

**JOLENE C. MALONEY**  
(Withheld Suspension and Probation)

On May 8, 2014, the Idaho Supreme Court issued a Disciplinary Order suspending Boise attorney Jolene C. Maloney from the practice of law for a period of one year with the entire one year withheld and placing her on a disciplinary probation.

The Idaho Supreme Court found that Ms. Maloney violated Idaho Rule of Professional Conduct 8.4(b) [“Commission of a criminal act that reflects adversely on a lawyer’s honesty, trustworthiness, or fitness as a lawyer in other respects”]. The Idaho Supreme Court’s Disciplinary Order followed a stipulated resolution of an Idaho State Bar disciplinary proceeding and related to the following circumstances.

In October 2012, Ms. Maloney was charged with misdemeanor driving under the influence (DUI). Ms. Maloney pled guilty to that charge and was sentenced in December 2012. In May 2013, Ms. Maloney was charged in Ada County with misdemeanor charges of DUI (excessive) and driving without privileges. In June 2013, Ms. Maloney pled guilty to the misdemeanor DUI (excessive) charge and the driving without privileges charge was dismissed. Ms. Maloney was sentenced and ordered to serve a two-year supervised probation with treatment as ordered by her probation officer. Ms. Maloney’s guilty plea to the misdemeanor DUI (excessive) charge resulted in probation violations in previous misdemeanor cases, and she was sentenced to sixty days of work release with house arrest on those charges.

In May 2013, Ms. Maloney obtained the appropriate substance abuse evaluation and began treatment. Since May 2013, Ms. Maloney has been tested for alcohol and controlled substances and has not tested positive.

The Disciplinary Order provides that Ms. Maloney’s one-year suspension is withheld subject to the terms and conditions of her probation, which runs through June 14, 2015. The terms and conditions of probation include: avoidance of any alcohol or drug-related traffic violations; a program of random urinalysis, with provision that if Ms. Maloney tests positive for alcohol or other tested substances or misses a random urinalysis test, without prior approval, the entire withheld suspension shall be immediately imposed and served; and if Ms. Maloney admits or is found to have violated any of the Idaho Rules of Professional Conduct for which a public sanction is imposed for any conduct during her period of probation, regardless whether that admission or determination occurs after the expiration of the probationary period, the entire withheld suspension shall be imposed.

The withheld suspension does not limit Ms. Maloney’s eligibility to practice law.

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