

2020 WI 78

SUPREME COURT OF WISCONSIN

CASE No. : 2020AP762-D

COMPLETE TITLE: In the Matter of Disciplinary Proceedings
Against Guy Norman Maras, Attorney at Law:

Office of Lawyer Regulation,
Complainant,
v.
Guy Norman Maras,
Respondent.

DISCIPLINARY PROCEEDINGS AGAINST MARAS

OPINION FILED: September 30, 2020
SUBMITTED ON BRIEFS:
ORAL ARGUMENT:

SOURCE OF APPEAL:
COURT:
COUNTY:
JUDGE:

JUSTICES:
Per Curiam.
NOT PARTICIPATING:

ATTORNEYS:

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NOTICE

This opinion is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

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STATE OF WISCONSIN

:

IN SUPREME COURT

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Against Guy Norman Maras, Attorney at Law:**

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v.

Guy Norman Maras,

Respondent.

FILED**SEP 30, 2020**

Sheila T. Reiff
Clerk of Supreme Court

ATTORNEY disciplinary proceeding. *Attorney's license suspended.*

¶1 PER CURIAM. The Office of Lawyer Regulation (OLR) and Attorney Guy Norman Maras have filed a stipulation pursuant to Supreme Court Rule (SCR) 22.12 that Attorney Maras' license to practice law in Wisconsin should be suspended for a period of six months, as discipline reciprocal to that imposed by the Supreme Court of Illinois. After reviewing the matter, we approve the stipulation and impose the stipulated reciprocal discipline. In addition, as the parties also stipulated, we find it appropriate to order Attorney Maras to comply with the

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terms and conditions of the Illinois disciplinary order. Since this matter was resolved by means of a stipulation, without the need for the appointment of a referee, we impose no costs.

¶2 Attorney Maras was admitted to the practice of law in Wisconsin in 2009. He was admitted to practice law in Illinois in 1995 and practiced in Chicago. Attorney Maras has not been the subject of previous professional discipline in this state.

¶3 On April 8, 2020, the OLR filed a disciplinary complaint alleging that Attorney Maras should be subject to reciprocal discipline due to a suspension imposed by the Supreme Court of Illinois. On June 23, 2020, after the OLR's complaint had been served on Attorney Maras, the OLR and Attorney Maras entered into a stipulation whereby Attorney Maras agreed that the facts alleged in the OLR's complaint supported the imposition of reciprocal discipline.

¶4 According to the stipulation and the Illinois disciplinary records attached to the OLR's complaint, on July 28, 2018, Attorney Maras consumed at least five drinks containing Scotch whisky while socializing with friends in Oconto County, Wisconsin. At approximately 12:00 a.m. on July 29, 2018, Attorney Maras and his friend, J.G., left the cabin where they were staying to purchase cigars at a gas station located approximately seven miles away. Attorney Maras drove to the gas station, and J.G. was his passenger. On the way back to the cabin, at approximately 1:30 a.m., Attorney Maras drove his vehicle at approximately 100 miles per hour. He lost control of the vehicle, drove off the roadway, hit a tree stump, and caused

J.G.'s ejection from the vehicle. J.G. died from blunt force trauma.

¶5 When Oconto County Sheriff's Department deputies arrived at the scene, they smelled alcohol on Attorney Maras' breath and observed that his speech was thick and his eyes were glossy. Attorney Maras admitted consuming four drinks of Scotch approximately two hours before the incident. A witness reported that Attorney Maras made several statements at the scene that he had killed his friend because of his alcoholism. Attorney Maras was advised that he was under arrest for operating a vehicle while intoxicated.

¶6 Attorney Maras sustained injuries in the accident and was transported to a hospital in Green Bay. At the hospital, at approximately 4:30 a.m., his blood was drawn and registered a 0.169 blood alcohol concentration.

¶7 On September 13, 2018, the Oconto County District Attorney's Office filed a three-count criminal complaint against Attorney Maras. The district attorney filed a superseding information on September 24, 2018 charging Attorney Maras with homicide by intoxicated use of a vehicle, homicide by intoxicated use of a vehicle with a prohibited alcohol concentration, and homicide by negligent operation of a vehicle.

¶8 On February 5, 2019, Attorney Maras pled guilty to homicide by intoxicated use of a vehicle, a Class D felony. He was sentenced to three years of incarceration and 10 years of extended supervision, both stayed, ordered to serve one year of jail time on work release, to perform 80 hours of community

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service, and to complete 15 years of probation. He was also fined \$5,000, ordered to pay costs, and ordered not to possess or consume alcohol or illegal drugs. Pursuant to the negotiated plea, the district attorney's office dismissed the other charges.

¶9 On November 25, 2019 the administrator of the Illinois Attorney Registration and Disciplinary Commission (ARDC) and Attorney Maras filed with the Supreme Court of Illinois a petition to impose discipline on consent. The petition noted that Attorney Maras has not been previously disciplined, is remorseful, and has been cooperative in the disciplinary proceedings. The petition further noted that Attorney Maras suffers from an alcohol use disorder, is in sustained remission, and his maladaptive use of alcohol, which led to the accident, was causally related to his misconduct. The petition stated that Attorney Maras has maintained his sobriety since the day of his arrest in July 2018, has a sponsor in the Alcoholics Anonymous program, and is complying with all court ordered conditions of his probation. The administrator requested that the court enter an order suspending Attorney Maras from the practice of law for three years and until further order of the court, with the suspension stayed after six months in favor of a three-year period of probation, with various conditions.

¶10 On January 17, 2020, the Supreme Court of Illinois entered an order, consistent with the parties' petition, imposing discipline on Attorney Maras suspending his Illinois law license for three years and until further order of the

court, with the suspension stayed after six months by a three-year period of probation. The conditions of probation are:

a. Maras shall abstain from the use of alcohol and any unprescribed controlled substances;

b. Maras shall, as required by the Administrator of the ARDC, submit to random substance testing by a qualified mental health professional or facility approved by the Administrator, within eight hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Maras shall pay any and all costs of such testing;

c. Maras shall attend meetings as scheduled by the ARDC probation officer. Maras shall submit quarterly written reports to the ARDC probation officer concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

d. Maras shall comply with any and all treatment and continuing care recommendations of the Illinois Lawyers' Assistance Program (LAP);

e. Maras shall participate in Alcoholics Anonymous and/or LAP by attending at least one meeting a week. Maras is to maintain a log of his attendance at the meetings and submit them to the Administrator with his quarterly reports;

f. Maras shall provide the Administrator and LAP with an appropriate release, authorizing the treating professionals to: (1) disclose to the Administrator information pertaining to the nature of Maras' compliance with any treatment plan established with respect to his conditions; (2) to promptly report to the Administrator Maras' failure to comply with any part of an established treatment plan; and (3) to respond to any inquiries by the Administrator regarding Maras' treatment and compliance with any established treatment plan;

g. Maras shall maintain a sponsor in a 12-step program and shall provide the name, address and telephone

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number of the sponsor to the Administrator within fourteen (14) days of being placed on probation. Maras shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding Maras' participation and progress in the 12-step program and report any lapses in sobriety or usage of unprescribed controlled substances to the Administrator within 72 hours of that usage;

h. Maras shall report to the Administrator any lapse in his sobriety or usage of any unprescribed controlled substances within 72 hours of that usage;

i. Maras shall comply with the provisions of Article VII of the Illinois Supreme Court Rules on Admission and Discipline of Attorneys and the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

j. Maras shall reimburse the ARDC for the costs of its proceeding as defined in Supreme Court Rule 773 and shall reimburse the ARDC for any further costs incurred during the period of probation;

k. At least 30 days prior to the termination of the period of probation, Maras shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct;

l. Maras shall notify the Administrator within seven days of any arrest or charge alleging his violation of any criminal or quasi-criminal statute or ordinance;

m. Maras shall notify the Administrator within 14 days of any change of address; and

n. Probation shall be revoked if Maras is found to have violated any of the terms of probation. The remaining portion of the three year period of suspension shall commence from the date of the determination that any term of probation has been violated and shall continue until further order of the Court.

¶11 Under SCR 22.22(3), this court shall impose the identical discipline imposed in another jurisdiction, unless one

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or more of three exceptions apply. In his stipulation, Attorney Maras states that he does not claim any of the exceptions. He agrees that this court should impose the level of discipline sought by the OLR director, a suspension of Attorney Maras' license to practice law in Wisconsin for six months with an order that he comply with all aspects of the Illinois Supreme Court's probationary terms.

¶12 Attorney Maras further states that the stipulation was not the result of plea-bargaining, that he fully understands the allegations against him, that he fully understands the ramifications should this court impose the stipulated level of discipline, that he fully understands the right to contest the matter, that he understands his right to consult with counsel and represents that he has in fact consulted with counsel, that his entry into the stipulation is made knowingly and voluntarily, that he has read the OLR's complaint and the SCR 22.12 stipulation, and that his entry into the stipulation represents his decision not to contest the allegations regarding reciprocal discipline in the OLR's complaint or the level and type of discipline sought by the OLR's director.

¶13 Having reviewed the matter, we accept the stipulation and impose a six-month suspension of Attorney Maras' license to practice law in Wisconsin, as discipline reciprocal to that imposed by the Supreme Court of Illinois. We further order Attorney Maras to comply with all of the terms and conditions of the Illinois disciplinary order.

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¶14 IT IS ORDERED that the license of Guy Norman Maras to practice law in Wisconsin is suspended for a period of six months, effective November 11, 2020.

¶15 IT IS FURTHER ORDERED that Guy Norman Maras shall comply with all of the terms and conditions set forth in the Supreme Court of Illinois order dated January 17, 2020.

¶16 IT IS FURTHER ORDERED that Guy Norman Maras shall comply with the provisions of SCR 22.26 concerning the duties of a person whose license to practice law in Wisconsin has been suspended.

¶17 IT IS FURTHER ORDERED that compliance with all conditions of this order is required for reinstatement from the disciplinary suspension imposed herein.

