribunal, fairness to an opposing party, her duties as a prosecutor, and misconduct; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Jordan*, 278 Kan. 254, 91 P.3d 1168 (2004).

5. Rule applies to attorney retained by victim's family in criminal prosecution; all attorneys are subject to the KRPC. Pabst v. State, 287 Kan. 1, 192 P.3d 630 (2008).

6. Rule cited regarding special responsibilities of a prosecutor as an advocate. Comprehensive Health of Planned Parenthood v. Kline, 287 Kan. 372, 197 P.3d 370 (2008).

7. Prosecutor's comments about witness' credibility and KRPC 3.8 concerning special duties of a prosecutor discussed. *State v. Marshall*, 294 Kan. 850, 281 P.3d 1112 (2012).

8. KRPC 3.8(a) cited in case interpreting K.S.A. 21-3219(c) regarding probable cause standard that is required before State begins a criminal prosecution. *State v. Ultreras*, 296 Kan. 828, 295 P.3d 1020 (2013).

9. Attorney misconduct violated KRPC 3.3(a)(1) and (3); 5.1(c); 8.1(b); and 8.4(c), (d), and (g); clear and convincing evidence did not support finding of other specific violations of KRPC 3.3(a)(1), 3.6, 3.8(f), 5.3(b), 8.1(a), and 8.4(c) and (g); indefinite suspension under Rule 203(a)(2). *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

10. Prosecutorial misconduct cannot be excused even if in response to arguments or statements by defense counsel; prosecutor has responsibility as minister of justice as discussed in KRPC 3.8, Comment 1. *State v. Maestas*, 298 Kan. 765, 316 P.3d 724 (2014).

11. Rule 3.4 and Rule 3.8 cited in noting prosecutor not allowed to offer personal opinion on credibility; held prosecutor statements within latitude, not misconduct. *State v. Williams*, 299 Kan. 911, 329 P.3d 400 (2014).

12. KRPC 3.8(e) cited regarding special responsibility of prosecutors when seeking testimony from attorneys regarding former or current clients in grand jury investigations. *State v. Turner*, 300 Kan. 662, 333 P.3d 155 (2014).

13. Prosecutor's statement emphasizing victim's children left without father held to be misconduct under KRPC 3.4 and 3.8; error determined harmless. *State v. Holt*, 300 Kan. 985, 336 P.3d 312 (2014).

TRANSACTIONS WITH PERSONS OTHER THAN CLIENTS

KRPC 4.1 Truthfulness in Statements to Others

Case Annotations

1. Attorney who used a handgun "to demonstrate a point" to complainant who was preparing to name attorney's friend as father of complainant's child, and who prepared and submitted false affidavits to disciplinary administrator regarding the incident, violated Rules 8.1 and 8.4(c); insufficient evidence to find charged violations of Rules 3.3; 3.4; 3.5; 4.1; 4.4; 8.4(a), (b), (d), (g); or Rule 207. One-year suspension. *In re Wood*, 247 Kan. 219, 794 P.2d 660 (1990).

2. Attorney's forging of judge's signature in probate matter resulting in felony conviction violative of MRPC 4.1; 8.4(b), (c), (d), and (g); failure to communicate with client violative of MRPC 1.4; previous violations; indefinite suspension and Rule 218 compliance ordered. *In re Pomeroy*, 252 Kan. 1044, 850 P.2d 222 (1993).

3. Seven of nine charges based on misdemeanor convictions, dismissals, or diversions dismissed by panel due to remoteness; remaining two misdemeanor convictions violative of MRPC 8.4 (b), (d), and (g); attorney's conduct in mishandling personal injury case resulting in statute of limitations running, PIP carrier losing lien, and misrepresentation to client as to status of case violative of MRPC 1.3, 1.4, 4.1, and 8.4 (c) and (g); mitigating circumstances; one-year suspension and compliance with Rule 218 ordered. *In re Pistotnik*, 254 Kan. 294, 864 P.2d 1166 (1993).

4. Attorney's failure to remit client's portion in a collection matter, failure to keep client informed, misrepresentations to client as to status of collection efforts, and causing balance on trust account to repeatedly fall below amount due client violative of MRPC 1.3, 1.4(a), 1.5(d), 1.15(a), 4.1(a), and 8.4(c); aggravating and mitigating circumstances; one-year supervised probation with conditions. *In re Wisler*, 254 Kan. 600, 866 P.2d 1049 (1994).

5. Attorney’s mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

6. Attorney who lied to the court and her clients and failed to appear for landlord-tenant case proceeding found to be in violation of MRPC 1.1, 1.3, 1.4, 3.3, 3.4, 3.5, 4.1, 8.2 and 8.4; one-year suspension and compliance with Rule 218 ordered. *In re Gershater*, 256 Kan. 512, 886 P.2d 343 (1994).

7. Attorney’s mishandling of probate matter and workers compensation case violates MRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4 and Rule 207; imposition of discipline suspended; two-year supervised probation. *In re Whitaker*, 256 Kan. 939, 888 P.2d 829 (1995).

8. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

9. Attorney’s failure to remit personal injury protection lien to his client’s insurance company, failure to keep client informed, misrepresentation to client, and creating conflict of interest violated MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.7, 4.1, and 8.4; aggravating circumstances; indefinite suspension. *In re Seck*, 258 Kan. 530, 905 P.2d 122 (1995).

10. Attorney’s mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

11. Attorney’s handling of civil action and post-divorce proceeding and his attempt to represent a criminal defendant while attorney was in inpatient drug treatment program violate MRPC 1.3, 1.4, 1.5(b), 1.15(a) and (b), 1.16(a), 3.3(a), 4.1, and 8.4(a), (b), (d), and (g); three-year supervised probation. *In re Phillips*, 260 Kan. 909, 925 P.2d 435 (1996).

12. Attorney falsified records regarding sale of home to prevent one-half of proceeds from going to the Department of Social and Rehabilitation Services as credit against future Medicaid benefits in violation of MRPC 1.1, 4.1, 5.3, 8.1, and 8.4; published censure per Rule 203(a)(3). *In re Apt*, 263 Kan. 210, 946 P.2d 1002 (1997).

13. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

14. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

15. Attorney's causing an order nunc pro tunc to reduce his client's criminal sentence violates MRPC 3.1 and 4.1; dissenting panel member found an additional violation of MRPC 8.4(d); published censure per Rule 203(a)(3). *In re Senecal*, 266 Kan. 669, 974 P.2d 517 (1999).

16. Attorney's sending personal materials and contraband to prison inmates under the guise of "legal mail" violates KRPC 4.1(a) and 8.4(c); published censure per Rule 203(a)(3). *In re Albin*, 267 Kan. 451, 982 P.2d 385 (1999).

17. Attorney voluntarily surrenders his license to practice law in Missouri; his misconduct violated KRPC 4.1, 7.3, and 8.4(a) and (c) per Rule 202; disbarment. *In re Rogers*, 269 Kan. 829, 7 P.3d 1260 (2000).

18. Interlocutory appeal taken per Rule 4.01. *Zimmerman v. Mahaska Bottling Co.*, 270 Kan. 810, 19 P.3d 784 (2001).

18. Attorney's conviction for fraud and deceptive commercial practice violated KRPC 1.15, 4.1, and 8.4(b), (c), (d) and (g); two-year suspension per Rule 203 and Rule 218 compliance ordered. *In re Rausch*, 272 Kan. 308, 32 P.3d 1181 (2001).

19. Attorney licensed to practice law in Missouri, but not in Kansas, failed to comply with Rule 216; violated Mo. Rules of Professional Conduct which are identical to and thus, based on Rule 202, violate KRPC 3.3(a)(1), 4.1(a), 8.1(b), 8.4(a) and (d); also found to have violated KRPC 7.1, 8.4(c) and (g); violated Rule 211(b) by failing to timely file answer to formal complaint; indefinite prohibition from practicing law before any Kansas court, administrative tribunal, or state agency. *In re Franco*, 275 Kan. 571, 66 P.3d 805 (2003).

20. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1, and 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

21. Attorney disciplined for numerous violations of rules of professional conduct including KRPC 3.1, 3.3, 4.1, and 8.4; required notice given per Rule 215; disbarment and Rule 218 compliance ordered. *In re Nathanson*, 279 Kan. 921, 112 P.3d 162 (2005).

22. Attorney voluntarily surrenders license per Rule 217 while four complaints with Disciplinary Administrator pending; misconduct involving KRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4(a), (c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Maker*, 280 Kan. 1, 117 P.3d 880 (2005).

23. Attorney voluntarily surrenders his license per Rule 217 while complaint pending alleging violations of KRPC 1.7, 1.8, 1.15, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Weller*, 280 Kan. 114, 118 P.3d 1237 (2005).

24. Attorney previously suspended for 1 year and admonished several years later violates KRPC 1.5, 1.15(b), 4.1, and 8.4(c); formal hearing per Rule 211 held; repeated violations of KRPC's noted;

disbarment in accordance with Rule 203(a)(1). *In re Christian*, 281 Kan. 1203, 135 P.3d 1069 (2006).

25. Attorney voluntarily surrenders license pursuant to Rule 217 following hearing panel's hearing per Rule 212 that respondent violated KRPC 1.3, 1.4, 1.5, 3.4, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Boaten*, 281 Kan. 390, 132 P.3d 870 (2006).

26. Attorney under indefinite suspension for failing to comply with administrative requirements of maintaining his law license committed violations of KRPC including 3.4(f), 4.1(a), and Rule 207(b); respondent claimed Rule 211(e) violated; court states no actual showing of prejudice to respondent per Rule 224; indefinite suspension pursuant to Rule 203(a)(2); sanctions imposed by court may be greater or lesser than those proposed by hearing panel or Disciplinary Administrator per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Walsh*, 286 Kan. 235, 182 P.3d 1218 (2008).

27. Attorney's misconduct violated KRPC 1.1, 4.1, 4.4, 5.5, and 8.4(c) through her conviction of five counts of unauthorized practice of law in Minnesota and suspension; attorney misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Hillbrant*, 286 Kan. 280, 182 P.3d 1253 (2008).

28. Attorney's misconduct in two complaints arising out of a post-divorce child custody action violated KRPC 3.4(a), 4.1(a), and 8.4(a), (c), and (d); published censure in accordance with Rule 203(a)(3). *In re Jensen*, 286 Kan. 1160, 191 P.3d 1118 (2008).

29. Attorney's misconduct violated KRPC 1.3, 1.15, 4.1, and 8.4(c); violations deemed admitted under Rule 212(c); six-month suspension. *In re McPherson*, 287 Kan. 434, 196 P.3d 921 (2008).

30. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

31. Attorney voluntarily surrendered his license to practice law pursuant to Rule 217 after complaint filed alleging violations of KRPC 4.1 and 8.4(b); disbarment. *In re Roth*, 295 Kan. 8, 282 P.3d 610 (2012).

32. Attorney's misconduct violated KRPC 1.2, 1.7, 4.1, and 8.4; 2-year suspension per Rule 203(a)(2). *In re Galloway*, 296 Kan. 406, 293 P.3d 696 (2013).

33. Attorney's misconduct violated KRPC 4.1(a) and (b) and 8.4(c) and (g); disbarment per Rule 203(a)(1). *In re Baker*, 296 Kan. 696, 294 P.3d 326 (2013).

34. Attorney misconduct violated KRPC 4.1(b) and 8.4(c); 2-year suspension. *In re Singer*, 300 Kan. 830, 335 P.3d 627 (2014).

35. Attorney misconduct violated KRPC 4.1 and 8.4(c); 1-month suspension. *In re Goss*, 301 Kan. 28, 338 P.3d 587 (2014).

36. Attorney misconduct violated KRPC 8.4(d) and (g); no determination made regarding alleged violations of KRPC 4.1(a) and 4.3 where such violations not found by hearing panel and not briefed by parties; 6-month suspension. *In re Gamble*, 301 Kan. 13, 338 P.3d 576 (2014).

KRPC 4.2 Communication with Person Represented by Counsel

Case Annotations

1. When corporate employee is a party; adoption of "managing-speaking" agent test. *Chancellor v. Boeing Co.*, 678 F. Supp. 250 (D. Kan. 1988).

2. Rule cited in allegations of improper communication by counsel with the other party. *Stone v.*

City of Kiowa, 263 Kan. 502, 950 P.2d 1305 (1997).

3. Defendant argued that prosecutor violated KRPC 4.2 when defendant was interviewed by a detective and the prosecutor. *State v. Sperry*, 267 Kan. 287, 978 P.2d 933 (1999).

4. Rule is not violated by direct service of a written notice of settlement upon a party who is represented by an attorney. *Wilkerson v. Brown*, 26 Kan.App.2d 831, 995 P.2d 393 (1999).

5. Attorney previously disciplined by supervised probation found to have committed multiple violations of KRPC: 1.3, 1.4, 3.1, and 4.2; previously violated KRPC 1.3, 3.1, 3.2, 3.4, and 8.4; pursuant to Rule 212(c), attorney filed an exception to panel's report; disciplinary panel conducted formal hearing pursuant to Rule 211; supervising attorney granted full immunities per Rule 223; supervised probation extended to 5 years with restrictions on practice. *In re Boone*, 275 Kan. 560, 66 P.3d 896 (2003).

6. Attorney violated KRPC 4.2, 4.4, 8.3(a), and 8.4 involving communication with person represented by counsel, respect for rights of third parties, reporting professional misconduct, and misconduct; published censure pre Rule 203(a)(3). *In re Pyle*, 278 Kan. 230, 91 P.3d 1222 (2004).

7. Attorney's misconduct in three cases violates KRPC 1.3, 1.7, 4.2, and 8.4; compliance with Rules 218 and 219 ordered; 1-year suspension ordered per Rule 203(a)(2). *In re Pattison*, 280 Kan. 349, 121 P.3d 42 (2005).

8. Attorney violated KRPC 4.2, prohibiting ex parte communication with a person represented by counsel and engaging in conduct adversely reflecting on one's fitness to practice law; published censure pursuant to Rule 203(a)(3). *In re Garcia*, 282 Kan. 282 Kan. 721, 147 P.3d 132 (2006).

9. Attorney's misconduct violated KRPC 1.1, 4.1, 4.4, 5.5, and 8.4(c) through her conviction of five counts of unauthorized practice of law in Minnesota and suspension; attorney misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Hillbrant*, 286 Kan. 280, 182 P.3d 1253 (2008).

KRPC 4.3 Dealing with Unrepresented Person

Case Annotations

1. Attorney found to have violated MRPC 1.1, 1.3, 1.4, 1.15, 3.2, 3.4(c), 4.3, and 8.4(d) and (g) based on conduct in seven different complaints reflecting on attorney's lack of diligence and competence, miscommunication and lack of candor, and failure to return unearned fees; failure to cooperate in disciplinary investigation; attorney currently on disability inactive status; indefinite suspension and Rule 218 compliance ordered. *In re Jenkins*, 255 Kan. 797, 877 P.2d 423 (1994).

2. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

3. Attorney violated KRPC 4.3 and 8.4(b), (c), and (d); recommendations from Disciplinary Administrator and hearing panel are advisory only and the court may impose sanctions greater or lesser than those recommended per Rule 212(f); misconduct established by clear and convincing evidence per Rule 211(f); Rules 218 and 219 compliance ordered; 2-year suspension per Rule 203(a)(2). *In re Millett*, 291 Kan. 369, 241 P.3d 35 (2010).

4. Attorney misconduct violated KRPC 8.4(d) and (g); no determination made regarding alleged violations of KRPC 4.1(a) and 4.3 where such violations not found by hearing panel and not briefed by parties; 6-month suspension. *In re Gamble*, 301 Kan. 13, 338 P.3d 576 (2014).

KRPC 4.4 Transactions with Persons Other than Clients: Respect for Rights of Third Persons

Case Annotations

1. Attorney who used a handgun "to demonstrate a point" to complainant who was preparing to name attorney's friend as father of complainant's child, and who prepared and submitted false affidavits to disciplinary administrator regarding the incident, violated Rules 8.1 and 8.4(c); insufficient evidence to find charged violations of Rules 3.3; 3.4; 3.5; 4.1; 4.4; 8.4(a), (b), (d), (g); or Rule 207. One-year suspension. *In re Wood*, 247 Kan. 219, 794 P.2d 660 (1990).

2. Attorney's mishandling of child support case and his ex parte communication with judge violate MRPC 1.1, 3.3, 3.5, 4.4, 8.4(c), (d), and (g), and Rules 207 and 211; aggravating and mitigating factors; indefinite suspension. *In re Black*, 262 Kan. 825, 941 P.2d 1380 (1997).

3. Attorney violated KRPC 4.2, 4.4, 8.3(a), and 8.4 involving communication with person represented by counsel, respect for rights of third parties, reporting professional misconduct, and misconduct; published censure per Rule 203(a)(3). *In re Pyle*, 278 Kan. 230, 91 P.3d 1222 (2004).

4. Attorney violated KRPC 4.4 (respect for rights of third persons) and 8.4(c) and (g)(misconduct); failed to file exceptions to hearing report of panel per Rule 212(c); charges established by clear and convincing evidence per Rule 211(f); 3-month suspension per Rule 203(a)(2). *In re Royer*, 278 Kan. 643, 78 P.3d 440 (2003).

5. Attorney's misconduct violates KRPC 1.1, 3.1, 3.3(a)(1), 3.4(c), 4.4, 8.4(c), (d), and (g); complaint sufficiently clear and specific per Rule 211(b); panel and Disciplinary Administrator's office not required to issue subpoenas on respondent's behalf per Rule 216; Rule 222 cited by Disciplinary Administrator in objecting to introduction of records; disbarment. *In re Landrith*, 280 Kan. 619, 124 P.3d 467 (2005).

6. Attorney's misconduct violated KRPC 1.1, 4.1, 4.4, 5.5, and 8.4(c) through her conviction of five counts of unauthorized practice of law in Minnesota and suspension; attorney misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Hillbrant*, 286 Kan. 280, 182 P.3d 1253 (2008).

7. Attorney's misconduct while serving as county attorney violated KRPC 4.4(a) and 8.4(d) and (g); per Rule 203(a)(5) Supreme Court may impose any discipline regardless of recommendation of hearing panel; 6-month suspension and Rule 219 compliance ordered. In re Campbell, 287 Kan. 757, 199 P.3d 776 (2009).

8.Attorney's misconduct violated KRPC 4.4, 8.3, 8.4(d) and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel report deemed admitted per Rule 212(c); published censure under Rule 203(a)(3). *In re Kenny*, 289 Kan. 851, 217 P.3d 36 (2009).

9. Attorney violated KRPC 1.1, 1.5(a), 3.4(c), 3.5(d), 4.4(a), 8.4(b), (c), (d), and (g), and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); required notice given per Rule 215(a);

10. Rule 218 compliance ordered; disbarment per Rule 203(a)(1). *In re Romious*, 291 Kan. 300, 240 P.3d 945 (2010).

11. Attorney misconduct violated KRPC 1.7(a), 3.1, 3.3(d), 4.4(a), 8.4(d), and 8.4(e); 2-year suspension. *In re Holste*, 302 Kan. 880, 358 P.3d 850 (2015).

LAW FIRMS AND ASSOCIATIONS

KRPC 5.1 Responsibilities of Partners, Managers and Supervisory Lawyers

Case Annotations

1. Attorney's misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and(b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

2. Attorney indefinitely suspended for numerous ethical violations in Missouri and convicted of filing a false federal income tax return; temporary suspension per Rule 203(c)(5) effective at the time of suspension in Kansas; violations found in KRPC 1.2, 1.3, 1.4, 1.8, 1.15, 3.2, 5.1, and 8.4; indefinite suspension. *In re Shaver*, 269 Kan. 171, 4 P.3d 581 (2000).

3. Attorney previously censured for KRPC 8.4(b) and (d) and admonished for KRPC 1.16(d) now found to have violated KRPC 1.15, 5.1, and 8.4(a); Internal Operating Rule E.8. cited for appropriateness of probation; supervising attorney afforded full immunities per Rule 223; misconduct established by clear and convincing evidence per Rule 211(f) and hearing panel's report deemed admitted under Rule 212(c) and (d); Rule 219 hearing not required at end of 2-year probation; 16 specific terms and conditions set forth in probation plan; Rule 218 compliance ordered; 2-year supervised probation. *In re Conwell*, 275 Kan. 902, 69 P.3d 589 (2003).

4. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116 including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; 1-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011).

5. Attorney misconduct violated KRPC 3.3(a)(1) and (3); 5.1(c); 8.1(b); and 8.4(c), (d), and (g); clear and convincing evidence did not support finding of other specific violations of KRPC 3.3(a)(1), 3.6, 3.8(f), 5.3(b), 8.1(a), and 8.4(c) and (g); indefinite suspension under Rule 203(a)(2). *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

6. Under KRPC 5.1(c)(2), supervising attorney responsible for known conduct of subordinate attorney; constructive knowledge insufficient to establish violation. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

KRPC 5.2 Responsibilities of a Subordinate Lawyer

Case Annotations

1. Subordinate attorneys are not relieved of their responsibility for a violation of the rules of professional conduct simply because they acted at the direction of their supervisor, if they know beforehand that their conduct will be a violation of MRPC 1.7 and 1.16. *McCurdy v. Kansas Dept. of Transportation*, 21 Kan. App. 2d 262, 898 P.2d 650 (1995).

KRPC 5.3 Law Firms and Associations: Responsibilities Regarding Nonlawyer Assistance

Case Annotations

1. Rule applicable to suspended attorney; client contact prohibition. *In re Wilkinson,* 251 Kan. 546, 834 P.2d 1356 (1992).

2. Attorney's mishandling of client funds, failure to supervise nonlawyer assistants, and other misconduct violate MRPC 1.3, 1.5, 1.15, 5.3, and 8.4; mitigating circumstances; published censure. *In re Krogh,* 259 Kan. 163, 910 P.2d 221 (1996).

3. Attorney's mishandling of civil rights case violates MRPC 1.2, 1.3, 1.4, 1.7, 1.15, 5.3, and 8.4; two-year supervised probation. *In re Baxter,* 262 Kan. 555, 940 P.2d 37 (1997).

4. Attorney contended that mishandling of home sale for client was attributable to a secretary; however, the court held that the ultimate responsibility for the mishandled sale remains with attorney; published censure. *In re Apt*, 263 Kan. 210, 946 P.2d 1002 (1997).

5. Attorney's misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and (b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

6. Attorney's mishandling divorce, traffic violation, and criminal matters violates KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 5.3, and 8.4 and Rule 207; numerous mitigating and aggravating factors considered; two-year supervised probation. *In re Kellogg*, 269 Kan. 143, 4 P.3d 594 (2000).

7. Disqualification of law firm employing nonattorney under KRPC 1.10 and 5.3 granted; KRPC rejects use of screening devices and Supreme Court makes no exception for nonlawyers. Imputed disqualification when nonlawyer employee having privileged information accepts employment with law firm with materially adverse interests. *Zimmerman v. Mahaska Bottling Co.*, 270 Kan. 810, 19 P.3d 784 (2001).

8. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 5.4(a), 5.5(b), 7.3 and 8.4; two-year supervised probation. *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

9. Attorney's misconduct in six different complaints as well as mishandling of his trust account result in one-year suspension per Rule 203; if reinstatement sought, requirements of Rule 219 apply. *In re Craig*, 272 Kan. 299, 32 P.3d 1174 (2001).

10. Attorney failed to provide adequate supervision of disbarred attorney as employee in his firm and allowed him to engage in unauthorized practice of law over a number of years violating KRPC 5.3 and 5.5(b); misconduct found with clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Juhnke*, 273 Kan. 162, 41 P.3d 855 (2002).

11. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1, 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

12. Attorney's misconduct violated KRPC 1.15(a) and (b), 5.3(b), and 8.4(c) by mishandling her trust account, imperiling client funds, and failing to promptly deliver funds to a client; suspended a 1-year suspension conditioned upon a 3-year period of compliance with all KRPC's well as complying with KRPC 1.15(d)(2) and Rule 216A. *In re Quinn*, 286 Kan. 301, 184 P.3d 235 (2008).

13. Attorney's misconduct in two complaints violated KRPC 1.3, 1.4, 1.15 (a) and (b), 8.4(g), and Rule 207(b); previously disciplined twice for similar violations; probation plan per Rule 211(g) denied; ordered to repay funds owed to clients per Rule 203(a)(5); indefinite suspension in accordance

with Rule 203(a)(2). *In re Corrin*, 286 Kan. 421, 184 P.3d 923 (2008).

14. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-year suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

15. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

16. Attorney misconduct violated KRPC 3.3(a)(1) and (3); 5.1(c); 8.1(b); and 8.4(c), (d), and (g); clear and convincing evidence did not support finding of other specific violations of KRPC 3.3(a)(1), 3.6, 3.8(f), 5.3(b), 8.1(a), and 8.4(c) and (g); indefinite suspension under Rule 203(a)(2). *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

17. Attorney misconduct violated KRPC 1.3, 1.15, and 5.3; 3-month suspension. *In re Peloquin*, 301 Kan. 1, 338 P.3d 568 (2014).

18. Attorney misconduct violated KRPC 1.4(a) and 5.3; published censure. *In re Ehrlich*, 302 Kan. 174, 351 P.3d 1268 (2015).

KRPC 5.4 Professional Independence of a Lawyer

Case Annotations

1. Medical profession's Board of Healing Arts prohibition on fee splitting compared to MRPC 5.4. *Early Detection Center, Inc. v. Wilson*, 248 Kan. 869, 877, 811 P.2d 860 (1991).

2. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 5.4(a), 5.5(b), 7.3 and 8.4; two-year supervised probation. *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

3. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

4. KRPC 5.4(a) cited which prohibits splitting a legal fee with a nonattorney. *Stewart Title of the Midwest v. Reece & Nichols Realtors*, 294 Kan. 553, 276 P.3d 188 (2012).

5. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

6. Attorney misconduct violated KRPC 5.4(d), 7.1(a), 8.4(c), and 8.4(g); indefinite suspension. *In re Holyoak*, 304 Kan. 644, 372 P.3d 1205 (2016).

KRPC 5.5 Unauthorized Practice of Law: Multijurisdictional Practice of Law

Case Annotations

1. Rule does not prohibit use of paraprofessionals, so long as attorney supervises and retains responsibility; suspended attorney as paralegal. *In re Wilkinson*, 251 Kan. 546, 834 P.2d 1356 (1992).

2. Attorney's accepting a fee to handle an estate case while suspended from the practice of law violates MRPC 5.5 and 8.4; 16 additional cases pending at the time of oral argument; disbarment. *In re Howlett*, 266 Kan. 401, 969 P.2d 890 (1998).

3. Attorney's failure to provide competent representation and to diligently represent and communicate with clients violates KRPC 1.1, 1.3, 1.4(a); attorney's unauthorized practice of law following suspension violates KRPC 5.5; failure to respond to and cooperate with disciplinary administrator violates KRPC 8.1; failure to stop practicing law after suspension and failure to so notify clients violates KRPC 8.4 and Rules 207, 211, and 218; disbarment. *In re Moran*, 270 Kan. 403, 13 P.3d 1275 (2000).

4. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 5.4(a), 5.5(b), 7.3 and 8.4; s two-year supervised probation. *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

5. Attorney failed to provide adequate supervision of disbarred attorney as employee in his firm and allowed him to engage in unauthorized practice of law over a number of years violating KRPC 5.3 and 5.5(b); misconduct found with clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Juhnke*, 273 Kan. 162, 41 P.3d 855 (2002).

6. Attorney violated suspension order and engaged in the unauthorized practice of law; suspension per Rule 203(a)(2); Rules 218 and 219 compliance ordered. *In re Lucas*, 273 Kan. 1010, 46 P.3d 558 (2002).

7. Attorney's misconduct for failure to inform client the status of his license, violation of the KRPC's by representing a client without his license, the unauthorized practice of law, and failure to register with the Clerk of the Appellate Courts and pay registration fee violates KRPC 1.4(b), 1.16(a)(1), 5.5(a), 8.4(d), Rule 208(a) and Rule 218(a); ninety-day suspension. *In re Hunter*, 273 Kan. 1015, 46 P.3d 1199 (2002).

8. Attorney's misconduct violated multiple offenses of KRPC: 1.3, 1.4(a), 3.2, 5.5(a), 8.1(b), 8.4(a) and (d); notified per Rule 215(a); failed to respond or appear violating Rule 212(d); failed to file answer per Rule 211(b); disbarment per Rule 203(a)(1); Rule 218 compliance ordered. *In re Griswold*, 274 Kan. 776, 56 P.3d 269 (2002).

9. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1, 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

10. Attorney previously disciplined twice before violated KRPC 1.1, 1.7, 1.8, 3.4, 5.5, and 8.4; failure to file answer to formal complaint violated Rule 211(b); disbarment and Rule 218 compliance ordered. *In re Stover*, 278 Kan. 835, 104 P.3d 394 (2005).

11. Attorney's misconduct in multiple cases violates KRPC 1.3, 1.4, 5.5, 8.1, Rule 207(b), and Rule 212(b); respondent failed to appear at scheduled hearing and failed to file exceptions to panel's report in violation of Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Moore*, 280 Kan. 971, 127 P.3d 270 (2006).

12. Attorney's misconduct violated KRPC 1.1, 1.5(a), 5.5(a), and 8.4(d) for mishandling an estate and practicing law while suspended; published censure per Rule 203(a)(3). *In re Alig*, 285 Kan.

117, 169 P.3d 690 (2007).

13. Attorney on suspension for failing to pay attorney registration fee and failing to comply with annual CLE requirements violated KRPC 1.16 and 5.5; misconduct established by clear and convincing evidence per Rule 211(f); final report deemed admitted per Rule 212; indefinite suspension per Rule 203(a)(2). *In re Petzold*, 285 Kan. 110, 169 P.3d 686 (2007).

14. Attorney's misconduct violated Rule 202 by engaging in the unauthorized practice of law; KRPC 5.5(a), and 8.4(b) and (c); indefinite suspension. *In re Trester*, 285 Kan. 404, 172 P.3d 31 (2007).

15. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

16. Attorney previously disciplined and under indefinite suspension violated KRPC 5.5(a) for engaging in the unauthorized practice of law; KRPC 1.1 by failing to provide competent representation; and KRPC 1.16; misconduct established by clear and convincing evidence per Rule 211(f); recommendations of the hearing panel or the Disciplinary Administrator are advisory only per Rule 212(f); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Swisher*, 285 Kan. 2084, 179 P.3d 412 (2008).

17. Attorney's misconduct violated KRPC 1.1, 4.1, 4.4, 5.5, and 8.4(c) through her conviction of five counts of unauthorized practice of law in Minnesota and suspension; attorney misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Hillbrant*, 286 Kan. 280, 182 P.3d 1253 (2008).

18. Attorney committed multiple violations of KRPC 1.3, 1.4(a). 5.5(a), 8.1(b), 8.4(g), Rule 207(b), Rule 211(b), and Rule 218; findings of fact deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Lee*, 287 Kan. 676, 198 P.3d 140 (2008).

19. Attorney violated KRPC 5.5 and 8.4 in his unauthorized practice of law; misconduct established by clear and convincing evidence per Rule 211(f); final hearing report deemed admitted per Rule 212(c); six-month suspension per Rule 203(a)(2). *In re Nelson*, 233 Kan. 179, 200 P.3d 1262 (2009).

20. Attorney voluntarily surrendered license pursuant to Rule 217 pending a hearing on five complaints alleging misconduct under KRPC 1.3, 1.4(a), 1.16, 5.5, 8.1(b), and 8.4(b) and Rules 207(b) and 211 (b); disbarment. *In re Docking*, 288 Kan. 731, 208 P.3d 739 (2009).

21. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan. 173, 210 P.3d 120 (2009).

22. Attorney on suspension committed violations of KRPC 1.4, 3.4, 5.5, and 8.4; respondent filed exceptions and a brief pursuant to Rule 212; no exceptional circumstances exist to warrant discovery deposition per Rule 216(f) and Internal Operating Rule D.4; disbarment. *In re Wiles*, 289 Kan. 201, 210 P.3d 613 (2009).

23. Attorney continued to practice law in retirement and violated KRPC 5.5 and 8.4(c); law-related services defined per KRPC 5.7(b); Rules 201, 208 discussed; hearing panel's recommendation is advisory only per Rule 212(f); disbarment. *In re Rost*, 289 Kan.290, 211 P.3d 145 (2009).

24. Attorney voluntarily surrenders license per Rule 217 with panel hearing pending on three complaints involving violations of KRPC 1.3, 1.4(a), 5.5, 8.4(d) and Rule 211(b); disbarment. *In re Holmberg*, 289 Kan. 978, 218 P.3d 801 (2009).

25. Attorney voluntarily surrenders license per Rule 217 with three complaints pending of violations of KRPC 1.1, 1.4, 5.5, 8.1, 8.4(c), and Rule 211; disbarment. *In re Ruther*, 289 Kan. 1130, 220 P.3d 369 (2009).

26. Attorney engaged in the unauthorized practice of law while on suspension, violating KRPC 5.5, 8.1(b), 8.4(a), and Rule 218(c); disbarment per Rule 203(a)(1). *In re Miller*, 290 Kan. 1075, 238 P.3d 227 (2010).

27. Attorney previously disciplined three times found to have violated KRPC 1.4(a), 1.16(d), 5.5(a), 8.1(b), 8.4(c), Rule 207(b), Rule 211(b), and Rule 218(a); hearing panel's recommendation advisory only and court may impose different discipline per Rule 212(f); disbarment per Rule 203(a)(1). *In re Jones*, 291 Kan. 405, 243 P.3d 1101 (2010).

28. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116 including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; 1-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011).

29. Attorney's misconduct violated KRPC 1.7(a)(2), 5.5(a), Rule 208(c), and KPRC 8.4(c), relating to his conflict of interest representation of an arson suspect and her husband; Rules 218 and 219 compliance ordered; one-year suspension. *In re Johnson*, 294 Kan. 575, 276 P.3d 213 (2012).

30. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan.751, 281 P.3d 502 (2012).

31. Attorney misconduct violated KRPC 1.1, 1.4, 5.5, 8.4(c), Rule 208, and Rule 218; exceptions filed under Rule 212(d); recommended 2-year suspension only advisory under Rule 218(f); disbarment imposed. *In re Beck*, 298 Kan. 881, 318 P.3d 977 (2014).

32. Attorney misconduct violated KRPC 5.5(a), 8.4(d), and Rule 211(b); 6-month suspension. *In re Sutton*, 298 Kan. 793, 316 P.3d 741 (2014).

33. Attorney misconduct violated KRPC 5.5(a) and 8.4(g) and Rule 211(b); disbarment. *In re O'Leary*, 303 Kan. 456, 362 P.3d 1092 (2015).

34. Appeal by Disciplinary Administrator's office under Rule 211(f); hearing panel erred in dismissing alleged violations of Rule 218(c)(1) and KRPC 5.5(a). *In re Hall*, 304 Kan. 999, 377 P.3d 1149 (2016).

KRPC 5.6 Restrictions on Right to Practice

Case Annotations

1. Parties' agreement in divorce proceedings which prohibited wife from retaining specific named attorney violates public policy; rule cited; agreement void. *Jarvis v. Jarvis*, 12 Kan. App. 2d 799, 758 P.2d 244 (1988).

KRPC 5.7 Responsibilities Regarding Law-Related Services

Case Annotations

1. Attorney continued to practice law in retirement and violated KRPC 5.5 and 8.4; law-related services defined per KRPC 5.7(b); Rules 201, 208 discussed; hearing panel's recommendation is advisory only per Rule 212(f); disbarment. *In re Rost*, 289 Kan. 290, 211 P.3d 145 (2009).

INFORMATION ABOUT LEGAL SERVICES

KRPC 7.1 Communications Concerning a Lawyer's Services

Case Annotations

1. Rule 7.1(b) prohibits guaranteeing the outcome of legal representation. *Pizel v. Zuspann*, 247 Kan. 699, 803 P.2d 205 (1990).

2. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995)

3. Attorney licensed to practice law in Missouri, but not in Kansas, failed to comply with Rule 216; violated Mo. Rules of Professional Conduct which are identical to and thus, based on Rule 202, violate KRPC 3.3(a)(1), 4.1(a), 8.1(b), 8.4(a) and (d); also found to have violated KRPC 7.1, 8.4(c) and (g); violated Rule 211(b) by failing to timely file answer to formal complaint; indefinite prohibition from practicing law before any Kansas court, administrative tribunal, or state agency. *In re Franco*, 275 Kan. 571, 66 P.3d 805 (2003).

4. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

5. Attorney misconduct violated KRPC 5.5(a), 7.1, 7.5(a), 8.1(b), and 8.4(d) and Rules 207(b), 208(c), and 218(a); indefinite suspension. *In re Barker*, 302 Kan. 156, 351 P.3d 1256 (2015).

6. Attorney misconduct violated KRPC 5.4(d), 7.1(a), 8.4(c), and 8.4(g); indefinite suspension. *In re Holyoak*, 304 Kan. 644, 372 P.3d 1205 (2016).

KRPC 7.2 Information About Legal Services: Advertising

Case Annotations

1. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2). *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

KRPC 7.3 Information About Legal Services: Solicitation of Clients

Case Annotations

1. Rule constitutionally invalid as a violation of First and Fourteenth Amendments. *Shapero v. Kentucky Bar Association*, 486 U.S. 466, 100 L. Ed. 2d 475, 108 S. Ct. 1916 (1988).

2. Attorney's contacting mother of deceased before and at funeral, in an effort to obtain information leading to legal representation of deceased's alleged son, violated MRPC 8.4(g); contacting mother of deceased's alleged son to solicit employment violated MRPC 7.3; other violations; public

censure. *In re Roth*, 248 Kan. 194, 803 P.2d 1028 (1991).

3. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

4. Attorney voluntarily surrenders his license to practice law in Missouri; his misconduct violated KRPC 4.1, 7.3, and 8.4(a) and (c) per Rule 202; disbarment. *In re Rogers*, 269 Kan. 829, 7 P.3d 1260 (2000).

5. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 5.4(a), 5.5(b), 7.3 and 8.4; two-year supervised probation. *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

KRPC 7.5 Firm Names and Letterheads

Case Annotations

1. Attorney's mishandling of divorce case violates MRPC 1.3 and 1.4, and use of letterhead indicating attorney is in partnership with another when such is not the case violates MRPC 7.5(d); censure. *In re Seck*, 255 Kan. 552, 874 P.2d 678 (1994).

2. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

3. Attorney misconduct violated KRPC 5.5(a), 7.1, 7.5(a), 8.1(b), and 8.4(d) and Rules 207(b), 208(c), and 218(a); indefinite suspension. *In re Barker*, 302 Kan. 156, 351 P.3d 1256 (2015).

MAINTAINING THE INTEGRITY OF THE PROFESSION

KRPC 8.1 Bar Admission and Disciplinary Matters

Case Annotations

1. Attorney's truthfulness and adequacy of information disclosed on Kansas bar application questioned; insufficient evidence. *In re Anderson*, 247 Kan. 208, 795 P.2d 64 (1990).

2. Attorney who used a handgun "to demonstrate a point" to complainant who was preparing to name attorney's friend as father of complainant's child, and who prepared and submitted false affidavits to disciplinary administrator regarding the incident, violated Rules 8.1 and 8.4(c); insufficient evidence to find charged violations of Rules 3.3; 3.4; 3.5; 4.1; 4.4; 8.4(a), (b), (d), (g); or Rule 207. One-year suspension. *In re Wood*, 247 Kan. 219, 794 P.2d 660 (1990).

3. Violations of MRPC 1.15 and 8.1 and Rule 207 found based on attorney's receiving money from client, not placing it in trust account, and making false statements to disciplinary investigators; other violations charged; indefinite suspension and compliance with Rule 218 ordered. *In re Jancich*, 255 Kan. 787, 877 P.2d 417 (1994).

4. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

5. Attorney's mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

6. Attorney's mishandling of bankruptcy proceedings for his clients violates MRPC 1.1, 1.2, 1.3, 1.4, 8.1 and 8.4 and Rule 207; disbarment. *In re Gordon*, 260 Kan. 905, 925 P.2d 840 (1996).

7. Attorney's failure to act with reasonable diligence and promptness in an eviction case, commingling of clients' funds with his own, and failure to cooperate with disciplinary administrator's office violate MRPC 1.4, 1.5, 1.9, 1.15, 1.16, 8.1 and 8.4 and Rule 207; one-year suspension. *In re Howlett*, 261 Kan. 167, 928 P.2d 52 (1996).

8. Attorney falsified records regarding sale of home to prevent one-half of proceeds from going to the Department of Social and Rehabilitation Services as credit against future Medicaid benefits in violation of MRPC 1.1, 4.1, 5.3, 8.1, and 8.4; published censure per Rule 203(a)(3). *In re Apt*, 263 Kan. 210, 946 P.2d 1002 (1997).

9. Attorney's failure to respond to disciplinary investigator violated MRPC 8.1 and Rule 207; indefinite suspension. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

10. Attorney's failure to communicate with his client, his delay in handling of insurance settlement, and his misrepresentation of material facts to disciplinary administrator violate MRPC 1.1, 1.2(a), 1.3, 1.4(a) and (b), 8.1(a) and 8.4(d) and (g) and Rules 207 and 211; published censure per Rule 203(a)(3). *In re Potter*, 263 Kan. 766, 952 P.2d 936 (1998).

11. Attorney's failure to diligently and competently represent and to communicate with his six clients and his failure to cooperate with the disciplinary administrator's office violate MRPC 1.1, 1.3, 1.4, 1.16, 3.4, 8.1, and 8.4 and Rule 207; suspension effective as of the date of order for purpose of Rule 219(e); indefinite suspension. *In re Wooten*, 264 Kan. 283, 955 P.2d 1239 (1998).

12. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

13. Attorney's failure to appear in court on numerous occasions and his abandonment of his law practice without making any arrangements to protect his clients violate KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 8.1, and 8.4 and Rules 207 and 208(c); disbarment. *In re Ortega*, 267 Kan. 228, 978 P.2d 914 (1999).

14. Attorney's mishandling of personal injury case, past due taxes case, and bankruptcy case violates KRPC 1.3, 1.4, 1.15, 3.2, 8.1, and 8.4; he was arrested for DUI, possession of cocaine, possession of drug paraphernalia, battery on a law enforcement officer, battery on his former girlfriend, and other charges; failure to notify and cooperate with the disciplinary administrator in violation of Rules 203(c) and 207, defense under Rule 223 raised; indefinite suspension. *In re Parker*, 267 Kan. 779, 985 P.2d 124 (1999).

15. Attorney's lack of diligence, communication, and failure to expedite post-divorce child support matter violate KRPC 8.1 and Rules 207 and 211; indefinite suspension per Rule 219(e). *In re Cole*, 268 Kan. 828, 999 P.2d 962 (2000).

16. Attorney's mishandling of probate matters violates KRPC 1.1, 1.3, 3.3(a), 8.1(a), and 8.4(c); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(c) and (d); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Howard*, 269 Kan. 414, 2 P.2d 766 (2000).

17. Attorney's failure to provide competent representation and to diligently represent and communicate with clients violates KRPC 1.1, 1.3, 1.4(a); attorney's unauthorized practice of law following suspension violates KRPC 5.5; failure to respond to and cooperate with disciplinary administrator violates KRPC 8.1; failure to stop practicing law after suspension and failure to so notify clients violates KRPC 8.4 and Rules 207, 211, and 218; disbarment. *In re Moran*, 270 Kan. 403, 13 P.3d

1275 (2000).

18. Attorney's mishandling of numerous cases violates KRPC 1.3, 1.4, 1.15(b), 1.16(a) and (d), 3.2, 8.1(b) and Rule 207; hearing panel's report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2) and Rules 218, 219, and 221 compliance ordered. *In re Tweedly*, 271 Kan. 261, 20 P.3d 1245 (2001).

19. Attorney's mishandling of child custody case violated KRPC 1.3 for lack of diligence, 1.4 for failure to keep client informed about status of her case, 1.15(b) for failure to return unearned fees, 1.16(d) for failure to return unearned fees, 8.1(b) for failure to respond to Disciplinary Administrator's letters, 8.4(a)(c)(d) and (g) for violating KRPC's; Rule 207(b) and Rule 211(b) for failing to provide written responses to disciplinary complaint and failing to timely file an answer; 1-year suspension. *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

20. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 8.1(b), 8.4(d), Rule 207(b), and Rule 211(b); failure to appear before Supreme Court violated Rule 212(d); disbarment per Rule 203(a)(1). *In re Sechtem*, 274 Kan. 387, 49 P.3d 541 (2002).

21. Attorney disbarred in Missouri found to have violated KRPC 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d) and Rule 211(b); indefinite suspension. *In re Johnson*, 274 Kan. 783, 55 P.3d 913 (2002).

22. Attorney suspended for 6 months for violating KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d); findings of fact admitted pursuant to Rule 212(d); previously indefinitely suspended pursuant to Rule 208 and Rule 806; Rule 219 compliance ordered. *In re Matson*, 274 Kan. 785, 56 P.3d 160 (2002).

23. Attorney's misconduct violated multiple offenses of KRPC: 1.3, 1.4(a), 3.2, 5.5(a), 8.1(b), 8.4(a) and (d); notified per Rule 215(a); failed to respond or appear violating Rule 212(d); failed to file answer per Rule 211(b); disbarment per Rule 203(a)(1); Rule 218 compliance ordered. *In re Griswold*, 274 Kan. 776, 56 P.3d 269 (2002).

24. Attorney committed multiple violations of KRPC: 1.3, 1.4, 1.16(d), and 3.2; failed to timely respond to complaints in violation of 8.1, Rule 207(b) and Rule 211(b); supervising attorney afforded full immunities per Rule 223; 2-year supervised probation. *In re Nelson*, 275 Kan. 377, 64 P.3d 413 (2003).

25. Attorney licensed to practice law in Missouri, but not in Kansas, failed to comply with Rule 216; violated Mo. Rules of Professional Conduct which are identical to and thus, based on Rule 202, violate KRPC 3.3(a)(1), 4.1(a), 8.1(b), 8.4(a) and (d); also found to have violated KRPC 7.1, 8.4(c) and (g); violated Rule 211(b) by failing to timely file answer to formal complaint; indefinite prohibition from practicing law before any Kansas court, administrative tribunal, or state agency. *In re Franco*, 275 Kan. 571, 66 P.3d 805 (2003).

26. Attorney committed multiple violations of KRPC: 1.15, 8.1, 8.4(a), (b), (c), (d), and (g), and Rule 207(b); exceptions filed to several findings per Rule 212(c); misconduct found by clear and convincing evidence per Rule 211(f); disbarment. *In re Wright*, 276 Kan. 357, 76 P.3d 1018 (2003).

27. Attorney previously disciplined and on probation found to have violated KRPC 1.4 for failing to communicate with a client; KRPC 8.1(b) and Rule 207 for failing to respond to the Disciplinary Administrator; 1-year suspension. *In re Lober*, 276 Kan. 633, 78 P.3d 442 (2003).

28. Attorney's supervised probation revoked following violations of KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4; failure to cooperate in investigation of complaints per Rule 207(b); failure to obtain liability insurance as condition of probation; indefinite suspension. *In re Nelson*, 277 Kan. 920, 92 P.3d 1146 (2004).

29. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.5, 8.1, 8.4, Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

30. Attorney's failure to competently represent two clients led to complaints he violated KRPC

1.1, 1.3, 1.4, 1.16(d), 8.1(b), Rule 207(b), and Rule 211(b); published censure per Rule 203(a)(3). *In re Sheahon*, 278 Kan. 494, 102 P.3d 392 (2004).

31. Attorney committed numerous violations of rules of professional conduct including KRPC 1.1, 1.2, 1.3, 1.4, 1.16, 3.2, 8.1, Rule 207, and Rule 211; respondent's exceptions considered per Rule 212; disbarment and Rule 218 compliance ordered. *In re Wenger*, 279 Kan. 895, 112 P.3d 199 (2005)

32. Attorney previously disciplined violated his supervised probation; now found to have violated KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4, Rule 207, and Rule 211; indefinite suspension and Rule 218 compliance. *In re Nelson*, 278 Kan. 506, 102 P.3d 1140 (2004).

33. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207, and Rule 211; hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment and Rule 218 compliance ordered. *In re Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

34. Attorney stipulates to findings that he violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(g), and Rule 207(b); three prior disciplinary offenses and supervised probation for prior misconduct; one-year suspension per Rule 203(a)(2). *In re Sachse*, 281 Kan. 1197, 135 P.3d 1207 (2006).

35. Attorney's multiple offenses violates KRPC 1.1, 1.3, 1.4, 8.1(b), 8.4(c) and Rule 207(b); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorney granted full immunities per Rule 223; satisfactory plan of probation submitted by respondent per Rule 211(g); 1-year suspension stayed in accordance with Rule 203(a)(2); 2-years' supervised probation. *In re Mitchell*, 280 Kan. 656, 123 P.3d 1279 (2005).

36. Attorney surrenders license pursuant to Rule 217 pending review on charges of fraud and dishonesty which violated KRPC 8.1(a) and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Girard*, 281 Kan. 97, 128 P.3d 400 (2006).

37. Attorney's misconduct in multiple cases violates KRPC 1.3, 1.4, 5.5, 8.1, Rule 207(b), and Rule 212(b); respondent failed to appear at scheduled hearing and failed to file exceptions to panel's report in violation of Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Moore*, 280 Kan. 971, 127 P.3d 270 (2006).

38. Attorney disciplined for violating KRPC 1.1, 1.3, 1.4, 3.4 in regard to his handling of a case filed under the Consumer Protection Act; failure to provide timely written response to client's complaint violates KRPC 8.1(b) and Rule 207(b); misconduct to be established by clear and convincing evidence per Rule 211(f); published censure pursuant to Rule 203(a)(3). *In re Arbuckle*, 283 Kan. 887, 156 P.3d 668 (2007).

39. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

40. Attorney who was previously disciplined for similar misconduct now violates KRPC 1.3, 1.4, 1.16(d), 8.1(b), and 8.4(d); failed to cooperate in disciplinary investigation and provide written responses to three complaints per Rule 207(b); failed to file answers per Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Webb*, 285 Kan. 130, 169 P.3d 336 (2007).

41. Attorney voluntarily surrendered license pursuant to Rule 217 pending hearing alleging multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.1(b), and Rule 207(b); disbarment. *In re Lane*, 285 Kan. 259, 171 P.3d 275 (2007).

42. Attorney previously disciplined by suspension violated KRPC 8.1(a) and 8.4(b); misconduct established by clear and convincing evidence per Rule 211(f); failure to file exceptions to panel's report and report is deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re O'Neill*,

285 Kan. 474, 172 P.3d 1179 (2007).

43. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(c) and (d), and Rule 207(b); misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Bishop*, 285 Kan. 1097, 179 P.3d 1096 (2008).

44. Attorney under temporary suspension for failing to pay annual registration fees and to comply with CLE requirements violated KRPC 8.1(b) and Rule 207(b) upon filing of a formal complaint; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); required notice given per Rule 215(a); indefinite suspension in accordance with Rule 203(a)(2). *In re Crow*, 285 Kan. 1110, 179 P.3d 1093 (2008).

45. Attorney who was previously censured in Kansas and in a reciprocal discipline proceeding in Illinois violated KRPC 3.1, 3.3(a)(1) and (3); 3.4(b), 8.1(b), 8.4(b), (c) and (d) per Rule 202; respondent received reciprocal attorney discipline and sanctions in Missouri and Illinois; hearing panel's final report deemed admitted under Rule 212(c) and (d); indefinite suspension pursuant to Rule 203(a)(2). *In re Daugherty*, 285 Kan.1143, 180 P.3d 536 (2008).

46. Attorney's misconduct resulting from two complaints violated KRPC 1.1, 1.3, 1.4(b), 3.4(d), 8.1(b), 8.4(c) and Rule 207(b); prior admonishment for violating KRPC 1.15 and 7.1; three-month suspension pursuant to Rule 203(b). *In re Harris*, 285 Kan. 1115, 180 P.3d 558 (2008).

47. Attorney, who was disciplined five times in Texas, by his conduct in Texas and per Rule 202 violated KRPC 1.3, 1.4, 1.15(d), 1.16(d), 5.5(b), 8.1(b), and Rule 207(b); failed to file written answer to complaint per Rule 211(b); findings of fact admitted pursuant to Rule 212(e); notified per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Lee*, 285 Kan. 1125, 180 P.3d 552 (2008).

48. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule 212(d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

49. Attorney committed multiple violations of KRPC 8.1, 8.4(d) and (g), Rule 207(b), and Rule 211(b) in an estate case by delaying the closing of the case and failing to cooperate and file responses as required; two prior disciplinary offenses; recommendations of the hearing panel and Disciplinary Administrator advisory only per Rule 212(f); indefinite suspension and Rule 218 compliance ordered.. *In re Jones*, 286 Kan. 544, 186 P.3d 746 (2008).

50. Attorney's mishandling of probate estate violated KRPC 1.3, 1.15(b), 8.1(b), 8.4(d) and (g), and Rule 207(b); six-month suspension. *In re Jones*, 287 Kan. 112, 193 P.3d 899 (2008).

51. Attorney's misconduct while on suspension violated KRPC 1.3, 1.4, 1.16, 8.1(b), Rule 211(b), and Rule 218; one-year suspension per Rule 203(a)(2). In re Docking, 287 Kan. 485, 196 P.3d 1149 (2008).

52. Attorney committed multiple violations of KRPC 1.3, 1.4(a). 5.5(a), 8.1(b), 8.4(g), Rule 207(b), Rule 211(b), and Rule 218; findings of fact deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Lee*, 287 Kan. 676, 198 P.3d 140 (2008).

53. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule 207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

54. Attorney voluntarily surrendered his license pursuant to Rule 217 pending a hearing involving allegations of misconduct under KRPC 1.3, 1.4, 1.15, 8.1(b), and 8.4(b); disbarment. *In re Shafer*, 288 Kan. 657, 207 P.3d 208 (2009).

55. Attorney voluntarily surrendered license pursuant to Rule 217 pending a hearing on five complaints alleging misconduct under KRPC 1.3, 1.4(a), 1.16, 5.5, 8.1(b), and 8.4(b) and Rules 207(b)

and 211 (b); disbarment. *In re Docking*, 288 Kan. 731, 208 P.3d 739 (2009).

56. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

57. Attorney disbarred in Missouri; violations deemed admitted under Rule 212; based on Rule 202, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b) and Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Patterson*, 289 Kan.131, 209 P.3d 692 (2009).

58. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan. 173, 210 P.3d 120 (2009).

59. Attorney's misconduct violated KRPC 8.4(b), 8.1(b), and Rule 207(b); suspension in Missouri established misconduct in Kansas under Rule 202; hearing panel's report deemed admitted per Rule 212(c); indefinite suspension per Rule 203(a)(2), effective 2 years earlier to account for delay in proceedings. *In re McGraw*, 289 Kan. 813, 217 P.3d 25 (2009).

60. Following attorney's disbarment in Missouri and per Rule 202 concerning reciprocal discipline, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b) in Kansas; hearing panel's report deemed admitted under Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Weber*, 289 Kan. 808, 217 P.3d 959 (2009).

61. Attorney's disbarment in Missouri and failure to cooperate in disciplinary process in Kansas results in violations of KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b); violations deemed admitted under Rule 212(c); required notice given per Rule 215; misconduct established per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Tluscik*, 289 Kan. 1111, 219 P.3d 1220 (2009).

62. Attorney voluntarily surrenders license per Rule 217 with three complaints pending of violations of KRPC 1.1, 1.4, 5.5, 8.1, 8.4(c), and Rule 211; disbarment. *In re Ruther*, 289 Kan. 1130, 220 P.3d 369 (2009).

63. Attorney's misconduct involving safekeeping property violated KRPC 1.15(b), 8.1(b), Rule 207(b), and Rule 211(b); misconduct established through clear and convincing evidence per Rule 211(f); indefinite suspension per Rule 203(a)(2). *In re Gentry*, 290 Kan. 324, 227 P.3d 956 (2010).

64. Attorney engaged in the unauthorized practice of law while on suspension, violating KRPC 5.5, 8.1(b), 8.4(a), and Rule 218(c); disbarment per Rule 203(a)(1). *In re Miller*, 290 Kan. 1075, 238 P.3d 227 (2010).

65. Attorney previously disciplined three times found to have violated KRPC 1.4(a), 1.16(d), 5.5(a), 8.1(b), 8.4(c), Rule 207(b), Rule 211(b), and Rule 218(a); hearing panel's recommendation advisory only and court may impose different discipline per Rule 212(f); disbarment per Rule 203(a)(1). *In re Jones*, 291 Kan. 405, 243 P.3d 1101 (2010).

66. Attorney previously disciplined on a number of occasions found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

67. Attorney previously disciplined by 6-month suspension violates KRPC 1.2, 1.3, 1.4(a), 1.5(a), 1.15(b), 1.16(d). 8.1(b), Rule 207(b), and Rule 211; conditions set out for reinstatement under Rule 219(f); indefinite suspension per Rule 203(a)(2). *In re Thomas*, 291 Kan. 443, 241 P.3d 104 (2010).

68. Attorney violated KRPC 1.1, 1.3, 1.4(a), 1.15, 3.2, 8.1(b), Rules 207(b), and 211(b) in five complaints; failure to respond to initial complaint and to file an answer as required by Rule 211(b); plan of probation per Rule 211(g) not allowed; Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Doudin*, 292 Kan. 83, 249 P.3d 1190 (2011).

69. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b),

8.4(c), and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

70. Attorney indefinitely suspended for numerous violations of KRPC 1.1, 1.3, 1.4, 3.2, 8.1, and Rule 207; misconduct established by clear and convincing evidence per Rule 211(f); compliance with Rule 219 if requests reinstatement; indefinite suspension per Rule 203(a)(2). *In re Bock*, 293 Kan. 616, 265 P.3d 552 (2011).

71. Attorney voluntarily surrendered license to practice law pursuant to Rule 217 with violations of KRPC 1.3, 1.4, 3.2, 8.1, and 8.4(g) and Rule 207 pending; disbarment. *In re Day*, 294 Kan. 615, 277 P.3d 1134 (2012).

72. Attorney misconduct violated numerous KRPC's, including 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.1(b); respondent failed to file timely answer to complaint per Rule 211(b); failed to file exceptions thus, findings of fact are deemed admitted under Rule 212(c), (d); respondent failed to follow his diversion agreement; one-year suspension per Rule 203(a)(2). *In re Ohaebosim*, 294 Kan. 664, 279 P.3d 124 (2012).

73. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

74. Attorney's misconduct violated KRPC 1.3, 1.15, 8.1, 8.4, and Rule 207(b); 1-year suspension. *In re Collins*, 295 Kan. 1084, 288 P.3d 847 (2012).

75. Attorney's misconduct violated KRPC 4.1(a) and (b) and 8.4(c) and (g); disbarment per Rule 203(a)(1). *In re Baker*, 296 Kan. 696, 294 P.3d 326 (2013).

76. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 3.3, 3.4, 8.1, 8.4, and Rule 211(b); disbarment per Rule 203(a)(1). *In re Druten*, 297 Kan. 432, 301 P.3d 319 (2013).

77. Attorney voluntarily surrendered license under Rule 217 while formal complaint was pending; complaint alleged violations of KRPC 1.3, 1.4, 1.16, 3.4(c), and 8.1(b), and Rule 207(b), 211(b), and 218. *In re Freed*, 298 Kan. 346, 312 P.3d 364 (2013).

78. Attorney misconduct violated KRPC 3.3(a)(1) and (3); 5.1(c); 8.1(b); and 8.4(c), (d), and (g); clear and convincing evidence did not support finding of other specific violations of KRPC 3.3(a)(1), 3.6, 3.8(f), 5.3(b), 8.1(a), and 8.4(c) and (g); indefinite suspension under Rule 203(a)(2). *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

79. Attorney misconduct violated KRPC 1.3, 1.16, 3.3(a)(1), 8.1(b), 8.4(c) and (d), and Rule 207(b); 12-month suspension. *In re Bowman*, 298 Kan. 231, 310 P.3d 1054 (2013).

80. Attorney misconduct violated KRPC 1.1; 1.3; 1.4(a); 1.15(b); 1.16(a)(2) and (d); 8.1(b), (c), and (d); 8.4(d); and Rule 207(b); 1-year suspension under Rule 203(a)(2). *In re Rittmaster, 299 Kan. 804*, 326 P.3d 376 (2014).

81. Attorney misconduct violated KRPC 1.3, 1.4, 1.16(d), 3.2, 3.3(a)(1), 8.1(b), Rules 207(b), and 211(b); 18-month suspension. *In re Soderberg*, 298 Kan. 820, 316 P.3d 762 (2014).

82. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman*, 300 Kan. 475, 332 P.3d 172 (2014).

83. Attorney voluntarily surrendered license under Rule 217; at time of surrender court review pending for violations of KRPC 8.1(b) and 8.4(b) and (c), and Rule 211. *In re Dinkel*, 300 Kan. 660, 333 P.3d 155 (2014).

84. Attorney misconduct violated KRPC 1.3, 1.4, 1.8(e), 3.2, and 8.1 and Rule 207; 6-month suspension, stayed during 2 years' probation. *In re Delaney*, 300 Kan. 1090, 338 P.3d 11 (2014).

85. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 5.5(a), 8.4(d), and 8.1(b) and Rule 207(b); indefinite suspension. *In re Miller*, 300 Kan. 1082, 337 P.3d 1286 (2014).

86. Attorney voluntarily surrendered license under Rule 217 after complaint filed alleging violation of KRPC 8.1(b), 8.3(a), and 8.4(a), (d), and (g), and Rule 207(a) and 208(c). *In re Chavez*, 301 Kan. 87, 339 P.3d 392 (2014).

87. Attorney misconduct violated KRPC 1.4(a), 8.1(b), and 8.4(g); and Rules 207(b), 208, and 218; 1-year suspension. *In re Thompson*, 301 Kan. 428, 343 P.3d 108 (2015).

88. Attorney misconduct violated KRPC 3.5(d), 8.1(a), and 8.4(c) and (d); 3-year suspension, stayed during 3 years' probation. *In re Rumsey*, 301 Kan. 438, 343 P.3d 93 (2015).

89. Attorney voluntarily surrendered license under Rule 217 after complaint alleged violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4. *In re Brooks*, 301 Kan. 451, 345 P.3d 258 (2015).

90. Attorney misconduct violated KRPC 5.5(a), 7.1, 7.5(a), 8.1(b), and 8.4(d) and Rules 207(b), 208(c), and 218(a); indefinite suspension. *In re Barker*, 302 Kan. 156, 351 P.3d 1256 (2015).

91. Attorney misconduct violated KRPC 1.3, 1.4(a), 8.1(a), 8.4(c), 8.4(d), and 8.4(g) and Rule 207(b); disbarment. *In re Williams*, 302 Kan. 990, 362 P.3d 816 (2015).

92. Attorney misconduct violated KRPC 8.1(b); out of state attorney indefinitely prohibited from appearing pro hac vice in Kansas in accordance with Rule 203(a)(5). *In re Riebschlager*, 303 Kan. 373, 361 P.3d 499 (2015).

93. Attorney misconduct violated KRPC 1.3, 3.2, 8.1(b), 8.4(d), and 8.4(g) and Rule 207(b) and 211(b); indefinite suspension. *In re Fickler*, 303 Kan. 504, 362 P.3d 1102 (2015).

94. Attorney misconduct violated KRPC 1.16(d), KRPC 3.2, KRPC 3.3(a)(1), KRPC 3.4(d), KRPC 8.1(b), KRPC 8.4(c), and KRPC 8.4(d); 18-month suspension. *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

KRPC 8.2 Judicial and Legal Officials

Case Annotations

1. Attorney charged with *inter alia* violation of MRPC 3.3 and 8.2; suspended on other grounds. *In re Anderson*, 247 Kan. 208, 795 P.2d 64 (1990).

2. Attorney who lied to the court and her clients and failed to appear for landlord-tenant case proceeding found to be in violation of MRPC 1.1, 1.3, 1.4, 3.3, 3.4, 3.5, 4.1, 8.2 and 8.4; one-year suspension and compliance with Rule 218 ordered. *In re Gershater*, 256 Kan. 512, 886 P.2d 343 (1994).

3. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2). *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

4. Attorney on disability inactive status violated Rule 220 by engaging in the practice of law; KRPC 8.2 violated by making false or reckless statements regarding the qualification and integrity of judge; KRPC 8.4(a), (d), and (g) violated for misconduct; district judge's ruling that attorney was disqualified presumed to be valid under Rule 202; exceptions filed per Rule 212; published censure per Rule 203(a)(3). *In re Arnold*, 274 Kan. 761, 56 P.3d 2259 (2002).

5. Attorney's misconduct violated KRPC 3.5(c) and (d) and KRPC 8.2 during the course of a jury trial; charges were established by clear and convincing evidence per Rule 211(f); hearing panel's report admitted per Rule 212(c) and (d); published censure imposed per Rule 203(a)(3). *In re Eckelman*, 282

Kan. 415, 144 P.3d 713 (2006).

6. Attorney's misconduct arising from actions he took in response to an earlier published censure violated KRPC 8.4(d); discussion of KRPC 8.2(a); pursuant to Rule 212(h), hearing panel's recommendation for sanctions is advisory only and Supreme Court may impose greater or lesser discipline; per Rule 203(a)(3) three-month suspension imposed. *In re Pyle*, 283 Kan. 807, 156 P.3d 1231 (2007).

7. Attorney violated KRPC 8.2 in making false statements concerning qualifications or integrity of judicial official which were later retracted; clear and convincing evidence established per Rule 211; hearing panel's recommendation advisory only per Rule 212(f); Rule 219 compliance ordered; two-year suspension. *In re Ireland*, 294 Kan. 594, 276 P.3d 762 (2012).

8. KRPC 3.3 and KRPC 8.2 cited in noting attorney obligation to show deference and respect for tribunals. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

9. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 3.5(c) and (d), 8.2(a), and 8.4(d) and (g); 3 years' probation. *In re Clothier*, 301 Kan. 567, 344 P.3d 370 (2015).

KRPC 8.3 Reporting Professional Misconduct

Case Annotations

1. Attorney violated KRPC 4.2, 4.4, 8.3(a), and 8.4 involving communication with person represented by counsel, respect for rights of third parties, reporting professional misconduct, and misconduct; published censure per Rule 203(a)(3). *In re Pyle*, 278 Kan. 230, 91 P.3d 1222 (2004).

2. Attorney's criminal conviction in Illinois established misconduct in Kansas per Rule 202; violations of KRPC 8.3(a), 8.4(b), (c), and Rule 207(c) established; disbarment per Rule 203(a)(1). *In re Minneman*, 287 Kan. 477, 196 P.3d 1156 (2008).

3. Attorney committed multiple offenses of KRPC 1.3, 1.4, 1.15, 8.3, 8.4, and Rule 207; respondent's suspension in Texas established misconduct in Kansas per Rule 202; hearing report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Piekalkiewicz*, 288 Kan. 610, 205 P.3d 734 (2009).

4. Attorney disbarred in Missouri; violations deemed admitted under Rule 212; based on Rule 202, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b) and Rule 211(b); indefinite suspension per Rule 203(a)(2). *In re Patterson*, 289 Kan.131, 209 P.3d 692 (2009).

5. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

6. Attorney's misconduct violated KRPC 4.4, 8.3, 8.4(d) and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel report deemed admitted per Rule 212(c); published censure under Rule 203(a)(3). *In re Kenny*, 289 Kan. 851, 217 P.3d 36 (2009).

7. Following attorney's disbarment in Missouri and per Rule 202 concerning reciprocal discipline, respondent violated KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b) in Kansas; hearing panel's report deemed admitted under Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Weber*, 289 Kan. 808, 217 P.3d 959 (2009).

8. When a violation of the KRPC rules is discovered, it is the duty of an attorney to inform the appropriate professional authority, i.*e*., the office of the Disciplinary Administrator, under KRPC 8.3(a),

not to use the violation as a procedural weapon in a civil action. *Shamberg, Johnson & Bergman, Chtd. v. Oliver*, 289 Kan. 891, 220 P.3d 333 (2009).

9. Attorney's disbarment in Missouri and failure to cooperate in disciplinary process in Kansas results in violations of KRPC 8.1(b), 8.3(a), Rule 207(b), and Rule 211(b); violations deemed admitted under Rule 212(c); required notice given per Rule 215; misconduct established per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Tluscik*, 289 Kan. 1111, 219 P.3d 1220 (2009).

10. Respondent surrenders license to practice law pursuant to Rule 217 while panel hearing is pending on a complaint filed regarding KRPC 8.3(a), 8.4(b), Rule 203(c)(1), and Rule 208(c); disbarment per Rule 203(a)(1). *In re Blecha*, 293 Kan. 502, 264 P.3d 115 (2011).

11. Although lawyer members of COTA may have duty to report potential violations of attorney ethics rules under KRPC 8.3, COTA authority did not extend to matters of attorney-ethics compliance. *In re Tax Appeal of Lyerla Living Trust*, 50 Kan. App. 2d 1012, 336 P.3d 882 (2014).

12. Although lawyer members of COTA may have duty to report potential violations of attorney ethics rules under KRPC 8.3, COTA authority did not extend to matters of attorney-ethics compliance. *In re Tax Appeal of Lyerla Living Trust*, 50 Kan. App. 2d 1012, 336 P.3d 882 (2014).

13. Attorney voluntarily surrendered license under Rule 217 after complaint filed alleging violation of KRPC 8.1(b), 8.3(a), and 8.4(a), (d), and (g), and Rule 207(a) and 208(c). *In re Chavez*, 301 Kan. 87, 339 P.3d 392 (2014).

14. Attorney voluntarily surrendered license under Rule 217; at the time of surrender complaints had been docketed for investigation alleging violations of Rule 1.1, 1.3, 1.4, 8.3, and 8.4. *In re Bezek*, 302 Kan. 325, 352 P.3d 1014 (2015).

15. Attorney misconduct violated KRPC 1.4(a), 1.8(h)(1), 1.15(a), 1.16(d), 2.1, and 8.3(a) and Rule 207(c); published censure. *In re Haitbrink*, 304 Kan. 531, 375 P.3d 296 (2016).

KRPC 8.4 Misconduct

Case Annotations

1. Attorney's failure to represent clients in three separate cases after acceptance of retainer fees and failure to cooperate with disciplinary investigation found to violate DR 1-102, 6-101, 7-101, and 9-102; MRPC 1.1, 1.3, 1.4, 1.15 and 8.4; and Rule 207. Rule 203 disbarment. *In re Morphett*, 246 Kan. 499, 790 P.2d 402 (1990).

2. Attorney who refused to obey child support and custody orders, resigned from employment to avoid garnishment based on same, and is subsequently jailed for contempt violates MRPC 8.4(d); rule not vague and is identical to Rule 225 (DR 1-102[A][5]); suspension. *In re Anderson*, 247 Kan. 208, 795 P.2d 64 (1990).

3. Attorney's statements to media following resignation from employment to avoid garnishment for failure to pay child support insufficient to violate 8.4(d); suspension on other grounds. *In re Anderson*, 247 Kan. 208, 795 P.2d 64 (1990).

4. Attorney who used a handgun "to demonstrate a point" to complainant who was preparing to name attorney's friend as father of complainant's child, and who prepared and submitted false affidavits to disciplinary administrator regarding the incident, violated Rules 8.1 and 8.4(c); insufficient evidence to find charged violations of Rules 3.3; 3.4; 3.5; 4.1; 4.4; 8.4(a), (b), (d), (g); or Rule 207. One-year suspension. *In re Wood*, 247 Kan. 219, 794 P.2d 660 (1990).

5. Attorney's failure to obey bankruptcy court orders, failure to pay court-ordered sanctions, persisting to file proceedings prohibited under the bankruptcy code, and failure to appear, all of which

resulted in attorney's being barred from appearing in U.S. Bankruptcy Court for District of Kansas, held to violate DR 1-102(A)(5) and (6), DR 7-101(A)(1), DR 7-102(A)(2), MRPC 8.4(d) and (g), and MRPC 3.1; attorney's failure to modify debtors' reorganization plan to accurately reflect creditors, failure to appear, and failure to relinquish client files upon termination of services held to violate MRPC 1.1, 1.3, and 1.4; mitigating circumstances; imposition of discipline suspended pending one-year conditional probation. *In re Black*, 247 Kan. 664, 801 P.2d 1319 (1990).

6. Attorney's mishandling of estate held to violate DR 6-101(A)(3) and MRPC 1.3, DR 1-102(A)(5), (6), and MRPC 8.4(d), and DR 7-101(A)(2) and MRPC 3.2 and 1.4(a); other violations; public censure and restitution. *In re Ebersole*, 247 Kan. 670, 801 P.2d 1323 (1990).

7. Attorney's failing to file eviction action yet telling client he had done so held to violate MRPC 1.3, 1.4, 3.2, and 8.4(c) & (g); other violations; public censure and restitution. *In re Ebersole*, 247 Kan. 670, 801 P.2d 1323 (1990).

8. Attorney's inaction which allowed statute of limitations to run and cause of action to be dismissed with prejudice despite accepting retainer and assuring client of representation violated MRPC 1.1, 1.3, 1.4, 8.4(d), and 8.4(g); indefinite suspension. *In re Cain*, 247 Kan. 673, 801 P.2d 1325 (1990).

9. Attorney retained to probate estate failed to do so, failed to record transfer of mineral interest deed resulting in levy and execution thereon, and failed to cooperate in resulting disciplinary investigation. Violations of DR 9-102(B) and MRPC 1.15; DR 1-102(A), 6-101(A)(3), 7-101(A), and 9-102(B)(1), (3), (4) and MRPC 1.3, 1.4(a), 1.15, and 8.4(c); and Rule 207. Indefinite suspension with readmission without petition upon successful completion of one-year suspension; specific conditions. *In re Ehrlich*, 248 Kan. 92, 804 P.2d 958 (1991).

10. Attorney's mishandling of collection matter and failure to cooperate with resulting investigation violate Rule 207, DR 1-102(A)(6), 6-101(A)(3), 7-101(A)(2), and 9-102(B)(1), (3), and (4); after March 1, 1988, the same behavior violates MRPC 1.3, 1.4, 1.15(d)(2)(i), (iii), and (iv), and 8.4(g); 2-year suspension recommended; many mitigating factors; 2-year supervised probation. *In re Evans*, 248 Kan. 176, 804 P.2d 344 (1991).

11. Attorney retained by collection agency to collect on student loan in default failed to forward payments made; subsequent IRS setoff; violations of DR 1-102(A)(3), 9-102(B)(1), (3), and (4), and 7-101(A)(2); also MRPC 8.4(c) and 1.15(d)(2)(i), (iii), and (iv). Two-year conditional probation and restitution. *In re Stephens*, 248 Kan. 186, 804 P.2d 1005 (1991).

12. Attorney currently on supervised probation found to have violated Rule 207 and MRPC 1.3, 1.4, 1.15(d)(2)(iii), (iv), and 8.4(g) in handling employment termination case; suspension recommended; supervised probation continued for additional one year. *In re Linn*, 248 Kan. 189, 804 P.2d 350 (1991).

13. Attorney's contacting mother of deceased before and at funeral, in an effort to obtain information leading to legal representation of deceased's alleged son, violated MRPC 8.4(g); contacting mother of deceased's alleged son to solicit employment violated MRPC 7.3; other violations; public censure. *In re Roth*, 248 Kan. 194, 803 P.2d 1028 (1991).

14. Attorney's behavior toward reluctant witness constituted violation of MRPC 8.4(g); other violations; public censure. *In re Roth*, 248 Kan. 194, 803 P.2d 1028 (1991).

15. Recommended disbarment based on continued neglect of client despite prior discipline for such and failure to respond to said discipline, all in violation of MRPC 1.3, 3.2, and 8.4(g); Rule 217 surrender and disbarment; Rule 218 compliance ordered. *In re Ebersole*, 248 Kan. 496, 807 P.2d 1318 (1991).

16. Attorney who agreed to provide representation, accepted retainer, but failed to perform services in 5 situations violated MRPC 1.3, 1.4, 1.15, and 8.4(a) and (d); disability inactive status, restored to active status, temporary suspension pending resolution; reinstated upon 2-year conditional supervised probation. *In re Keil*, 248 Kan. 629, 809 P.2d 531 (1991).

17. Attorney, under suspension at time of representation of client at trial, who fails to so inform client and who fails to pursue appeal upon client's request violates MRPC 1.2, 1.3, 1.4, and 8.4(g); indefinite suspension. *In re Vorhies,* 248 Kan. 985, 811 P.2d 1254 (1991).

18. Attorney employed to probate estate failed to institute probate proceedings, failed to file inheritance tax return thereby incurring penalty and interest, and misrepresented to client that estate matters were being handled violated MRPC 1.1, 1.3, 1.4(a), and 8.4(c); indefinite suspension and Rule 218 compliance ordered. *In re McGhee,* 248 Kan. 988, 811 P.2d 884 (1991).

19. Authenticated copy of court file reflecting attorney's conviction for misdemeanor theft introduced at disciplinary hearing; conviction conclusive evidence of MRPC 8.4(b), (c); attorney currently on suspension; disbarment. *In re Matney,* 248 Kan. 990, 811 P.2d 885 (1991).

20. Attorney's failure to pursue personal injury action on behalf of client, resulting in summary judgment for defendant, and misrepresentation to client and disciplinary investigator as to status of that case violates DR 6-101(A)(3); MRPC 1.3, 1.4(a) and (b), 8.4(c) and (g); and Rule 207; public censure. *In re Jackson,* 249 Kan. 172, 814 P.2d 958 (1991).

21. Attorney's plea bargain resulting in conviction of misdemeanor drug charge evidences violation of MRPC 8.4(d) and (g); one-year conditional probation. *In re McKenna,* 249 Kan. 215, 813 P.2d 929 (1991).

22. Attorney's failure to close estate for 12-year period, failure to render court-ordered accounting, failure to satisfy federal estate tax obligations, and failure to cooperate with disciplinary investigator violate MRPC 1.1, 1.3, 1.4, 3.2, 8.4(d) and (g), DR 6-101, DR 7-101, and Rule 207; disbarment and Rule 218 compliance. *In re Coleman,* 249 Kan. 218, 815 P.2d 43 (1991).

23. Attorney's check kiting operation with her personal bank accounts and attorney trust account violates MRPC 1.15 and 8.4; 1-year conditional probation, supervised. *In re Heaven,* 249 Kan. 224, 813 P.2d 928 (1991).

24. Attorney's conversion of clients' funds and firm's funds violates MRPC 8.4(c), (d), and (g) and DR 1-102(A)(4); suspension recommended; disbarment and Rule 218 compliance ordered. *In re Smith,* 249 Kan. 227, 814 P.2d 445 (1991).

25. Attorney's 4-year neglect of workers compensation claim, thereby preventing client recovery, and mishandling of funds violative of MRPC 1.3, 1.4, and 8.4(g); and Canons 1, 6 and 7. Attorney currently on suspension; disbarment and Rule 218 compliance ordered. *In re Cain,* 249 Kan. 578, 819 P.2d 1230 (1991).

26. Attorney's failure to appear to represent client at trial and subsequent sentencing violates MRPC 1.3, 1.4, and 8.4(d) and (g); Rule 203(a)(3) public censure. *In re Gilman,* 249 Kan. 773, 821 P.2d 327 (1991).

27. Attorney's mishandling of estate case, misrepresentation to client and representatives from disciplinary administrator regarding status of case, failure to withdraw as counsel and failure to cooperate with subsequent counsel, and mismanagement of estate funds violative of MRPC 1.1; 1.2; 1.3; 3.2; 1.15(b); 1.16(a)(3)(d); 8.4(g); and Rule 207(a) and (b); other violations; indefinite suspension and Rule 218 compliance ordered. *In re Stapleton,* 250 Kan. 247, 824 P.2d 205 (1992).

28. Attorney's failure to maintain estate funds in trust account, misrepresentations at disciplinary hearings as to the balance in the account, and failure to respond to inquiries from the disciplinary administrator regarding the account violative of MRPC 1.15(a), (d); 8.4(c), (d); and Rule 207. Indefinite suspension and Rule 218 compliance ordered. *In re Stapleton,* 250 Kan. 247, 824 P.2d 205 (1992).

29. Attorney not active in practice convicted of four felony securities violations and who failed to pay attorney registration fees, cooperate with subsequent investigation, and appear at disciplinary hearing violated Canon 1 and MRPC 8.4(b), (c), and (g); mitigating factors; public censure. *In re Kershner,* 250 Kan. 383, 827 P.2d 1189 (1992).

30. Attorney convicted of felony indecent liberties with a child; criminal acts violate MRPC 8.4(b), (g); indefinite suspension and Rule 218 compliance ordered. *In re Wilson*, 251 Kan. 252, 832 P.2d 347 (1992).

31. Attorney's failure to designate record in federal appeal and failure to respond to show cause order violated MRPC 1.1, 1.3, 3.2, and 8.4(d), (g); other violations; indefinite suspension suspended and probated. *In re Jenkins*, 251 Kan. 264, 833 P.2d 1013 (1992).

32. Attorney on indefinite suspension subject of three complaints for failure to represent clients in violation of MRPC 1.1, 1.3, 1.4, and 8.4(c); failure to cooperate with investigation; disbarment and Rule 218 compliance. *In re McGhee*, 251 Kan. 584, 834 P.2d 379 (1992).

33. Attorney's failure to comply with discovery requests, misrepresentation to court, and failure to advise client, resulting in sanctions against client, violate MRPC 1.1, 1.4, 3.4(a) and (d), and 8.4(a), (c), and (d); firm failure to supervise among mitigating factors; one-year suspension. *In re Dwight*, 251 Kan. 588, 834 P.2d 382 (1992).

34. Attorney's mishandling of client's funds, conversion of conservatorship funds, failure to inform client, drug possession conviction, and retention of legal fees without representing client violate MRPC 1.4(a) and (b), 1.15, and 8.4(a), (b), (c), (d), and (g); attorney appears pursuant to Rule 212(d); mitigating factors; indefinite suspension and Rule 218 compliance. *In re Morris*, 251 Kan. 592, 834 P.2d 384 (1992).

35. Complaint alleges DUI constitutes violation of MRPC 8.4(d) and (g); panel declines to extend disciplinary rules to traffic offense; count dismissed. *In re Morris*, 251 Kan. 592, 834 P.2d 384 (1992).

36. Attorney's participation in demonstration culminating in arrest and convictions violates MRPC 8.4(b), (d), and (g); public censure. *In re Graham*, 251 Kan. 835, 840 P.2d 521 (1992).

37. Attorney's misappropriation of legal fees from law firm to his own account violative of MRPC 8.4(c); failure to cooperate in investigation; disbarment and Rule 218 compliance ordered. *In re Ford*, 252 Kan. 231, 843 P.2d 264 (1992).

38. Attorney stipulated to violations of MRPC 8.4(b), (c), and (g) for misappropriating money from his employer to finance his cocaine use; cocaine addiction seen as aggravating factor, recovery from addiction as mitigating; disbarment and Rule 218 compliance ordered. *In re Jones*, 252 Kan. 236, 843 P.2d 709 (1992).

39. Attorney under investigation for fraud, mispresentation, deceit, and diversion of law firm funds in violation of MRPC 8.4(b), (c), (d) surrenders license per Rule 217; disbarment and Rule 218 compliance ordered. *In re Johnson*, 252 Kan. 493, 852 P.2d 510 (1993).

40. Attorney's incompetence in handling bankruptcy matter violative of MRPC 1.1, 3.1, 3.3, and 8.4; public censure. *In re Ramcharan-Maharajh*, 252 Kan. 701, 847 P.2d 1307 (1993).

41. Attorney's borrowing a total of $117,000 in five unsecured interest-free loans, with no certain due date, from mother who had retained attorney to represent her son in pending criminal matter violative of DR 5-104(a), DR 7-101(A)(3), DR 1-102(A)(1) and (6), MRPC 1.7, MRPC 1.8(a), MRPC 1.15(d)(2)(iii) and (iv), MRPC 8.4(a) and (g), and Rule 704 oath; other violations; indefinite suspension and Rule 218 compliance ordered. *In re Norwood*, 252 Kan. 711, 847 P.2d 1314 (1993).

42. Attorney's borrowing $15,000 from client violates MRPC 1.7, MRPC 1.8(a), MRPC 1.15(d)(2)(iii) and (iv), MRPC 8.4(a) and (g), and Rule 704 oath; other violations; indefinite suspension and Rule 218 compliance ordered. *In re Norwood*, 252 Kan. 711, 847 P.2d 1314 (1993).

43. Attorney's forging of judge's signature in probate matter resulting in felony conviction violative of MRPC 4.1; 8.4(b), (c), (d), and (g); failure to communicate with client violative of MRPC 1.4; previous violations; indefinite suspension and Rule 218 compliance ordered. *In re Pomeroy*, 252 Kan. 1044, 850 P.2d 222 (1993).

44. Attorney previously censured placed on indefinite suspension for violations of MRPC 1.1,

1.3, 1.4, 1.15, 1.16, and 8.4 for neglect of two different client's cases; two other complaints found to be based on insufficient evidence although pattern of conduct cited and violations of Rule 207 established; Rule 218 compliance ordered. *In re Jackson*, 253 Kan. 810, 861 P.2d 124 (1993).

45. Attorney's actions in letting the statute of limitations run in four different cases violate DR 1-102(A)(4), 6-101(A)(1) and (3), and 7-101(A)(2), and MRPC 1.1, 1.3, 1.4(a) and (b), 3.2, and 8.4(c). Attorney's actions in failing to respond to requests for information and return of the case file in workers compensation case violate MRPC 1.3, 1.4(a) and (b), 1.16(a)(3) and (d), and 3.2. Eighteen-month suspension probated on conditions. *In re Jones*, 253 Kan. 836, 861 P.2d 1340 (1993).

46. Seven of nine charges based on misdemeanor convictions, dismissals, or diversions dismissed by panel due to remoteness; remaining two misdemeanor convictions violative of MRPC 8.4 (b), (d), and (g); attorney's conduct in mishandling personal injury case resulting in statute of limitations running, PIP carrier losing lien, and misrepresentation to client as to status of case violative of MRPC 1.3, 1.4, 4.1, and 8.4 (c) and (g); mitigating circumstances; one-year suspension and compliance with Rule 218 ordered. *In re Pistotnik*, 254 Kan. 294, 864 P.2d 1166 (1993).

47. Commingling client funds and personal funds in trust account, using trust account funds for personal expenses, and allowing trust account balance to fall below amount due clients violative of MRPC 1.15(a), (b), and (d)(2)(iv), and MRPC 8.4(g); Rule 207 violation; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson*, 254 Kan. 406, 867 P.2d 278 (1994).

48. Attorney's dilatory handling of estate matter violative of MRPC 1.3, 1.4, 1.16(a)(2), 3.2, and 8.4(g); Rule 207 violation; other violations; pending complaints; imposition of discipline suspended, supervised probation ordered. *In re Jackson*, 254 Kan. 406, 867 P.2d 278 (1994).

49. Attorney's failure to remit client's portion in a collection matter, failure to keep client informed, misrepresentations to client as to status of collection efforts, and causing balance on trust account to repeatedly fall below amount due client violative of MRPC 1.3, 1.4(a), 1.5(d), 1.15(a), 4.1(a), and 8.4(c); aggravating and mitigating circumstances; one-year supervised probation with conditions. *In re Wisler*, 254 Kan. 600, 866 P.2d 1049 (1994).

50. Attorney's failure to file personal injury claim and blaming client for delay, thereby allowing statute of limitations to run (resulting in client being granted summary judgment in subsequent malpractice claim); failure to inform client as to reduction in child support income; failure to inform client as to hearing dates; and acceptance of retainer fee from out-of-state client whom attorney knew he could not represent in divorce action violate MRPC 1.1, 1.3, 1.4(a) and (b), 1.16(d), 3.3(a)(1), and 8.4(d) and (g); Rule 207(a) and (b) violations; disbarment and Rule 218 compliance ordered. *In re Spears*, 254 Kan. 904, 869 P.2d 718 (1994).

51. Attorney's mishandling of four different probate estates and failure to timely file four different foreclosures, despite representations and billings which would indicate to the contrary, held to violate DR 1-102(A)(4), (5), and (6); 6-101(A)(3); and 7-101(A)(2) and (3); Canons 1, 6, 7, and 9; and MRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c), (d), and (g); aggravating and mitigating circumstances; two-year suspension, discipline probated, and supervised probation ordered. *In re Herman*, 254 Kan. 908, 869 P.2d 721 (1994).

52. Attorney pleads to six counts of attempted indecent liberties with a child; violation of MRPC 8.4(b) and (g) established; indefinite suspension and Rule 218 compliance ordered. *In re Fierro*, 254 Kan. 919, 869 P.2d 728 (1994).

53. Attorney's misappropriation of funds from trust accounts violative of Canons 1 and 9 and MRPC 1.15 and 8.4; indefinite suspension and Rule 218 compliance ordered. *In re Lunt*, 255 Kan. 529, 874 P.2d 1198 (1994).

54. Attorney's repeated refusal to provide court-ordered accountings of a conservatorship of

which she is the named conservator, refusal to reveal the names of the financial institution where the conservatorship funds are deposited, and refusal to answer questions concerning the topic or invoke the Fifth Amendment at district court hearings and before the disciplinary hearing panel violate MRPC 1.15, 3.4, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

55. Attorney's failure to file incorporation papers and retention of retainer paid to handle such matter violate MRPC 1.3, 1.4, 1.15, 1.16, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

56. Attorney's mishandling of will and estate matter, failure to communicate with client, failure to timely handle the matter, misleading the court as to the status of the probate case, and failure to return the client's file and retainer when requested violate MRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

57. Attorney's failure to timely file bankruptcy petition for clients, misrepresentations to clients as to status of case, and mishandling of bankruptcy case violate MRPC 1.1, 1.3, 1.4, 1.15, and 8.4; other violations; disbarment. *In re Jackson*, 255 Kan. 542, 874 P.2d 673 (1994).

58. Attorney's conviction of attempted possession of cocaine violates MRPC 8.4(b), (d), and (g), and false allegations regarding the behavior of law enforcement personnel by the attorney made during the course of the criminal prosecution violate MRPC 8.4(c), (d), and (g); other violations; indefinite suspension and Rule 218 compliance ordered. *In re Nelson*, 255 Kan. 555, 874 P.2d 1201 (1994).

59. Attorney found to have violated MRPC 1.1, 1.3, 1.4, 1.15, 3.2, 3.4(c), 4.3, and 8.4(d) and (g) based on conduct in seven different complaints reflecting on attorney's lack of diligence and competence, miscommunication and lack of candor, and failure to return unearned fees; failure to cooperate in disciplinary investigation; attorney currently on disability inactive status; indefinite suspension and Rule 218 compliance ordered. *In re Jenkins*, 255 Kan. 797, 255 P.2d 423 (1994).

60. Attorney convicted of felony possession of controlled substance with intent to distribute; criminal acts violate MRPC 8.4(b), (d) and (g); disbarment and Rule 218 compliance ordered. *In re Diggs*, 256 Kan. 193, 883 P.2d 1182 (1994).

61. Attorney's mishandling of personal injury case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.6, 1.7, 1.16, 3.2, 4.1, 8.4 and Rule 207; published censure. *In re Shultz*, 256 Kan. 196, 883 P.2d 779 (1994).

62. Attorney found to have violated MRPC 1.15 and 8.4 in dealing with settlement of client's case while on supervised probation for other violations; three-year supervised probation. *In re Jackson*, 256 Kan. 492, 885 P.2d 1259 (1994).

63. Attorney's failure to represent client in collection of foreign judgment in workers compensation case found to violate MRPC 1.1, 1.3, 1.4, 1.5(d), 1.16(d), 3.2, and 8.4(g); indefinite suspension and Rule 218 compliance ordered. *In re Griggs*, 256 Kan. 498, 886 P.2d 786 (1994).

64. Attorney convicted of 30 counts of giving a worthless check; violation of MRPC 8.4(b), (c), (d) and (g); indefinite suspension and Rule 218 compliance ordered; Rule 219 application for reinstatement contingent on restitution. *In re Phelps-Griffin*, 256 Kan. 503, 886 P.2d 788 (1994).

65. Attorney charged with purchasing cocaine and found not guilty by jury; found violation of MRPC 8.4(b), (d), and (g) and Rule 704(i); published censure. *In re Robertson*, 256 Kan. 505, 886 P.2d 806 (1994).

66. Attorney who lied to the court and her clients and failed to appear for landlord-tenant case proceeding found to be in violation of MRPC 1.1, 1.3, 1.4, 3.3, 3.4, 3.5, 4.1, 8.2 and 8.4; one-year suspension and compliance with Rule 218 ordered. *In re Gershater*, 256 Kan. 512, 886 P.2d 343 (1994).

67. Attorney's mishandling of a breach of contract case and settlement violative of MRPC 1.1, 1.3, 1.4, 3.3, and 8.4; six-month suspension and compliance with Rule 218 ordered. *In re Norlen*, 256 Kan. 509, 886 P.2d 347 (1994).

68. Attorney's mishandling of probate matter and workers compensation case violates MRPC 1.1,

1.3, 1.4, 3.2, 4.1, 8.4 and Rule 207; imposition of discipline suspended; two-year supervised probation. *In re Whitaker*, 256 Kan. 939, 888 P.2d 829 (1995).

69. Attorney's transfer of assets as bank trust officer from a trust to another without consent of a bank violates MRPC 1.8 and 8.4; his representation of two sons whose position was directly opposite of his former client, their mother, violates MRPC 1.9; published censure. *In re Whalen*, 256 Kan. 944, 888 P.2d 395 (1995).

70. Attorney previously censured disbarred for violations of MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 3.3, 4.1, 7.1, 7.5, 8.1, 8.4, and Rules 207 and 208; Rule 218 compliance ordered. *In re Shultz*, 257 Kan. 662, 895 P.2d 603 (1995).

71. Attorney's dilatory handling of civil case and failure to file the opening brief in criminal case violate MRPC 1.1, 1.3 and 8.4(d); two-year supervised probation. *In re Betts*, 257 Kan. 955, 895 P.2d 604 (1995).

72. Attorney's mishandling the oil and gas case violates MRPC 1.1, 1.3, 1.4 and 8.4(c); one-year probation. *In re Pilgreen*, 257 Kan. 949, 896 P.2d 389 (1995).

73. Attorney found in violation of MRPC 1.15(a), (b), (c) and (d), 8.4(d) and Rule 207; two-year probation. *In re Johnson*, 257 Kan. 946, 895 P.2d 1256 (1995).

74. Attorney pleaded no contest to aggravated sexual battery; his original conviction of rape and sexual battery reversed because of trial errors; violation of MRPC 8.4(b) and (g) found; disbarment and Rule 218 compliance ordered. *In re Myers*, 257 Kan. 959, 895 P.2d 1252 (1995).

75. Attorney's forging a client's signature on affidavit and filing it in court violate MRPC 1.4, 3.3, 3.4 and 8.4(c), (d) and (g); published censure. *In re Caller*, 258 Kan. 250, 899 P.2d 468 (1995).

76. Attorney's failure to remit personal injury protection lien to his client's insurance company, failure to keep client informed, misrepresentation to client, and creating conflict of interest violated MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 3.7, 4.1, and 8.4; aggravating circumstances; indefinite suspension. *In re Seck*, 258 Kan. 530, 905 P.2d 122 (1995).

77. Attorney who was temporarily suspended from practice and in federal prison was afforded opportunity to appear in person and present evidence of mitigating circumstances. *In re Brown*, 258 Kan. 731, 907 P.2d 132 (1995).

78. Attorney's neglect of three different clients' cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 3.1, and 8.4 and Rule 207; one-year suspension. *In re Geeding*, 258 Kan. 740, 907 P.2d 124 (1995).

79. Attorney disciplined in Texas for failure to communicate with clients, neglect of client's cases, failure to cooperate in investigation, and conversion of client's funds; Texas findings and conclusions adopted per Rule 202; indefinite suspension. *In re Callahan*, 258 Kan. 770, 907 P.2d 840 (1995).

80. County attorney found to have had conflict of interest in representing client investigated for neglect of her children, engaged in undignified or discourteous conduct degrading to tribunal and engaged in conduct unfit to practice law; two-year probation; participation in ethics programs and personal apology to judge in open court ordered. *In re Kraushaar*, 258 Kan. 772, 907 P.2d 836 (1995).

81. Attorney's mishandling of various civil and divorce cases violates MRPC 1.1, 1.2, 1.3, 1.4, 1.15, 3.2, 3.4, 4.1, 8.1, and 8.4; indefinite suspension. *In re Gordon*, 258 Kan. 784, 908 P.2d 169 (1995).

82. Attorney's mishandling of client funds, failure to supervise nonlawyer assistants, and other misconduct violate MRPC 1.3, 1.5, 1.15, 5.3, and 8.4; mitigating circumstances; published censure. *In re Krogh*, 259 Kan. 163, 910 P.2d 221 (1996).

83. Attorney's handling of counterclaim and appeal in lawsuit between home buyers and construction company violates MRPC 1.1, 1.3, 1.4, 8.4(c) and (d) and Rule 207; one-year suspension. *In re Crockett*, 259 Kan. 540, 912 P.2d 176 (1996).

84. Attorney self-reported cases in which he allowed the statute of limitations to expire on his

clients' claims; violations of MRPC 1.3, 1.4, and 8.4; two-year suspension. *In re Hill*, 259 Kan. 877, 915 P.2d 49 (1996).

85. Attorney's improper accounting and failure to safeguard clients' funds violate MRPC 1.15 and 8.4, and Rule 207; indefinite suspension. *In re Munyon*, 259 Kan. 889, 914 P.2d 574 (1996).

86. Attorney convicted of possession of cocaine later acquitted on double jeopardy ground; violations of MRPC 8.4(b), (d) and (g); extensive mitigating factors; two-year probation. *In re Gooding*, 260 Kan. 199, 917 P.2d 414 (1996).

87. Attorney tried for two counts of illegal check-kiting scheme in federal court and charges later dismissed; violation of MRPC 8.4(c); published censure. *In re Blase*, 260 Kan. 351, 920 P.2d 931 (1996).

88. Attorney's breach of fiduciary duty as executor of estate, conduct involving dishonesty and fraud, and failure to cooperate with Disciplinary Administrator's office violate MRPC 1.3, 1.15, 8.4(c) and (d) and Rules 202 and 207; disbarment. *In re Williamson*, 260 Kan. 568, 918 P.2d 1302 (1996).

89. Attorney's mishandling of client's assets in voluntary conservatorship proceeding violates MRPC 1.1, 1.2, 1.4, 1.5, 1.7, 1.9, 1.14, 3.3, and 8.4; published censure. *In re Brantley*, 260 Kan. 605, 920 P.2d 433 (1996).

90. Attorney's mishandling of bankruptcy proceedings for his clients violates MRPC 1.1, 1.2, 1.3, 1.4, 8.1 and 8.4 and Rule 207; disbarment. *In re Gordon*, 260 Kan. 905, 925 P.2d 840 (1996).

91. Attorney's handling of civil action and post-divorce proceeding and his attempt to represent a criminal defendant while attorney was in inpatient drug treatment program violate MRPC 1.3, 1.4, 1.5(b), 1.15(a) and (b), 1.16(a), 3.3(a), 4.1, and 8.4(a), (b), (d), and (g); three-year supervised probation. *In re Phillips*, 260 Kan. 909, 925 P.2d 435 (1996).

92. Attorney's failure to act with reasonable diligence and promptness in an eviction case, commingling of clients' funds with his own, and failure to cooperate with disciplinary administrator's office violate MRPC 1.4, 1.5, 1.9, 1.15, 1.16, 8.1 and 8.4 and Rule 207; one-year suspension. *In re Howlett*, 261 Kan. 167, 928 P.2d 52 (1996).

93. Attorney, serving as part-time hearing officer for Kansas Department of Revenue, dismissed eight cases of persons who had employed him as attorney in their DUI cases; violation of MRPC 1.11 and 8.4(c) and (d); indefinite suspension and Rules 218 and 219 compliance ordered. *In re Gribble*, 261 Kan. 985, 933 P.2d 672 (1997).

94. Attorney's mishandling of matters involving (1) individualized education program for autistic child in public school, (2) personal injury, probate, and insurance claim arising from fatal car accident, and (3) probate matter involving estate of conservatee violates MRPC 1.1, 1.2, 1.3, 1.4, 1.7, 1.16, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dow*, 261 Kan. 989, 933 P.2d 666 (1997).

95. Attorney's mishandling of bankruptcy case violates MRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.16, 3.1, 3.3, and 8.4; published censure per Rule 203(a)(3). *In re Roy*, 261 Kan. 999, 933 P.2d 662 (1997).

96, Attorney's presenting an altered will for probate violates MRPC 3.3(a)(1) and 8.4(c) and (d); published censure per Rule 203(a)(3). *In re Grant*, 262 Kan. 269, 936 P.2d 1360 (1997).

97. Attorney's mishandling of adoption case violates MRPC 1.1, 1.3, 1.4, and 8.4 and Rule 207; indefinite suspension. *In re Johnson*, 262 Kan. 275, 936 P.2d 258 (1997).

98. Attorney's mishandling of civil rights case violates MRPC 1.2, 1.3, 1.4, 1.7, 1.15, 5.3, and 8.4; two-year supervised probation. *In re Baxter*, 262 Kan. 555, 940 P.2d 37 (1997).

99. Attorney's failure to file negligence action in proper court and his disappearance from his law office without notice to clients violate MRPC 1.1, 1.3, 1.4, 1.5, 3.2, and 8.4 and Rule 207; disbarment. *In re Neal*, 262 Kan. 562, 937 P.2d 1234 (1997).

100. Attorney's mishandling of child support case and his ex parte communication with judge violate MRPC 1.1, 3.3, 3.5, 4.4, 8.4(c), (d), and (g), and Rules 207 and 211; aggravating and mitigating factors; indefinite suspension. *In re Black*, 262 Kan. 825, 941 P.2d 1380 (1997).

101. Attorney falsified records regarding sale of home to prevent one-half of proceeds from going to the Department of Social and Rehabilitation Services as credit against future Medicaid benefits in violation of MRPC 1.1, 4.1, 5.3, 8.1, and 8.4; published censure per Rule 203(a)(3). *In re Apt*, 263 Kan. 210, 946 P.2d 1002 (1997).

102. Attorney's mishandling of traffic cases and real property transaction, sexual harassment complaint filed against him, and disorderly conduct at the airport violate MRPC 1.2, 1.3, 1.4, 3.2, and 8.4; indefinite suspension effective as of date of order per Rule 219. *In re Mitchell*, 263 Kan. 217, 946 P.2d 999 (1997).

103. Attorney's failure to prepare necessary tax returns for an estate and pension plan documents for employer violates MRPC 1.1, 1.3, 1.4, and 8.4; supervising attorney afforded all immunities per Rule 223; two-year supervised probation and continued treatment for alcoholism, depression and personality disorders ordered. *In re Stephens*, 263 Kan. 221, 946 P.2d 1379 (1997).

104. Attorney's mishandling of lease of house rental for a client violates MRPC 1.15 and 8.4; indefinite suspension. *In re Seck*, 263 Kan. 482, 949 P.2d 1122 (1997).

105. Attorney's misconduct in bankruptcy court violates MRPC 1.1, 1.3, 1.4(a), 1.8(e), 1.15, 3.1, 3.2, and 8.4(d) and his failure to supervise and train his subordinate lawyers and nonlawyer assistants violate MRPC 5.1 and 5.3(a) and (b); indefinite suspension per Rule 203(a)(2). *In re Farmer*, 263 Kan. 531, 950 P.2d 713 (1997).

106. Attorney was incarcerated in the federal prison for conspiracy to possess and possession of cocaine with the intent to distribute; 1995 hearing found MRPC 8.4 violations; disbarment. *In re Brown*, 263 Kan. 571, 953 P.2d 1367 (1998).

107. Attorney's failure to communicate with his client, his delay in handling of insurance settlement, and his misrepresentation of material facts to disciplinary administrator violate MRPC 1.1, 1.2(a), 1.3, 1.4(a) and (b), 8.1(a) and 8.4(d) and (g) and Rules 207 and 211; published censure per Rule 203(a)(3). *In re Potter*, 263 Kan. 766, 952 P.2d 936 (1998).

108. Attorney's mishandling of numerous cases violates MRPC 1.1, 1.3, 1.4(a), and 8.4(d); attorney allowed to plan his medical treatment and to work under supervision for the State Board of Indigents' Defense Services; three-year supervised probation. *In re Betts*, 263 Kan. 801, 953 P.2d 223 (1998).

109. Attorney's engaging in inappropriate sexual behavior with female clients violates MRPC 1.7(b), 1.8(b), 2.1, 3.7, 4.1, and 8.4(d) and (g); he was additionally charged for violations of MRPC 1.2, 1.3, 1.4, 1.5, 4.3 and 8.4(b) and (c) and Rule 207; disbarment. *In re Berg*, 264 Kan. 254, 955 P.2d 1240 (1998).

110. Attorney's failure to diligently and competently represent and to communicate with his six clients and his failure to cooperate with the disciplinary administrator's office violate MRPC 1.1, 1.3, 1.4, 1.16, 3.4, 8.1, and 8.4 and Rule 207; suspension effective as of the date of order for purpose of Rule 219(e); indefinite suspension. *In re Wooten*, 264 Kan. 283, 955 P.2d 1239 (1998).

111. Attorney's withdrawing a client's files after discharged violates MRPC 1.16 and 8.4; ordered to pay attorney fees incurred by the former client in recovery of his files; attorney's failure to personally appear before the court noted as violation of Rule 212(d); published censure per Rule 211(f). *In re Palmer*, 264 Kan. 752, 956 P.2d 1333 (1998).

112. Attorney's neglect of his cases, failure to communicate with his clients, and failure to competently and diligently represent them violate MRPC 1.1, 1.3, 1.4, 3.2, 3.4(c), and 8.4(d) and (g); attorney's failure to appear before the court constitutes violation of Rule 212(d); indefinite suspension. *In re Anderson*, 264 Kan. 758, 956 P.2d 1330 (1998).

113. Attorney's mishandling of grandparents' visitation case and municipal court case violates MRPC 1.2, 1.3, 1.4, 3.1, and 8.4; current suspension per Rule 208 noted; registered for disabled inactive

status per Rule 220; published censure. *In re Taylor*, 265 Kan. 246, 959 P.2d 901 (1998).

114. Attorney charged with crimes of battery, disorderly conduct, and failure to stop at traffic control device and entered diversion agreement; also found to have obtained duplicative reimbursement for his travel expenses to attend seminar; violations of MRPC 1.15 and 8.4 found; published censure per Rule 203(a)(3). *In re Sutton*, 265 Kan. 251, 959 P.2d 904 (1998).

115. Attorney surrenders license per Rule 217 while pending complaint alleges violations of MRPC 1.2, 1.3, 1.4, and 8.4(c); disbarment. *In re Badke*, 265 Kan. 464, 968 P.2d 670 (1998).

116. Attorney's charging various clients unreasonable fees, failure to refund expense deposits, failure to inform client of the status of case, failure to act with reasonable diligence and promptness, use of deceptive and fraudulent retainer agreement, and other misconduct violate MRPC 1.4(a) and (b), 1.5, 1.8(h), 1.15(b), 1.16(d), 3.5(d), 7.2(d), 8.2(a), and 8.4; indefinite suspension per Rule 203(a)(2). *In re Scimeca*, 265 Kan. 742, 962 P.2d 1080 (1998).

117. Attorney's mishandling of personal injury, criminal, bankruptcy, and divorce cases violates MRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 7.3, and 8.4(a), (c), (d), and (g) and Rule 207; panel recommended disbarment per Rule 203(a)(1); indefinite suspension. *In re Lewis*, 265 Kan. 766, 962 P.2d 534 (1998).

118. Attorney's failure to file an annual report, to draft the shareholder agreement, and to promptly file a suit for his client corporation violates MRPC 1.1, 1.3, and 1.8(a); he also violated MRPC 8.4(a), (c), and (d) when he made a false statement to the deputy disciplinary administrator; published censure per Rule 203(a)(3). *In re Zimmerman*, 266 Kan. 115, 965 P.2d 823 (1998).

119. Attorney's mishandling of a Chapter 7 bankruptcy case violates MRPC 1.1, 1.3, 1.15(a) and (c), and 8.4(b); his failure to cooperate in the disciplinary process violates Rule 207; one-year suspension. *In re Metz*, 266 Kan. 118, 965 P.2d 821 (1998).

120. Attorney's accepting a fee to handle an estate case while suspended from the practice of law violates MRPC 5.5 and 8.4; 16 additional cases pending at the time of oral argument; disbarment. *In re Howlett*, 266 Kan. 401, 969 P.2d 890 (1998).

121. Attorney's mishandling of four divorce cases violates MRPC 1.1, 1.3, 1.4, 1.16, 3.1, 3.2, 3.3, 4.1, 8.1, and 8.4 and Rule 207; a hearing panel report deemed to be admitted per Rule 212(c) and (d); supervising attorney afforded all immunities per Rule 223; two-year supervised probation. *In re Lober*, 266 Kan. 404, 969 P.2d 885 (1998).

122. Attorney's misconduct while acting as administrator in probate matter violates MRPC 8.4(c), (d), and (g); his failure to cooperate in investigation violates Rule 207; indefinite suspension. *In re Rickman*, 266 Kan. 658, 972 P.2d 759 (1999).

123. Attorney stipulated to violations of MRPC 1.1, 1.2, 1.3, 1.4, 3.1, and 8.4(g) in his handling of child custody case, child support case, and wrongful termination case; his failure to cooperate in investigation violates Rules 207(b) and 211(b); Internal Operating Rules of the Kansas Board for Discipline of Attorneys (I.O. Rule E.8) discussed for appropriateness of probation; one-year suspension. *In re Long*, 266 Kan. 664, 972 P.2d 773 (1999).

124. Attorney's failure to safekeep his clients' property and to promptly respond to the orders of the court in bankruptcy proceedings violates MRPC 1.3, 1.15, 3.4(c), and 8.4(b), (c), and (d), and Rules 207, 208, 211(b), and 802; panel recommended discipline per Rule 203(a)(1), (2), (3), or (5); indefinite suspension. *In re Fey*, 266 Kan. 674, 972 P.2d 771 (1999).

125. Attorney's falsely reporting a crime of burglary and filing a fraudulent insurance claim violate MRPC 8.4(b), (c), and (g); indefinite suspension. *In re Bennett*, 266 Kan. 1081, 975 P.2d 262 (1999).

126. Attorney's failure to appear in court on numerous occasions and his abandonment of his law practice without making any arrangements to protect his clients violate KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 8.1, and 8.4 and Rules 207 and 208(c); disbarment. *In re Ortega*, 267 Kan. 228, 978 P.2d 914 (1999).

127. Attorney's mishandling of bankruptcy case violates KRPC 1.1, 1.3, 1.4, 1.15, and 8.4; supervised probation. *In re Christians*, 267 Kan. 240, 978 P.2d 910 (1999).

128. Attorney's mishandling of personal injury case, past due taxes case, and bankruptcy case violates KRPC 1.3, 1.4, 1.15, 3.2, 8.1, and 8.4; he was arrested for DUI, possession of cocaine, possession of drug paraphernalia, battery on a law enforcement officer, battery on his former girlfriend, and other charges; failure to notify and cooperate with the disciplinary administrator in violation of Rules 203(c) and 207, defense under Rule 223 raised; indefinite suspension. *In re Parker*, 267 Kan. 779, 985 P.2d 124 (1999).

129. Attorney's failure to notify the disciplinary administrator of his suspensions by Oklahoma Supreme Court and his misconduct which was the basis of his Oklahoma suspension violate KRPC 1.2(d) and 8.4(d) and Rules 207(c) and 211(b); indefinite suspension. *In re Holden*, 267 Kan. 788, 982 P.2d 399 (1999).

130. Attorney's mishandling of collection matters violates KRPC 1.1, 1.3, 1.4, 3.2, and 8.4(c); allegations in the hearing panel's report deemed admitted per Rule 212(c) and (d); split panel recommendation; published censure. *In re Druten*, 267 Kan. 790, 982 P.2d 978 (1999).

131. Attorney's settlement of malpractice claim with a former client without advising her that she should seek independent legal advice violates KRPC 1.8(h); violations of KRPC 1.5(b) and 8.4 (g) found not established by clear and convincing evidence; published censure. *In re Carson*, 268 Kan. 134, 991 P.2d 896 (1999).

132. Attorney's mishandling of civil actions involving four clients violates KRPC 1.1, 1.3, 1.4, 1.15, 1.16, 3.3, and 8.4 and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Dennis*, 268 Kan. 48, 991 P.2d 394 (1999).

133. Attorney's misdemeanor conviction for lewd and lascivious behavior violates KRPC 8.4 and Rule 202; three-year supervised probation. *In re Ketter*, 268 Kan. 146, 992 P.2d 205 (1999).

134. Attorney's selfish motive in pursuing a slip and fall case when his client told him to dismiss the case violates KRPC 1.2(a), 1.3, 1.4, 1.5(c), 1.6, and 8.4(c); published censure per Rule 203(a)(3). *In re Friesen*, 268 Kan. 57, 991 P.2d 400 (1999).

135. Attorney's federal court convictions of bankruptcy fraud violate KRPC 8.4(b); indefinite suspension. *In re McIntosh*, 268 Kan. 73, 991 P.2d 403 (1999).

136. Attorney's mishandling of a wrongful death/personal injury case violates KRPC 1.2, 1.3, 1.4, 3.2, and 8.4 and Rule 207; failure to answer the complaint in violation of Rule 211; one-year suspension with additional condition that he pass the multistate professional responsibility examination prior to readmission. *In re Cole*, 268 Kan. 171, 991 P.2d 422 (1999).

137. Attorney's notarizing a signature on a deed without the signer being present and claiming personal expenses as reimbursable expenditures violate KRPC 8.4(c), (d), and (g); misconduct found with clear and convincing evidence per Rule 211(f); one year suspension. *In re Kraushaar*, 268 Kan. 451, 997 P.2d 81 (2000).

138. Attorney's convictions of conspiracy to commit mail fraud, mail fraud, and misappropriation of funds by a fiduciary violate KRPC 1.15 and 8.4 per Rule 202; hearing panel determination and recommendation to the Supreme Court requested per Rule 211(f); disbarment. *In re Richardson*, 268 Kan. 831, 1 P.3d 328 (2000).

139. Attorney's mishandling of a bankruptcy matter violates KRPC 1.1, 1.3, 1.4(a), 1.15(a), and 8.4(d), and Rule 207; panel's findings supported by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Trickey*, 268 Kan. 835, 999 P.2d 964 (2000).

140. Attorney's mishandling divorce, traffic violation, and criminal matters violates KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 5.3, and 8.4 and Rule 207; numerous mitigating and aggravating factors considered; two-year supervised probation. *In re Kellogg*, 269 Kan. 143, 4 P.3d 594 (2000).

141. Attorney's violation of his fiduciary duties to his ward as guardian and conservator of an incapacitated person violate KRPC 1.14 and 8.4(c), (d), and (g); indefinite suspension. *In re Leising*, 269 Kan. 162, 4 P.3d 586 (2000).

142. Attorney indefinitely suspended for numerous ethical violations in Missouri and convicted of filing a false federal income tax return; temporary suspension per Rule 203(c)(5) effective at the time of suspension in Kansas; violations found in KRPC 1.2, 1.3, 1.4, 1.8, 1.15, 3.2, 5.1, and 8.4; indefinite suspension. *In re Shaver*, 269 Kan. 171, 4 P.3d 581 (2000).

143. Attorney's mishandling of a probate matter violates KRPC 1.1 and 8.4(d) and (g); court found no violation of Rule 216 by the hearing panel; published censure per Rule 203(a)(3). *In re Roth*, 269 Kan. 399, 7 P.3d 241 (2000).

144. Attorney's mishandling of six federal court cases and two state court cases violates KRPC 1.3, 3.1, 3.2, 3.4(c) and (d), and 8.4(d) by clear and convincing evidence per Rule 211(f); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Boone*, 269 Kan. 484, 7 P.3d 270 (2000).

145. Attorney's mishandling of probate matters violates KRPC 1.1, 1.3, 3.3(a), 8.1(a), and 8.4(c); stipulated facts and conclusions and recommendations of the final hearing report deemed admitted per Rule 212(c) and (d); supervising attorney afforded immunity per Rule 223; two-year supervised probation. *In re Howard*, 269 Kan. 414, 2 P.3d 766 (2000).

146. Attorney's mishandling of a client fund violates KRPC 1.15 and 8.4; two-year suspension per Rule 203(a)(2). *In re Lucas*, 269 Kan. 785, 7 P.3d 1186 (2000).

147. Attorney's mishandling of a paternity action violates KRPC 1.1, 1.15(d), 1.16(d), and 8.4(g) and Rule 207 by clear and convincing evidence per Rule 211(f); attorney's failure to appear in person before the court in violation of Rule 212; restitution ordered per Rule 227; one-year suspension. *In re Shumway*, 269 Kan. 796, 8 P.3d 735 (2000).

148. Attorney voluntarily surrenders his license to practice law in Missouri; his misconduct violated KRPC 4.1, 7.3, and 8.4(a) and (c) per Rule 202; disbarment. *In re Rogers*, 269 Kan. 829, 7 P.3d 1260 (2000).

149. Attorney violated KRPC 1.5(d), 1.15, and 8.4(c) by his failure to provide written contingency fee contract, failure to provide complete accounting to client, and failure to reimburse witness for travel expenses; published censure per Rule 203(a)(3). *In re Warner*, 270 Kan. 119, 11 P.3d 1160 (2000).

150. Attorney's failure to diligently represent and communicate with a client violates KRPC 1.3, 1.4(a), 1.16(a)(2), and 8.4(c); one-year suspension and Rule 218 and Rule 219 compliance ordered. *In re McGee*, 270 Kan. 135, 13 P.3d 11 (2000).

151. Attorney surrenders license per Rule 217 pending investigation for violating KRPC 1.1, 1.3, 3.3, 8.4(c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Meyer*, 270 Kan. 160, 26 P.3d 1244 (2000).

152. Attorney's mishandling of estate, trust, workers compensation claims, EEOC action, and bankruptcy matter, and improperly borrowing money from clients, as well as failing to be diligent in representing clients and communicating with clients in five separate disciplinary complaints violates KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.7(a) and (b), 1.8(b), and 8.4(g); indefinite suspension. *In re Coggs*, 270 Kan. 381, 14 P.3d 1123 (2000).

153. Attorney's failure to provide competent representation and to diligently represent and communicate with clients violates KRPC 1.1, 1.3, 1.4(a); attorney's unauthorized practice of law following suspension violates KRPC 5.5; failure to respond to and cooperate with disciplinary administrator violates KRPC 8.1; failure to stop practicing law after suspension and failure to so notify clients violates KRPC 8.4 and Rules 207, 211, and 218; disbarment. *In re Moran*, 270 Kan. 403, 13 P.3d 1275 (2000).

154. Attorney who was previously suspended for 1 year found to have violated KRPC 3.3(a),

8.4(d) and (g), Rule 207(b), and 211; indefinite suspension. *In re Gershater*, 270 Kan. 620, 17 P.3d 929 (2001).

155. Attorney suspended for one-year based on violation of 8.4(b) for worthless check convictions and obstruction of legal duty charge. *In re Brock*, 270 Kan. 635, 17 P.3d 361 (2001).

156. Attorney's mishandling of employment discrimination case violated KRPC 1.3, 1.4, 3.4(d), 8.4(d) and (g), and Rule 207; failure to appear at scheduled Supreme Court disciplinary hearing; indefinite suspension and Rule 218 compliance ordered. *In re Lockett*, 270 Kan. 640, 17 P.3d 917 (2001).

157. Attorney's improper accounting and failure to safeguard clients' funds violate KRPC 1.15 and 8.4; 1-year suspension. *In re Lund*, 270 Kan. 865, 19 P.3d 110 (2001).

158. Attorney's mishandling of client funds, failure to act with reasonable diligence in another case, and commingling client's funds with his own violates KRPC 1.3, 1.4, 1.15(a) and (b), 8.4(a), (b), (c) and (g); disbarment. *In re Farrell*, 271 Kan. 291, 21 P.3d 552 (2001).

159. Attorney stipulated to violation of 8.4(b) and (d) for possession of cocaine after self reporting and entering into diversion agreement with district attorney's office; published censure per Rule 203 (a)(3). *In re Conwell*, 271 Kan. 304, 20 P.3d 1260 (2001).

160. Attorney voluntarily surrenders license to practice law in Missouri; her misconduct violated KRPC 1.1, 1.3, 1.4, 8.4(c) and (d) per Rule 220 as well as Rule 207(b) and Rule 211(b); disbarment. *In re Cramer*, 271 Kan. 923, 26 P.3d 1245 (2001).

161. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.5(a), 1.15(a), (b), and (c), 8.4(a), (c), and (g), Rule 207 and Rule 211 per Rule 202; disbarment per Rule 203(a)(1). *In re Cleland*, 271 Kan. 926, 27 P.3d 26 (2001).

162. Attorney's lack of diligence, failure to communicate with client, failure to comply with discovery, and engaging in conduct prejudicial to administration of justice violates KRPC 1.3, 1.4(a), 3.4(d), and 8.4(d); one-year suspension. *In re Coder*, 272 Kan. 758, 35 P.3d 853 (2001).

163. Attorney's conviction for fraud and deceptive commercial practice violated KRPC 1.15, 4.1, and 8.4(b), (c), (d) and (g); two-year suspension per Rule 203 and Rule 218 compliance ordered. *In re Rausch*, 272 Kan. 308, 32 P.3d 1181 (2001).

164. Attorney's mishandling of two separate cases violates KRPC 1.1, 1.3, 1.4, 1.16, 8.4(a), (c), (d) and (g) and Rule 207; indefinite suspension. *In re Johnson*, 272 Kan. 284, 32 P.3d 1132 (2001).

165. Attorney's misconduct in six different complaints as well as mishandling of his trust account result in one-year suspension per Rule 203; if reinstatement sought, requirement of Rule 219 apply. *In re Craig*, 272 Kan. 299, 32 P.3d 1174 (2001).

166. Attorney's misconduct by failing to supervise nonattorney representatives violated Rules and his own misconduct violated KRPC 1.4, 1.5, 1.14, 1.15, 1.16, 5.3, 5.4(a), 5.5(b), 7.3 and 8.4; two-year supervised probation. *In re Flack*, 272 Kan. 465, 33 P.3d 1281 (2001).

167. County attorney's misconduct in seven counts violates KRPC 1.1, 3.4(e), 8.4(a), (c), (d), (e) and (g), 3.8(a) and (c), and 3.5(d); supervised probation until term ends; ordered to resign from county attorney office on January 1, 2002; ordered to elect inactive status on next renewal date of his attorney registration. *In re Swarts*, 272 Kan. 28, 30 P.3d 1011 (2001).

168. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(d), 3.2, 3.3(a), 8.4(a) and (g), Rule 207(b); one-year suspension per Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Winterburg*, 273 Kan. 135, 41 P.3d 842 (2002).

169. Attorney's mishandling of several matters violated KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 8.4(a), (c), (d) and (g); two-year suspension per Rule 203(a)(2); Supreme Court may impose longer sanction than those recommended by hearing panel per Rule 212(f). *In re Swisher*, 273 Kan. 143, 41 P.3d 847 (2002).

170. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.15(b), 1.16(d), and 8.4(g); hearing panel's report deemed admitted under Rule 212(d); two-year suspension per Rule 203(a)(2); Rules 218 and 219

compliance ordered with conditions. *In re Moore*, 273 Kan. 154, 41 P.3d 831 (2002).

171. Attorney's misconduct for failure to inform client the status of his license, violation of the KRPC's by representing a client without his license, the unauthorized practice of law, and failure to register with the Clerk of the Appellate Courts and pay registration fee violates KRPC 1.4(b), 1.16(a)(1), 5.5(a), 8.4(d), Rule 208(a) and Rule 218(a); 90-day suspension. *In re Hunter*, 273 Kan. 1015, 46 P.3d 1199 (2002).

172. Attorney previously disciplined now found to have violated KRPC 1.5 by billing clients for time not spent on their case, 1.15 by failing to keep complete trust account records and not providing requested accountings, 8.4(c) for engaging in fraudulent conduct by miscalculating her bill for clients; indefinite suspension and Rules 218 and 219 compliance. *In re Kellogg*, 274 Kan. 281, 50 P.3d 57 (2002).

173. Attorney previously disciplined found to have violated multiple offenses of KRPC 1.1, 1.3, 1.4, 3.2, 3.4, 3.5, and 8.4; eighteen-months' suspension and Rules 218 and 219 compliance ordered. *In re Berry*, 274 Kan. 336, 50 P.3d 20 (2002).

174. Attorney's mishandling of child custody case violated KRPC 1.3 for lack of diligence, 1.4 for failure to keep client informed about status of her case, 1.15(b) for failure to return unearned fees, 1.16(d) for failure to return unearned fees, 8.1(b) for failure to respond to Disciplinary Administrator's letters, 8.4(a)(c)(d) and (g) for violating KRPC's; Rule 207(b) and Rule 211(b) for failing to provide written responses to disciplinary complaint and failing to timely file an answer; one-year suspension. *In re Arnett*, 274 Kan. 366, 52 P.3d 892 (2002).

175. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 8.1(b), 8.4(d), Rule 207(b), and Rule 211(b); failure to appear before Supreme Court violated Rule 212(d); disbarment per Rule 203(a)(1). *In re Sechtem*, 274 Kan. 387, 49 P.3d 541 (2002).

176. Attorney disbarred in Missouri found to have violated KRPC 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d) and Rule 211(b); indefinite suspension. *In re Johnson*, 274 Kan. 783, 55 P.3d 913 (2002).

177. Attorney suspended for 6 months for violating KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(a) and (d); findings of fact admitted pursuant to Rule 212(d); previously indefinitely suspended pursuant to Rule 208 and Rule 806; Rule 219 compliance ordered. *In re Matson*, 274 Kan. 785, 56 P.3d 160 (2002).

178. Attorney on disability inactive status violated Rule 220 by engaging in the practice of law; KRPC 8.2 violated by making false or reckless statements regarding the qualification and integrity of judge; KRPC 8.4(a), (d), and (g) violated for misconduct; district judge's ruling that attorney was disqualified presumed to be valid under Rule 202; exceptions filed per Rule 212; published censure per Rule 203(a)(3). *In re Arnold*, 274 Kan. 761, 56 P.3d 259 (2002).

179. Attorney's misconduct violated multiple offenses of KRPC: 1.3, 1.4(a), 3.2, 5.5(a), 8.1(b), 8.4(a) and (d); notified per Rule 215(a); failed to respond or appear violating Rule 212(d); failed to file answer per Rule 211(b); disbarment per Rule 203(a)(1); Rule 218 compliance ordered. *In re Griswold*, 274 Kan. 776, 56 P.3d 269 (2002).

180. Attorney violated KRPC 1.6(a) (confidentiality of information) by revealing information about his client; KRPC 1.7(b) (conflict of interest) by representing a client which materially limited his representation of another client; KRPC 1.16(d)(terminating representation) by failing to protect his client's interests by disclosing confidential information in six instances; KRPC 8.4(a) (misconduct) by offering to disclose negative information about his former client; misconduct established by clear and convincing evidence per Rule 211(f); published censure per Rule 203(a)(3). *In re Bryan*, 275 Kan. 202, 61 P.3d 641 (2003).

181. Attorney's misconduct violated KRPC 1.1 by failing to provide competent representation, KRPC 3.1 by filing a frivolous claim without good faith argument for extension, KRPC 8.4(d) and (g) by engaging in conduct that was prejudicial to the administration of justice and engaging in conduct that adversely reflected on the lawyer's fitness to practice law; Rule 211(b) by failing to file a written answer to

the complaint in a timely manner; misconduct found by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact and conclusions of law adopted per Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Polsley*, 275 Kan. 233, 61 P.3d 715 (2003).

182. Attorney misconduct in numerous bankruptcy cases violates KRPC 1.4 for failing to keep clients informed, KRPC 3.3 for knowingly making false statements of material facts, KRPC 8.4(c) and (d) for providing false and misleading information and engaging in conduct that was prejudicial to the administration of justice; Supreme Court granted attorney's motion for rehearing which suspended effect of our original decision until rehearing per Rule 7.06; attorney requested censure per Rule 203(a)(3); 1-year suspension and Rule 218 compliance ordered. *In re Wagle*, 275 Kan. 543, 66 P.3d 884 (2003).

183. Attorney previously disciplined by supervised probation found to have committed multiple violations of KRPC: 1.3, 1.4, 3.1, and 4.2; previously violated KRPC 1.3, 3.1, 3.2, 3.4, and 8.4; pursuant to Rule 212(c), attorney filed an exception to panel's report; disciplinary panel conducted formal hearing pursuant to Rule 211; supervising attorney granted full immunities per Rule 223; supervised probation extended to 5 years with restrictions on practice. *In re Boone*, 275 Kan. 560, 66 P.3d 896 (2003).

184. Attorney licensed to practice law in Missouri, but not in Kansas, failed to comply with Rule 216; violated Mo. Rules of Professional Conduct which are identical to and thus, based on Rule 202, violate KRPC 3.3(a)(1), 4.1(a), 8.1(b), 8.4(a) and (d); also found to have violated KRPC 7.1, 8.4(c) and (g); violated Rule 211(b) by failing to timely file answer to formal complaint; indefinite prohibition from practicing law before any Kansas court, administrative tribunal, or state agency. *In re Franco*, 275 Kan. 571, 66 P.3d 805 (2003).

185. Attorney previously censured for KRPC 8.4(b) and (d) and admonished for KRPC 1.16(d) now found to have violated KRPC 1.15, 5.1, and 8.4(a); Internal Operating Rule E.8. cited for appropriateness of probation; supervising attorney afforded full immunities per Rule 223; misconduct established by clear and convincing evidence per Rule 211(f) and hearing panel's report deemed admitted under Rule 212(c) and (d); Rule 219 hearing not required at end of 2-year probation; 16 specific terms and conditions set forth in probation plan; Rule 218 compliance ordered; 2-year supervised probation. *In re Conwell*, 275 Kan.902, 69 P.3d 589 (2003).

186. Attorney previously disciplined for similar violations found by clear and convincing evidence per Rule 211(f) to have violated KRPC 1.3, 1.4, 1.5, 1.15, 1.16, 3.3, 3.4, 3.5 and 8.4; hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorneys afforded full immunities per Rule 223; three years' supervised probation. *In re Rathbun*, 275 Kan. 920, 69 P.3d 537 (2003).

187. Attorney on disabled status filed 14 lawsuits in his own name, violating KRPC 3.1, 3.3(a)(1), 3.4(d), 8.4(c) and (d), and 3.5(c); civil judgment by opposing parties raised presumption of validity per Rule 202; disbarment. *In re Benson*, 275 Kan. 913, 69 P.3d 544 (2003).

188. Attorney previously disciplined on five occasions by informal admonishments now found to have 14 violations of KRPC, including 1.1, 1.3, 1.4, 1.5(b), 1.15(a) and (d), 1.16(d), 3.3(a), 8.4(a) as well as 1.8(f)(2) and 5.4(c); Rule 211(b) cited for failing to respond to complaint within 20 days; misconduct was shown by clear and convincing evidence per Rule 211(f); Supreme Court not bound by recommendations of Disciplinary Administrator or hearing panel per Rule 212(f); attorney failed to disprove district court findings in civil judgment per Rule 202; Internal Operating Rule E.3. and E.8. discussed; one-year suspension and Rules 218 and 219 compliance ordered. *In re Rumsey*, 276 Kan. 65, 71 P.3d 1150 (2003).

189. Attorney committed multiple violations of KRPC: 1.15, 8.1, 8.4(a), (b), (c), (d), and (g), and Rule 207(b); exceptions filed to several findings per Rule 212(c); misconduct found by clear and convincing evidence per Rule 211(f); disbarment. *In re Wright*, 276 Kan. 357, 76 P.3d 1018 (2003).

190. Attorney violated KRPC 4.4 (respect for rights of third persons) and 8.4 (c) and (g)(misconduct); failed to file exceptions to hearing report of panel per Rule 212(c); charges established by

clear and convincing evidence per Rule 211(f); 3-month suspension per Rule 203(a)(2). *In re Royer*, 276 Kan. 643, 78 P.3d 440 (2003).

191. Prior to the hearing of a disciplinary panel, attorney stipulated to violations of KRPC 1.15(d)(1) regarding safekeeping of client funds and KRPC 8.4(c) and (g) for professional misconduct; indefinite suspension per Rule 203(a)(2). *In re Johnson*, 276 Kan. 904, 80 P.3d 32 (2003).

192. Attorney violated KRPC 4.2, 4.4, 8.3(a), and 8.4 involving communication with person represented by counsel, respect for rights of third parties, reporting professional misconduct, and misconduct; published censure per Rule 203(a)(3). *In re Pyle*, 278 Kan. 230, 91 P.3d 1222 (2004).

193. Attorney's misconduct in multiple cases violated KRPC 3.3, 3.4, 3.8, and 8.4 involving candor toward a tribunal, fairness to an opposing party, her duties as a prosecutor, and misconduct; charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Jordan*, 278 Kan. 254, 91 P.3d 1168 (2004).

194. Attorney previously disciplined by informal admonishment and a published censure pled guilty to federal misdemeanor for theft of government property; misconduct violated KRPC 8.4(b) per Rule 202; indefinite suspension per Rule 203(a)(2). *In re Polsley*, 277 Kan. 570, 85 P.3d 693 (2004).

195. Attorney pled guilty to federal misdemeanor for theft of government property; misconduct violated KRPC 8.4(b) per Rule 202; 2- year suspension per Rule 203(a)(2). *In re Polsley*, 277 Kan. 565, 86 P.3d 531 (2004).

196. Attorney's supervised probation revoked following violations of KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4; failure to cooperate in investigation of complaints per Rule 207(b); failure to obtain liability insurance as condition of probation; indefinite suspension. *In re Nelson*, 277 Kan. 920, 92 P.3d 1146 (2004).

197. Attorney disciplined for multiple violations of rules of professional conduct including KRPC 8.4 and 1.4; compliance with Rule 219 ordered if reinstatement sought; indefinite suspension and Rule 218 compliance ordered. *In re Islas*, 279 Kan. 930, 112 P.3d 210 (2005).

198. Attorney violated multiple rules of professional conduct including KRPC 1.3, 8.4(c), Rule 207(b) and Rule 211(b); one-year suspension per Rule 203(a)(2); Rule 218 compliance ordered. *In re Ware*, 279 Kan. 884, 112 P.3d 155 (2005).

199. Attorney's criminal conviction of domestic battery violates KRPC 8.4(b) and Rule 202; published censure per Rule 203(a) (3). *In re Angst*, 278 Kan. 500, 102 P.3d 388 (2004).

200. Attorney disciplined for numerous violations of rules of professional conduct including KRPC 3.1, 3.3, 4.1, and 8.4; required notice given per Rule 215; disbarment and Rule 218 compliance ordered. *In re Nathanson*, 279 Kan. 921, 112 P.3d 162 (2005).

201. Attorney previously disciplined three times found to have violated KRPC 1.15 for mishandling checks and money and failing to return clients' funds; KRPC 8.4 for repeated misconduct involving fraud, deceit or misrepresentation; Rule 207 for failing to cooperate with the disciplinary process; Rule 212 for failing to respond or appear before the Supreme Court and for failing to file exceptions to the final hearing report; disbarment per Rule 203(a)(1). *In re King*, 278 Kan. 378, 98 P.3d 980 (2004).

202. Attorney previously disciplined violated his supervised probation; now found to have violated KRPC 1.3, 1.4, 1.5, 1.7, 8.1, 8.4, Rule 207, and Rule 211; indefinite suspension and Rule 218 compliance. *In re Nelson*, 278 Kan. 506, 102 P.3d 1140 (2004).

203. Attorney's misconduct in numerous cases violated KRPC 1.1, 1.3, 1.4, 1.15, 1.16. 4.1, 5.3, 5.5, 8.1, 8.4 Rule 207, and Rule 211(b); hearing panel's report deemed admitted pursuant to Rule 212(c) and (d); temporary suspension per Rule 203(b) requested by Disciplinary Administrator; disbarment and Rule 218 compliance ordered. *In re Anderson*, 278 Kan. 512, 101 P.3d 1207 (2004).

204. Attorney disciplined for improper handling of an estate matter which violated KRPC 1.1, 1.3,

1.4, 3.2, and 8.4; published censure per Rule 203(a)(3). *In re Miller*, 279 Kan. 912, 112 P.3d 169 (2005).

205. Attorney violated the terms of his probation by violating KRPC 3.2, 3.3, 3.4, and 8.4; waived his right to file response and for oral argument before Supreme Court per Rule 211; indefinite suspension and compliance with Rule 218. *In re Singleton*, 279 Kan. 515, 111 P.3d 630 (2005).

206. Attorney previously disciplined twice before violated KRPC 1.1, 1.7, 1.8, 3.4, 5.5, and 8.4; failure to file answer to formal complaint violated Rule 211(b); disbarment and Rule 218 compliance ordered. In re Stover, 278 Kan. 835, 104 P.3d 394 (2005).

207. County attorney's misconduct violated KRPC 1.1, 1.3, 3.2, 8.4(d) and (g); ordered to complete CLE program per Rule 802A and make full restitution to the county; restitution hearing prior to reinstatement required pursuant to Rule 219; one-year suspension per Rule 203(a)(2); Rule 218 compliance ordered. *In re Vanderbilt*, 279 Kan. 491, 110 P.3d 419 (2005)

208. Attorney surrenders license per Rule 217 while review pending before Supreme Court per Rule 212; violations include KRPC 1.15(b), 8.4(c) and (g); disbarment and Rule 218 compliance ordered. *In re Spikes*, 279 Kan. 522, 111 P.3d 635 (2005).

209. Attorney's misconduct involving five complaints violated KRPC 1.1, 1.3, 1.4, 1.15(a), 1.16(d), 3.4(d), 8.1, 8.4, Rule 207, and Rule 211; hearing panel's report deemed admitted under Rule 212(c) and (d); disbarment and Rule 218 compliance ordered. *In re Rock*, 279 Kan. 257, 105 P.3d 1290 (2005).

210. Attorney voluntarily surrenders license per Rule 217 while four complaints with Disciplinary Administrator pending; misconduct involving KRPC 1.1, 1.3, 1.4, 3.2, 4.1, 8.4(a), (c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Maker*, 280 Kan. 1, 117 P.3d 880 (2005).

211. Attorney voluntarily surrendered his license per Rule 217 while complaint pending alleging violations of KRPC 1.7, 1.8, 1.15, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Weller*, 280 Kan. 14, 118 P.3d 1237 (2005).

212. Attorney's misconduct interferes with the administration of justice and violates KRPC 8.4(d); the findings of fact are deemed admitted per Rule 212(d); Supreme Court urges respondent seek assistance through Rule 206; published censure per Rule 203(a)(3). *In re Gilman*, 280 Kan. 962, 126 P.3d 1115 (2006).

213. Attorney previously suspended for 1 year and admonished several years later violates KRPC 1.5, 1.15(b), 4.1, and 8.4(c); formal hearing per Rule 211 held; repeated violations of KRPC's noted; disbarment in accordance with Rule 203(a)(1). *In re Christian*, 281 Kan. 1203, 135 P.3d 1069 (2006).

214. Attorney's misconduct violates KRPC 1.3, 3.4(d), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); final report admitted under Rule 212(c) and (d); published censure per Rule 203(a)(3). *In re Devkota*, 280 Kan. 650, 123 P.3d 1289 (2005).

215. Attorney voluntarily surrenders license pursuant to Rule 217 following hearing panel's hearing per Rule 212 that respondent violated KRPC 1.3, 1.4, 1.5, 3.4, 4.1, and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Boaten*, 281 Kan. 390, 132 P.3d 870 (2006).

216. Attorney's multiple offenses violates KRPC 1.1, 1.3, 1.4, 8.1(b), 8.4(c) and Rule 207(b); charges established by clear and convincing evidence per Rule 211(f); hearing panel's report deemed admitted under Rule 212(c) and (d); supervising attorney granted full immunities per Rule 223; satisfactory plan of probation submitted by respondent per Rule 211(g); 1-year suspension stayed in accordance with Rule 203(a)(2); 2-years' supervised probation. *In re Mitchell*, 280 Kan. 656, 123 P.3d 1279 (2005).

217. Attorney's misconduct violates KRPC 1.1, 3.1, 3.3(a)(1), 3.4(c), 4.4, 8.4(c), (d), and (g); complaint sufficiently clear and specific per Rule 211(b); panel and Disciplinary Administrator's office not required to issue subpoenas on respondent's behalf per Rule 216; Rule 222 cited by Disciplinary Administrator in objecting to introduction of records; disbarment. *In re Landrith*, 280 Kan. 619, 124 P.3d

467 (2005).

218. Attorney's misconduct in three cases violates KRPC 1.3, 1.7, 4.2, and 8.4; compliance with Rules 218 and 219 ordered; 1-year suspension ordered per Rule 203(a)(2). *In re Pattison*, 280 Kan. 349, 121 P.3d 42 (2005).

219. Attorney stipulates to findings that he violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(g), and Rule 207(b); three prior disciplinary offenses and supervised probation for prior misconduct; one-year suspension per Rule 203(a)(2). *In re Sachse*, 281 Kan. 1197, 135 P.3d 1207 (2006).

220. Attorney surrenders license pursuant to Rule 217 pending review on charges of fraud and dishonesty which violated KRPC 8.1(a) and 8.4(c); disbarment and Rule 218 compliance ordered. *In re Girard*, 281 Kan. 97, 128 P.3d 400 (2006).

221. Attorney disciplined for his misconduct involving his handling of a patent application and which violated KRPC 1.1, 1.2(a), 1.3, 1.4(a) and 8.4(c); Supreme court not bound by recommendations of the hearing panel or Disciplinary Administrator per Rule 212(f); published censure per Rule 203(a)(3). *In re Sylvester*, 282 Kan. 391, 144 P.3d 697 (2006).

222. Attorney voluntarily surrendered license pursuant to Rule 217 with two cases pending before the Supreme Court involving violations of KRPC 1.3, 3.2, 1.15, 3.4, and 8.4; disbarment. *In re Kennard*, 283 Kan. 270, 156 P.3d 596 (2007).

223. Attorney's misconduct violated KRPC 1.5, 3.1, and 8.4 in billing for unreasonable fees and misrepresenting claims when representing the State of Kansas in claims filed against the Workers Compensation Fund; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c) and (d) since Respondent failed to file exceptions; two-year suspension per Rule 203(a)(2). *In re Miller*, 282 Kan. 689, 147 P.3d 150 (2006).

224. Attorney's misconduct violated KRPC 3.1 and KRPC 8.4(b) and (d) in bankruptcy case and by failing to file income taxes over a period of years; imposition of discipline suspended for 2 years, provided respondent complies with conditions imposed by Supreme Court. *In re Brunton*, 282 Kan. 423, 144 P.3d 606 (2006).

225. Attorney's misconduct in multiple complaints violated KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 8.4(c), and Rule 207; indefinite suspension per Rule 203(a)(2). *In re Lampson*, 282 Kan. 700, 147 P.3d 143 (2006).

226. Attorney violated KRPC 8.4 by committing repeated driving under the influence violations and for probation violations related to a DUI conviction; indefinite suspension pursuant to Rule 203(a)(2). *In re Laskowski*, 282 Kan. 710, 147 P.3d 135 (2006).

227. Attorney disciplined for numerous violations of KRPC's including KRPC 1.1, 1.2, 1.3, 1.4, 1.5, 1.15, 1.16, 3.2, 8.1, and 8.4 in regard to seven formal complaints filed; failure to cooperate in disciplinary investigations per Rule 207(b); respondent's request for probation pursuant to Rule 211(g) denied; indefinite suspension per Rule 203(a)(2). *In re Green*, 283 Kan. 895, 156 P.3d 628 (2007).

228. Attorney committed multiple violations of KRPC's including KRPC 1.4, 1.15, 3.2, 3.4, and 8.4 involving communication, safekeeping property, expediting litigation, fairness to opposing party and counsel, and misconduct; pursuant to Rule 202, respondent violated KRPC 1.4(a), 1.15(a), and 8.4(c); indefinite suspension pursuant to Rule 203(a)(2). *In re Wiles*, 283 Kan. 173, 150 P.3d 859 (2007).

229. Attorney voluntarily surrendered license pursuant to Rule 217 while panel hearing pending alleging violations of KRPC 1.15(a) and (d), and KRPC 8.4(b), (c), and (g); disbarment and Rule 218 compliance ordered. *In re Dent*, 284 Kan. 760, 165 P.3d 298(2007).

230. Attorney disciplined for violating numerous violations of KRPC 1.15 and KRPC 8.4; respondent failed to respond to Disciplinary Administrator's initial complaint as well as failing to provide a written answer to the formal complaint thus violating Rule 207(b) and Rule 211(b); notified per Rule 215; misconduct established by clear and convincing evidence per Rule 211(f); panel's final report deemed

admitted per Rule 212; panel's recommendation is advisory only per Rule 212(f); indefinite suspension pursuant to Rule 203(a)(2). *In re Purinton*, 283 Kan. 880, 156 P.3d 660 (2007).

231. Attorney disbarred for numerous violations including KRPC 3.3, 8.4(a), (b), (c), (d), and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only per Rule 212(f); required notice given per Rule 215(a); disbarment pursuant to Rule 203(a)(1). *In re Arabia*, 283 Kan. 851, 156 P.3d 668 (2007).

232. Attorney's misconduct arising from actions he took in response to an earlier published censure violated KRPC 8.4(d); discussion of KRPC 8.2(a); pursuant to Rule 212(h), hearing panel's recommendation for sanctions is advisory only and Supreme Court may impose greater or lesser discipline; per Rule 203(a)(3), 3-month suspension imposed. *In re Pyle*, 283 Kan. 807, 156 P.3d 1231 (2007).

233. Attorney violated KRPC 3.3(d) and 8.4(d) relating to duty of candor in ex parte proceeding and engaging in conduct prejudicial to administration of justice in representing a client; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); published censure pursuant to Rule 203(a)(3). *In re Lazzo*, 283 Kan 167, 150 P.3d 887 (2007).

234. Attorney committed numerous violations of KRPC 8.4(a) and (b) involving a criminal act committed in Missouri; respondent's diversion in Missouri deemed a conviction in Kansas under Rule 202; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted under Rule 212(c); reinstatement under Rule 219 conditioned upon reinstatement in Missouri; suspended for 6 months in Missouri; indefinite suspension pursuant to Rule 203(a)(2). *In re Gackle*, 283 Kan. 502, 153 P.3d 493 (2007).

235. Attorney voluntarily surrendered license pursuant to Rule 217 following hearing panel report finding violations of KRPC 8.4(b) and convictions in federal and state court in Missouri; sentenced to 5 years in Missouri, concurrent with federal sentence; disbarment and Rule 218 compliance ordered. *In re Helder*, 284 Kan. 761, 165 P.3d 1050 (2007).

236. Attorney's misconduct violated KRPC 1.1, 1.5(a), 5.5(a), and 8.4(d) for mishandling an estate and practicing law while suspended; published censure per Rule 203(a)(3). *In re Alig*, 285 Kan. 117, 169 P.3d 690 (2007).

237. Attorney violated KRPC 1.7(a) by accepting fees and representing opposing parties and 8.4(b) and (d) by committing criminal acts and obstructing justice; published censure in accordance with Rule 203(a)(3). *In re Antosh*, 285 Kan. 124, 169 P.3d 1091 (2007).

238. Attorney's misconduct out of state violates KRPC 1.1, 1.7(b), and 8.4(d); respondent's conviction in District of Columbia deemed a conviction in Kansas under Rule 202; findings of fact deemed admitted under Rule 212(d) since respondent failed to file exceptions to the panel's report; indefinite suspension and compliance with Rules 218 and 219 ordered. *In re Evans*, 285 Kan. 147, 169 P.3d 1083 (2007).

239. Attorney, who was on probation, violated KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.3(d), and 8.4(d) in 21 cases; Rule 211(b) violated by failing to file a timely written answer to the complaint; Rule 212(d) violated by failing to appear before the court; disbarment per Rule 203(a)(1). *In re Rathbun*, 285 Kan. 137, 169 P.3d 329 (2007).

240. Attorney previously disciplined by suspension violated KRPC 8.1(a) and 8.4(b); misconduct established by clear and convincing evidence per Rule 211(f); failure to file exceptions to panel's report and report is deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re O'Neill*, 285 Kan. 474, 172 P.3d 1179 (2007).

241. Attorney's misconduct violated Rule 202 by engaging in the unauthorized practice of law; KRPC 5.5(a), and 8.4(b) and (c); indefinite suspension. *In re Trester*, 285 Kan. 404, 172 P.3d 31 (2007).

242. Attorney's misconduct in failing to pay taxes violated KRPC 8.4(b); published censure in accordance with Rule 203(a)(3). *In re Brooks*, 285 Kan. 794, 175 P.3d 256 (2008).

243. Attorney's misconduct in a dispute with a client and his own criminal conduct violated KRPC 1.7, 1.8, and 8.4(a), (b), and (d); indefinite suspension in accordance with Rule 203(a)(2). *In re Davidson*, 285 Kan. 798, 175 P.3d 855 (2008).

244. Attorney's misconduct in two cases violated KRPC 1.1, 1.3, 1.4, 3.2, 8.1(b), 8.4(c) and (d), and Rule 207(b); misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Bishop*, 285 Kan. 1097, 179 P.3d 1096 (2008).

245. Attorney who was previously censured in Kansas and in a reciprocal discipline proceeding in Illinois violated KRPC 3.1, 3.3(a)(1) and (3); 3.4(b), 8.1(b), 8.4(b), (c) and (d) per Rule 202; respondent received reciprocal attorney discipline and sanctions in Missouri and Illinois; hearing panel's final report deemed admitted under Rule 212(c) and (d); indefinite suspension pursuant to Rule 203(a)(2). *In re Daugherty*, 285 Kan.1143, 180 P.3d 536 (2008).

246. Attorney's misconduct resulting from two complaints violated KRPC 1.1, 1.3, 1.4(b), 3.4(d), 8.1(b), 8.4(c) and Rule 207(b); prior admonishment for violating KRPC 1.15 and 7.1; three-month suspension pursuant to Rule 203(b). *In re Harris*, 285 Kan. 1115, 180 P.3d 558 (2008).

247. Attorney on suspension for failing to pay annual attorney registration and CLE fees and for failing to fulfill CLE requirements violated KRPC 1.1, 1.3, 1.4, 1.15(b), 1.16(d), 3.2, 8.1(b), 8.4(b), Rule 207, and Rule 211 in representation of a client and through his own criminal conduct; findings of fact in panel's report deemed admitted per Rule 212(d); required notice given per Rule 215(a); disbarment in accordance with Rule 203(a)(1). *In re Pittman*, 285 Kan. 1133, 179 P.3d 404 (2008).

248. Attorney voluntarily surrendered license pursuant to Rule 217 with three cases pending before the Supreme Court alleging multiple violations of KRPC 1.2(d), 1.4(a), 1.7, 1.8(b), 1.15(a), 8.4(b) and (g), and Rule 207(b); disbarment. *In re Cowger*, 286 Kan. 52, 182 P.3d 1204 (2008).

249. Attorney's disbarment in Missouri established misconduct per Rule 202; failure to file response and failure to appear violates Rule 211(b) and Rule 212(d); respondent violated KRPC 8.4(d); indefinite suspension pursuant to Rule 203(a)(2). *In re Tarantino*, 286 Kan. 254, 182 P.3d 1241 (2008).

250. Attorney under indefinite suspension for failing to comply with administrative requirements in Kansas violates KRPC 8.4 by failing to file a timely response to a disciplinary case filed against her in Missouri; misconduct established per Rule 202 concerning reciprocal discipline; indefinite suspension pursuant to Rule 203(a)(2). *In re Harris*, 286 Kan. 260, 182 P.3d 1249 (2008).

251. Attorney committed violations of KRPC 8.4(b) by failing to pay income taxes; license suspended in Missouri and served 12-month sentence; misconduct established by clear and convincing evidence per Rule 211(f); Disciplinary Administrator recommends respondent be put on disabled inactive status per Rule 208(a); indefinite suspension in accordance with Rule 203(a)(2) and Rules 218 and 219 compliance ordered. *In re Lovelace*, 286 Kan. 266, 182 P.3d 1244 (2008).

252. Attorney committed violations of KRPC 8.4(b) by failing to file income taxes and Rule 211(b) for failing to file a written answer to the formal complaint; misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's final report deemed admitted per Rule 212(c); indefinite suspension in accordance with Rule 203(a)(2). *In re Sheahon*, 286 Kan. 274, 182 P.3d 1263 (2008).

253. Attorney's misconduct violated KRPC 1.1, 4.1, 4.4, 5.5, and 8.4(c) through her conviction of five counts of unauthorized practice of law in Minnesota and suspension; attorney misconduct established by clear and convincing evidence per Rule 211(f); indefinite suspension in accordance with Rule 203(a)(2). *In re Hillbrant*, 286 Kan. 280, 182 P.3d 1253 (2008).

254. Attorney's misconduct violated KRPC 1.15(a) and (b), 5.3(b), and 8.4(c) by mishandling her trust account, imperiling client funds, and failing to promptly deliver funds to a client; suspended a 1-year

suspension conditioned upon a 3-year period of compliance with all KRPC's well as complying with KRPC 1.15(d)(2) and Rule 216A. *In re Quinn*, 286 Kan. 301, 184 P.3d 235 (2008).

255. Attorney's misconduct in four cases violated KRPC 1.1, 1.3, 1.16(d), 3.2, 8.4(d) and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); probation plan per Rule 211(g) denied; hearing panel's findings of fact deemed admitted per Rule 212(d); one-year suspension and Rule 218 compliance ordered. *In re Toth*, 286 Kan. 320, 183 P.3d 853 (2008).

256. Attorney committed multiple violations of KRPC 8.1, 8.4(d) and (g), Rule 207(b), and Rule 211(b) in an estate case by delaying the closing of the case and failing to cooperate and file responses as required; two prior disciplinary offenses; recommendations of the hearing panel and Disciplinary Administrator advisory only per Rule 212(f); indefinite suspension and Rule 218 compliance ordered.. *In re Jones*, 286 Kan. 544, 186 P.3d 746 (2008).

257. Attorney's misconduct in two complaints violated KRPC 1.3, 1.4, 1.15 (a) and (b), 8.4(g), and Rule 207(b); previously disciplined twice for similar violations; probation plan per Rule 211(g) denied; ordered to repay funds owed to clients per Rule 203(a)(5); indefinite suspension in accordance with Rule 203(a)(2). *In re Corrin*, 286 Kan. 421, 184 P.3d 923 (2008).

258. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2, 3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan. 708, 188 P.3d 1 (2008).

259. Attorney's misconduct in two complaints arising out of a post-divorce child custody action violated KRPC 3.4(a), 4.1(a), and 8.4(a), (c), and (d); published censure in accordance with Rule 203(a)(3). *In re Jensen*, 286 Kan.1160, 191 P.3d 1118 (2008).

260. Attorney's mishandling of probate estate violated KRPC 1.3, 1.15(b), 8.1(b), 8.4(d) and (g), and Rule 207(b); six-month suspension. *In re Jones*, 287 Kan. 112, 193 P.3d 899 (2008).

261. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4(a), 1.16(d), 3.2, 3.4(c), 8.4(d), Rule 207(b) and Rule 211(b); six-month suspension; Rules 218 and 219 compliance ordered. *In re Thomas*, 287 Kan. 88, 193 P.3d 907 (2008).

262. Attorney violated KRPC 8.4(b) by committing a criminal act; allegations of complaint admitted per Rule 212(c); six-month suspension. *In re Cranmer*, 287 Kan. 495, 196 P.3d 932 (2008).

263. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.15, 8.4(g) and Rule 211(b); Respondent failed to file exceptions, thus, final hearing report deemed admitted under Rule 212(c); indefinite suspension. *In re Dowell*, 287 Kan. 501, 196 P.3d 915 (2008).

264. Attorney's misconduct violated KRPC 1.3, 1.15, 4.1, and 8.4(c); violations deemed admitted under Rule 212(c); six-month suspension. *In re McPherson*, 287 Kan. 434, 196 P.3d 921 (2008).

265. Attorney's criminal conviction in Illinois established misconduct in Kansas per Rule 202; violations of KRPC 8.3(a), 8.4(b), (c), and Rule 207(c) established; disbarment per Rule 203(a)(1). *In re Minneman*, 287 Kan. 477, 196 P.3d 1156 (2008).

266. Attorney committed multiple violations of KRPC 1.3, 1.4(a). 5.5(a), 8.1(b), 8.4(g), Rule 207(b), Rule 211(b), and Rule 218; findings of fact deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Lee*, 287 Kan. 676, 198 P.3d 140 (2008).

267. Attorney's misconduct while serving as county attorney violated KRPC 4.4(a) and 8.4(d) and (g); per Rule 203(a)(5) Supreme Court may impose any discipline regardless of recommendation of hearing panel; 6-month suspension and Rule 219 compliance ordered. *In re Campbell*, 287 Kan. 757, 199 P.3d 776 (2009).

268. Attorney violated KRPC 5.5 and 8.4 in his unauthorized practice of law; misconduct established by clear and convincing evidence per Rule 211(f); final hearing report deemed admitted per Rule 212(c); six-month suspension per Rule 203(a)(2). *In re Nelson*, 233 Kan. 179, 200 P.3d 1262 (2009).

269. Attorney committed multiple violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.16, 3.2, 8.1, 8.4(c), Rule 207(b), and Rule 211(b); attorney's brief did not comply with Rule 6.02; two-year suspension. *In re Swanson*, 288 Kan. 185, 200 P.3d 1205 (2009).

270. Attorney previously disciplined for similar misconduct found to have violated KRPC 1.1, 1.2, 1.3, 1.4(a), 3.2, 8.4(d) and (g) and Rule 211; failed to respond to complaint per Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); failed to notify Clerk of Appellate Courts of address change per Rule 208; indefinite suspension per Rule 203(a)(2). *In re Lober*, 288 Kan. 498, 204 P.3d 610 (2009).

271. Attorney violated KRPC 8.4(b) and (c) for committing a criminal act and engaging in dishonest conduct; allegations in the hearing report deemed admitted per Rule 212(d); published censure per Rule 203(a)(3). *In re Ellis*, 288 Kan. 604, 204 P.3d 1161 (2009).

272. Attorney committed multiple offenses of KRPC 1.3, 1.4, 1.15, 8.3, 8.4, and Rule 207; respondent's suspension in Texas established misconduct in Kansas per Rule 202; hearing report deemed admitted per Rule 212(d); indefinite suspension per Rule 203(a)(2). *In re Piekalkiewicz*, 288 Kan. 610, 205 P.3d 734 (2009).

273. Attorney voluntarily surrendered his license pursuant to Rule 217 pending a hearing involving allegations of misconduct under KRPC 8.4(c), (d), and (g); disbarment and Rule 218 compliance ordered. *In re Chambers*, 288 Kan. 509, 205 P.3d 698 (2009).

274. Attorney voluntarily surrendered his license pursuant to Rule 217 pending a hearing involving allegations of misconduct under KRPC 1.3, 1.4, 1.15, 8.1(b), and 8.4(b); disbarment. *In re Shafer*, 288 Kan. 657, 207 P.3d 208 (2009).

275. Attorney voluntarily surrendered license pursuant to Rule 217 pending a hearing on five complaints alleging misconduct under KRPC 1.3, 1.4(a), 1.16, 5.5, 8.1(b), and 8.4(b) and Rules 207(b) and 211 (b); disbarment. *In re Docking*, 288 Kan. 731, 208 P.3d 739 (2009).

276. Attorney voluntarily surrendered license pursuant to Rule 217 while review before the Supreme Court per Rule 212 was pending concerning violations of KRPC 1.1, 1.3, 1.4(a), 3.2, 3.3(a)(1), 8.1(b), and 8.4(b) and Rules 207(b) and 211(b); disbarment. *In re Hartnett*, 288 Kan. 695, 206 P.3d 528 (2009).

277. Attorney committed numerous violations of KRPC 1.1, 1.3, 1.4, 1.15, 3.3, 5.5, 8.1, and 8.4 and Rule 207; requirements of probation plan not met per Rule 211(g); one-year suspension. *In re Woodring*, 289 Kan. 173, 210 P.3d 120 (2009).

278. Attorney on suspension committed violations of KRPC 1.4, 3.4, 5.5, and 8.4; respondent filed exceptions and a brief pursuant to Rule 212; no exceptional circumstances exist to warrant discovery deposition per Rule 216(f) and Internal Operating Rule D.4; disbarment. *In re Wiles*, 289 Kan. 201, 210 P.3d 613 (2009).

279. Attorney continued to practice law in retirement and violated KRPC 5.5 and 8.4(c); law-related services defined per KRPC 5.7(b); Rules 201, 208 discussed; hearing panel's recommendation is advisory only per Rule 212(f); disbarment. *In re Rost*, 289 Kan. 290, 211 P.3d 145 (2009).

280. Attorney's misconduct by deceit violated KRPC 8.4(b) and (c); hearing panel's report

deemed admitted per Rule 212(c); published censure per Rule 203(a)(3). *In re Betts*, 289 Kan. 820, 217 P.3d 30 (2009).

281. Attorney stipulated to violating KRPC 1.1, 1.2, 1.3, 1.4, 1.8, 1.16, 5.3, 8.3, and 8.4; final hearing report deemed admitted under Rule 212(c); under Rule 211(g), probation plan may be submitted by respondent after one year; three-years' suspension per Rule 203(a)(2). *In re Cline*, 289 Kan. 834, 217 P.3d 455 (2009).

282. Attorney admitted to misconduct by deceit, violating KRPC 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); ninety-day suspension per Rule 203(a)(2). *In re Hunsaker*, 289 Kan. 828, 217 Kan. 962 (2009).

283. Attorney's misconduct violated KRPC 4.4, 8.3, 8.4(d) and (g); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel report deemed admitted per Rule 212(c); published censure under Rule 203(a)(3). *In re Kenny*, 289 Kan. 851, 217 P.3d 36 (2009).

284. Attorney's misconduct violated KRPC 8.4(b), 8.1(b), and Rule 207(b); suspension in Missouri established misconduct in Kansas under Rule 202; hearing panel's report deemed admitted per Rule 212(c); indefinite suspension per Rule 203(a)(2), effective 2 years earlier to account for delay in proceedings. *In re McGraw*, 289 Kan. 813, 217 P.3d 25 (2009).

285. Attorney voluntarily surrenders license per Rule 217 with panel hearing pending on three complaints involving violations of KRPC 1.3, 1.4(a), 5.5, 8.4(d) and Rule 211(b); disbarment. *In re Holmberg*, 289 Kan. 978, 218 P.3d 801 (2009).

286. Attorney voluntarily surrenders license per Rule 217 with three complaints pending of violations of KRPC 1.1, 1.4, 5.5, 8.1, 8.4(c), and Rule 211; disbarment. *In re Ruther*, 289 Kan. 1130, 220 P.3d 369 (2009).

287. Attorney disciplined by a three-year suspension for violating KRPC 1.15, 3.3, and 8.4; hearing panel's report deemed admitted under Rule 212(c); respondent may apply by motion for suspension of the remaining two years of his three-year suspension. *In re Shepherd*, 289 Kan. 1116, 220 Kan. 359 (2009).

288. Attorney disciplined by indefinite suspension for violating KRPC 1.3, 1.4, 1.15, 1.16, 3.2, and 8.4; hearing panel's final report deemed admitted per Rule 212(c); panel's recommendation is advisory only and court may impose a different discipline per Rule 212(f);required notice given per Rule 215(a); indefinite suspension per Rule 203(a)(2). *In re Herrington*, 290 Kan. 58, 222 P.3d 492 (2010).

289. Attorney's misconduct violated KRPC 1.8(a) and 8.4(g); misconduct established by clear and convincing evidence per Rule 211 (f); hearing panel's report deemed admitted per Rule 212(c); one-year suspension per Rule 203(a)(2). *In re Weichman*, 290 Kan. 70, 222 P.3d 485 (2010).

290. Attorney's misconduct violated KRPC 1.5(a), 3.3, and 8.4(c); findings of fact deemed admitted per Rule 212(d); findings supported by clear and convincing evidence per Rule 211(f); two-year suspension per Rule 203(a)(2). *In re Orrick*, 290 Kan. 727, 233 P.3d 257 (2010).

291. Attorney's misconduct violated KRPC 8.4(b) and (g); disciplined by one-year's suspension per Rule 203(a)(2) from practice of law but imposition is suspended and Supreme Court placed respondent on two-year supervised probation; probation plan adopted per Rule 211(g); *In re Smith*, 290 Kan. 738, 233 P.3d 737 (2010).

292. Attorney's misconduct repeatedly violated KRPC 8.4(d) and (g); misconduct established by clear and convincing evidence per Rule 211(f); proposed probation plan per Rule 211(g) failed to include method to ensure compliance; one-year suspension per Rule 203(a)(2). *In re Depew*, 290 Kan. 1057, 237 P.3d 24 (2010).

293. Attorney surrendered license per Rule 217 with panel hearing on two complaints pending in accordance with Rule 211, alleging violations of KRPC 1.1, 1.2, 1.3, 1.6, 1.9(c)(2), 1.15(d)(1), and 8.4; investigation pending regarding violations of KRPC 1.8 and 1.5; disbarment. *In re Gramkow*, 290 Kan. 801, 234 P.3d 804 (2010).

294. Attorney voluntarily surrendered license to practice law per Rule 217 with panel hearing pending on two complaints in accordance with Rule 211, alleging violations of KRPC 1.1, 1.3, 1.4, 1.5(d)

and (e), 1.8(a) and (j), 8.4, and Rule 207; disbarment. *In re Stanley*, 291 Kan. 52, 237 P.3d 667 (2010).

295. Attorney engaged in the unauthorized practice of law while on suspension, violating KRPC 5.5, 8.1(b), 8.4(a), and Rule 218(c); disbarment per Rule 203(a)(1). *In re Miller*, 290 Kan. 1075, 238 P.3d 227 (2010).

296. Attorney's misconduct while on indefinite suspension violated KRPC 1.1, 1.3, 1.4, 8.4, and Rule 211; clear and convincing evidence per Rule 211)(f); findings of fact deemed admitted per Rule 212(d); disbarment per Rule 203(a)(1). *In re Bishop*, 291 Kan. 382, 240 P.3d 956 (2010).

297. Attorney previously disciplined three times found to have violated KRPC 1.4(a), 1.16(d), 5.5(a), 8.1(b), 8.4(c), Rule 207(b), Rule 211(b), and Rule 218(a); hearing panel's recommendation advisory only and court may impose different discipline per Rule 212(f); disbarment per Rule 203(a)(1). *In re Jones*, 291 Kan. 405, 243 P.3d 1101 (2010).

298. Attorney previously disciplined on a number of occasions found to have violated KRPC 1.1, 1.3, 1.4(a), 1.5, 1.15(b), 8.1(b), 8.4(c), Rule 207(b), and Rule 211(b); report deemed admitted per Rule 212(c) and (d); disbarment per Rule 203(a)(1). *In re Lober*, 291 Kan. 394, 241 P.3d 81 (2010).

299. Attorney violated KRPC 4.3 and 8.4(b), (c), and (d); recommendations from Disciplinary Administrator and hearing panel are advisory only and the court may impose sanctions greater or lesser than those recommended per Rule 212(f); misconduct established by clear and convincing evidence per Rule 211(f); Rules 218 and 219 compliance ordered; 2-year suspension per Rule 203(a)(2). *In re Millett*, 291 Kan. 369, 241 P.3d 35 (2010).

300. Attorney violated KRPC 1.1, 1.5(a), 3.4(c), 3.5(d), 4.4(a), 8.4(b), (c), (d), and (g), and Rule 211(b); misconduct established by clear and convincing evidence per Rule 211(f); required notice given per Rule 215(a); Rule 218 compliance ordered; disbarment per Rule 203(a)(1). *In re Romious*, 291 Kan. 300, 240 P.3d 945 (2010).

301. Attorney violated KRPC 8.4(b) as a result of receiving a felony conviction; per Rule 202, criminal conviction is conclusive evidence of the commission of that crime; 3-year suspension per Rule 203(a)(2). *In re Frahm*, 291 Kan. 520, 241 P.3d 1010 (2010).

302. Attorney violated KPRC 8.4(c) by engaging in illegal conduct; hearing panel not permitted to consider probation under Rule 211(g); court orders Rule 219 compliance if respondent seeks reinstatement; hearing panel's recommendation for discipline is advisory only per Rule 212(f); 2-year suspension per Rule 203(a)(2). *In re Johns*, 291 Kan. 638, 243 P.3d 1101 (2010).

303. Attorney's misconduct in an immigration matter violated KRPC 3.5(d) and 8.4(d); misconduct established by clear and convincing evidence per Rule 211(f); panel's recommendation is advisory only and does not limit Supreme Court's discretion to impose other discipline per Rule 212(f); published censure per Rule 203(a)(3). *In re Chavez*, 292 Kan. 45, 251 P.3d 628 (2011).

304. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 1.5(d), 5.1(a) and (c)(2), 5.5(b), 8.4(a), and Rule 116 including neglecting to track cases and failing to ensure his partner was admitted *pro hac vice* in Kansas cases; respondent filed no exceptions to the hearing report, thus, findings and conclusions deemed admitted per Rule 212(c); Rules 218 and 219 compliance ordered; 1-year suspension per Rule 203(a)(2). *In re Roswold*, 292 Kan. 136, 249 P.3d 1199 (2011)

305. Attorney voluntarily surrendered license to practice law per Rule 217 with a complaint pending that he violated KRPC 8.4(b); disbarment per Rule 203(a)(1). *In re Tilford*, 292 Kan. 238, 252 P.3d 573 (2011).

306. Attorney violated KRPC 8.4(a), (d), and (g) for misconduct stemming from his failure to pay child support and Rule 211(b) for failing to file a timely answer; hearing panel's report deemed admitted per Rule 212(c); indefinite suspension per Rule 203(a)(2). *In re Vanderbilt*, 292 Kan. 262, 253 P.3d 774 (2011).

307. Attorney's misconduct violated KRPC 8.4(a), (b), and (g), Rule 208, and Rule 211 stemming from attorney's disbarment in Missouri for a criminal probation in Colorado; misconduct established by clear and convincing evidence per Rule 211(f); Rule 219 hearing will be required before any consideration of readmission with certain conditions; indefinite suspension per Rule 203(a)(2). *In re*

Baca, 292 Kan. 390, 253 P.3d 348 (2011).

308. Attorney previously disciplined for similar violations of KRPCs found to have violated KRPC 1.15, 8.4(d), and Rule 211(b); hearing panel's recommendation is advisory only and court may impose sanctions greater or lesser than those recommended per Rule 212(f); Rules 218 and 219 compliance ordered; indefinite suspension per Rule 203(a)(2). *In re Johanning*, 292 Kan. 477, 254 P.3d 545 (2011).

309. Respondent's misconduct violated multiple KRPC's, including KRPC 1.3, 1.5, 1.15(a) and (d), 3.2, 8.4(c) and (g); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment pursuant to Rule 203(a)(1). *In re Holmes*, 293 Kan. 478, 264 P.3d 423 (2011).

310. Respondent violated KRPC 1.1, 1.3, 1.4(a), 1.5(d), 1.15(a) and (d)(2)(v), 1.16(d), 8.1(b), 8.4(c), and Rule 211(b); clear and convincing evidence established per Rule 211(f); findings of fact deemed admitted per Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Terry*, 293 Kan. 467, 265 P.3d 567 (2011).

311. Respondent surrenders license to practice law pursuant to Rule 217 while panel hearing is pending on a complaint filed regarding KRPC 8.3(a), 8.4(b), Rule 203(c)(1), and Rule 208(c); disbarment per Rule 203(a)(1). *In re Blecha*, 293 Kan. 502, 264 P.3d 115 (2011).

312. Attorney with felony conviction in Missouri also violates KRPC 8.4(b), Rule 203(c)(1), and Rule 208(c); criminal conviction evidence of misconduct per Rule 202; findings of fact deemed admitted per Rule 212(c) , (d); disbarment per Rule 203(a)(1). *In re Tolen*, 293 Kan. 607, 265 P.3d 546 (2011).

313. Attorney's misconduct violated KRPC 1.7(a)(2), 5.5(a), Rule 208(c), and KPRC 8.4(c), relating to his conflict of interest representation of an arson suspect and her husband; Rules 218 and 219 compliance ordered; one-year suspension. *In re Johnson*, 294 Kan. 575, 276 P.3d 213 (2012).

314. Attorney voluntarily surrendered license to practice law pursuant to Rule 217 with violations of KRPC 1.3, 1.4, 3.2, 8.1, and 8.4(g) and Rule 207 pending; disbarment. *In re Day*, 294 Kan. 615, 277 P.3d 1134 (2012).

315. Attorney's misconduct in handling his mother's estate violated KRPC 1.3, 3.3(a)(1), and 8.4(c); misconduct established by clear and convincing evidence per Rule 211(f); hearing panel's findings of fact deemed admitted per Rule 212(c);6-month suspension per Rule 203(a)(2). *In re Shriver*, 294 Kan. 617, 278 P.3d 964 (2012).

316. Attorney stipulated to violations of KRPC 1.3, 1.4(a), and 8.4(c) in immigration proceedings; pursuant to Rule 211(g), the recommendation of probation approved with modification to the probation plan; 6-month suspension stayed; 18-months' probation. *In re Link*, 294 Kan. 692, 279 P.3d 720 (2012).

317. Attorney's misconduct violated KRPC 1.3, 1.4, 1.16, 8.4, and Rule 211(b) based on multiple complaints; probation per Rule 211(g) denied; clear and convincing evidence established per Rule 211(f); respondent failed to file exceptions to final hearing report, thus deemed admitted under Rule 212(c), (d); disbarment per Rule 203(a)(1). *In re Shores*, 294 Kan. 680, 279 P.3d 710 (2012).

318. Attorney committed numerous violations of KRPC 1.3, 1.4, 1.15, 1.16, 4.1, 5.3, 5.4, 5.5, 7.1, 8.1, and 8.4(c) and (g) in his home mortgage loan modification business; clear and convincing evidence established per Rule 211(f); disbarment per Rule 203(a)(1). *In re Weaver*, 294 Kan. 751, 281 P.3d 502 (2012).

319. Attorney voluntarily surrendered his license to practice law pursuant to Rule 217 after complaint filed alleging violations of KRPC 4.1 and 8.4(b); disbarment. *In re Roth*, 295 Kan. 8, 282 P.3d 610 (2012).

320. Judge advocate who revealed confidential information and transmitted classified documents regarding individual detainees at Guantanamo Bay violated KRPC 1.6(a), 1.13, and 8.4(b); disbarment per Rule 203(a)(1). *In re Diaz*, 295 Kan. 1071, 288 P.3d 486 (2012).

321. Attorney's misconduct violated KRPC 1.3, 1.15, 8.1, 8.4, and Rule 207(b); 1-year suspension. *In re Collins*, 295 Kan. 1084, 288 P.3d 847 (2012).

322. Attorney's unlawful acceptance of prescription medication from client and conviction for unlawful possession of hydrocodone violated KRPC 1.7 and 8.4(b); 40-month suspension per Rule 203(a)(2). *In re Meek*, 295 Kan. 1160, 289 P.3d 95 (2012).

323. Attorney's convictions for driving under the influence of alcohol, battery, and obstruction of official duty violated KRPC 8.4; 2-year suspension per Rule 203(a)(2). *In re Harrington*, 296 Kan. 380, 293 P.3d 686 (2013).

324. Attorney's misconduct violated KRPC 1.3, 1.4(a), 1.16(a) and (d), 3.2, 8.4(d), and Rule 207(b); disbarment per Rule 203(a)(1). *In re Batt*, 296 Kan. 395, 294 P.3d 241 (2013).

325. Attorney's misconduct violated KRPC 1.2, 1.7, 4.1, and 8.4; 2-year suspension per Rule 203(a)(2). *In re Galloway*, 296 Kan. 406, 293 P.3d 696 (2013).

326. Attorney violated KRPC 1.5, 1.15, and 8.4 by misrepresenting hours worked and converting client funds to pay personal taxes; disbarment per Rule 203(a)(1). *In re Davis*, 296 Kan. 531, 303 P.3d 250 (2013).

327. Attorney's misconduct violated KRPC 4.1(a) and (b) and 8.4(c) and (g); disbarment per Rule 203(a)(1). *In re Baker*, 296 Kan. 696, 294 P.3d 326 (2013).

328. Attorney violated KRPC 8.4(d) and (g) by threatening and intimidating his client, opposing counsel, a judge, an attorney investigator, and the Deputy Disciplinary Administrator and conducting a cross-examination that prejudiced administration of justice; 6-month suspension. *In re Small*, 296 Kan. 759, 294 P.3d 1165 (2013).

329. Attorney's misconduct violated KRPC 1.5(f)(1), 1.7, 1.8(k), 1.15(a), (b), and (d)(2)(iii), 3.3(a)(1), and 8.4(b); disbarment per Rule 203(a)(1). *In re Alberg*, 296 Kan. 795, 294 P.3d 1192 (2013).

330. Attorney's misconduct violated KRPC 1.1, 1.3, 1.4, 3.3, 3.4, 8.1, 8.4, and Rule 211(b); disbarment per Rule 203(a)(1). *In re Druten*, 297 Kan. 432, 301 P.3d 319 (2013).

331. Attorney misconduct violated KRPC 3.3(a)(1) and (3); 5.1(c); 8.1(b); and 8.4(c), (d), and (g); clear and convincing evidence did not support finding of other specific violations of KRPC 3.3(a)(1), 3.6, 3.8(f), 5.3(b), 8.1(a), and 8.4(c) and (g); indefinite suspension under Rule 203(a)(2). *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

332. Court in disciplinary proceeding not precluded from applying general "catch-all" provisions of KRPC 8.4 even though more specific rule could potentially govern attorney conduct. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

333. The application of KRPC 8.4(c), (d), and (g) is not confined to conduct that is egregious and flagrantly violative of professional norms; malevolent intent not necessary for violation of KRPC 8.4(c). *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

334. Conduct that injures, harms, or disadvantages justice system in general is prohibited by KRPC 8.4(d), regardless of whether it prejudices particular proceeding. *In re Kline*, 298 Kan. 96, 311 P.3d 321 (2013).

335. Attorney misconduct violated KRPC 1.3, 1.16, 3.3(a)(1), 8.1(b), 8.4(c) and (d), and Rule 207(b); 12-month suspension. *In re Bowman*, 298 Kan. 231, 310 P.3d 1054 (2013).

336. Attorney misconduct violated KRPC 8.4(b) and (c); disbarment. *In re Schnittker*, 298 Kan. 89, 310 P.3d 399 (2013).

337. Attorney misconduct violated KRPC 1.1; 1.3; 1.4(a); 1.15(b); 1.16(a)(2) and (d); 8.1(b), (c), and (d); 8.4(d); and Rule 207(b); 1-year suspension under Rule 203(a)(2). *In re Rittmaster*, 299 Kan. 804, 326 P.3d 376 (2014).

338. Attorney misconduct violated KRPC 1.2, 1.3, 1.4(a), and 8.4(c) and (d); 6-month suspension under Rule 203(a)(2). *In re Meyer*, 299 Kan. 679, 327 P.3d 407 (2014).

339. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of Rule 8.4(d). *In re Ramsey*, 299 Kan. 606, 326 P.3d 376 (2014).

340. Attorney admitted to violations of KRPC 1.1, 1.3, 1.4, 1.16(a)(2), and 8.4(g); under Rule 211(f) clear and convincing evidence did not support violation of KRPC 1.16(d) for failure to return fees; 6-month suspension under Rule 203(a)(2). *In re Barker*, 299 Kan. 158, 321 P.3d 767 (2014).

341. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.5(a), 1.16(d), and 8.4(d); 2-year suspension, with imposition suspended under terms of probation plan. *In re Dellett*, 299 Kan. 69, 324 P.3d 1033 (2014).

342. Under Rule 211(f), Disciplinary Administrator appealed the hearing panel's dismissal, arguing panel erred in finding no violation of KRPC 8.4(c) and (d); indefinite suspension imposed by court upon finding violations of KRPC 8.4(c) and (d). *In re Mintz*, 298 Kan. 897, 317 P.3d 756 (2014).

343. Attorney misconduct violated KRPC 1.1, 1.4, 5.5, 8.4(c), Rule 208, and Rule 218; exceptions filed under Rule 212(d); recommended 2-year suspension only advisory under Rule 218(f); disbarment imposed. *In re Beck*, 298 Kan. 881, 318 P.3d 977 (2014).

344. Attorney misconduct violated KRPC 5.5(a), 8.4(d), and Rule 211(b); 6-month suspension. *In re Sutton*, 298 Kan. 793, 316 P.3d 741 (2014).

345. Attorney misconduct violated KRPC 8.4(d) and (g); 6-month suspension stayed; 5 years' probation. *In re Florez*, 298 Kan. 811, 316 P.3d 755 (2014).

346. Attorney voluntarily surrendered license under Rule 217 after formal complaint filed alleging violation of KRPC 1.1; 1.3; 1.4; 1.16(a)(1); 3.2; 8.1(b); 8.4(d) and (g); Rule 207(b); 208; 211(b); and 218. *In re Sherman*, 300 Kan. 475, 332 P.3d 172 (2014).

347. Attorney voluntarily surrendered license under Rule 217; at time of surrender court review pending for violations of KRPC 8.1(b) and 8.4(b) and (c), and Rule 211. *In re Dinkel*, 300 Kan. 660, 333 P.3d 155 (2014).

348. Attorney misconduct violated KRPC 1.2(a), 1.4(a), 1.16(d), and 8.4(c) and (d) and Rule 211(b) and 218(a); indefinite suspension. *In re Johnson*, 300 Kan. 851, 335 P.3d 634 (2014).

349. Attorney misconduct violated KRPC 1.3, 1.4(a) and (b), 3.4(d), and 8.4(d); indefinite suspension. *In re Hasty*, 300 Kan. 840, 335 P.3d 110 (2014).

350. Attorney misconduct violated KRPC 4.1(b) and 8.4(c); 2-year suspension. *In re Singer*, 300 Kan. 830, 335 P.3d 627 (2014).

351. Attorney misconduct violated KRPC 3.1, 3.3(a)(1), and 8.4(c), (d), and (g); published censure. *In re Colvin*, 300 Kan. 864, 336 P.3d 823 (2014).

352. Alleged violations of KRPC 8.4 may constitute grounds for finding conflict of interest or deficient performance; remanded for hearing on consequences of alleged conflict of interest in violation of KRPC 1.7. *Sola-Morales v. State*, 300 Kan. 875, 335 P.3d 1162 (2014).

353. Attorney misconduct violated KRPC 1.1, 1.5, 1.7(a)(2), 1.16(a)(1), and 8.4(d) and (g) and Rule 211(b); disbarment. *In re Hawver*, 300 Kan. 1023, 339 P.3d 573 (2014).

354. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 5.5(a), 8.4(d), and 8.1(b) and Rule 207(b); indefinite suspension. *In re Miller*, 300 Kan. 1082, 337 P.3d 1286 (2014).

355. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 1.15(b), 1.16(d), 3.2, 5.5(a), and 8.4 (d) and (g) and Rule 218; indefinite suspension. *In re Eager*, 300 Kan. 1068, 338 P.3d 1 (2014).

356. Attorney misconduct violated KRPC 4.1 and 8.4(c); 1-month suspension. *In re Goss*, 301 Kan. 28, 338 P.3d 587 (2014).

357. Attorney misconduct violated KRPC 8.4(d) and (g); no determination made regarding alleged violations of KRPC 4.1(a) and 4.3 where such violations not found by hearing panel and not briefed by parties; 6-month suspension. *In re Gamble*, 301 Kan. 13, 338 P.3d 576 (2014).

358. Attorney voluntarily surrendered license under Rule 217 after complaint filed alleging violation of KRPC 8.1(b), 8.3(a), and 8.4(a), (d), and (g), and Rule 207(a) and 208(c). *In re Chavez*, 301 Kan. 87, 339 P.3d 392 (2014).

359. Attorney misconduct violated KRPC 1.4(a), 8.1(b), and 8.4(g); and Rules 207(b), 208, and 218; 1-year suspension. *In re Thompson*, 301 Kan. 428, 343 P.3d 108 (2015).

360. Attorney misconduct violated KRPC 3.5(d), 8.1(a), and 8.4(c) and (d); 3-year suspension, stayed during 3 years' probation. *In re Rumsey*, 301 Kan. 438, 343 P.3d 93 (2015).

361. Attorney voluntarily surrendered license under Rule 217 after complaint alleged violations of KRPC 1.1, 1.3, 1.4, 1.5, 1.15, 1.16, 8.1, and 8.4. *In re Brooks*, 301 Kan. 451, 345 P.3d 258 (2015).

362. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), 3.5(c) and (d), 8.2(a), and 8.4(d) and (g); 3 years' probation. *In re Clothier*, 301 Kan. 567, 344 P.3d 370 (2015).

363. Attorney misconduct violated KRPC 1.7, 1.8, and 8.4(c) and (d); indefinite suspension. *In re Jarvis*, 301 Kan. 881, 349 P.3d 445 (2015).

364. Attorney misconduct violated KRPC 1.5(a) and (b), 1.7(a)(2), 1.8(a), 1.15(a), and 8.4(c) and (g); disbarment. *In re Rankin*, 302 Kan. 181, 351 P.3d 1274 (2015).

365. Attorney misconduct violated KRPC 1.4(a) and 8.4(d); indefinite suspension. *In re Cline*, 301 Kan. 165, 351 P.3d 1262 (2015).

366. Attorney misconduct violated KRPC 5.5(a), 7.1, 7.5(a), 8.1(b), and 8.4(d) and Rules 207(b), 208(c), and 218(a); indefinite suspension. *In re Barker*, 302 Kan. 156, 351 P.3d 1256 (2015).

367. Attorney voluntarily surrendered license under Rule 217; at the time of surrender complaints had been docketed for investigation alleging violations of Rule 1.1, 1.3, 1.4, 8.3, and 8.4. *In re Bezek*, 302 Kan. 325, 352 P.3d 1014 (2015).

367. Attorney misconduct violated KRPC 1.7(a), 3.1, 3.3(d), 4.4(a), 8.4(d), and 8.4(e); 2-year suspension. *In re Holste*, 302 Kan. 880, 358 P.3d 850 (2015).

368. Attorney misconduct violated KRPC 8.4(b), 8.4(d), and 8.4(g); indefinite suspension; prior to reinstatement six required conditions to be established at Rule 219 hearing. *In re Betts*, 302 Kan. 944, 359 P.3d 70 (2015).

369. Attorney misconduct violated KRPC 1.3, 1.4(a), 8.1(a), 8.4(c), 8.4(d), and 8.4(g) and Rule 207(b); disbarment. *In re Williams*, 302 Kan. 990, 362 P.3d 816 (2015).

370. Attorney misconduct violated Rule 203(c)(1) and KRPC 8.4(b); 2-year suspension stayed, minimum of 2 years' supervised probation imposed. *In re Hueben*, 302 Kan. 979, 362 P.3d 809 (2015).

371. Attorney misconduct violated KRPC 5.5(a) and 8.4(g) and Rule 211(b); disbarment. *In re O'Leary*, 303 Kan. 456, 362 P.3d 1092 (2015).

372. Attorney misconduct violated KRPC 1.3, 3.2, 8.1(b), 8.4(d), and 8.4(g) and Rule 207(b) and 211(b); indefinite suspension. *In re Fickler*, 303 Kan. 504, 362 P.3d 1102 (2015).

373. Attorney misconduct violated KRPC 1.2(a), 1.3, 1.4(a), 1.15(d), 8.4(c), and 8.4(d); Kansas license suspended until notification of reinstatement of good standing of Florida license provided. *In re Vaughn*, 303 Kan. 976, 368 P.3d 1088 (2016).

374. Attorney misconduct violated KRPC 1.8(a), 1.8(e), 1.15(a), 1.15(d), and 8.4(c); indefinite suspension stayed, minimum of 2 years' probation imposed. *In re Mandelbaum*, 304 Kan. 67, 373 P.3d 710 (2016).

375. Attorney misconduct violated KRPC 1.16(d), KRPC 3.2, KRPC 3.3(a)(1), KRPC 3.4(d), KRPC 8.1(b), KRPC 8.4(c), and KRPC 8.4(d); 18-month suspension. *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

376. Where court found conduct on two separate occasions did not violate KRPC 3.2 or KRPC 3.4(d), court rejected panel's conclusion that same conduct also violated KRPC 8.4(d). *In re Hawkins*, 304 Kan. 97, 373 P.3d 718 (2016).

377. Attorney misconduct violated KRPC 1.3, 1.4(a), and 8.4(d); 2-year suspension stayed, 2 years' probation imposed; termination of probation subject to Rule 211(g). *In re Stark*, 304 Kan. 630, 375 P.3d 956 (2016).

378. Attorney misconduct violated KRPC 5.4(d), 7.1(a), 8.4(c), and 8.4(g); indefinite suspension. *In re Holyoak*, 304 Kan. 644, 372 P.3d 1205 (2016).

379. Attorney misconduct violated KRPC 1.1, 1.3, 1.4(a), and 8.4(d); 60-day suspension stayed upon stated terms and conditions in accordance with Rule 203(a)(2) and (5); reinstatement to be without hearing under Rule 219(c). *In re Casad*, 304 Kan. 621, 372 P.3d 1219 (2016).

380. Attorney misconduct violated KRPC 1.7(a)(2), 1.8(a), 1.8(e), 1.9(a), 1.15(d), and 8.4(d); 1-year suspension. *In re Odo*, 304 Kan. 844, 375 P.3d 320 (2016).

381. Comment 4 to KRPC 8.4 quoted in discussion of appropriate discipline in case involving misuse of position as county attorney. *In re Holste*, 302 Kan. 880, 358 P.3d 850 (2015).

382. Attorney misconduct violated KRPC 8.4(c) and 8.4(g); 1-year suspension. *In re Renkemeyer*, 302 Kan. 954, 359 P.3d 77 (2015).

383. Attorney misconduct violated KRPC 8.4(b), 8.4(d), and 8.4(g); indefinite suspension. *In re Meyer*, 303 Kan. 465, 362 P.3d 598 (2015).

384. Attorney misconduct violated KRPC 8.4(b); indefinite suspension. *In re Minter*, 303 Kan. 776, 367 P.3d 1238 (2016).

385. Attorney misconduct violated KRPC 8.4(b) and 8.4(g); 2-year suspension. *In re Hardy*, 303 Kan. 1071, 373 P.3d 706 (2016).

KRPC 8.5 Jurisdiction

Case Annotations

1. Attorney's claim found to be without merit for contention under KRPC 8.5 that Supreme Court is without jurisdiction to discipline him for conduct in federal court. *In re Arnold*, 274 Kan. 761, 56 P.3d 259 (2002).

2. Attorney under indefinite suspension committed violations of KRPC 1.1, 1.3, 1.16, 3.1, 3.2, 3.3, and 8.4 in two cases in federal district court; respondent failed to comply with Rule 6.02 requirements in brief; hearing panel had jurisdiction to consider disciplinary action per KRPC 8.5; per Rule 212(f) Supreme Court may impose greater or lesser sanctions than those recommended; disbarment in accordance with Rule 203(a)(1). *In re Dennis*, 286 Kan. 708, 188 P.3d 1 (2008).

Rule 354

Case Annotations

1. Failure to make a record is not automatically reversible error. *State v. Daniels*, 2 Kan. App. 2d 603, 608-09, 586 P.2d 50 (1978).

2. Guidelines for furnishing of transcripts of preliminary examinations stated. *State v. Hornbeak*, 221 Kan. 397, 402, 559 P.2d 385 (1977).

ELECTRONIC RECORDINGS--TRANSCRIPTS

Rule 360

Case Annotations

1. Guidelines for furnishing of transcripts of preliminary examinations stated. *State v. Hornbeak*, 221 Kan. 397, 402, 559 P.2d 385 (1977).

RULES RELATING TO JUDICIAL CONDUCT

Rule 601B KANSAS CODE OF JUDICIAL CONDUCT

Case Annotations
1. Rule 601B, Preamble and Scope cited in noting courts have previously considered Code of Judicial Conduct as separate basis for recusal, although it was not specifically intended to serve such purpose. *State v. Moyer*, 302 Kan. 892, 360 P.3d 384 (2015).

SCOPE

Case Annotations
1. Rule 601B, Preamble and Scope cited in noting courts have previously considered Code of Judicial Conduct as separate basis for recusal, although it was not specifically intended to serve such purpose. *State v. Moyer*, 302 Kan. 892, 360 P.3d 384 (2015).

TERMINOLOGY

Case Annotations
1. Rule 601B terminology section defining "de minimis" cited in discussion pertaining to standards for disqualification of judge due to interests. *State v. Moyer*, 302 Kan. 892, 360 P.3d 384 (2015).

APPLICATION

Case Annotations
1. An occasional part-time judge shall not act as a lawyer in a proceeding in which the judge has served as a judge or in any other proceeding related thereto under Rule 601B, Application, V(B). *Boldridge v. State*, 289 Kan. 618, 215 P.3d 585 (2009).
2. Judges of Kansas Court of Tax Appeals required by statute to follow the Kansas Code of Judicial Conduct, Rule 601B. *In re Tax Appeal of Lyerla Living Trust*, 50 Kan. App. 2d 1012, 336 P.3d 882 (2014).
3. Judge’s conduct with attorneys and staff members fell short of highest standards of judicial conduct provided for under Rule 601B. *In re Henderson*, 301 Kan. 412, 343 P.3d 518 (2015).

CANON 2

Case Annotations Case Annotations
1. Any possible error by judge's failure to recuse was harmless where judge's relative was not witness in case and jury not informed of relative's involvement in case; Canon 2, Rules 2.2 and 2.11 cited. *State v. Moyer*, 302 Kan. 892, 360 P.3d 384 (2015).

Rule 602 COMMISSION ON JUDICIAL QUALIFICATIONS

Case Annotations

1. Jurisdiction of commission under this rule cumulative with statutory methods for removal of magistrate judge. *In re Rome,* 218 Kan. 198, 542 P.2d 676 (1975).

2. Composition of commission is noted. *In re Alvord,* 252 Kan. 705, 847 P.2d 1310 (1993).

3. Dissent contends judicial misconduct should be dealt with pursuant to Rule 602 by filing a complaint with the Commission on Judicial Qualifications instead of reversing defendant's conviction for new trial. *State v. Hayden*, 281 Kan. 112, 130 P.3d 24 (2006).

Rule 609 INVESTIGATION

Case Annotations

1. Judge found to have violated Canons 1, 2, and 4A(2) of the Code of Judicial Conduct; Commission assigned panel to conduct investigation per Rule 609; since respondent failed to file exceptions, the Commission's findings and conclusions are conclusive per Rule 623; removal from office per Rule 620(a). *In re Robertson*, 280 Kan. 266, 120 P.3d 790 (2005).

Rule 611 CEASE AND DESIST--FORMAL PROCEEDINGS

Case Annotations

1. Judge resigned after commission found violations of Canons 1, 2, and 3A(3) and recommended removal from bench per Rule 620. *In re Moroney,* 259 Kan. 636, 914 P.2d 570 (1996).

2. Judge found to have violated Canons 1, 2A, 3B, 3C, 3E, and 3F; by signing the cease and desist order, judge agreed to accept the Commission's conclusions that he violated the Canons per Rule 611; public censure per rule 620. *In re Platt*, 269 Kan. 509, 8 P.3d 686 (2000).

3. Rule 611(b) procedures for filing formal disciplinary proceeding against judge discussed. *In re Henderson*, 301 Kan. 412, 343 P.3d 518 (2015).

Rule 614 HEARING

Case Annotations

1. No right to jury trial in judicial discipline case. *In re Rome,* 218 Kan. 198, 542 P.2d 676 (1975).

Rule 615 EVIDENCE

Case Annotations

1. "Prior term" rule is inappropriate shield in judicial discipline case. *In re Rome,* 218 Kan. 198, 542 P.2d 676 (1975).

2. "Prior term" rule does not bar consideration of events occurring during prior judicial term; retention by voters considered in mitigation; removal from office. *In re Yandell,* 244 Kan. 709, 772 P.2d 807 (1989).

Rule 617 AMENDMENTS TO NOTICE OR ANSWER

Case Annotations

1. Notice of Formal Proceeding amended under rule where testimony at disciplinary hearing revealed other potential violations. *State ex rel. Comm'n on Judicial Qualifications v. Rome,* 229 Kan. 195, 623 P.2d 1307 (1981).

Rule 620 HEARING PANEL DISPOSITION OR RECOMMENDATIONS

Case Annotations

1. Commission finds charges proven by clear and convincing evidence; recommends removal from office. *State ex rel. Comm'n on Judicial Qualifications v. Rome,* 229 Kan. 195, 623 P.2d 1307 (1981).

2. Supreme Court adopts commission recommendation for magistrate judge's violations of Canons 1 and 2; public censure. *In re Levans,* 242 Kan. 148, 744 P.2d 800 (1987).

3. Commission's findings and conclusions unanimous; two votes for discipline by commission admonishment; public censure. *In re Alvord,* 252 Kan. 705, 847 P.2d 1310 (1993).

4. Judge found to have violated Canons of Judicial Ethics in four of the six complaints filed; Commission, with five or more members voting in the affirmative, recommends public censure by the Supreme Court; dissenting members would discipline by public admonishment by the Commission; public censure. *In re Handy,* 254 Kan. 581, 867 P.2d 341 (1994).

5. Judge resigned after commission found violations of Canons 1, 2, and 3A(3) and recommended removal from bench per Rule 620. *In re Moroney,* 259 Kan. 636, 914 P.2d 570 (1996).

6. Judge found to have violated Canons 1, 2A, 3B, 3C, 3E, and 3F; by signing the cease and desist order, judge agreed to accept the Commission's conclusions that he violated the Canons per Rule 611; public censure per rule 620. *In re Platt,* 269 Kan. 509, 8 P.3d 686 (2000).

7. Judge found to have violated Canons 1, 2A, 2B, and 3C(1), (2), and (4); judge stipulated to evidence; Commission recommends public censure; public censure per Rule 620. *In re Groneman,* 272 Kan. 1345, 38 P.3d 735 (2002).

8. Judge found to have violated Canons 1, 2, and 4A(2) of the Code of Judicial Conduct; Commission assigned panel to conduct investigation per Rule 609; since respondent failed to file exceptions, the Commission's findings and conclusions are conclusive per Rule 623; removal from office per Rule 620(a). *In re Robertson,* 280 Kan. 266, 120 P.3d 790 (2005).

9. Judge's actions during a jury trial violated Canon 2A and 3B(3) of the Kansas Code of Judicial Conduct; findings of fact and conclusions of law deemed admitted per Rule 623(d) since respondent failed to file exceptions; Commission finds violation of the Code of Judicial Conduct by clear and convincing evidence per Rule 620; review of record supports the Commission's recommendation that respondent be publicly censured. *In re Pilshaw,* 286 Kan. 574, 186 P.3d 708 (2008).

10. Judge's violations of Rules 1.2 and 1.3 of Canon 1 and Rules 2.2, 2.3, and 2.9 of Canon 2 of the Kansas Code of Judicial Conduct were established by clear and convincing evidence per Rule 620; findings of fact and conclusions of law deemed admitted per Rule 623(d); 90-day suspension and education requirement imposed per Rule 623. *In re Henderson,* 301 Kan. 412, 343 P.3d 518 (2015).

Rule 623 PROCEEDINGS BEFORE THE SUPREME COURT

Case Annotations

1. Standard of proof appropriate for Supreme Court adoption of commission findings is clear and convincing evidence. *In re Rome,* 218 Kan. 198, 542 P.2d 676 (1975).

2. Supreme Court concurs in Commission recommendation, citing 623(f); removal from office. *In re Yandell,* 244 Kan. 709, 772 P.2d 807 (1989).

3. Commission's findings are supported by clear and convincing evidence; public censure. *In re Long*, 244 Kan. 719, 772 P.2d 814 (1989).

4. Commission findings and conclusions conclusive absent timely filed exceptions, per Rule 623(d); respondent duty to appear and opportunity to make statement as to discipline. *In re Alvord*, 252 Kan. 705, 847 P.2d 1310 (1993).

5. Judge found to have violated Canons 1, 2, and 4A(2) of the Code of Judicial Conduct; Commission assigned panel to conduct investigation per Rule 609; since respondent failed to file exceptions, the Commission's findings and conclusions are conclusive per Rule 623; removal from office per Rule 620(a). *In re Robertson*, 280 Kan. 266, 120 P.3d 790 (2005).

6. Judge's actions during a jury trial violated Canon 2A and 3B(3) of the Kansas Code of Judicial Conduct; findings of fact and conclusions of law deemed admitted per Rule 623(d) since respondent failed to file exceptions; Commission finds violation of the Code of Judicial Conduct by clear and convincing evidence per Rule 620; review of record supports the Commission's recommendation that respondent be publicly censured. *In re Pilshaw*, 286 Kan. 574, 186 P.3d 708 (2008).

7. Judge's violations of Rules 1.2 and 1.3 of Canon 1 and Rules 2.2, 2.3, and 2.9 of Canon 2 of the Kansas Code of Judicial Conduct were established by clear and convincing evidence per Rule 620; findings of fact and conclusions of law deemed admitted per Rule 623(d); 90-day suspension and education requirement imposed per Rule 623. *In re Henderson*, 301 Kan. 412, 343 P.3d 518 (2015).

Rule 640 JUDGES ASSISTANCE COMMITTEE

Case Annotations

1. Rule mentioned in commission's minority recommendation of three-year probation. *In re Moroney*, 259 Kan. 636, 914 P.2d 570 (1996).

Rule 651 LIMITATIONS ON JUDICIAL SERVICE

Case Annotations

1. District judge, also authorized by Supreme Court to seek a concurrent position as municipal judge, violated Canon 2A, Canon 3C(1), and Canon 5C(1) by handling district court cases that involved his municipal employer; Rule 651 enacted subsequently to avoid such conflict; other violations; public censure. *In re Handy*, 254 Kan. 581, 867 P.2d 341 (1994).

MEDIA COVERAGE OF JUDICIAL PROCEEDINGS

Rule 1001 ELECTRONIC AND PHOTOGRAPHIC MEDIA COVERAGE OF JUDICIAL PROCEEDINGS

Case Annotations

1. Audio visual recording of criminal trial pursuant to Supreme Court Order discussed. Conviction affirmed; no showing of prejudice. *State v. McNaught*, 238 Kan. 567, 573-76, 713 P.2d 457 (1986).

2. Substance of rule explained to jury prior to commencement of murder trial. *State v. Ji*, 251 Kan. 3, 32, 832 P.2d 1176 (1992).