FILE NO. A14-2111

STATE OF MINNESOTA

IN SUPREME COURT

In Re Petition for Disciplinary Action
against DeANNA JEANNE SCHLEUSNER,
a Minnesota Attorney,
Registration No. 0265597.

STIPULATION FOR DISCIPLINE

THIS STIPULATION is entered into by and between Martin A. Cole, Director of the Office of Lawyers Professional Responsibility, hereinafter Director, and DeAnna Jeanne Schleusner, 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 withdraws the answer and amended answer filed herein and unconditionally admits the allegations of the petition.

5. 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.

6. The Director and respondent join in recommending[1] 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. The reinstatement hearing provided for in Rule 18(a) through (d), RLPR, be waived;

c. 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;

d. Respondent comply with Rule 26, RLPR;

e. Respondent pay $900 in costs pursuant to Rule 24(a), RLPR;

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 shall be placed on supervised probation for a period of two years on the following terms and conditions:

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[1] The attached memorandum explains the basis for the parties' recommendation.

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, 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. 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. Additionally, respondent shall provide the necessary authorizations to allow the Director to verify respondent's compliance with treatment.

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

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

9. 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: August 3, 2015.

MARTIN A. COLE
DIRECTOR OF THE OFFICE OF LAWYERS
PROFESSIONAL RESPONSIBILITY
Attorney No. 0148416
1500 Landmark Towers
345 St. Peter Street
St. Paul, MN 55102-1218
(651) 296-3952

Dated: August 3, 2015.

SIAMA Y. CHAUDHARY
SENIOR ASSISTANT DIRECTOR
Attorney No. 0350291

Dated: _____, 2015.

_____

DeANNA JEANNE SCHLEUSNER
RESPONDENT
Attorney No. 0265597

Dated: _____, 2015.

_____

EDWARD F. KAUTZER
ATTORNEY FOR RESPONDENT
Attorney No. 0054112
Suite 313, Spruce Tree Centre
1600 University Avenue West
St. Paul, MN 55104
(651) 645-9359

MEMORANDUM

Respondent's misconduct could warrant greater discipline than that recommended herein; however, respondent has asserted—as mitigation—that she was suffering from depression during the time that the misconduct occurred. Respondent was, indeed, diagnosed with depression in November 2012. It is unclear whether respondent would be able to meet all of the factors enunciated by this Court in *In re Weyrich*, 339 N.W.2d 274, 279 (Minn. 1983); however, the Director notes that in some cases incomplete *Weyrich* factors have been accepted as mitigation of passive misconduct. *See In re Glasser*, 831 N.W.2d 644, 649 (Minn. 2013); *In re Fairbairn*, 802 N.W.2d 734, 744-45 (Minn. 2011).

The Director further notes that, after the filing of the petition for disciplinary action, respondent retained counsel and has been cooperative through counsel. Additionally, respondent refunded $800 to Mary and Bruce Voskuil and returned their file.

Based upon these factors, the parties submit that a 30-day suspension followed by two years of supervised probation is appropriate.

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

Dated: _____, 2015.

MARTIN A. COLE
DIRECTOR OF THE OFFICE OF LAWYERS
PROFESSIONAL RESPONSIBILITY
Attorney No. 0148416
1500 Landmark Towers
345 St. Peter Street
St. Paul, MN 55102-1218
(651) 296-3952

Dated: _____, 2015.

SIAMA Y. CHAUDHARY
SENIOR ASSISTANT DIRECTOR
Attorney No. 0350291

Dated: 8/3, 2015.

DeANNA JEANNE SCHLEUSNER
RESPONDENT
Attorney No. 0265597

Dated: 7/14, 2015.

EDWARD F. KAUTZER
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