

Supreme Court of Kentucky

2015-SC-000133-KB

TO BE PUBLISHED

FINAL

DATE 5-27-15 E.M.A. Gowan, D.C.
MOVANT

MARY LOU CHANDLER

V.

IN SUPREME COURT

KENTUCKY BAR ASSOCIATION

RESPONDENT

OPINION AND ORDER

Movant, Mary Lou Chandler, KBA No. 11465,¹ petitions this Court to resign under the terms of permanent disbarment. The Kentucky Bar Association (KBA) has no objection to Chandler’s motion. Movant was temporarily suspended pursuant to SCR 3.166(1)² on December 20, 2014, and remains suspended at this time.

¹ Movant was admitted to the practice of law in Kentucky on May 1, 1978, and her bar roster address is P.O. Box 1053, Paintsville, Kentucky, 41240.

² SCR 3.166(1) provides that: “Any member of the Kentucky Bar Association who pleads guilty to a felony, including a no contest plea or a plea in which the member allows conviction but does not admit the commission of a crime, or is convicted by a judge or jury of a felony, in this State or in any other jurisdiction, shall be automatically suspended from the practice of law in this Commonwealth. “Felony” means an offense for which a sentence to a term of imprisonment of at least one year is authorized by law. The imposition of probation, parole, diversion or any other type of discharge prior to the service of sentence, if one is imposed, shall not affect the automatic suspension. The suspension shall take effect automatically beginning on the day following the plea of guilty or finding of guilt by a judge or jury or upon the entry of judgment whichever occurs first. The suspension under this rule shall remain in effect until dissolved or superseded by order of the Court. Within 30 days of the plea of guilty, or the finding of guilt by a judge or jury, or entry of judgment, whichever occurs first, the suspended attorney may file a motion with the Clerk of the Supreme Court of Kentucky setting forth any grounds which the attorney believes justify dissolution or modification of the suspension.”

I. BACKGROUND

Movant entered a guilty plea in the Johnson County Circuit Court in the matter of *Commonwealth v. Mary Lou Chandler*, Case No. 14-CR-00152 to one count of Complicity to Trafficking in a Controlled Substance, a Class D Felony. Movant was sentenced to two years in prison, to be probated for five years. Under the terms of Movant's plea agreement, she must give up her membership with the Kentucky Bar Association and agree to no longer practice law in the Commonwealth of Kentucky. At present, although the KBA is investigating, the Inquiry Commission has not yet returned formal disciplinary charges. Movant requests that these proceedings be terminated and that she be allowed to resign under terms of permanent disbarment pursuant to SCR 3.480(3).

Movant acknowledges that the foregoing facts would support disciplinary charges for violations of SCR 3.130-8.4(b) (commission of a criminal act reflecting adversely on a lawyer's honesty, trustworthiness or fitness as a lawyer in other respects). Therefore, she requests that the Court grant her leave to resign from the KBA under terms of permanent disbarment pursuant to SCR 3.480(3).³ We agree that Movant's motion to withdraw her membership is appropriate pursuant to SCR 3.480(3).

³SCR 3.480(3) provides in pertinent part:

Any member who has been engaged in unethical or unprofessional conduct and desires to withdraw his membership under terms of permanent disbarment shall file a verified motion with the Court stating as follows:

- (a) He/she has violated the Rules of Professional Conduct, or his/her conduct fails to comply with those rules, the specifics of which shall be detailed in the motion.
- (b) He/she will not seek reinstatement and understands the provisions of SCR 3.510 and SCR 3.520 do not apply.
- (c) He/she will not practice law in the Commonwealth of Kentucky subsequent to the permanent disbarment order.

Therefore, it is hereby **ORDERED** that:

1) Movant, Mary Lou Chandler, is permanently disbarred from the practice of law;

2) Pursuant to SCR 3.390, Movant shall, within ten days from the entry of this Opinion and Order, if she has not already done so, notify all clients, in writing, of her inability to represent them; notify, in writing, all courts in which she has matters pending of her disbarment from the practice of law; and furnish copies of all letters of notice to the Office of Bar Counsel;

3) If she has not already done so, to the extent possible, Movant shall immediately cancel and cease any advertising activities in which she is engaged; and

4) In accordance with SCR 3.450, Movant shall pay all costs associated with these proceedings, said sum being \$25.00, for which execution may issue from this Court upon finality of this Opinion and Order.

All sitting. All concur.

ENTERED: May 14, 2015.


CHIEF JUSTICE