

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

C.A. Misc. Nos. 10-8013 & 10-8046

In re: Janice Shelburne Haagensen, Esq.,
an Attorney at law

ORDER

Present: McKee, Chief Judge, Sloviter, Scirica, Rendell, Barry, Ambro, Fuentes, Smith, Fisher, Chagares, Jordan, Hardiman, Greenaway, Jr., Vanaskie, Circuit Judges

This order is issued with respect to the above-captioned attorney discipline proceedings regarding Janice Shelburne Haagensen, Esquire, a member of this Court's bar.

The Supreme Court of Pennsylvania suspended Ms. Haagensen for a period of one year and one day, effective February 17, 2010. This Court's Standing Committee on Attorney Discipline ("the Committee") issued an order granting Ms. Haagensen temporary reinstatement to the bar of this Court, and subsequently issued an order to show cause why this Court should not impose the same discipline as that imposed by the Supreme Court of Pennsylvania. See C.A. Misc. No. 10-8013.

Following the issuance of this Court's show cause order in C.A. Misc. No. 10-8013, Ms. Haagensen continued to represent various parties in this Court, including herself as the appellant in Haagensen v. Supreme Court of Pennsylvania, et al., C.A. No. 09-1957. The merits panel in C.A. No. 09-1957 subsequently decided the case and issued an opinion on August 11, 2010, in which it referred Ms. Haagensen's behavior to the Committee pursuant to Rule 4.2 of the Third Circuit's Rules of Attorney Disciplinary Enforcement ("R.A.D.E.") for consideration of whether the Court should impose disciplinary sanctions against her. See Haagensen v. Supreme Court of Pennsylvania, No. 09-1957, 390 Fed. Appx. 94, 99 (3d Cir. 2010). Based on this referral from the merits panel in C.A. No. 09-1957, a second disciplinary case concerning Ms. Haagensen was opened: C.A. Misc. No. 10-8046.

Ms. Haagensen filed responses in C.A. Misc. Nos. 10-8013 and 10-8046 contesting the imposition of discipline and requesting a hearing before the Committee. On November 18, 2010, a Clerk's order was issued consolidating C.A. Misc. Nos. 10-8013 and 10-8046 for all purposes. Pursuant to R.A.D.E. 10.1, a hearing was held in

C.A. Misc. Nos. 10-8013 and 10-8046 on January 10, 2011 at 3 p.m. Ms. Haagensen represented herself at the hearing, as she has throughout these disciplinary proceedings. On May 16, 2011, the Standing Committee filed a Report and Recommendation setting forth its findings of fact and recommending that the Court impose a reciprocal suspension of one year and one day upon Ms. Haagensen based on the February 17, 2010 order of the Supreme Court of Pennsylvania, effective as of the date of any final order entered in C.A. Misc. Nos. 10-8013 and 10-8046. The Committee further recommended that Ms. Haagensen should not be permitted to petition for reinstatement to the bar of this Court until she is reinstated to the bar of the Commonwealth of Pennsylvania. In addition, the Committee recommended that the Court find that Ms. Haagensen engaged in conduct unbecoming a member of the bar of this Court and be the subject of an order publicly reprimanding her for her conduct. Ms. Haagensen filed exceptions to the Report and Recommendation on June 3, 2011.

The Standing Committee thereafter submitted the Report and Recommendation, the exceptions, and the record to the active members of the Court for a vote.

On consideration of the Report and Recommendation, the exceptions, and the record,

It is hereby ORDERED that the Report and Recommendation is approved and adopted. Ms. Haagensen is hereby suspended for a period of one year and one day, effective as of the date of the instant order. Ms. Haagensen shall not be permitted to petition for reinstatement to the bar of this Court until she is reinstated to the bar of the Commonwealth of Pennsylvania. In addition, the Court finds that Ms. Haagensen engaged in conduct unbecoming a member of the bar of this Court and is hereby publicly reprimanded for her conduct.

The Clerk is directed to send a certified copy of this order to the Supreme Court of Pennsylvania, the United States District Court for the Western District of Pennsylvania, and the United States District Court for the Eastern District of Pennsylvania, as well as to the National Disciplinary Data Bank. See Rule 11, R.A.D.E. This order will be maintained by the clerk as a public record as required by R.A.D.E. 14.3.¹

For the Court,

/s/ Theodore A. McKee
Chief Judge

¹ Due to its volume, the Appendix to the Report and Recommendation is not attached here.

Dated: June 30, 2011



A True Copy

Marcia M. Waldron

Marcia M. Waldron, Clerk