

**DALE L. RUSSELL**  
(Suspension)

On March 30, 2015, the Idaho Supreme Court issued a Disciplinary Order suspending attorney Dale L. Russell for three (3) years. The Idaho Supreme Court's Order followed a stipulated resolution of an Idaho State Bar reciprocal disciplinary proceeding.

Mr. Russell was admitted to practice law in Washington and Idaho. On October 28, 2014, the Supreme Court of Washington entered an Order approving a stipulation to a three (3) year suspension. The Washington suspension was effective November 4, 2014. In the Washington disciplinary case, Mr. Russell stipulated to violations of the Washington Rules of Professional Conduct (RPC). Mr. Russell admitted to two violations of RPC 1.1, five violations of RPC 8.4 (d) and one violation of RPC 1.2(a), 1.4 and 1.7. Those Washington rules correspond to the same Idaho Rules of Professional Conduct.

The Washington disciplinary case related to Mr. Russell's engagement to handle a probate and to set up a special needs trust. The personal representative of the estate lived in Wisconsin. Mr. Russell filed an appointment of a resident agent, which contained an inaccurate statement concerning his wife's eligibility to act as the resident agent in the case. He also directed the personal representative to delegate her rights and responsibilities as personal representative to Mr. Russell's wife, made his wife the sole trustee of the special needs trust and failed to advise the personal representative that the appointment of Mr. Russell's wife, as trustee, was contrary to the terms of the will and the duties of a personal representative. Mr. Russell also represented to a counseling center and its lawyers that his wife was the legitimate trustee of the special needs trust.

Mr. Russell also represented an incompetent person in a guardianship proceeding without the required prior court appointment. Mr. Russell also attempted to obtain the signature of the personal representative on an affidavit purporting to show she had declined to serve as trustee of the special needs trust, when she had not. Finally, Mr. Russell represented multiple clients with concurrent conflicts of interest.

The Stipulation provided for and the Idaho Supreme Court ordered that Mr. Russell's suspension in Idaho would be retroactive to November 4, 2014 and will last until November 4, 2017, and that as a condition of reinstatement to the active practice of law in Idaho, he agreed he will not prepare on behalf of a client any instrument or pleading naming himself or his spouse as personal representative, trustee, guardian, or agent of a personal representative, trustee or guardian, unless Mr. Russell is related to the client as defined by I.R.P.C. 1.8(c).

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