

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF A	§	
MEMBER OF THE BAR OF	§	No. 57,2020
THE SUPREME COURT OF	§	
DELAWARE:	§	
	§	
DONALD C. VAVALA, III,	§	Board Case No. 114670-R
	§	
Petitioner.	§	

Submitted: February 17, 2020

Decided: February 24, 2020

Before **SEITZ**, Chief Justice; **TRAYNOR** and **MONTGOMERY-REEVES**, Justices.

**ORDER**

It appears to the Court that:

(1) On March 14, 2019, this Court suspended the petitioner, Donald C. Vavala, III, from the practice of law in Delaware for fifteen months, retroactive to May 3, 2018.<sup>1</sup> Vavala was eligible to petition for reinstatement as of August 3, 2019. Vavala filed his petition for reinstatement on October 16, 2019. The Office of Disciplinary Counsel supported Vavala's petition subject to the proposed conditions in the petition.

(2) The Board on Professional Responsibility held a hearing on Vavala's petition and filed its Report and Recommendation with this Court on

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<sup>1</sup> *In re Vavala*, 2019 WL 1220931 (Del. Mar. 14, 2019).

February 11, 2020. The Board recommends that Vavala be reinstated subject to the proposed conditions in his petition for reinstatement. The Office of Disciplinary Counsel and Vavala have informed the Court that they will not be filing any objections to the Report and Recommendation.

(3) The Court has reviewed the Report and Recommendation carefully. The Court has determined that the Board's Report and Recommendation should be adopted in its entirety.

NOW, THEREFORE, IT IS ORDERED that the Board's Report and Recommendation (which is attached as Exhibit A) is ACCEPTED. Donald C. Vavala, III, Esquire, shall be reinstated, effective immediately, as a member of the Bar of this Court, subject to the following conditions:

- (a) He shall successfully complete his current DE-LAP Monitoring Agreement which expires in April 2020. He will continue to be subject to mandatory drug and alcohol testing at the direction of the Executive Director of DE-LAP for an additional two-year period following the completion of his current DE-LAP Monitoring Agreement, with the frequency of such testing at the discretion of DE-LAP. The Executive Director of DE-LAP shall have the discretion to report any noncompliance with that agreement to the ODC;

- (b) He shall remain in active treatment with a licensed mental health or substance abuse treatment provider or providers and will comply with all treatment recommendations of those providers for at least one year following his reinstatement from suspension; and
- (c) He shall remain active with DE-LAP for an additional period of two years following the April 2020 expiration of his current DE-LAP Monitoring Agreement and shall follow the recommendation of DE-LAP as to the scope and frequency of that continued involvement.

BY THE COURT:

/s/ Tamika R. Montgomery-Reeves  
Justice