

MURIEL M. BURKE-LOVE
(Resignation in Lieu of Disciplinary Proceedings)

On July 12, 2024, the Idaho Supreme Court entered an Order accepting the resignation in lieu of disciplinary proceedings of Post Falls attorney Muriel M. Burke-Love. The Idaho Supreme Court's Order followed a stipulated resolution of a disciplinary proceeding that related to the following conduct.

On September 11, 2023, D.G. retained Ms. Burke-Love to assist him with a watercraft insurance claim on an hourly fee basis. On April 8, 2024, Ms. Burke-Love received a \$838,480.67 settlement check for D.G., and deposited that check into her trust account on April 9, 2024. D.G. was entitled to the entirety of the settlement funds and was informed by Ms. Burke-Love's office that the funds would be disbursed to him when the settlement check cleared her bank in approximately 10 days. D.G. did not receive the settlement funds after April 19, 2024, and contacted Ms. Burke-Love, who did not respond. As of that date, Ms. Burke-Love had spent a portion of D.G.'s settlement funds for personal and business expenses. On May 3, 2024, Ms. Burke-Love paid \$500,000 of the settlement funds to D.G. On May 31, 2024, she paid an additional \$80,000 to D.G., leaving a \$258,480.67 balance. Ms. Burke-Love subsequently made payment arrangements with D.G. to pay him the remainder of his settlement funds, plus interest.

With respect to that conduct, Ms. Burke-Love admitted that her conduct violated I.R.P.C. 1.15(a) [Failure to hold client property that is in the lawyer's possession in connection with a representation separate from the lawyer's own property and failure to maintain client funds in a separate account], I.R.P.C. 1.15(d) [Failure to promptly deliver funds to the client that the client is entitled to receive], I.R.P.C. 1.15(e) [Failure to keep client property separate and failure to distribute all portions of the property as to which the interests are not in dispute], I.R.P.C. 1.16(d) [Upon termination of representation, failure to take steps to protect the client's interests, including surrendering property to which the client is entitled], I.R.P.C. 1.4 [Failure to keep the client reasonably informed about the status of a matter and failure to promptly comply with the client's reasonable requests for information], and I.R.P.C. 8.4(c) [Engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation].

The Idaho Supreme Court accepted Ms. Burke-Love's resignation in lieu of disciplinary proceedings. By the terms of the Order, Ms. Burke-Love may not make application for admission to the Idaho State Bar sooner than five (5) years from the date of her resignation. If she does make such application for admission, she will be required to comply with all the bar admission requirements in Section II of the Idaho Bar Commission Rules and shall have the burden of overcoming the rebuttable presumption of the "unfitness to practice law."

By the terms of the Idaho Supreme Court's Order, Ms. Burke-Love's name was stricken from the records of the Idaho Supreme Court and her right to practice law before the courts in the State of Idaho was terminated on July 12, 2024.

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