

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against GEMMA E. GRAHAM,
a Minnesota Attorney,
Registration No. 142086.

**PETITION FOR
DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

The Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition upon the parties' agreement pursuant to Rules 10(a) and 12(a), Rules on Lawyers Professional Responsibility. The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on October 15, 1982. Respondent currently practices law in Minneapolis, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

Practice While on CLE Restricted Status

1. By Minnesota Supreme Court order dated November 5, 1986, respondent was placed on restricted status, as defined in Rule 3 of the Supreme Court Rules for Continuing Legal Education (RCLE) for failure to report compliance with the rules governing continuing legal education (CLE) (Exhibit 1). Pursuant to Rule 12(B), RCLE, an attorney placed on CLE restricted status may not engage in the practice of law or

represent any person or entity in any legal matter or proceedings within the State of Minnesota other than herself.

2. Respondent has been employed as an assistant county attorney with the Hennepin County Attorney's Office since 1983. Respondent actively practiced law while on CLE restricted status from November 5, 1986, to June 27, 2007, except for the period noted in paragraph 6 below.

3. Respondent was at all relevant times aware that she had been placed on CLE restricted status and that her conduct constituted the unauthorized practice of law in violation of Rules 5.5(a) and 8.4(d), Minnesota Rules of Professional Conduct (MRPC).

4. In June 2007 respondent submitted evidence to the Board on Continuing Legal Education that she had taken sufficient coursework to be removed from restricted status. The Board on Continuing Legal Education only required proof of respondent's CLE attendance over the course of the last two years. Respondent was reinstated to CLE active status by the Minnesota Supreme Court by order dated June 27, 2007 (Exhibit 2).

5. Respondent claims to have attended and completed CLE credit hours during the period of November 5, 1986, to June 27, 2007. Respondent claims to have had completed more CLE courses than required in some reporting periods, but may have attended fewer CLE courses than were required during other reporting periods due to health concerns. Given the significant passage of time during this period, the Director has been unable to confirm respondent's claims regarding her CLE attendance during this period.

6. In May 2007 respondent agreed to an administrative suspension from her employer, the Hennepin County Attorney's Office, for a period of twenty-one days. Respondent has since been reinstated to her position as an assistant county attorney.

7. Respondent's conduct violated Rules 5.5 and 8.4(d), MRPC.

WHEREFORE, the Director respectfully prays for an order of this Court imposing appropriate discipline, awarding costs and disbursements pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: December 21, 2007.



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