

STATE OF MINNESOTA

IN SUPREME COURT

A13-1429

In re Petition for Disciplinary Action against
Robert D. Miller, a Minnesota Attorney,
Registration No. 20626X.

O R D E R

The Director of the Office of Lawyers Professional Responsibility has filed a petition for disciplinary action alleging that respondent Robert D. Miller committed professional misconduct warranting public discipline, namely, illegally possessing a controlled substance and appearing in court while under the influence of alcohol, in violation of Minn. R. Prof. Conduct 8.4(b) and (d). Respondent pleaded guilty to one count of fifth-degree possession of a controlled-substance, and the district court stayed adjudication of his guilt and placed respondent on probation.

Respondent waives his rights under Rule 14, Rules on Lawyers Professional Responsibility (RLPR), admits the allegations in the petition, and has entered into a stipulation with the Director in which they jointly recommend that the appropriate discipline is a public reprimand and a period of probation until April 15, 2016, coextensive with respondent's criminal probation, during which time respondent will be supervised by the Director's Office and subject to other conditions.

This court has independently reviewed the file and approves the jointly recommended disposition.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED that:

1. Respondent Robert D. Miller is publicly reprimanded;
2. Respondent shall pay \$900 in costs pursuant to Rule 24, RLPR;
3. Respondent shall be subject to probation until April 15, 2016, subject to the

following conditions:

(a) Respondent shall cooperate fully with the Director's Office in its efforts to monitor compliance with his probation and promptly respond to the Director's correspondence by the due date. Respondent shall provide the Director with a current mailing address and shall immediately notify the Director of any change of address. Respondent shall cooperate with the Director's investigation of any allegations of unprofessional conduct that may come to the Director's attention. Upon the Director's request, respondent shall provide authorization for release of information and documentation to verify compliance with the terms of this probation;

(b) Respondent shall abide by the Minnesota Rules of Professional Conduct;

(c) Respondent shall maintain total abstinence from all alcohol and controlled substances, except that respondent may use prescription drugs in accordance with the directions of a prescribing physician or nurse practitioner who is fully advised of respondent's chemical dependency before issuing the prescription;

(d) Respondent shall complete the chemical dependency assessment required as a condition of his criminal probation and participate in and complete all therapy, aftercare, or other programs recommended or prescribed as a result of the evaluation;

