

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
JULIUS M. ENGEL, BAR NO. 8057.

No. 73119

FILED

OCT 24 2017

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

ORDER IMPOSING RECIPROCAL DISCIPLINE

This is a petition for reciprocal discipline of attorney Julius M. Engel pursuant to SCR 114. Engel accepted money from a client and then failed to perform any legal work, ceased communication with the client, and failed to provide an accounting or return the client's money. Engel also provided untruthful responses to the California State Bar during its investigation of Engel regarding these issues. In considering this misconduct, the State Bar Court of California's Hearing Department concluded that there were seven aggravating circumstances (prior disciplinary record, multiple violations, refusal or inability to provide an accounting of trust funds, significant harm to the client, lack of remorse, failure to make restitution, and a high level of victim vulnerability) and no mitigating circumstances. On February 15, 2017, the California Supreme Court denied Engel's petition for review and suspended him for three years, with all but the first year stayed, and placed him on probation subject to certain conditions. Engel self-reported his California suspension to the State Bar of Nevada.

SCR 114(4) provides that this court shall impose identical reciprocal discipline unless the attorney demonstrates, or the court finds, that one of four exceptions applies. We conclude that none of the four

exceptions weighs against the imposition of identical reciprocal discipline in this case. While California found Engel to have violated a California rule that has no Nevada counterpart,¹ *see* SCR 114(4)(d) (indicating that if the misconduct established in the other jurisdiction does not constitute misconduct under Nevada's ethical rules, identical discipline may not be appropriate), the five remaining, and arguably more egregious ethical violations, constitute ethical violations in Nevada. Furthermore, the discipline imposed in California is commensurate with discipline Nevada imposes for the most serious of those remaining five violations. *See Standards for Imposing Lawyer Sanctions, Compendium of Professional Responsibility Rules and Standards* 452 (Am. Bar Ass'n 2016) ("The ultimate sanction imposed should at least be consistent with the sanction for the most serious instance of misconduct among a number of violations."). Thus, we grant the petition for reciprocal discipline.

Accordingly, attorney Julius M. Engel is hereby suspended from the practice of law in Nevada for three years, with all but the first year of that term stayed, as of February 15, 2017. Additionally, during the three years Engel shall be placed on probation subject to the following conditions: (1) he provide proof that he paid the \$2000 in restitution required by the California order; (2) he comply with all Rules of Professional Conduct during his probation; (3) he submit quarterly reports to the State Bar concerning whether he has complied with all Rules of Professional Conduct during the previous quarter; (4) he complete a minimum of 6 CLE classes in the areas of ethics and law practice management, in addition to annually-

¹Engel failed to report an adverse judgment entered against him in a professional malpractice case in violation of Cal. Bus. & Prof. Code §6068(o)(2) (West 2017).

mandated CLE credits; and (5) he provide proof that he passed the Multistate Professional Responsibility Examination within one year of the California suspension order. Engel shall comply with SCR 116 upon petitioning for reinstatement from the one-year actual suspension. Upon reinstatement, Engel shall serve out any remaining portion of the three-year probationary period. Engel and the State Bar shall comply with SCR 115 and SCR 121.1.

It is so ORDERED.

Cherry, C.J.
Cherry

Douglas, J.
Douglas

Gibbons, J.
Gibbons

Pickering, J.
Pickering

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Stiglich, J.
Stiglich

cc: Chair, Southern Nevada Disciplinary Board
Julius M. Engel
C. Stanley Hunterton, Bar Counsel, State Bar of Nevada
Kimber K. Farmer, Executive Director, State Bar of Nevada
Perry Thompson, Admissions Office, U.S. Supreme Court