

FILED

10/01/2025

Bowen Greenwood
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: PR 25-0356

IN THE SUPREME COURT OF THE STATE OF MONTANA

PR 25-0356

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OCT 01 2025

Bowen Greenwood
Clerk of Supreme Court
State of Montana

IN THE MATTER OF:

ORIGINAL

DAVID VICEVICH,

An Attorney at Law,

Respondent.

ORDER
OF
DISCIPLINE

On May 20, 2025, a formal disciplinary complaint was filed against Montana attorney David Vicevich. The disciplinary complaint may be reviewed by any interested person in the office of the Clerk of this Court.

Vicevich subsequently tendered to the Commission on Practice a conditional admission and affidavit of consent, pursuant to Rule 26 of the Montana Rules for Lawyer Disciplinary Enforcement (MRLDE). The Commission held a hearing on the conditional admission and affidavit of consent on July 23, 2025, at which hearing Vicevich appeared on his own behalf. On August 20, 2025, the Commission submitted to this Court its Findings of Fact, Conclusions of Law, and Recommendation for Discipline that Vicevich's conditional admission be accepted.

In his conditional admission, Vicevich has admitted that, in the course of representing himself and some of his neighbors in a lawsuit over a disputed easement, he failed to provide an appropriate fee agreement; failed to keep his clients reasonably informed about the status of the litigation; failed to inform one party about negotiations that would affect that party's right of first refusal on an adjacent lot; failed to timely inform the Plaintiffs of the summary judgment ruling and award of attorney fees against them; failed to explain and obtain an informed waiver of a conflict with one party; and failed to ensure that an associate in his firm was managing the lawsuit in accordance with the Montana Rules of Professional Conduct

(MRPC). Vicevich acknowledges that this conduct violated Rules 1.5, 1.4, 4.3, 1.7, and 5.1, MRPC, respectively.

Vicevich's admission was tendered in exchange for the following discipline: a public censure by this Court; payment of the Plaintiffs' attorneys' fees in an amount to be determined by the Office of Disciplinary Counsel in consultation with Plaintiffs once underlying litigation on the issue is final; and payment of costs.

Upon entering factual findings consistent with Vicevich's Conditional Admission, the Commission concluded that the gravity of the duties violated is significant but that several factors in mitigation favor the requested form of discipline. The Commission recommended that the Conditional Admission be accepted and that this Court order the requested form of discipline. Upon review, we approve the findings, conclusions, and recommendation of the Commission on Practice.

Based upon the foregoing,

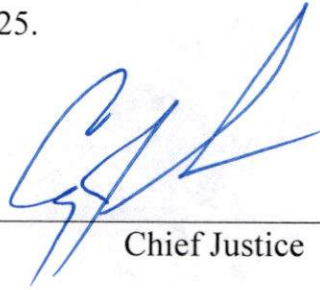
IT IS HEREBY ORDERED:

1. The Commission's Recommendation that we accept Vicevich's Rule 26 tendered admission is ACCEPTED and ADOPTED.
2. David Vicevich shall appear before this Court for a public censure to be administered in our Courtroom, at 1:15 o'clock p.m. on October 21, 2025.
3. Vicevich shall pay the Plaintiffs' attorneys' fees in an amount to be determined by the Office of Disciplinary Counsel in consultation with Plaintiffs once underlying litigation on the issue is final.
4. Vicevich shall pay the costs incurred by the Office of Disciplinary Counsel and the Commission on Practice in connection with this matter, subject to the provisions of Rule 9(C)(4), MRLDE, allowing objections to be filed to the statement of costs.


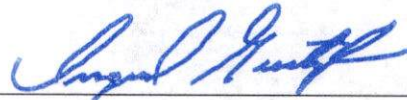
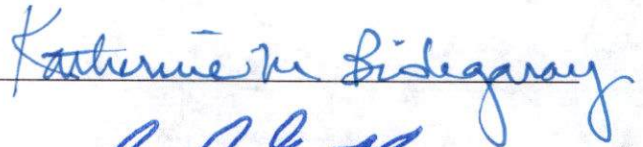
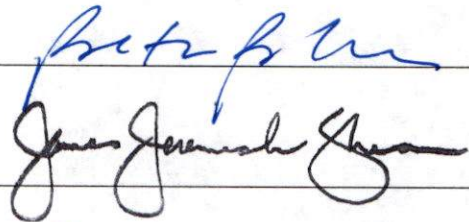
IT IS FURTHER ORDERED that, pursuant to Rule 26(D), MRLDE, the Clerk of this Court is directed to file copies of Mr. Vicevich's Conditional Admission and Affidavit of Consent, together with the Commission's findings, conclusions, and recommendation.

The Clerk of this Court is directed to serve a copy of this Order of Discipline upon David Vicevich and to provide copies to Disciplinary Counsel; Dia Lang, Office Administrator for the Commission on Practice; the Clerks of all the District Courts of the State of Montana; each District Judge in the state of Montana; the Clerk of the United States District Court for the District of Montana; the Clerk of the Circuit Court of Appeals of the Ninth Circuit; and the Executive Director of the State Bar of Montana.

DATED this 30th day of September, 2025.



Chief Justice



Justices