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## **In the Supreme Court of the State of Alaska**

|                                             |   |                                     |
|---------------------------------------------|---|-------------------------------------|
| <b>In the Disciplinary Matter Involving</b> | ) |                                     |
|                                             | ) | Supreme Court No. S-16946           |
| <b>ERIN R. GONZALEZ-POWELL,</b>             | ) | ABA File Nos. 2016D107, 2016D143,   |
| <b>Attorney.</b>                            | ) | 2016D156, 2017D008/009/010,         |
|                                             | ) | 2017D079, 2017D191, 2017D192        |
|                                             | ) | <b>Order</b>                        |
|                                             | ) |                                     |
|                                             | ) | <b>Order No. 111 – June 5, 2020</b> |
|                                             | ) |                                     |

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Before: Bolger, Chief Justice, Winfree, Stowers, Maassen, and Carney,  
Justices.

On June 3, 2019, the Area Hearing Committee (AHC) issued a report to the Alaska Bar Association Disciplinary Board with Findings of Fact, Conclusions of Law, and Recommendations in the disciplinary matter of attorney Erin R. Gonzalez-Powell; the Area Hearing Committee recommended disbaring Gonzalez-Powell.

The Disciplinary Board agreed with the AHC and adopted the AHC's findings, conclusions, and recommendations.

The facts of Gonzalez-Powell's misconduct are set forth in the AHC's Report to Board with Findings of Fact, Conclusions of Law, and Recommendations, which is attached as an appendix.<sup>1</sup> We take these facts as true,<sup>2</sup> and we apply our

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<sup>1</sup> The report has been edited to delete identifying references to others, for clarification, and to conform to supreme court technical requirements.

<sup>2</sup> Cf. *In re Miles*, 339 P.3d 1009, 1018 (Alaska 2014) (stating we independently review entire disciplinary proceeding record while affording great weight  
(continued...))

independent judgment to the sanction's appropriateness.<sup>3</sup>

We agree with the legal analysis as set out in the AHC's thorough report and find the recommended sanctions appropriate for Gonzalez-Powell's misconduct.

**IT IS ORDERED:**

1. The Disciplinary Board's findings, conclusions, and recommendations for discipline are **APPROVED**.

2. Effective the date of this order, Erin R. Gonzalez-Powell is **DISBARRED** from the practice of law.

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

4. If Gonzalez-Powell seeks reinstatement under Alaska Bar Rule 29, she must prove that she has met the following terms and conditions:

a. Establish that she has made full restitution of any amounts owed to the Alaska Bar Association, the Lawyers' Fund for Client Protection, and to all clients for any fee arbitration awards. No claims have been filed at this time.

b. Provide with her application to reinstatement an expert opinion of a psychiatrist or psychologist that she has no mental condition or illness that currently interferes with her practice of law, and that she has addressed the childhood and/or adult trauma, personality or emotional issues, that caused her to commit the misconduct in 2016-2017.

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<sup>2</sup> (...continued)  
to Disciplinary Board's findings of fact).

<sup>3</sup> *Id.*

c. Submit a clean urinalysis test not more than 30 days before her petition, and agree for one year after reinstatement to provide quarterly tests that disclose no drug or alcohol impairment.<sup>4</sup>

d. Accept being supervised and mentored by a currently licensed Alaska attorney located in her city of residence, who is mutually acceptable to Respondent and Bar Counsel. The period of supervision will be determined by the Disciplinary Board upon reinstatement. The Disciplinary Board recommends that the supervision be mandatory for two years, with monthly in-person meetings.

e. Submit a comprehensive plan acceptable to Bar Counsel showing how Respondent will manage her accounting with written financial procedures for handling client funds. If reinstated, she must retain an accountant or bookkeeper acceptable to Bar Counsel to oversee her financial and trust accounting practices for not less than two years after reinstatement. Respondent shall voluntarily submit reports to Bar Counsel establishing that her accounts and finances are being competently handled, every six months during the two-year period.

f. Certify that she has earned nine credit hours of Continuing Legal Education in the areas of legal ethics, law office management, and management of law office accounts.

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<sup>4</sup> The Disciplinary Board did not determine that Respondent is impaired by substance abuse. Respondent denies drug misuse. At the same time, Respondent affirmatively stated she has no objection to drug-testing conditions. The Disciplinary Board found that Respondent has been repeatedly accused of drug-related impairment, and that her conduct and presentation would readily lead to a conclusion of impairment. Passing a drug test as a condition of reinstatement will help Respondent establish that she presents no harm to the public.

Entered by direction of the court.

Clerk of the Appellate Courts

/s/ M. Montgomery

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Meredith Montgomery

cc: Supreme Court Justices  
Publishers

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