

FILE NO. \_\_\_\_\_

STATE OF MINNESOTA

IN SUPREME COURT

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In Re Petition for Disciplinary  
Action against SUZETTE E. JOHNSON,  
an Attorney at Law of the  
State of Minnesota.  
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**STIPULATION  
FOR DISCIPLINE**

THIS STIPULATION is entered into by and between Martin A. Cole, Acting Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and Suzette E. Johnson, attorney, hereinafter respondent.

WHEREAS, respondent has concluded it is in respondent's best interest to enter into this stipulation,

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the undersigned as follows:

1. Pursuant to the Rules on Lawyers Professional Responsibility (RLPR), the parties agree to dispense with further proceedings under Rule 14, RLPR, and respondent agrees to the immediate disposition of this matter by the Minnesota Supreme Court under Rule 15, RLPR.
2. Respondent understands this stipulation, when filed, will be of public record.
3. It is understood that respondent has certain rights pursuant to Rule 14, RLPR. Respondent waives these rights, which include the right to a hearing before a referee on the petition; to have the referee make findings and conclusions and a recommended disposition; to contest such findings and conclusions; and to a hearing before the Supreme Court upon the record, briefs and arguments.
4. Respondent's record of prior discipline, including warnings and admonitions, is as follows:

a. On April 13, 1994, respondent received an admonition for failing to communicate with her client, failing to respond to her client's telephone calls, and letters, and failing to pursue her client's case in violation of Rules 1.3 and 1.4, Minnesota Rules of Professional Conduct (MRPC).

b. On May 25, 2001, respondent received an admonition for failing to keep her client reasonably informed of the status of his case in violation of Rule 1.4, MRPC.

c. On October 30, 2001, respondent and the Director entered into a stipulation placing respondent on private supervised probation for two years for failing to diligently pursue the representations of three clients, to respond to her clients' reasonable requests for information, to keep her clients informed of the status of their cases and to cooperate with the Director's Office in violation of Rules 1.3, 1.4 and 8.1(a)(3), MRPC, and Rule 25, RLPR.

5. Respondent unconditionally admits the allegations of the petition which may be summarized as follows:

a. Respondent failed to provide certain documents and information to verify her compliance with the October 30, 2001, stipulation placing her on probation and failed to respond to the Director's requests for this information and documents in violation of the terms of her stipulation for probation, Rule 8.1(a)(3), MRPC, and Rule 25, RLPR.

b. Respondent failed to cooperate with the Director's investigation of a complaint filed against her in violation of the terms of the October 30, 2001, stipulation, Rule 8.1(a)(3), MRPC, and Rule 25, RLPR.

c. Respondent failed in a family law matter to timely complete and serve her client's discovery, proceed with her client's subsequent bankruptcy, return her client's telephone calls, keep her client adequately informed of the status of his matters and misrepresented to her client that she had scheduled a

hearing in his bankruptcy matter when she had not, in violation of Rules 1.3, 1.4 and 8.4(c), MRPC.

6. Respondent understands that based upon these admissions, this Court may impose any of the sanctions set forth in Rule 15(a)(1) - (9), RLPR, including making any disposition it deems appropriate. Respondent understands that by entering into this stipulation, the Director is not making any representations as to the sanctions the Court will impose.

7. The Director and respondent join in recommending that the appropriate discipline pursuant to Rule 15, RLPR, is a public reprimand, followed by supervised probation for a period of two years and imposition and payment of \$900 in costs pursuant to Rule 24(a), RLPR. Respondent's probation shall be under the following conditions:

a. Respondent shall cooperate fully with the Director's Office in its efforts to monitor compliance with this probation and promptly respond to the Director's correspondence by the due date. Respondent shall cooperate with the Director's investigation of any allegations of unprofessional conduct which may come to the Director's attention. Upon the Director's request, respondent shall provide authorizations for release of information and documentation to verify compliance with the terms of this probation.

b. Respondent shall abide by the Minnesota Rules of Professional Conduct.

c. Respondent shall be supervised by Bailey W. Blethen, who will monitor respondent's compliance with the terms of this probation. In the event that Mr. Blethen should become unable to serve as respondent's supervisor, respondent shall provide to the Director the names of four attorneys who have agreed to be nominated as respondent's supervisor within two weeks of notice of Mr. Blethen's inability to continue to supervise respondent. If, after diligent effort, respondent is unable to locate a replacement supervisor acceptable to the

Director, the Director will seek to appoint a supervisor. Until a supervisor has signed a consent to supervise, the respondent shall, on the first day of each month, provide the Director with an inventory of active client files described in paragraph d. below. Respondent shall make active client files available to the Director upon request.

d. Respondent shall cooperate fully with the supervisor in his efforts to monitor compliance with this probation. Respondent shall contact the supervisor and schedule a minimum of one in-person meeting per calendar quarter. Respondent shall submit to the supervisor an inventory of all active client files by the first day of each month during the probation. With respect to each active file, the inventory shall disclose the client name, type of representation, date opened, most recent activity, next anticipated action, and anticipated closing date. Respondent's supervisor shall file written reports with the Director at least quarterly, or at such more frequent intervals as may reasonably be requested by the Director.

e. Respondent shall initiate and maintain office procedures which ensure that there are prompt responses to correspondence, telephone calls, and other important communications from clients, courts and other persons interested in matters which respondent is handling, and which will ensure that respondent regularly reviews each and every file and completes legal matters on a timely basis.

f. Within thirty days from issuance of the Court's order in this matter, respondent shall provide to the Director and to the probation supervisor a written plan outlining office procedures designed to ensure that respondent is in compliance with probation requirements. Respondent shall provide progress reports as requested.

g. Respondent shall initiate or continue current treatment by a licensed consulting psychologist or other mental health professional acceptable

to the Director, and shall complete all therapy programs recommended by the therapist.

8. This stipulation is entered into by respondent freely and voluntarily, without any coercion, duress or representations by any person except as contained herein.

9. Respondent hereby acknowledges receipt of a copy of this stipulation.

10. Respondent has been advised by the undersigned counsel concerning this stipulation and these proceedings generally.

IN WITNESS WHEREOF, the parties executed this stipulation on the dates indicated below.

Dated: September 10, 2002.



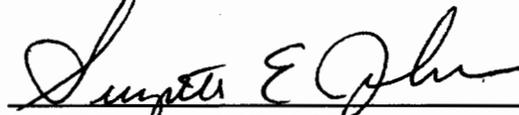
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Dated: 8/27, 2002.



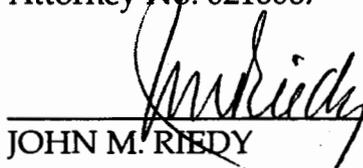
CANDICE M. HOJAN  
SENIOR ASSISTANT DIRECTOR  
Attorney No. 125982

Dated: Sept 4, 02, 2002.



SUZETTE E. JOHNSON, RESPONDENT  
Attorney No. 0216067

Dated: 9-4, 2002.



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