

**BRYAN S. STORER**

(Suspension, Withheld Suspension, Probation)

On June 15, 2017, the Idaho Supreme Court issued a Disciplinary Order suspending Boise attorney Bryan S. Storer for one year, with 6 months withheld, and a one-year probation upon reinstatement. The Idaho Supreme Court's Order followed a Professional Conduct Board recommendation and stipulated resolution of an Idaho State Bar disciplinary proceeding.

The Idaho Supreme Court found that Mr. Storer violated a number of Idaho Rules of Professional Conduct with respect to five different client matters that constituted the five counts in the Amended Complaint. With respect to three client matters, Mr. Storer failed to respond to discovery and motions which resulted in each of those three plaintiff clients' cases eventually being dismissed. Those three clients filed malpractice cases against Mr. Storer and co-counsel, which were each settled with their insurance carrier. The Idaho Supreme Court found that Mr. Storer violated I.R.P.C. 1.2 [Scope of Representation]; 1.3 [Diligence]; 1.4 [Communication]; 1.16(a) [Failure to Withdraw Based on Impairment]; and 5.3 [Responsibilities Regarding Non-lawyer Assistants] with respect to the three counts relating to those three clients and that he violated I.R.P.C. 3.4(d) [Failure to Make a Reasonably Diligent Effort to Comply with Discovery], and 5.1 [Responsibilities of Partners, Managers, and Supervisory Lawyers] with respect to two counts, and I.R.P.C. 3.4(c) [Disobey a Rule of the Tribunal] with respect to one count.

In the other two client matters, the clients experienced irregularities in Mr. Storer's accounting for fees and costs following resolution of their cases. The clients disputed the amount

of fees and costs accounted for by Mr. Storer and claimed additional monies were owed to them. Mr. Storer adjusted the amounts due to these two clients to account for their appropriate shares of their recoveries. The Idaho Supreme Court found that Mr. Storer violated I.R.P.C. 1.3 [Diligence], 1.4 [Communication], and 5.3 [Responsibilities Regarding Non-lawyer Assistants] with respect to the two counts relating to those clients and one violation of I.R.P.C. 1.2 [Scope of Representation] and 1.16(a) [Failure to Withdraw Based on Impairment] with respect to one count. A number of those violations related to circumstances where Mr. Storer's health issues impaired his representation of clients and ability to adequately supervise his office and personnel from late 2006 to early 2009.

The Disciplinary Order provided that 6 months of the one-year suspension will be withheld and that Mr. Storer will serve a one-year probation, subject to the conditions of probation specified in the Order. Those conditions include that Mr. Storer will serve 6 months of suspension if he 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 Mr. Storer's period of probation. In addition, if Mr. Storer admits or is found to have violated any of the Idaho Rules of Professional Conduct for which a private sanction is imposed for any conduct during his period of probation, he will serve 60 days of suspension for the first such private sanction, and 120 days for any subsequent one.

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