

DANIEL W. MCKAY
(Public Reprimand)

The Professional Conduct Board has issued a Public Reprimand to Daniel W. McKay following a stipulated resolution of an Idaho State Bar (“ISB”) reciprocal disciplinary proceeding. On December 19, 2025, the Ethics and Discipline Committee of the Utah Supreme Court entered an Order of Discipline: Public Reprimand against Mr. McKay for violating Utah Rules of Professional Conduct 1.3, 1.4(a), 1.4(b) and 3.4(d). Those Utah Rules of Professional Conduct correspond to the same Idaho Rules of Professional Conduct. The Order relates to the following facts and circumstances.

Mr. McKay represented a client in a lawsuit in which the court granted a statement of discovery issues ordering his clients to supplement their discovery responses and pay attorney’s fees to the opposing parties. The court also warned Mr. McKay’s clients that, if they did not supplement their discovery responses by the court-imposed deadline, it would “strongly consider” entering a default judgment against them. On the day after the deadline, Mr. McKay filed a certificate of service indicating that he had served supplemental responses. However, Mr. McKay did not serve written supplemental responses and instead served a stack of documents with his client’s hand-written notes interspersed throughout. The opposing parties then filed a second statement of discovery issues, contending that the supplemental responses were inadequate and that Mr. McKay’s clients had not paid the attorney’s fee award. Although Mr. McKay and his clients dispute whether the clients told Mr. McKay he did not need to respond to the statement of discovery issues, Mr. McKay did not file a response. The court then entered a default judgment in favor of the opposing parties, dismissed Mr. McKay’s clients’ counterclaims, and ordered the clients to pay additional attorney’s fees.

The Public Reprimand does not limit Mr. McKay’s eligibility to practice law.

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