

**MICHAEL J. MCDONAGH**  
(Resignation in Lieu of Discipline)

On October 31, 2012, the Idaho Supreme Court entered an Order accepting the resignation in lieu of discipline of Boise attorney, Michael J. McDonagh. The Idaho Supreme Court's Order followed a stipulated resolution of a disciplinary proceeding that resulted from two grievances.

The first grievance, filed by the Idaho State Bar, related to Mr. McDonagh's criminal charges in Ada County. On May 16, 2011, Mr. McDonagh issued a \$10,000 paycheck to himself from his former employer and deposited the funds into his checking account. On February 15, 2012, he pleaded guilty to forgery. On June 20, 2012, the district court withheld judgment and placed Mr. McDonagh on a five-year probation. He has paid full restitution to the victims in that case. Mr. McDonagh admitted that his conduct in that matter violated I.R.P.C. 8.4(b) and (c) and I.B.C.R. 505(b).

The second grievance was filed by Mr. McDonagh's former client, H.C. In December 2009, H.C. retained Mr. McDonagh to collect funds owed by a third party for construction work. Mr. McDonagh sent a demand letter but did not complete any further work. Between April 2010 and June 2011, he failed to provide correct information to H.C. about the status of his case. After H.C. terminated the representation, Mr. McDonagh failed to return any portion of the \$2,500 retainer fee. Mr. McDonagh admitted that his conduct in that matter violated I.R.P.C. 1.2(a), 1.3, 1.4, 1.16(d) and 8.4(c).

The Idaho Supreme Court accepted Mr. McDonagh's resignation effective October 31, 2012. By the terms of the Order, Mr. McDonagh may not make application for admission to the Idaho State Bar sooner than five years from the date of his resignation. If he does make such application for admission, he will be required to comply with all bar admission requirements found in Section II of the Idaho Bar Commission Rules and shall have the burden of overcoming the rebuttable presumption of "unfitness to practice law."

By the terms of the Idaho Supreme Court's Order, Mr. McDonagh's name was stricken from the records of the Idaho Supreme Court and his right to practice law before the courts in the State of Idaho was terminated on October 31, 2012.

Inquiries about this matter may be directed to: Bar Counsel, Idaho State Bar, P.O. Box 895, Boise, Idaho 83701, (208) 334-4500.