

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against RICHARD H. MARTIN,
a Minnesota Attorney,
Registration No. 68135.

**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 April 15, 1977. Respondent currently practices law in St. Paul, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

1. On August 21, 2002, the Minnesota Supreme Court placed respondent on involuntary restricted status for failure to comply with continuing legal education (CLE) requirements.

2. On July 16, 2004, complainant, Margaret Corneille, Executive Director of the Board of Continuing Legal Education, advised the Director of respondent's noncompliance with CLE requirements.

3. On July 23, 2004, the Director issued a notice of investigation regarding respondent's failure to comply with CLE requirements. The notice of investigation instructed respondent to provide a written response within fourteen (14) days of the date on the notice. Respondent failed to respond.

4. On August 25, 2004, September 9, 2004, and September 20, 2004, the Director's Office mailed respondent letters advising respondent of his need to provide a written response to the notice of investigation.

5. Respondent finally provided a written response to the notice of investigation on or about October 5, 2004. However, respondent remained out of compliance with CLE requirements.

6. On October 13, 2004, the Director's Office sent a letter asking for additional information and reminding respondent he was restricted from the practice of law.

7. On November 23, 2004, December 7, 2004, and January 4, 2005, the Director's Office reminded respondent he was not in CLE compliance. The Director also advised respondent that it was impermissible for him to practice law or to hold himself out as a lawyer while his license was suspended.

8. Respondent continued to practice and was represented on the firm's website as a lawyer licensed to practice in Minnesota until on or about January 27, 2005. Corrective action with regard to the website was taken only after the Director contacted management at respondent's firm pursuant to Rule 20, RLPR.

9. The Director sent numerous letters to respondent. Respondent either failed to cooperate or cooperated in a limited manner with the Director's many requests for information. It was only after the firm's management became involved that respondent began to fully cooperate with the Director.

10. Respondent's conduct violated Rule 5.5, Minnesota Rules of Professional Conduct (MRPC), and Rules 9 and 12, Rules of the Minnesota State Board of Continuing Legal Education.

11. Respondent's failure to cooperate violated Rule 8.1(a)(3), MRPC, and Rule 25, RLPR.

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.

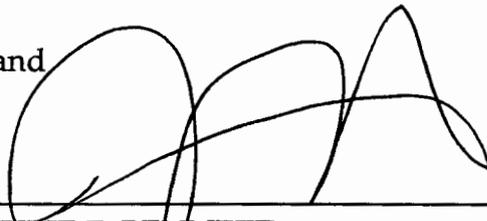
Dated: July 27, 2005.



KENNETH L. JORGENSEN
DIRECTOR OF THE OFFICE OF LAWYERS
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and



JULIE E. BENNETT
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