

FEB 03 2015

FILED

STATE OF MINNESOTA
IN SUPREME COURT

A13-1381

In re Petition for Reinstatement of
Samuel A. McCloud, a Minnesota Attorney,
Registration No. 69693.

O R D E R

In February 2013, we indefinitely suspended petitioner Samuel A. McCloud from the practice of law, with no right to petition for reinstatement until after July 5, 2013. *In re McCloud*, 826 N.W.2d 529, 529 (Minn. 2013) (order). Petitioner petitioned for reinstatement on July 30, 2013, and a hearing was held before a panel of the Lawyers Professional Responsibility Board. The panel found that petitioner has proven by clear and convincing evidence that he is morally fit to resume the practice of law. *See In re Swanson*, 343 N.W.2d 662, 664 (Minn. 1984) (providing that the burden is on the attorney to establish by clear and convincing evidence the moral fitness to resume the practice of law). The panel recommends that petitioner be reinstated to the practice of law and placed on probation for a period of 5 years. The Director of the Office of Lawyers Professional Responsibility agrees with the panel's recommendation.

The court has independently reviewed the files and approves the recommended disposition.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that petitioner Samuel A. McCloud is reinstated to the practice of law and placed on probation for a period of 5 years, subject to the following terms and conditions:

(a) Petitioner shall cooperate fully with the efforts of the Director's office to monitor compliance with this probation. Petitioner shall promptly respond to the Director's correspondence by the due date. Petitioner shall provide the Director with a current mailing address and shall immediately notify the Director of any change of address. Petitioner shall cooperate with the Director's investigation of any allegations of unprofessional conduct that may come to the Director's attention. Upon the Director's request, petitioner shall authorize the release of information and documentation to verify compliance with the terms of this probation;

(b) Petitioner shall abide by the Minnesota Rules of Professional Conduct;

(c) If petitioner has any responsibility for the receipt or handling of client funds, he shall maintain books and records in compliance with the Minnesota Rules of Professional Conduct. Petitioner shall make his trust account books and records available to the Director within 30 days of the date of the filing of this order and thereafter shall make those books and records available to the Director at such intervals as the Director deems necessary to determine compliance;

(d) Petitioner shall make good faith efforts to enter into payment plans for the purpose of making payment of all unpaid taxes, penalties, and interest. Petitioner shall report quarterly to the Director regarding his efforts to make payment and shall provide the Director with copies of all communications received from or sent to the Internal Revenue Service and the Minnesota Department of Revenue regarding his unpaid income tax obligations; and

(e) Petitioner shall make good faith efforts to enter into a payment plan for the purpose of satisfying the Department of Labor and Industry Special Compensation Fund (Fund) judgments against him. Petitioner shall report quarterly to the Director regarding his efforts to make payments and shall provide the Director with copies of all communications received from or sent to the Fund regarding the judgments.

Dated: February 3, 2015

BY THE COURT:



Alan C. Page
Associate Justice