

GABRIEL JUSTIN McCARTHY
(Public Reprimand)

On November 3, 2020, a Hearing Committee of the Professional Conduct Board issued a Public Reprimand to Boise lawyer Gabriel Justin McCarthy.

After a private reprimand was issued to Mr. McCarthy, his client appealed to the Idaho Supreme Court and requested a harsher sanction. On October 1, 2020 an Idaho Supreme Court Order remanded this disciplinary proceeding to the Hearing Committee and directed it to impose the sanction of public reprimand to Mr. McCarthy for violating Idaho Rules of Professional Conduct (“IRPC”) 1.3 [Diligence] and 1.4 [Communication]. The Hearing Committee then issued an Order imposing this Public Reprimand.

The disciplinary matter related to Mr. McCarthy’s representation of a client during the direct appeal of his client’s federal criminal conviction for 17 counts of wire fraud in 2013

The Hearing Committee and the Idaho Supreme Court found that Mr. McCarthy did not provide his client with the opportunity to review the initial brief before it was filed. The Hearing Committee and the Idaho Supreme Court also found that Mr. McCarthy failed to advise his client that the time for filing an optional reply brief had passed without either filing a reply brief or obtaining a further extension, and that Mr. McCarthy did not reasonably consult with or inform his client that Mr. McCarthy had let the time for filing the optional reply brief pass, but rather continued to communicate with his client about working on the reply brief.

This public reprimand does not limit Mr. McCarthy’s eligibility to practice law.

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