

SCOTT D. GALLINA
(Resignation in Lieu of Disciplinary Proceedings)

On June 28, 2022, the Idaho Supreme Court entered an Order accepting the resignation in lieu of disciplinary proceedings of Asotin County, Washington attorney and former judge, Scott D. Gallina. Mr. Gallina was admitted to the Idaho State Bar in September 1990 and the Washington State Bar Association (“WSBA”) in June 1991. The Idaho Supreme Court’s Order followed a stipulated resolution of a disciplinary proceeding that related to the following conduct.

On April 10, 2019, when Mr. Gallina was a judge in Asotin County, he was arrested by the Washington State Patrol at the Asotin County Courthouse on suspicion of second-degree rape, second-degree assault, and indecent liberties, involving two female court employees, J.G. and T.T. On April 4, 2022, Mr. Gallina’s criminal trial was set to begin when he entered into a plea agreement with the Attorney General of Washington (“AG”). On that date, the AG filed a Sixth Amended Information charging Mr. Gallina with one count of Assault in the Third Degree with Sexual Motivation with respect to J.G., a felony, and one count of Assault in the Fourth Degree with Sexual Motivation with respect to T.T., a gross misdemeanor. Mr. Gallina pled guilty to these charges and will be sentenced to a minimum prison term of 13 months and a maximum of 27 months.

With respect to the felony count of Assault in the Third Degree with Sexual Motivation, the Sixth Amended Information alleged, and Mr. Gallina admitted, that from May 18, 2017 through April 9, 2019, he unlawfully and intentionally assaulted J.G. while she was engaged in her official duties as a court-related employee and that one of the purposes for which Mr. Gallina committed the crime was for his sexual gratification. With respect to the gross misdemeanor count of Assault in the Fourth Degree with Sexual Motivation, the Sixth Amended Information alleged, and Mr. Gallina admitted, that from January 18, 2018 to September 13, 2018, he unlawfully and intentionally assaulted T.T. with sexual motivation. Mr. Gallina’s misconduct ranged from inappropriate sexual comments to unsolicited and non-consensual shoulder rubs.

The Idaho Supreme Court accepted Mr. Gallina’s resignation in lieu of disciplinary proceedings. By the terms of the Order, Mr. Gallina may not make application for admission to the Idaho State Bar sooner than five years from the date of his resignation. If he does make such application for admission, he will be required to comply with all of the bar admission requirements in Section II of the Idaho Bar Commission Rules and shall have the burden of overcoming the rebuttal presumption of the “unfitness to practice law.”

The Order also provides that consistent with I.B.C.R. 512(d), if an appeals court vacates or reverses Mr. Gallina’s conviction, or if a trial court enters an order granting a motion for a new trial, a motion for judgment of acquittal, or a motion to withdraw a plea of guilty, that removes Mr. Gallina’s conviction of the crimes, which are the basis for this sanction, Mr. Gallina may file with the Clerk of the Idaho Supreme Court, a motion for dissolution or amendment of the sanction.

By the terms of the Idaho Supreme Court's Order, Mr. Gallina's name was stricken from the records of the Idaho Supreme Court and his right to practice law before the courts in the State of Idaho was terminated on June 28, 2022.

Inquiries about this matter may be directed to: Bar Counsel, Idaho State Bar, P.O. Box 895, Boise, Idaho 83701, (208) 334-4500.