

STATE OF MINNESOTA

IN SUPREME COURT

C8-97-1955

In Re Petition for Reinstatement to the Practice
of Law of Michael A. Pinotti, Petitioner.

RECEIVED

AUG 04 1999

LAWYERS PROF. RESP. OFFICE

OFFICE OF
APPELLATE COURTS

AUG 03 1999

FILED

ORDER

WHEREAS, on October 22, 1998, this court indefinitely suspended petitioner Michael A. Pinotti from the practice of law for a minimum of 90 days in *In re Disciplinary Action against Pinotti*, 585 N.W.2d 55 (Minn. 1998);

WHEREAS, this court also ordered that petitioner would be subject to a one-year period of supervised probation upon reinstatement;

WHEREAS, petitioner has filed with this court a petition requesting reinstatement and stating he has fulfilled the terms of the disciplinary order with respect to reinstatement;

WHEREAS, the Lawyers Professional Responsibility Board Panel, after conducting a hearing on the matter, has concluded that petitioner has satisfied the conditions required for reinstatement and recommends that petitioner be reinstated to the practice of law and placed on supervised probation for one year subject to the following terms and conditions:

1. Until further order, petitioner shall not engage in litigation of any matters except routine debt collection and personal injury without associating with counsel experienced in the area of the proposed litigation and obtaining that attorney's signature on all pleadings and briefs; and

2. For one year after the date of this court's reinstatement order, petitioner shall be on supervised probation and shall not accept clients until a consent to supervise has been signed by a supervisor approved by the Director's office.

WHEREAS, the Director concurs with the Panel's recommendation for reinstatement and recommends the following terms and conditions of probation:

1. Petitioner 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. Petitioner 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, petitioner shall provide authorization for release of information and documentation to verify compliance with the terms of this probation.

2. Petitioner shall abide by the Minnesota Rules of Professional Conduct.

3. Petitioner shall provide the Director's office with a written description of his office procedures. Those procedures shall ensure that there are prompt responses to correspondence, telephone calls and other important communications from clients, courts, and other persons interested in matters that petitioner is handling, and which will ensure that petitioner regularly reviews each and every file and completes legal matters on a timely basis.

4. Petitioner shall not accept clients until a licensed Minnesota attorney, approved by the Director, has been appointed to monitor petitioner's office practices.

5. Petitioner shall cooperate fully with the supervisor in his/her efforts to monitor compliance with this probation. Petitioner shall contact the supervisor and schedule a minimum of one in-person meeting per calendar quarter. Petitioner shall discuss with his supervisor proposed litigation and proposed motions in connection with that litigation. Petitioner 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, the associating attorney, most recent activity, next anticipated action, and anticipated closing date. Petitioner's supervisor shall file written reports with the Director at least quarterly, or at such more frequent intervals as may be reasonably requested by the Director.

IT IS HEREBY ORDERED that petitioner is reinstated to the practice of law in the State of Minnesota, effective immediately, and is placed on supervised probation for one year

subject to the above-described terms and conditions recommended by the Panel and the Director's office.

Dated: August 3, 1999

BY THE COURT:



Alan C. Page
Associate Justice

ANDERSON, Russell A., J., took no part in the consideration or decision of this case.