

BRIAN L. BOYLE
(Resignation in Lieu of Disciplinary Proceedings)

On December 4, 2017, the Idaho Supreme Court entered an Order accepting the resignation in lieu of disciplinary proceedings of Meridian attorney Brian L. Boyle, effective retroactively to January 1, 2015, the date Mr. Boyle was first eligible to petition for reinstatement from a prior suspension. The Idaho Supreme Court's Order followed a stipulated resolution of a disciplinary proceeding that related to the following conduct.

Mr. Boyle represented a client seeking compensation for his interests in an LLC. During negotiations for that compensation, the client divorced. Mr. Boyle did not represent the client in the divorce case. The respective Decree of Divorce provided that the client's ex-wife, R.G., would receive one-half of the client's interests in the LLC. The LLC subsequently agreed to pay monthly installments for the client's interests in the LLC, provided that the installment payments would be sent to Mr. Boyle and then forwarded to the client and R.G. Thereafter, Mr. Boyle failed to promptly notify R.G. about his receipt of funds from the LLC and failed to promptly disburse funds to R.G. that she was entitled to receive. Mr. Boyle ultimately forwarded all of the LLC payments to his client and R.G. as agreed. In the disciplinary case, Mr. Boyle admitted that his conduct violated I.R.P.C. 1.15(d) [Failure to promptly notify third party of receipt of funds and failure to promptly deliver funds to third party] and I.R.P.C. 1.15(e) [Failure to distribute undisputed funds to third party].

The Idaho Supreme Court accepted Mr. Boyle's resignation in lieu of disciplinary proceedings effective January 1, 2015, the date Mr. Boyle was first eligible for reinstatement to

active status based on a prior suspension. Mr. Boyle did not seek reinstatement and was suspended at the time of the Court's Order. The Order provided that Mr. Boyle may not make application for admission to the Idaho State Bar sooner than five (5) years from the date of his resignation and that if he does apply for admission, he will be required to comply with all bar admission requirements in Section II of the Idaho Bar Commission Rules and will have the burden of overcoming the rebuttable presumption of the "unfitness to practice law." By the terms of the Idaho Supreme Court's Order, Mr. Boyle's name was stricken from the records of the Idaho Supreme Court and his right to practice law before the courts in Idaho was terminated as of January 1, 2015.

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