

VERMONT SUPREME COURT
109 State Street
Montpelier VT 05609-0801
802-828-4774
www.vermontjudiciary.org



Case No. 21-AP-230

ENTRY ORDER

NOVEMBER TERM, 2021

In re Paul Kulig (Office of Disciplinary Counsel*)	}	Original Jurisdiction
	}	
	}	Professional Responsibility Board
	}	CASE NO. PRB-066-2020

In the above-entitled cause, the Clerk will enter:

In a September 27, 2021 decision, a Professional Responsibility Board hearing panel determined that respondent violated Vermont Rules of Professional Conduct 1.7(a)(2) and 1.8(c). The panel suspended respondent from practicing law for three months with the suspension to commence fourteen days following the date of its decision, or on October 11, 2021. On October 1, 2021, this Court ordered review of this case on its own motion under Administrative Order 9, Rule 13(E).

Respondent has now filed a motion with this Court asking whether the hearing panel's decision was automatically stayed when the Court ordered review of the matter on its own motion. Alternatively, he asks this Court to stay the PRB's order pending appeal under Vermont Rule of Appellate Procedure. 8.

We clarify that there is no automatic stay in place under the rules. See A.O. 9, Rule 27(F) ("Orders or decisions imposing suspension or disbarment, reprimand, probation, or transfers to disability inactive status are effective immediately, unless otherwise indicated."); see also A.O. 9, Rule 20(A) (recognizing that "[d]isciplinary proceedings are neither civil nor criminal but are sui generis"). Respondent is currently suspended, and he is not entitled to practice law.

With respect to respondent's alternative request, the PRB hearing panel that rendered the decision in this case should consider respondent's request in the first instance. We therefore remand respondent's request for a stay under V.R.A.P. 8 to the panel for its consideration, applying the

traditional stay factors. Disciplinary Counsel may respond to the stay request by filing a response with the hearing panel.

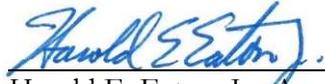
BY THE COURT:



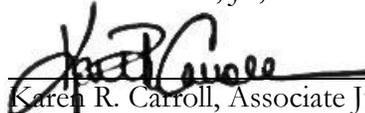
Paul L. Reiber, Chief Justice



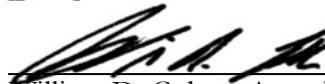
Beth Robinson, Associate Justice



Harold E. Eaton, Jr., Associate Justice



Karen R. Carroll, Associate Justice



William D. Cohen, Associate Justice