

JOHN T. BUJAK
(Resignation in Lieu of Discipline)

On September 17, 2015, the Idaho Supreme Court entered an Order accepting the resignation in lieu of discipline of Eagle attorney, John T. Bujak. The Idaho Supreme Court's Order followed a stipulated resolution of a disciplinary proceeding that related to the following conduct.

During his tenure as the Canyon County Prosecutor in 2009-2010, by agreement of Canyon County and Nampa, funds for prosecutorial services for Nampa were received and deposited in Mr. Bujak's trust account, with an expected reimbursement from the trust account to Canyon County at the end of each fiscal year. Mr. Bujak removed funds from his trust account for personal use. At the conclusion of fiscal year 2010, there were insufficient trust account funds to reimburse Canyon County for expenses related to the Nampa prosecutorial services. Mr. Bujak admitted that these circumstances violated I.R.P.C. 1.4(b) [Communication with Client], 1.7(a)(2) [Conflict of Interest: Current Clients], and 1.15(a), (b), (c) and (e) (effective 2009-2010) [Safekeeping Property].

In addition, during the criminal prosecution of Respondent on a felony charge of preparing false evidence and a computer crime, Respondent admitted one count of contempt for willfully failing to disclose expert materials pursuant to I.C.R. 16 by the deadline ordered by the court. Mr. Bujak admitted that these circumstances violated I.R.P.C. 3.3(a) [Candor Toward the Tribunal], 3.4(c) (d) [Fairness to Opposing Party and Counsel], and 8.4(d) [Engaging in conduct prejudicial to the administration of justice].

The Idaho Supreme Court accepted Mr. Bujak's resignation in lieu of discipline. By the terms of the Order, Mr. Bujak may not make application for admission to the Idaho State Bar sooner than 4 years, 4 months and 11 days from the date of his resignation, reflecting previously ordered credit related to his voluntary interim suspension. If he does make such application for admission, he will be required to comply with all bar admission requirements in Section II of the Idaho Bar Commission Rules and shall have the burden of overcoming the rebuttal presumption of the "unfitness to practice law".

By the terms of the Idaho Supreme Court's Order, Mr. Bujak'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 on September 17, 2015.

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