

IN THE SUPREME COURT OF THE STATE OF DELAWARE

IN THE MATTER OF A MEMBER §  
OF THE BAR OF THE SUPREME § No. 339, 2015  
COURT OF THE STATE OF §  
DELAWARE: §  
ERIC C. HOWARD, §  
Petitioner. §

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IN THE MATTER OF A MEMBER §  
OF THE BAR OF THE SUPREME § No. 344, 2015  
COURT OF THE STATE OF §  
DELAWARE: §  
ERIC C. HOWARD, § Board Case Nos. 111681-B  
Respondent. § and 112269-B  
§

Submitted: July 10, 2015

Decided: July 22, 2015

Before **HOLLAND, VALIHURA, and VAUGHN**, Justices.

**ORDER**

This 22<sup>nd</sup> day of July 2015, it appears to the Court that:

(1) The Court has two related matters pending before it. The first is a petition filed by Eric Howard, Esquire requesting the Court to transfer his Bar membership from active status to disability inactive status. He also requests a stay of any pending disciplinary proceedings, except the matter that is currently pending before the Court. According to the petition, Howard currently is suffering mental or physical incapacity which prevents him from both the

practice of law and the ability to assist in his defense of any pending disciplinary matters. The Office of Disciplinary Counsel (“ODC”) does not oppose Howard’s petition.

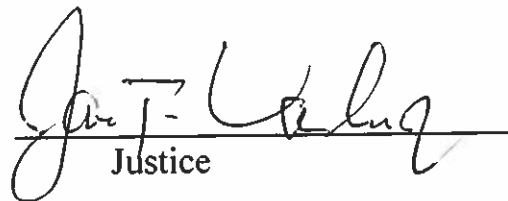
(2) The second matter is a lawyer disciplinary proceeding. On July 2, 2015, the Board on Professional Responsibility filed a report with this Court dated June 26, 2015. The Board’s report recommends, among other things, that Howard be publicly reprimanded and serve an eighteen month period of probation with several conditions, including payment of costs to the ODC. A copy of the Board’s report is attached to this order. Neither the ODC nor Howard has filed any objections to the Board’s report.

(3) The Court has considered these matters carefully. With respect to the disciplinary proceeding, we find the Board’s recommendation of a public reprimand to be appropriate. We, therefore, accept the Board’s findings and recommendation for discipline and incorporate the Board’s findings and recommendation by reference. With the exception of the condition requiring Howard to pay costs to the ODC, we conclude that the eighteen month period of probation with conditions is unnecessary in light of our decision to grant Howard’s petition to transfer to disability inactive status. If and when Howard

petitions the Court to return to active status, the need for probation with conditions can be addressed at that time.

NOW, THEREFORE, IT IS ORDERED that the Board's findings and recommendation of a public reprimand are hereby ACCEPTED. Howard shall pay the costs of that proceeding to the ODC. IT IS FURTHER ORDERED that Howard shall immediately be transferred to disability inactive status under Rule 19(b) of the Rules of Disciplinary Procedure. Any other pending disciplinary matters are stayed. The ODC shall disseminate this Order in accordance with Rule 14 of the Delaware Lawyers' Rules of Disciplinary Procedure.

BY THE COURT:

  
Justice