

FILE NO. _____

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary
Action against AMANDA LYN RUFFING,
f/k/a AMANDA LYN KOBLE,
a Minnesota Attorney,
Registration No. 0386825.

**PETITION FOR
DISCIPLINARY ACTION**

TO THE SUPREME COURT OF THE STATE OF MINNESOTA:

At the direction of a Lawyers Professional Responsibility Board Panel, the Director of the Office of Lawyers Professional Responsibility, hereinafter Director, files this petition.

The above-named attorney, hereinafter respondent, was admitted to practice law in Minnesota on October 27, 2006. Respondent currently practices law in Elk River, Minnesota.

Respondent has committed the following unprofessional conduct warranting public discipline:

FIRST COUNT

Unauthorized Practice of Law Matter

1. In March 2014, L.Z. hired respondent to represent him in a child custody matter.
2. On April 8, 2014, the Minnesota Supreme Court issued an order suspending respondent's license to practice law. The terms of that order made the suspension effective as of April 18, 2014.

3. Respondent drafted a summons and petition for custody on behalf of L.Z. Although respondent asserts that she signed the summons and petition on April 17, 2014, her signature on the summons and petition is dated April 23, 2014.

4. On April 24, 2014, respondent arranged for service of the summons and petition for custody on the mother of L.Z.'s child, E.V. That same day she drafted and had executed an affidavit of service.

5. Respondent did not file with the court the summons and petition she had caused to be served on E.V. or advise L.Z. as to the need to file the summons and petition that had been served on Vought.

6. Some time prior to May 17, 2014, respondent re-drafted the summons and petition for custody to reflect that L.Z. was bringing the action *pro se*.

7. On May 17, 2014, respondent forwarded the revised summons and petition to L.Z. by email utilizing the email address: ruffinglaw@gmail.com. The email stated, "Attached are the revised pleadings. Please sign both documents in front of a notary. Then make a copy for yourself, mail one to [E.V.] and file the originals along with the affidavit that states she was served (this is being sent to you in the mail) at the Wright County Courthouse." Significantly, respondent did not tell L.Z. that her license to practice law was suspended.

8. Although respondent was aware as of at least April 8, 2014, that her license to practice law was going to be suspended, she never clearly told L.Z. that she would be unable to continue to represent him.

9. Respondent's arranging for service of the summons and petition, her drafting of a revised summons and petition on behalf of L.Z., and her advice to L.Z. as to the signing and filing of the revised summons and petition, all while her license to practice law was suspended, constitutes the unauthorized practice of law.

10. On May 29, 2014, L.Z. and E.V. appeared in court for an Initial Case Management Conference (ICMC) that had been scheduled by the court upon the filing

of E.V.'s answer to the summons and petition. Respondent did not appear. Because the summons and petition that had been drafted and served by respondent had never been filed with the court, the court took no action other than placing the matter on inactive status until the petition was filed.

11. On June 25, 2014, L.Z. filed with the court the summons and petition that respondent had drafted reflecting his appearance *pro se* together with the affidavit of service that respondent had provided to him. That affidavit of service reflected service of the summons and petition originally drafted and signed by respondent (as set forth in paragraph 3 above), not the *pro se* summons and petition that was actually filed with the court.

12. Despite having appeared on behalf of L.Z. by serving pleadings she signed on the opposing party, respondent never filed a notice of withdrawal with respect to her representation as required by Rule 105, General Rules of Practice for the District Courts.

13. Respondent's conduct in practicing law while her license to practice was suspended violated Rule 5.5(a), Minnesota Rules of Professional Conduct (MRPC).

14. Respondent's conduct in failing to file or arrange for the filing of the summons and petition she had drafted and had executed on behalf of L.Z., thereby resulting in the rescheduling of the ICMC after L.Z. and E.V. had already appeared, violated Rule 8.4(d), MRPC.

15. Respondent's conduct in failing to inform L.Z. that her license to practice law was going to be suspended and that she would not be able to continue to represent him violated Rule 1.4(a)(3) and (b), MRPC.

16. Respondent's conduct in failing to file a notice of withdrawal in the L.Z. matter pursuant to Rule 105, General Rules of Practice for the District Courts, violated Rules 1.16(c) and 3.4(c), MRPC.

SECOND COUNT

Failure to Provide Notice of Suspension and False Statement to Director

17. As noted above, respondent's license to practice law was suspended by Supreme Court order dated and filed on April 8, 2014.

18. The April 8 order provided, in part, that, "Respondent shall comply with Rule 26, Rules on Lawyers Professional Responsibility (RLPR) (requiring notice of suspension to clients, opposing counsel, and tribunals)."

19. On April 25, 2014, the Director received an affidavit from respondent with respect to her obligations under Rule 26, RLPR. In that affidavit, respondent falsely stated, "I do not currently have any clients so no notice is required." In fact, as noted above, at the time of her suspension respondent represented L.Z.

20. Respondent failed to provide the required Rule 26, RLPR, notice of her suspension to L.Z.

21. Respondent's failure to provide notice of her suspension to L.Z. as required by Rule 26, RLPR, violated Rule 3.4(c), MRPC, and Rule 26, RLPR.

22. Respondent's conduct in making a false statement to the Director in her Rule 26, RLPR, affidavit, violated Rules 8.1(a) and 8.4(c), MRPC.

DISCIPLINARY HISTORY

23. On March 13, 2013, respondent's license to practice law was suspended for 30 days for improperly attempting to withdraw from representation of a client and misappropriating fees belonging to her law firm, in violation of Rules 1.16(d) and 8.4(a), (c), and (d), MRPC.

24. On June 19, 2013, respondent was issued an admonition for failing to notify a client of her March 13, 2013, suspension, in violation of Rules 3.4(c) and 8.4(d), MRPC, and Rule 26, RLPR.

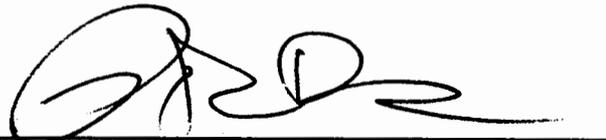
25. On February 25, 2014, respondent was issued an admonition for failing to notify a client of her impending suspension from the practice of law in violation of Rules 1.4(a)(3) and (b) and 1.16(d), MRPC.

26. On April 8, 2014, respondent's license to practice law was indefinitely suspended, effective April 18, 2014, for failure to take and successfully pass the professional responsibility portion of the state bar examination as required by the May 1, 2013, order reinstating her to the practice of law after her March 2013 suspension.

27. On September 17, 2014, respondent, having provided proof of the successful completion of the professional responsibility portion of the state bar examination, was reinstated to the practice of law.

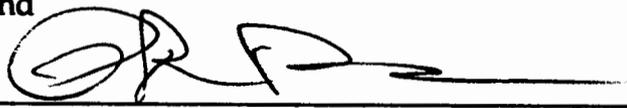
WHEREFORE, the Director respectfully prays for an order of this Court imposing appropriate discipline, awarding costs and disbursements pursuant to the Rules on Lawyers Professional Responsibility, and for such other, further or different relief as may be just and proper.

Dated: July 22, 2015.



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