

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF DISCIPLINE OF
DOUGLAS H. CLARK, ESQ., BAR NO.
4566.

No. 54669

FILED

NOV 18 2009

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

ORDER OF TEMPORARY SUSPENSION

This is a petition by the Southern Nevada Disciplinary Board Chair for an order temporarily suspending attorney Douglas H. Clark from the practice of law, pending the resolution of formal disciplinary proceedings against him. The petition and supporting documentation demonstrate that Clark appears to have engaged in misconduct involving multiple clients, including improper handling of client funds, being overdrawn on his client trust account, neglecting cases, failing to communicate with clients, and failing to turn over client files upon termination.

SCR 102(4)(a) provides, in pertinent part:

On the petition of a disciplinary board, signed by its chair or vice chair, supported by an affidavit alleging facts personally known to the affiant, which shows that an attorney appears to be posing a substantial threat of serious harm to the public, the supreme court may order, with notice as the court may prescribe, the attorney's immediate temporary suspension or may impose other conditions upon the attorney's practice.

We conclude that the documentation properly before us¹ demonstrates that Clark poses a substantial threat of serious harm to the public, and that his immediate temporary suspension is warranted under SCR 102(4)(a). Accordingly, attorney Douglas H. Clark is temporarily suspended from the practice of law pending the resolution of formal disciplinary proceedings against him.

In addition, pursuant to SCR 102(4)(a), (b), and (c), we impose upon Clark the following conditions:

1. Clark is precluded from accepting new cases and is precluded from continuing to represent existing clients effective immediately upon service of this order;

2. All proceeds from Clark's practice of law and all fees and other funds received from or on behalf of clients shall, from the date of service of this order, be deposited into a trust account from which no withdrawals may be made by Clark except upon written approval of bar counsel; and

¹We have disregarded the numerous allegations in the petition that are not supported by affidavit as required by SCR 102(4)(a). It is disturbing that the petition would include so many allegations not supported by affidavit as required by the rule. The petition's failure to include proper support for all the allegations has significantly hampered this court's expeditious review of this matter.

3. Clark is prohibited from withdrawing any funds from any and all accounts in any way relating to his law practice, including but not limited to his general and trust accounts, except upon written approval of bar counsel.

It is so ORDERED.

Hardesty, C.J.
Hardesty

Parraguirre, J.
Parraguirre

Cherry, J.
Cherry

Gibbons, J.
Gibbons

Douglas, J.
Douglas

Saitta, J.
Saitta

Pickering, J.
Pickering

cc: Jeffrey Albregts, Esq., Chair, Southern Nevada Disciplinary Board
Rob W. Bare, Bar Counsel
Kimberly K. Farmer, Executive Director, State Bar of Nevada
Douglas H. Clark
Perry Thompson, Admissions Office, United States Supreme Court