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In the Supreme Court of the State of Alaska

In the Disciplinary Matter Involving)

VIKRAM CHAOBAL, Attorney.)

) Supreme Court No. S-18128

) ABA File Nos. 2017D182/2017D196/

) 2018D008/2018D217/2018D078/

) 2018D109/2018D116/2018D117/

) 2018D216/2018D231/2019D056

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Order

Order No. 115 – November 12, 2021

Before: Winfree, Chief Justice, Maassen, Carney, Borghesan, and
Henderson, Justices.
Winfree, Chief Justice, dissenting.

Bar Counsel for the Alaska Bar Association and attorney Vikram Chaobal entered into a stipulation for discipline by consent that would result in his suspension from the practice of law for 30 months, with two years and a day to be served and the remainder of the 30-month suspension stayed. The Bar Association's Disciplinary Board approved the stipulation and now recommends that we do so as well, suspending Chaobal according to the stipulation's terms. The facts of Chaobal's misconduct are set

out in the stipulation attached as an appendix.¹ We take the stipulated facts as true and apply our independent judgment to the sanction's appropriateness.²

Based on the stipulated facts we agree with the stipulation's conclusion about the appropriate sanction. Accordingly:

Vikram Chaobal is **SUSPENDED** from the practice of law in Alaska for a period of 30 months, with two years and a day to be served and the remainder of the 30-month suspension stayed. The suspension is effective 30 days from the date of this order as provided by Alaska Bar Rule 28(c). Reinstatement proceedings following the served portion of the 30-month suspension shall be conducted as set out in Alaska Bar Rule 29(c)(1)-(4). Chaobal shall also comply with the following conditions:

(a) Chaobal shall fulfill the requirements of Alaska Bar Rule 28 when commencing the period of suspension.

(b) Prior to seeking reinstatement Chaobal shall make full restitution of any amounts owed to the Lawyers' Fund for Client Protection, the Alaska Bar Association, and all clients for any fee arbitration awards that remain unpaid or that are ordered to be paid.

(c) Prior to seeking reinstatement Chaobal shall certify to Bar Counsel that he has earned at least nine credit hours of continuing legal education in the areas of ethics, law office management, and management of law office accounts.

¹ The stipulation has been edited to delete identifying references to others, for clarification, and to conform to supreme court technical requirements.

² *In re Brown*, 392 P.3d 474, 474 (Alaska 2017); *cf. In re Miles*, 339 P.3d 1009, 1018 (Alaska 2014) (stating that we independently review entire disciplinary proceeding record while affording great weight to Disciplinary Board's findings of fact).

(d) Chaobal shall meet with the Lawyers' Assistance Committee (LAC) no more than 60 days before filing a petition for reinstatement and provide to Bar Counsel an LAC report approving his plan to seek reinstatement.

(e) During the stayed portion of the 30-month suspension, Chaobal, at his expense, shall perform legal work only under the supervision of an attorney. The supervising attorney must be an attorney on active status with the Alaska Bar Association and be mutually acceptable to Bar Counsel and Chaobal. At least monthly the supervising attorney shall meet with Chaobal to discuss matters such as case management, compliance with court deadlines, and communications with clients. The supervising attorney shall report telephonically to Bar Counsel monthly.

(f) During the period of supervision, if Chaobal commits a violation of Alaska Rules of Professional Conduct 1.3 or 1.4, and if the Disciplinary Board or the Supreme Court imposes discipline for the new misconduct, the period of stayed suspension in this case shall be imposed in addition to any discipline ordered for the new misconduct.

(g) Pursuant to the schedule provided in Alaska Bar Rule 16(c)(3), Chaobal shall pay \$1,000 in costs and attorney's fees to the Alaska Bar Association within 60 days of entry of this order.

Entered by direction of the court.

Clerk of the Appellate Courts

/s/

Meredith Montgomery

WINFREE, Chief Justice, dissenting.

I believe the recommended discipline is insufficient based on the stipulated facts and discipline analysis and therefore dissent from this order.

cc: Supreme Court Justices
Clerks of Court

Distribution:

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