

**DARREN S. ROBINS**  
(Suspension/Withheld Suspension/Probation)

On July 27, 2011, the Idaho Supreme Court issued a Disciplinary Order suspending Darren S. Robins from the practice of law in Idaho. The Idaho Supreme Court's Order followed a Professional Conduct Board recommendation after a disciplinary hearing.

On April 30, 2010, the Idaho State Bar filed a formal charge Complaint against Mr. Robins. The Complaint alleged two violations of Idaho Rules of Professional Conduct 1.3 [Lack of Diligence], 1.4 [Communication], 3.2 [Expediting litigation], 3.4(c) [Fairness to opposing party and counsel] and 8.4(d) [Conduct prejudicial to the administration of justice]. The Complaint alleged one violation of Idaho Rules of Professional Conduct 1.2 [Scope of representation], 1.16(d) [Failure to return unearned fees], and 8.4(b) [Failure to respond to Bar Counsel in connection with a disciplinary matter] and Idaho Bar Commission Rule 505(e) [Failure to cooperate with or respond to a request from Bar Counsel]. On May 24, 2010, Mr. Robins filed his Answer to the Complaint admitting some of the material allegations of the Complaint, admitting the allegations that he violated I.R.P.C. 8.1(b) and I.B.C.R. 505(e) and denying the remaining alleged violations of the Idaho Rules of Professional Conduct.

The disciplinary hearing was scheduled on April 12, 2011. On April 11, 2011, Mr. Robins filed a Motion to Continue. At the hearing, the Idaho State Bar objected to the Motion to Continue and the Hearing Committee denied the motion. Mr. Robins did not appear at the hearing and the Idaho State Bar presented its witnesses and exhibits.

The allegations and the hearing primarily related to two client matters in the Seventh Judicial District and the following facts and circumstances. In one matter, Mr. Robins entered an appearance on behalf of a client charged with felony domestic battery and assault. Mr. Robins failed to appear on his client's behalf at the status conference and preliminary hearing. The same client also hired Mr. Robins for a civil child custody case and paid him \$1,500 for representation in the criminal case and the civil child custody case. In the civil child custody case, Mr. Robins never did what he told the client he was going to do. The client and his ex-wife resolved the custody matter by themselves. Mr. Robins never provided his client with an invoice or statement reflecting services rendered in either case and did not refund the money to his client, despite a request for a refund from the client's mother.

In the second client matter, a client retained Mr. Robins and paid a \$500 retainer fee for representation in a criminal felony case. Mr. Robins failed to attend the scheduled pre-trial conference. Thereafter, the court issued a show cause order requiring Mr. Robins to appear and show cause why he should not be held in contempt. Mr. Robins appeared at the show cause hearing and the court agreed to reserve sanctions if Mr. Robins contacted Bar Counsel regarding his personal circumstances. Mr. Robins did contact Bar Counsel. In that case, Mr. Robins failed to communicate with his client about plea agreements, did not file pleadings and his client testified that he received no value from Mr. Robins' representation.

Mr. Robins admitted that he failed to respond to Bar Counsel about those clients' grievances.

The Hearing Committee and the Idaho Supreme Court found that Mr. Robins violated all of the Idaho Rules of Professional Conduct set forth above. The Idaho Supreme Court ordered that Mr. Robins be suspended from the practice of law in Idaho for four years, and two years of the suspension is withheld. The period of withheld suspension shall not commence until Mr. Robins requests, and is granted, permission to transfer his inactive license to active status. The Court ordered that before being reinstated, Mr. Robins shall comply with I.B.C.R. 516 and 517 and shall reimburse the Idaho State Bar for all costs and expenses associated with the disciplinary proceeding. In addition, before being eligible to be reinstated to the active practice of law in Idaho, Mr. Robins must first receive approval to transfer his license from inactive status to active status under the applicable Idaho Bar Commission Rules. The Court also ordered that before being eligible to be reinstated, Mr. Robins must pay his two clients \$1,300 and \$500 plus interest.

The Idaho Supreme Court's Order also provided that Mr. Robins shall serve a four-year period of probation following reinstatement. The conditions of probation include that Mr. Robins will serve the withheld two-year suspension if he admits or is found to have violated any of the Idaho Rules of Professional Conduct for which a public sanction is imposed for any conduct from the date of his suspension through the period of probation. During his probation, Mr. Robins shall avoid any alcohol or drug-related criminal acts or alcohol or drug-related traffic violations; at his own expense, enroll in a program of random urinalysis testing for alcohol, including EtG testing and any other panel of tests the testing entity believes is appropriate; remain under his physician's care and comply with any treatment regimen prescribed by his physician; practice under a supervising attorney; provide monthly reports to Bar Counsel attesting that his representation of his clients is consistent with his responsibilities under the Idaho Rules of Professional Conduct; and maintain errors and omissions legal malpractice insurance.

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