

STATE OF MINNESOTA
IN SUPREME COURT
A21-0929



In re Petition for Reinstatement of
Randall Fuller, a Minnesota Attorney,
Registration No. 0180762.

O R D E R

In January 2020, we indefinitely suspended petitioner Randall Fuller from the practice of law, with no right to petition for reinstatement for 5 months. *In re Fuller*, 936 N.W.2d 896, 896–97 (Minn. 2020) (order). Petitioner neglected a client matter, resulting in the client’s loss of appeal rights; made knowingly false statements to a tribunal on four separate occasions; made knowingly false statements to his clients and partners regarding the status of the matter; and offered a falsely backdated brief as an exhibit to a tribunal. *Id.* at 896. Petitioner violated Minn. R. Prof. Conduct. 1.3, 3.3(a)(1), 3.3(a)(3), 4.1, 8.4(c), and 8.4(d). *Fuller*, 936 N.W.2d at 896.

Petitioner applied for reinstatement in July 2021. A hearing was held before a panel of the Lawyers Professional Responsibility Board. The panel submitted its findings of fact, conclusions, and recommendation. The panel found that petitioner had proven by clear and convincing evidence that he had undergone the requisite moral change to render him fit to resume the practice of law, that he possessed the intellectual competency to practice law, and that he had otherwise met the conditions of reinstatement set forth in our prior

order. The panel recommended that petitioner be reinstated to the practice of law and placed on probation for 2 years.

Petitioner and the Director of the Office of Lawyers Professional Responsibility waive their procedural rights under Rule 18, Rules on Lawyers Professional Responsibility. They jointly recommend that petitioner be reinstated and placed on probation.

We have independently reviewed the file and approve the recommended disposition.

Based upon all the files, records, and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Petitioner Randall Fuller is reinstated to the practice of law, effective upon payment of the required registration fees to the Minnesota Lawyer Registration Office.

2. Petitioner is placed on probation, which will terminate 2 years after his reinstatement, subject to the following terms and conditions:

(a) Petitioner shall cooperate fully with the Director's Office in its efforts to monitor compliance with this probation. Petitioner shall promptly respond to the Director's correspondence by the due date. Petitioner shall provide to the Director a current mailing address and shall immediately notify the Director of any change of address. Petitioner shall cooperate with the Director's investigation of any allegations of unprofessional conduct that may come to the Director's attention. Upon the Director's request, petitioner shall authorize the release of information and documentation to verify compliance with the terms of this probation.

(b) Petitioner shall abide by the Minnesota Rules of Professional Conduct.

(c) Petitioner shall be supervised by a licensed Minnesota attorney, appointed by the Director to monitor compliance with the terms of this probation. Petitioner shall provide to the Director the names of four attorneys who have agreed to be nominated as petitioner's supervisor within 2 weeks from the date of this Order. If, after diligent effort, petitioner is unable to locate a supervisor acceptable to the Director, the Director will seek to

appoint a supervisor. Until a supervisor has signed a consent to supervise, petitioner shall on the first day of each month provide the Director with an inventory of active client files described in paragraph d. below. Petitioner shall make active client files available to the Director upon request.

(d) Petitioner shall cooperate fully with the supervisor's efforts to monitor compliance with this probation. Petitioner shall contact the supervisor and schedule a minimum of one in-person meeting per calendar quarter. Petitioner shall give the supervisor an inventory of all active client files by the first day of each month during the probation. With respect to each active file, the inventory shall disclose the client name, type of representation, date opened, most recent activity, next anticipated action, court imposed filing deadlines and internal dates to meet those imminent deadlines, and anticipated closing date. Petitioner's supervisor shall file written reports with the Director at least quarterly, or at such more frequent intervals as may reasonably be requested by the Director.

(e) Petitioner shall continue ongoing therapy with the therapist who testified at his reinstatement hearing, or another therapist approved by the Director, and shall complete all therapy programs recommended by the therapist.

(f) Petitioner shall work with his probation supervisor to create plans to grow petitioner's peer and professional support network to ensure that petitioner's return to practice is not impacted by isolation. Petitioner shall also consider and discuss with his probation supervisor a plan for any administrative support, including secretarial, billing, or legal assistant support, that he may need based on how he practices law.

Dated: March 9, 2023

BY THE COURT:



Lorie S. Gildea
Chief Justice