

FILE NO. A11-2265

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against DOUGLAS A. RUHLAND,
a Minnesota Attorney,
Registration No. 94328.

**STIPULATION
FOR DISCIPLINE**

WHEREAS, a hearing on the Director's November 30, 2011, Petition for Disciplinary Action was held before Supreme Court Referee William A. Johnson on April 19, 2012, in St. Paul, Minnesota,

WHEREAS, Referee Johnson filed with this Court the Findings of Fact, Conclusions of Law, and Recommendation for Discipline dated May 14, 2012,

WHEREAS, neither the Director nor the respondent has ordered a transcript of the hearing,

WHEREAS, the Director and respondent agree that the Referee's recommendation for discipline is appropriate,

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

1. The Director and respondent hereby waive briefing and oral argument to the Supreme Court.
2. The Director and respondent hereby stipulate that the Referee's findings of fact and conclusions of law are conclusive.
3. Respondent understands that based upon this stipulation, this Court may impose any of the sanctions set forth in Rule 15(a)(1) - (9), Rules on Lawyers Professional Responsibility (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.

4. The Director and respondent join in recommending that:
 - a. The appropriate discipline is a 30-day suspension pursuant to Rule 15, RLPR, effective 14 days from the date of the Court's suspension order.
 - b. Respondent comply with Rule 26, RLPR;
 - c. Respondent pay costs, disbursements and interest pursuant to Rule 24, RLPR;
 - d. Respondent be required to successfully complete the professional responsibility portion of the state bar examination within one year of the date of this Court's order;
 - e. The reinstatement hearing provided for in Rule 18(a) through (d), RLPR, be waived;
 - f. Respondent be reinstated following the expiration of the suspension provided that at least 15 days before the expiration of the suspension period, respondent files an affidavit with the Clerk of Appellate Courts and the Director's Office establishing that respondent is current with Continuing Legal Education, has fully complied with Rules 24 and 26, RLPR, and has satisfactorily completed all other conditions imposed by the Court in its decision; and
 - g. Upon reinstatement, respondent be placed on supervised probation for a period of two years upon the following terms and conditions:
 - i. 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 provide to the Director a current mailing address and shall immediately notify the Director of any change of address. 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 authorization for release of information and documentation to verify compliance with the terms of this probation.

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

iii. Respondent shall be supervised by a licensed Minnesota attorney, appointed by the Director to monitor compliance with the terms of this probation. Respondent shall provide to the Director the names of four attorneys who have agreed to be nominated as respondent's supervisor within two weeks from the date of the Court's order. If, after diligent effort, respondent is unable to locate a 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 iv. below. Respondent shall make active client files available to the Director upon request.

iv. Respondent shall cooperate fully with the supervisor in his/her 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.

v. 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.

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

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

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

7. Respondent has been advised of the right to be represented herein by an attorney but has freely chosen to appear *pro se*.

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

Dated: May 17, 2012.



MARTIN A. COLE
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Dated: May 17, 2012.



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Dated: MAY 21, 2012.



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