

In re Shadel, 6 ROP Intrm. 141 (1997)
IN THE MATTER OF DAVID F. SHADEL,
Respondent.

DISCIPLINARY PROCEEDING NO. 9-95

Supreme Court, Disciplinary Tribunal
Republic of Palau

Order on objection to attorney's fees
Decided: April 4, 1997

Disciplinary Counsel: Raynold Oilouch

BEFORE: ARTHUR NGIRAKLSONG, Chief Justice; JEFFREY L. BEATTIE, Associate Justice; LARRY W. MILLER, Associate Justice.

PER CURIAM:

Respondent has filed an objection to the statement of attorney's fees submitted by disciplinary counsel. Such objection is based on numerous grounds, one of which is that this Court lacks authority to impose attorneys' fees. Article 10, § 14, of the ROP Constitution provides that "[t]he Supreme Court shall promulgate rules governing the administration of the courts [and] legal . . . profession[] . . ." Pursuant thereto, this Supreme Court has adopted Disciplinary Rule 3, which states, in relevant part, that "[t]he cost of investigating and prosecuting the [disciplinary] action may . . . be assessed against the respondent attorney in cases which do not result in dismissal." We interpret the phrase "cost of investigating and prosecuting" as used in Disciplinary Rule 3 to include disciplinary counsel fees.

¶142 Justice Beattie shall serve as Special Master in a hearing to be held in connection with the amount of legal fees incurred.