

## SUMMARY STATEMENT

### *Idaho State Bar v. Oleson*

**Docket No. 51857**

This was an attorney discipline case stemming from Justin Oleson's previous representation of a client in a post-divorce matter. *See Katseanes v. Katseanes*, 171 Idaho 478, 522 P.3d 1236 (2023). The Idaho State Bar ("ISB") filed a complaint alleging that Oleson had violated nine of the Idaho Rules of Professional Conduct. These violations concerned disobeying a district court's order, making a false statement of material fact to a third-party, engaging in conduct prejudicial to the administration of justice, representing a client despite a conflict of interest, and failing to reasonably consult with his client.

After an evidentiary hearing, the Hearing Committee of the Professional Conduct Board ("Committee") determined that Oleson violated three professional rules—Rules 1.7(a)(2), 3.4(c), and 8.4(d)—and concluded that a public reprimand would be an appropriate sanction. The Committee also found that the ISB did not prove by clear and convincing evidence that Oleson had violated the six remaining rules: Rules 1.2(a), 1.3, 1.4, 3.3(a)(1), 4.1, and 8.4(c).

The ISB appealed to the Idaho Supreme Court, challenging the Committee's determination that Oleson did not violate Rules 1.2(a), 1.3, 1.4, 4.1, and 8.4(c). The ISB also argued that the sanction imposed by the Committee, a public reprimand, was too lenient. Oleson cross-appealed the Committee's determination that he violated Rules 1.7(a)(2), 3.4(c), and 8.4(d). Oleson also argued that the Committee abused its discretion by taking judicial notice of several documents before issuing its decision.

The Idaho Supreme Court reversed the Committee's decision in part, affirmed it in part, and imposed the sanction of disbarment on Oleson. The Supreme Court determined that Oleson violated Rules 1.2(a), 1.4, 1.7(a)(2), 3.4(c), 4.1, 8.4(c), and 8.4(d) based on his conduct. "After considering the mitigating and aggravating circumstances, including Oleson's fitness to practice law," the Supreme Court concluded that "the Committee's recommended sanction, a public reprimand, is arbitrary and capricious because it [was] far too lenient for this level of misconduct and is insufficient to adequately protect the public, the courts, and the legal profession." Instead, considering the egregious nature of the violations, the significant harm done to his client, and his history of discipline, the Supreme Court concluded that "Oleson must be disbarred[.]" and that he "may not apply for readmission to the Idaho Bar for a period of five years from the effective date of the opinion."

***\*\*\*This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.\*\*\****