

IN THE SUPREME COURT OF THE STATE OF KANSAS

No. 112,923

In the Matter of JAMES E. RUMSEY,  
*Respondent.*

ORDER

On February 27, 2015, this court issued its opinion in the instant case. In the opinion, the court imposed a 3-year suspension, stayed the imposition of that discipline, and placed the respondent, James E. Rumsey, on probation for a 3-year period. This court stated:

"Detailing a probation plan in this opinion is hampered by the lack of compliance with Rule 211(g), however. We, therefore, order respondent to submit a plan of probation to the Disciplinary Administrator within 14 days of the filing of this decision. The plan must include, at a minimum, mental health therapy, some level of practice supervision, and a requirement to immediately self report any violation of the KRPC. If the parties cannot agree on a probation plan within 30 days of the filing of this decision, both parties must submit a proposal to the court. If the parties agree, they may jointly submit a proposed order of probation or simply indicate their agreement with the other party's proposal."

On March 13, 2015, the parties submitted a joint supervised probation plan. The court has considered and adopts the supervised probation plan. Therefore, the court incorporates the supervised probation plan into this order by reference.

IT IS THEREFORE ORDERED that James E. Rumsey be placed on probation for a 3-year period, subject to the terms and conditions detailed in the supervised probation plan.

IT IS FURTHER ORDERED that this order shall be published in the Kansas Reports and that the costs herein shall be assessed to the respondent.

Dated this 31 day of March, 2015.

A handwritten signature in cursive script, appearing to read "L. R. Nuss", written above a horizontal line.

LAWTON R. NUSS  
Chief Justice

**IN THE SUPREME COURT OF KANSAS  
BEFORE THE KANSAS BOARD FOR THE DISCIPLINE OF ATTORNEYS**

No. 112,923

In the Matter of James E. Rumsey,  
Respondent

**SUPERVISED PROBATION PLAN**

James E. Rumsey, the respondent, Supreme Court No. 07535, is an attorney licensed in Kansas who has been the subject of an original proceeding in discipline.

Pursuant to an Opinion dated February 27, 2015, the Kansas Supreme Court directed that the respondent's license to practice law in Kansas be suspended for a period of 3 years. The Court further directed that the 3-year suspension be stayed for a 3-year period of supervised probation. The 3-year period of supervised probation will commence from the date a probation order is entered by the Supreme Court of Kansas.

Attorney Jeffrey Southard has agreed to serve as the practice supervisor on behalf of the respondent, the Disciplinary Administrator's Office and the Court. The supervisor will monitor the respondent's compliance with the terms of probation as set forth by the Court until the respondent is successfully discharged. The plan of probation is as follows.

**SUPERVISION PLAN**

- I. Notary Issues
  - A. Respondent became a notary public as of July 14, 2014, and his term expires on July 14, 2018. Thus, if the current secretary is unavailable to witness a client's signature, Respondent can do so.

- B. Any future employees doing notarization will be supervised.
- C. There is a new office policy in effect that no notarizations are done unless in the presence of the notary, under oath and with proper identification.
- D. A copy of identification will be kept in the clients' file.

## II. Health Issues

- A. Respondent will undergo a mental health evaluation and therapy by Dr. Christy Blanchard, PhD., Lawrence, Kansas, and will follow all treatment recommendations as determined by Dr. Blanchard. Respondent will not terminate treatment unless Dr. Blanchard discharges him from further treatment. The initial evaluation will be done within 60 days of approval of this plan.
- B. Respondent shall continue to do relaxation exercises previously recommended by Dr. Laue as necessary.
- C. Respondent shall continue following exercise, medication and diet regime for his Type 2 diabetes as determined by his physician.

## III. Supervising Professionals and General Provisions

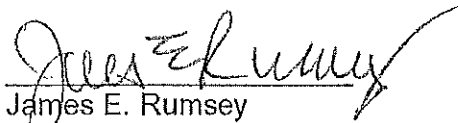
Jeffrey Southard, an attorney practicing in Kansas is appointed supervisor of Respondent's probation and understands the following to be the terms and conditions:

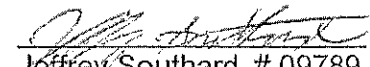
- A. Respondent will attend all appropriate meetings, as designated by Dr. Blanchard or the supervising attorney.
- B. The Respondent shall allow the supervising attorney access to client files, calendar, operating and trust account records.

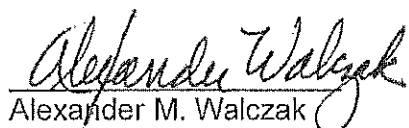
- C. The Respondent shall comply with any requests made by Dr. Blanchard and the supervising attorney.
- D. The Respondent shall have contact with the supervising attorney as directed by the supervising attorney and shall personally meet with the supervising attorney not less than one time quarterly.
- E. The respondent shall provide the supervising attorney and the Disciplinary Administrator with authorizations for the release of information from any mental health provider, treatment provider or other professional providing counselling services to the respondent in accordance with the Supreme Court's order of Probation.
- F. The supervising attorney shall prepare a detailed quarterly report to the Disciplinary Administrator regarding respondent's status on probation.
- G. Respondent shall provide the supervising attorney and the Disciplinary Administrator access to all records relating to treatment or counselling sessions. Respondent will execute appropriate releases authorizing Dr. Blanchard to release information to the Disciplinary Administrator and for the Disciplinary Administrator to contact Dr. Blanchard for information.
- H. Respondent shall inform the supervising attorney of any change in treatment plan, provider recommendations or other modification of counselling sessions. Respondent will advise the supervising attorney and the Disciplinary Administrator if he fails to comply with any recommended treatment. In the event the Respondent violates any of the terms of probation or any provision of the rules of professional conduct at any time during the probation period,

the supervising attorney or Dr. Blanchard shall immediately report the violation to the Disciplinary Administrator.

- I. The supervisor will be acting as an officer and agent of the Court while supervising the probation and monitoring the legal practice of the Respondent. The supervisor shall be afforded the immunities granted in Supreme Court Rule 223 during the course of his activities pursuant to this agreement.

  
James E. Rumsey  
Respondent

  
Jeffrey Southard, # 09789  
724 Indiana Street  
Lawrence, KS 66044  
785-842-2478

  
Alexander M. Walczak  
Deputy Disciplinary Administrator