

IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 17-0269

FILED
Case Number: PR 17-0269

MAY 23 2017

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANAIN THE MATTER OF MICHELE LYNN
BRAUKMANN,

An Attorney at Law,

Respondent.

ORDER

The Office of Disciplinary Counsel (ODC) has asked this Court to determine, pursuant to Rule 23B of the Montana Rules for Lawyer Disciplinary Enforcement (MRLDE), whether Montana attorney Michele Lynn Braukmann should be immediately suspended from the practice of law based on her recent convictions of two criminal offenses. Attached to ODC's petition is a copy of a May 1, 2017 judgment of the Thirteenth Judicial District Court sentencing Braukmann on her pleas of guilty to the offenses of felony child endangerment, in violation of § 45-5-628(1)(e), MCA, and aggravated driving while under the influence, in violation of § 61-8-465(1)(a), MCA.

Rule 23B calls for a lawyer's "immediate suspension" from the practice of law pending formal complaint proceedings if this Court determines that she "was found guilty of a criminal offense that affects the lawyer's ability to practice law." The Court's practice has been to invoke interim suspension under Rule 23 when, as here, a lawyer has been convicted of a felony offense. The Court having reviewed this matter, we conclude that Braukmann's convictions on their face, particularly the felony conviction, affect her ability to practice law. Braukmann retains the right under Rule 23 to seek an order to set aside or modify her interim suspension, if she shows good cause for a finding that the interests of justice support her request.

Therefore, pursuant to Rule 23B, MRLDE,

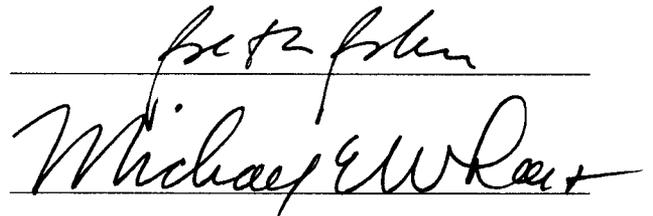
IT IS ORDERED that Michele Lynn Braukmann is placed on interim suspension from the practice of law in Montana, effective immediately and pending final disposition of a disciplinary proceeding predicated upon her May 1 convictions. ODC is directed to promptly prepare and file a formal complaint with the Commission on Practice based upon those convictions.

The Clerk of this Court is directed to serve a copy of this Order upon Michele Braukmann and to provide copies to Disciplinary Counsel; the Office Administrator for the Commission on Practice; the Clerks of all the District Courts of the State of Montana; each District Court Judge in the state of Montana; the Clerk of the United States District Court for the District of Montana; the Clerk of the Circuit Court of Appeals of the Ninth Circuit; and the Executive Director of the State Bar of Montana.

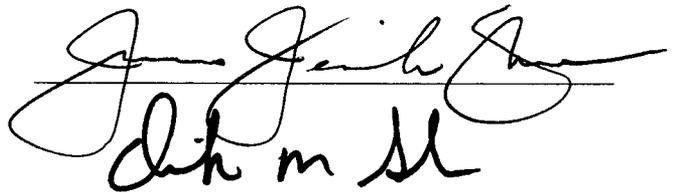
DATED this 23rd day of May, 2017.



Chief Justice



Michael E. Wheeler



John F. Smith



Robert A. Brown



Jan Rice
Justices