

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF STEVEN M.  
SHINN, BAR NO. 6822.

No. 55409

**FILED**

**FEB 26 2010**

TRACIE K. LINDEMAN  
CLERK OF SUPREME COURT  
BY S. Young  
DEPUTY CLERK

ORDER OF REFERRAL TO DISCIPLINARY BOARD

Bar counsel for the State of Nevada has filed a petition pursuant to the reporting requirements of SCR 111(4). The petition is supported by certified copies of documents evincing that on June 10, 2009, in Las Vegas Municipal Court, attorney Steven M. Shinn, Nevada Bar number 6822, entered a plea of *nolo contendere* to one count of DUI, a misdemeanor pursuant to NRS 484.038, NRS 484.379(1)(a), LVMC 10.02.010 and LVMC 11.14. Shinn was sentenced to two days in jail with credit for time served, fined \$400, assessed \$160 in fees, and ordered to attend the victim impact panel and mandatory DUI short review program. He has complied with all the terms of his sentence. However, Shinn did not self-report his misconduct as required by SCR 111(2).

The crime to which Shinn pled *nolo contendere* is not one of the crimes specifically enumerated in SCR 111(6) as mandating temporary suspension and referral to the disciplinary board. Accordingly, temporary suspension and/or referral to the disciplinary board are discretionary with this court. SCR 111(9).

The seriousness of drinking and driving cannot be minimized: a drunk driver is considered a societal menace. Nevertheless, first offense DUI is not the type of offense for which professional discipline is typically

imposed. Cf. 1 Geoffrey C. Hazard, Jr. & W. William Hodes, The Law of Lawyering § 65.4 (3d ed. Supp. 2009); In the Matter of Respondent I, 2 Cal. State Bar Ct. Rptr. 260, 266 n.6, 272 (Rev. Dept. 1993). Therefore, Shinn's criminal conviction does not warrant action pursuant to SCR 111(9) at this time.

However, Shinn's failure to inform bar counsel within 30 days of his conviction as required by SCR 111(2) appears, in itself, to be an act of misconduct constituting grounds for discipline. See SCR 101 (acts or omissions of an attorney which violate rules of the supreme court are misconduct and constitute grounds for discipline). We therefore refer this matter to the appropriate disciplinary board for determination of the discipline, if any, to impose. We decline to impose a temporary suspension at this time.

It is so ORDERED.<sup>1</sup>

Hardesty, J.  
Hardesty

Douglas, J.  
Douglas

Pickering, J.  
Pickering

---

<sup>1</sup> This order constitutes our final disposition of this matter. Should there be any further proceedings concerning Shinn, they shall be docketed as a new matter.

cc: Rob W. Bare, Bar Counsel  
Kimberly K. Farmer, Executive Director, State Bar of Nevada  
Michael R. Mushkin & Associates, P.C.