

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against TERRI A. HAUGE,
a Minnesota Attorney,
Registration No. 124175.

**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 (RLPR). The Director alleges:

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on October 24, 1980. Respondent does not currently practice law. Respondent was suspended on April 1, 1996, for nonpayment of lawyer registration fees.

As more particularly set forth below, on February 1, 2012, and on May 1, 2012, respondent pled guilty to, and was convicted of, a total of six felony counts of theft by swindle and one felony count of perjury, in violation of Minn. Stat. § 609.52, subdiv. 2(4), and Minn. Stat. § 609.48, subdiv. 1(2), with an agreed upon restitution amount of \$88,222.71.

Respondent has committed the following unprofessional conduct warranting public discipline:

DISCIPLINARY HISTORY

Respondent's history of prior discipline, including admonitions, is as follows:

A. On November 8, 1995, based on the parties' stipulation, the Minnesota Supreme Court suspended respondent from the practice of law for 90 days, followed by a three-year probationary period with reinstatement conditioned upon compliance with certain conditions. Respondent's stipulated suspension was based on three instances in which she failed to act with reasonable diligence and promptness in connection with client matters, misrepresented to one client the status of the matter entrusted to her, and failed to cooperate with the Director's Office in its investigation.

B. On January 29, 1990, respondent entered into a stipulation for a two-year private probation. The stipulation was based on her admissions that she had failed to respond to a client's phone calls, failed to diligently and promptly expedite the client's dissolution matter, and had misrepresented the status of the dissolution matter to her client.

C. On December 7, 1983, respondent was issued an admonition for neglecting a client matter and noncooperation with the disciplinary investigation.

FIRST COUNT

A. Hennepin County Criminal Matter and Guilty Plea

1. On June 15, 2011, respondent was criminally charged in Hennepin County with one felony count of theft by swindle, in violation of Minn. Stat. § 609.52, subdiv. 2(4). The charge was based upon respondent's conduct in aiding, abetting,

hiring, counseling or conspiring to wrongfully obtain property and/or services for value from the estate of F.G. (Exhibit A.)

2. On February 1, 2012, respondent pled guilty to one felony count of theft by swindle.

3. On July 24, 2012, respondent was sentenced to 21 months in prison (stayed for 5 years with conditions), 270 days in jail, restitution, and 5 years' supervised probation. (Exhibit B.)

B. Rice County Criminal Matters and Guilty Plea

4. On November 19, 2010, respondent was criminally charged in Rice County (Case No. 66-CR-10-3444) with five felony counts of theft by swindle in violation of Minn. Stat. § 609.52, subdiv. 2(4), four felony counts of financial exploitation of a vulnerable adult/failure to provide care in violation of Minn. Stat. § 609.2335, subdiv. 1(1), and one gross misdemeanor count of financial exploitation of a vulnerable adult/failure to provide care in violation of Minn. Stat. § 609.2335, subdiv. 1(1). (Exhibit C.)

5. On August 5, 2011, respondent was criminally charged in Rice County (Case No. 66-CR-11-2109) with one felony count of theft by swindle in violation of Minn. Stat. § 609.52, subdiv. 2(4), one felony count of financial exploitation of a vulnerable adult/failure to provide care in violation of Minn. Stat. § 609.2335, subdiv. 1(1), and two felony counts of written perjury in violation of Minn. Stat. § 609.48, subdiv. 1(2). The charges were based upon respondent's conduct in wrongfully obtaining property and/or services for value from the estate of B.P.; in breaching a fiduciary obligation in intentionally failing to use the financial resources of B.P., a vulnerable adult, to provide food, clothing, shelter, healthcare, therapy and/or

supervision for B.P.; and in making false material statements under oath on two separate occasions. (Exhibit D.)

6. On September 27, 2011, respondent was criminally charged in Rice County (Case No. 66-CR-11-2596) with three felony counts as follows: one count of theft by swindle in violation of Minn. Stat. § 609.52, subdiv. 2(4), one count of financial exploitation of a vulnerable adult/failure to provide care in violation of Minn. Stat. § 609.2335, subdiv. 1(1), and one count of written perjury in violation of Minn. Stat. § 609.48, subdiv. 1(2). The charges were based upon respondent's conduct in wrongfully obtaining property and/or services for value from the estate of B.F.; in breaching a fiduciary obligation in intentionally failing to use the financial resources of B.F., a vulnerable adult, to provide food, clothing, shelter, healthcare, therapy and/or supervision for B.F.; and in making false material statements under oath. (Exhibit E.)

7. On May 1, 2012, respondent pled guilty to four counts of felony theft by swindle (Case No. 66-CR-10-3444), one count of felony perjury (Case No. 66-CR-11-2109), and one count of felony theft by swindle (Case No. 66-CR-11-2596). (Exhibit F.)

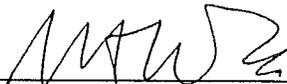
8. On September 14, 2012, respondent was sentenced to concurrent sentences in the three matters as follows: up to 27 months in prison (stayed for 10 years with conditions), 365 days in jail (to be served in Hennepin County concurrent with the Hennepin County sentence), 10 years' supervised probation, restitution in the amount of \$88,222.71, and 30 days community service. (Exhibits G and H.)

9. Under Rule 19(a), RLPR, a lawyer's criminal conviction is conclusive evidence in disciplinary proceedings that the lawyer committed the conduct for which the lawyer was convicted.

10. Respondent's conduct violated Rule 8.4(b) and (c), Minnesota Rules of Professional Conduct.

WHEREFORE, the Director respectfully prays for an order of this Court disbarring respondent or imposing otherwise 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: March 7, 2013.



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