

JAMES M. VAVREK
(Suspension)

On June 25, 2024, the Idaho Supreme Court entered a Disciplinary Order suspending Boise attorney James M. Vavrek from the practice of law for a period of three (3) years, with all but 90 days of that suspension withheld. The suspension is effective May 15, 2024.

The Idaho Supreme Court found that Mr. Vavrek violated I.R.P.C. 1.2(a) [Failure to abide by client objectives]; I.R.P.C. 1.3 [Failure to act with reasonable diligence and promptness]; I.R.P.C. 1.4 [Failure to reasonably communicate with client about the status of a matter]; I.R.P.C. 3.1 [Bringing a proceeding without a basis in law and fact that is not frivolous]; I.R.P.C. 3.3(a)(1) [Making a false statement of fact to a tribunal]; I.R.P.C. 8.4(c) [Engaging in conduct involving a misrepresentation]; and I.R.P.C. 8.4(d) [Engaging in conduct prejudicial to the administration of justice]. The Idaho Supreme Court's Disciplinary Order followed a stipulated resolution of an Idaho State Bar disciplinary proceeding in which Mr. Vavrek admitted that he violated those Rules.

The formal charge case related to Mr. Vavrek's representation of A.H. in a divorce and custody case. A.H. was a military member stationed overseas whose minor child and estranged wife did not reside in Idaho. Although Idaho lacked jurisdiction, Mr. Vavrek filed A.H.'s Petition for Divorce in Idaho falsely stating that the parties were Idaho residents. Thereafter, Mr. Vavrek failed to reasonably communicate with A.H. and provided erroneous information to A.H. about the status of the case. Mr. Vavrek also failed to dismiss A.H.'s case despite multiple requests from opposing counsel, who had contacted Mr. Vavrek to explain the lack of jurisdiction. The magistrate court ultimately granted the opposing party's motion to dismiss A.H.'s case based on the lack of jurisdiction.

The Disciplinary Order provided that upon reinstatement after the 90-day period of imposed suspension, Mr. Vavrek will serve a two-year period of probation with terms and conditions that include a supervising attorney and the immediate imposition of the withheld period of suspension if Mr. Vavrek violates the terms of his probation or admits or is found to have violated any Idaho Rules of Professional Conduct for which a public sanction is imposed for conduct that occurred during the probationary period.

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