

IN THE SUPREME COURT OF PUERTO RICO

In re:
Maritza Ortiz Sánchez

TS - 19,522

PER CURIAM

In San Juan, Puerto Rico, on March 1, 2024.

Once again, we are compelled to exercise our disciplinary power over a member of the legal profession for failing to comply with the ethical guidelines that, at a minimum, must guide the handling of every member of the legal profession. Today, we intervene to discipline Atty. Maritza Ortiz Sánchez and we declare her immediate and indefinite suspension of the practice of lawyer and notary.

Let us look at the factual circumstances that support our determination.

I

Atty. Maritza Ortiz Sánchez (Atty. Ortiz Sánchez) was admitted to the practice of law on August 27, 2013 and the exercise of the notary's practice on October 14, 2013.

On August 18, 2022, Ms. Ortiz Sánchez appeared before the Trial Court and prompted a Writ of Mandamus in forma pauperis. Eventually, the action was dismissed, so the lawyer decided to go to the Court of Appeals and appealed the decision against her.

However, the intermediate forum issued a Judgment on December 16, 2022 which confirmed the appealed ruling.¹

Now, in addition to recording the legal merits for its determination, the intermediate court noted that the behavior of Ms. Ortiz Sánchez during the appeal process had to be examined by this Court.

Consequently, the Court of Appeals' Clerk referred said Judgment to our attention, as well as a brief presented by Ms. Ortiz Sánchez so that we could examine the statements by the latter, in relation to multiple judicial system components. In summary, the lawyer stated that the judicial process was "*an adjudicative farce*," that the preceding judicial decisions of certain judges were a "*charlatanism*," which the determinations of the Trial Court which were commissioned, or that some judges and colleague lawyers suffered from mental illnesses.

Once we received the referral, the matter was attended to as a Complaint, so we required attorney Ortiz Sánchez to answer it, which she did. However, upon careful examination of all the documents that accompanied the referral, as well as the response to the Complaint presented by the lawyer, we note that, particularly, the content of this last writing lacked clarity and had a high degree of incoherence. In view of this, we proceeded to study the complete file of Ms. Ortiz Sánchez, which included analysis of

¹See, Ortiz v. Buono De Jesús, KLAN202200891 (2022).

multiple motions filed by her before the lower forums. The above, together with the behavior displayed by the promotee in previous ethical procedures and in one that is still pending before our consideration², generated interest on our part to verify the capacity of the lawyer³.

Thus, on February 24, 2023, we issued a Resolution in which we order to start the procedure provided in Rule 15(C) of our Regulation⁴, so that a determination was made about the mental capacity of Ms. Ortiz Sánchez. Later, on April 11 of 2023, we appoint Atty. Crisanta González Seda as Special Commissioner to receive evidence and fathom the mental capacity of Ms. Ortiz Sánchez and render the corresponding report in accordance with Rule 15(C) of the Rules of this Court, *supra*.

Likewise, we granted a term so that both the attorney as well as the Attorney General's Office, will designate the experts who would compose the Committee of Experts of the evaluation procedure. A term of ten (10) days was granted to both the Attorney General

²Complaint AB-2021-145.

³See, *In re Ortiz Sánchez*, 201 DPR 765 (2019), where the promotee was suspended for three (3) months since she violated Canons 9, 11, 35 and 38 of the Code of Professional Ethics, 4 LPRA App. IX, for sending to a legal officer of one of the Judges of this Court a copy of a motion in aid of jurisdiction that she had filed that same day and for subsequently responding to the legal officer's warnings through messages with a defiant and disrespectful tone.

⁴4 LPRA App. XXI-B.

and the Attorney Ortiz Sánchez to appoint her expert psychiatrist. They were also warned that, if they did not comply within the term granted, the Special Commissioner would do so for both of them.

Likewise, attorney Ortiz Sánchez was oriented and warned as to the provisions of Rule 15(e) of our Regulations that, **if she refused to undergo a medical examination carried out by admitted experts, such refusal would be considered evidence prima facie of her mental incapacity.**

Thus, the Attorney General appointed Dr. Raúl López as her medical practitioner specialized in psychiatry. For her part, Ms. Ortiz Sánchez appeared and, in summary, argued that she had not been able to find a psychiatrist to evaluate her in the procedure, so he requested an extension. In addition, she requested the exclusion of the State expert for an alleged previous contact with her that would affect her emotionally. After examining the Attorney General's reply in this regard, the Special Commissioner determined that the exclusion of the expert was not appropriate.

Once the term granted for the psychiatrists designation elapsed, and given the difficulties expressed by attorney Ortiz-Sánchez to choose or obtain a doctor who was part of the panel, the Special Commissioner appointed Dr. Dor Marie Arroyo Carrero as the expert psychiatrist who would represent Ms. Ortiz Sánchez.

In that sense, Dr. Cynthia Casanova was appointed as expert

witness representing the Special Commissioner. Once the panel of medical evaluators was completed, Attorney Ortiz Sánchez was notified of the different days and hours in which she had to go to the different panel doctors for the corresponding evaluation.

It should be noted that Ms. Ortiz Sánchez did not comply with some of the appointments scheduled for her evaluations and did not provide any justification. VARIOUS APPOINTMENTS WERE RESCHEDULED and notified to the lawyer so she could later appear, which she did. Likewise, **on multiple occasions she was warned about what Rule 15(e) of our Regulation says regarding that, if she refused to submit to a medical examination carried out by the admitted experts, such a refusal would be considered as prima facie evidence of her mental incapacity.**

Subsequently, on June 13, 2023, the Special Commissioner ordered Ms. Ortiz Sánchez that within a period of ten (10) days, she will deliver copy of certain medical records to experts evaluators, as requested by them. Again, she was warned about what it would entail by the failure to comply with that order. Attorney Ortiz Sánchez refused to hand over the medical records that were requested from her, requested by the experts to complete their evaluation, so they were prevented from completing their evaluation and writing the corresponding reports.

Eventually, the lawyer appeared through a writing in which, among other things, she argued that access to the entirety of her

medical records would constitute a improper interference with her right to privacy, and that she can choose whom she shares that type of information. For her part, the Special Commissioner indicated that doctors who intend to study the lawyer's medical history were doctor conforming a panel of experts psychiatrists and that there was no impediment for them to communicate about their assignment, without any of them affecting their objectivity and independence of professional judgment at the time of evaluating Ms. Ortiz Sánchez. Besides, in this process, Ms. Ortiz Sánchez's right to privacy is protected, since the medical records that are supposed to be delivered to the experts cannot be used for any purpose other than for review in this process. Consequently, the Special Commissioner maintained her order that the lawyer had to provide the records requested by the doctors and included, again, the warnings previously made.

On July 10, 2023, Dr. Casanova Pelosi sent a message in which she indicated the importance of medical record due to the refusal of Ms. Ortiz Sánchez to report her diagnosis and treatment. She pointed that this information was necessary to render a final report. This message was made part of the file.

That same day, the Special Commissioner issued a Resolution in which she summarized the orders addressed to attorney Ortiz Sánchez and her continued noncompliance with the delivery of the files. Likewise, it ordered that the experts had to write the reports with

the information they had available.

Thus, on September 12, 2023, an evidentiary hearing was held⁵. Subsequently, on December 6, 2023, the Special Commissioner gave us her Report.

From this one, it emerges that two (2) of the members of the panel provided written reports after conducting interviews in person to Ms. Ortiz Sánchez, meaning doctors Casanova Pelosi and López. They reported having requested medical records from the lawyer that could not be reviewed due to the attorney's refusal and reluctance to deliver them.

For her part, Dr. Arroyo Carrero did not render her report because she did not have Ms. Ortiz Sánchez's medical history, despite having requested it.

Furthermore, it surfaced that, in effect, Ms. Ortiz Sánchez had a medical file that she refused to deliver to the three members of the panel of psychiatrists. As a result of this refusal, it was not possible to make a diagnosis of whether or not there is a mental condition that prevents the lawyer from maintaining the pattern of professional conduct that must be observed according to the attorney's canons of professional ethics. Likewise, it was

⁵It is pertinent to note that Ms. Ortiz Sánchez filed a lawsuit before the Federal District Court for Puerto Rico, on September 11, 2023 against the Special Commissioner and the panel of psychiatrists. The allegations presented in the complaint refer to the procedures under Rule 15 of the P.R. Supreme Court Rules, of this Court.

indicated that not having a longitudinal history and not knowing how she has worked nor what information has been obtained from her behavior over the past years, it was impossible for the experts to answer whether or not she is disabled.

By virtue of the above, **the Special Commissioner concluded that Ms. Ortiz Sánchez did not collaborate with requests for information** for evaluation by of the members of the Committee of Psychiatrists and was absent for evaluation appointments, without just cause. It caused the members of the panel of psychiatrists not to complete their assignment and carry out a complete evaluation.

II.

A. Rule 15 of the Regulation of this Court

Rule 15 of our Regulation, *supra*, complies with the purpose of establishing a procedure to expel on an indefinitely basis, practicing lawyer, from the legal profession when he cannot perform in a manner competent and appropriate, due to any mental or emotional condition⁶. In those cases, this Court appoints a Commissioner or a Special Commissioner who will be in charge to receive, investigate and evaluate evidence regarding the mental incapacity of the lawyer⁷.

⁶*In re Pagán Hernández*, 207 DPR 728 (2021); *In re Chiques Velázquez*, 201 DPR 969, 971 (2019).

⁷*In re Rodríguez Torres*, 210 DPR 8, 13 (2022).

As part of the procedure, three psychiatry experts are appointed to examine the male or female lawyer and submit their respective reports with their conclusions. These experts are appointed successively by the Commissioner or the Special Commissioner, by the State Prosecutor, and by the male or female promotee.⁸ In those instances on which the promotee does not designate, within the allotted time provided by the Commissioner or Special Commissioner, our Rules provide so that these latter make the designation *motu proprio*, of the psychiatrist that would represent the promotee.⁹

Now, it is worth noting that Rule 15(e) of the Rules of this Court establish a presumption of mental incapacity against the male or female lawyer that refuses to submit to the different evaluation procedures understood and ordered by the panel of psychiatrists. In particular, subsection (e) of the aforementioned rule provides the following:

If during the procedure indicated in the subsection 15(C) of this rule the defendant attorney or the defendant female lawyer **refuses to submit to the doctor exam before the designated psychiatrists or designated psychiatrists, this will be considered as prima facie evidence of her mental incapacity**, for which he may be suspended preventively from the exercise of the profession¹⁰. (Bold and underlining supplied)

⁸In *re* Pagán Hernández, *supra*; In *re* Rodríguez Torres, *supra*.

⁹Rule 15(C) of the P.R. Supreme Court Rules 4 LPRA Ap. XXIB.

¹⁰Rule 15(C) of the P.R. Supreme Court Rules 4 LPRA Ap. XXIB.

In accordance with the above, and based on our inherent power to regulate the legal and notarial profession in Puerto Rico, when the mental or emotional condition of a lawyer prevents her or her from exercising fully and adequately all functions and duties typical of the practice of law, it will be necessary to suspend her indefinitely from the exercise of the profession¹¹. Now, this indefinite suspension does not represent a disciplinary sanction, but constitutes only a social protection measure¹².

B. Canon 9 of the Code of Professional Ethics

From the precise moment in which each lawyer provides oath as such and is admitted to the profession of lawyer, he undertakes to adjust his conduct closely to the standards established by the Professional Code of Ethics¹³. The purpose of this governing body lies on "*promoting the personal and professional performance of members of the legal profession in accordance with the highest principles of decent conduct, which, in turn, results in the benefit of the profession, citizens and institutions of justice.*"¹⁴ Likewise, we have pointed out that this duty extends "not only to

¹¹*In re Rodríguez Torres, supra; In re Pagán Hernández, supra.*

¹²*Id.*

¹³4 LPRA Ap. IX.

¹⁴*In re Torres Rivera, 2022 TSPR 107.*

the sphere of litigation of cases, but to the disciplinary jurisdiction of this Court".¹⁵

The Code of Professional Ethics' Canon 9, *supra*, codifies the ethical mandate that obliges every lawyer to attend to and obey the orders of the Court and those of any other forum to which he or she is obliged to appear.¹⁶ In particular, it imposes on lawyers "the duty to observe a conduct towards the courts that is characterized by the greatest respect"¹⁷. When it comes to, disciplinary processes, members of the legal profession have the duty to respond diligently and timely to our requirements and orders¹⁸.

Therefore, a lawyer who ignores the requirements carried out in the course of a disciplinary procedure denotes "indiscipline, disobedience, disdain, lack of respect and contumacy towards the authorities, and reveals a great fissure of good character that every member must exhibit of the legal profession."¹⁹

Therefore, we cannot take lightly the attitude left indifference to the authority of this Court. The above is

¹⁵*In re Medina Torres*, 200 DPR 610, 628 (2018).

¹⁶*In re Meléndez Mulero*, 208 DPR 541 (2022); *In re ValenLin Figueroa*, 2021 TSPR 139, 208 DPR Ap. (2021).

¹⁷*In re Torres Rivera*, *supra*.

¹⁸*In re Lajara Radinson*, 207 DPR 854 (2021); *In re Colón Rivera*, 206 DPR 1073 (2021).

¹⁹ *In re Jiménez Meléndez*, 198 DPR 453, 457 (2017).

sufficient cause to order the suspension immediate of any lawyer²⁰.

III.

After evaluating the Special Commissioner's Report, together with the evidence contained in the file of the case, several issues arise that draw the attention of this Court, particularly, with the provision or the collaboration of Ms.Ortiz Sánchez with the process of evaluating capacity that was being carried out.

Firstly, the three (3) psychiatrists who had as their task the clinical evaluation of the lawyer, required the delivery of her medical record which is at the Veterans Hospital, where for the past ten years, she has received clinical treatment. However, attorney Ortiz Sánchez constantly refused on rendering the file requested by the experts, under the argument of that airing such information "would constitute a improper interference with her right to privacy"²¹. In this way, she reaffirmed that she could "air her intimacies only with the people she chooses".²²

The psychiatrists' panel members rendered reports after conducting interviews in person to Ms. Ortiz Sánchez, however, the refusal to provide the requested information, evidently, hindered the work entrusted to the panel of experts. In the case of Dr.Casanova Pelosi's report it stated that it could not make a

²⁰Id.

²¹Report of the Special Commissioner, p. 14.

²²Id.

diagnosis on whether or not there is a mental condition that prevents the lawyer from performing as this Court expects of all its members because she did not collaborate with the process, since she refused to hand over the aforementioned file, which was essential to obtain a responsible and informed clinical conclusion. A similar conclusion was reached by Dr. López, expert witness of the Attorney General, who expressed that, by not having the reports requested from the lawyer, he could not check longitudinal mental status.

On her part, Dr. Arroyo Carrero, expert assigned to the lawyer, did not render her report, since she did not have Ms. Ortiz Sánchez's medical history available despite having requested it. The doctor explained she carried out an evaluation of the lawyer through a face-to-face interview, however, this was not enough to issue a conclusive diagnosis. She expressed the above, since she had to evaluate attorney Ortiz Sánchez's previous clinical record since she was or had been, under clinical treatment and that the refusal of the promotee to reveal her medical illness, prevented her, in making a final decision. In this way, and in compliance with psychiatry's best practice guidelines, she had to evaluate the objective data, reason why she did not submit a report.

Although from the file and the opinions of the experts emerge that Ms. Ortiz Sánchez does not present problems in certain aspects, it is no less true that "there are areas in which some of

the experts have concern"²³. An example of this is the constant and persistent stubbornness to challenge authority and go against social order, which, in the opinion of the experts, in the future could be an axis of controversy. A sample of the above is the fact that Ms. Ortiz Sánchez was summoned on multiple occasions to appear to be evaluated by psychiatrists and "basically did not attend [and] nor did she give any reason not to do so,"²⁴ Another example is that the lawyer did not present the medical documents that were required as part of their evaluation, despite being warned by the doctors themselves that her future as lawyer depended on it.²⁵

As we mentioned before, the lack of cooperation of Ms. Ortiz Sánchez has hindered the work of the committee of psychiatric experts to the point of preventing them from issuing a categorical and responsible conclusion of whether she is incapable of practice as a lawyer. The doctors lack a longitudinal track record, *attributable to her repeated noncompliance* and they do not know how Ms. Ortiz Sánchez has worked in certain instances or what

²³ Id., p. 28.

²⁴ Minutes of the evidentiary hearing of September 12, 2023 quoting Dr. Raúl López.

²⁵ Another example of how turbulent the lawyer has made this process because of his constant challenge to authority, is that her legal representation requested a breakdown of all the motions that Ms. Ortiz Sánchez presented in forma pauperis. In fact, as recently as December of last year, her legal representative requested to be excused as attorney for the promotee party and argued that differences irreconcilable regarding the handling of the case forced her to place that petition.

information has been obtained of her behavior, over the years²⁶.

Our Rule Book is clear in establishing that there is a presumption of mental incapacity in all those cases in which a lawyer refuses to submit to the procedures regulatorily provided for this type of procedures. It is clear that Ms. Ortiz Sánchez has not collaborated with the important requests of medical information requested by members of the Committee of Psychiatrists and that, in addition, she was absent from appointments evaluation without just cause. This, without doubt, caused the experts to be unable to fully complete their entrustment and were prevented from carrying out a complete evaluation. The above is sufficient to separate Ms. Ortiz Sánchez from the exercise of the legal profession.

Now, even if we assume that the promotee is qualified to work as a lawyer and we would avoid the presumption established by our Regulation, continued disobedience to the orders of this Court, through the Special Commissioner and members of the panel of psychiatric experts' requirements and warnings, would be enough for, likewise, Ms. Ortiz Sánchez's suspension from the legal and notary profession. Although Ms. Ortiz Sánchez states that she has the right over her privacy regarding the documents that deal with her health, the reality is that this information is necessary and relevant to elucidate what is provided in Rule 15(C) of the Regulation of this Court. Furthermore, the lawyer's right to

²⁶Id., pg. 29.

privacy and intimacy, is absolutely protected and proof of it is shown during the present process that enjoys strict confidentiality. This was expressed to her on multiple occasions. The conduct displayed by Ms. Ortiz Sánchez shows a high degree of apathy and indifference. This behavior of the lawyer is equivalent to a violation of Canon 9 of the Code of Professional Ethics, *supra*.

After the applicable law was evaluated and weighed, we declare the immediate and indefinite suspension of Ms. Ortiz Sánchez on an immediate and indefinite basis, from the legal and notarial practice.

IV.

Consequently, we direct you to notify all of your clients as to the inability to continue with their representation and to return both the files of the pending cases and for fees received for tasks not rendered. Furthermore, you must immediately report your suspension to the different judicial forums and administrative matters in which you have any pending matter and credit it, before this Court, in compliance with the above, including a list of clients and forums to whom you notified this suspension, within the term of thirty (30) days, from the notification of this Per Curiam Opinion and its corresponding Sentence. Not doing so could result in not being reinstated to practice law if you apply for it in the future.

Likewise, the bailiff of this Court must immediately seize the entire protocol work and notarial seal of Mrs. Ortiz Sánchez and deliver them to the Director of the Office of Notary Inspection for the corresponding examination and report. Under this suspension, the bond that guarantees the notarial functions is automatically cancelled. However, the bond will be considered good and valid for three (3) years after its termination, as to the acts performed during the period in which it was in force.

Judgment in Conformity will be issued.

CERTIFICATION

CERTIFIED: That the attached document is a true and correct translation of the original document from Spanish into English.

Further, that I am a Federally Certified Court Interpreter & Translator for the Administrative Office of the U. S. Courts within the active list of Certified Interpreters and Translators at the U.S. District Court for the District of Puerto Rico.

DOCUMENT(S):

PER CURIAM (DISBARMENT)

PUERTO RICO SUPREME COURT

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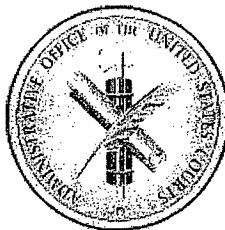
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Carlos T. Ravelo

AOUSC Certification # 95-063



EN EL TRIBUNAL SUPREMO DE PUERTO RICO

In re:

Maritza Ortiz Sánchez

TS-19,522

PER CURIAM

En San Juan, Puerto Rico, a 1 de marzo de 2024.

Nuevamente, nos vemos obligados a ejercer nuestra facultad disciplinaria sobre un integrante de la abogacía por incumplir con los postulados éticos que, como mínimo, deben guiar la gestión de todo miembro de la profesión legal. En el día de hoy, intervenimos disciplinariamente con la Lcda. Maritza Ortiz Sánchez y decretamos su suspensión inmediata e indefinida de la práctica de la abogacía y notaría.

Veamos las circunstancias fácticas que sustentan nuestra determinación.

I

La Lcda. Maritza Ortiz Sánchez (licenciada Ortiz Sánchez) fue admitida al ejercicio de la abogacía el 27 de agosto de 2013 y al ejercicio de la notaría el 14 de octubre de 2013.

El pasado 18 de agosto de 2022, la licenciada Ortiz Sánchez compareció ante el Tribunal de Primera Instancia e instó un recurso de *Mandamus* por derecho propio. Eventualmente, la acción fue desestimada, por lo que la abogada decidió acudir al Tribunal de Apelaciones y apeló la decisión en su contra. No obstante, el foro intermedio emitió una *Sentencia* el 16 de diciembre de 2022 mediante la cual confirmó el dictamen apelado.¹

Ahora bien, además de consignar los méritos jurídicos para su determinación, el tribunal intermedio hizo constar que el comportamiento de la licenciada Ortiz Sánchez durante el trámite apelativo debía ser examinado por este Tribunal.

Consecuentemente, la Secretaría del Tribunal de Apelaciones refirió a nuestra atención dicha *Sentencia*, así como también, un escrito presentado por la licenciada Ortiz Sánchez para que examináramos las manifestaciones de ésta última con relación a múltiples componentes del sistema judicial. En síntesis, la letrada manifestó que el proceso judicial era "*una farsa adjudicativa*", que las actuaciones judiciales de ciertos jueces eran una "*charlatanería*", que las determinaciones del Tribunal de Primera Instancia fueron por encargo, o que algunos jueces y compañeros abogados padecían de enfermedades mentales.

¹ Véase, *Ortiz v. Buono De Jesús*, KLAN202200891 (2022).

Una vez recibimos el referido, el asunto fue atendido como una *Queja*, por lo que le requerimos a la licenciada Ortiz Sánchez que contestara la misma, lo cual realizó:

No obstante, al examinar con detenimiento todos los documentos que acompañaron el referido, así como la contestación a la *Queja* que presentó la abogada, notamos que, particularmente, el contenido de este último escrito **carecía de claridad y tenía un grado elevado de incoherencia**. En atención a ello, procedimos a estudiar el expediente completo de la licenciada Ortiz Sánchez, lo cual incluyó el análisis de múltiples mociones presentadas por ésta ante los foros inferiores. Lo anterior, unido con el comportamiento desplegado por la promovida en procedimientos éticos anteriores y en uno que se encuentra aún pendiente ante nuestra consideración,² generaron interés en nuestra parte para constatar la capacidad de la letrada.³

Así las cosas, el 24 de febrero de 2023, emitimos una *Resolución* en la que ordenamos iniciar el procedimiento dispuesto en la Regla 15(c) de nuestro Reglamento,⁴ para que se hiciera una determinación sobre la capacidad mental de la licenciada Ortiz Sánchez. Posteriormente, el 11 de abril

² *Queja* AB-2021-145.

³ Véase, *In re Ortiz Sánchez*, 201 DPR 765 (2019), donde la promovida fue suspendida por tres (3) meses ya que infringió los Cánones 9, 11, 35 y 38 del Código de Ética Profesional, 4 LPRA Ap. IX, al remitir al oficial jurídico de uno de los Jueces de este Tribunal copia de una moción en auxilio de jurisdicción que ella había presentado ese mismo día y por responder posteriormente a las advertencias del oficial jurídico a través de mensajes con un tono desafiante e irrespetuoso.

⁴ 4 LPRA Ap. XXI-B.

de 2023, designamos a la Lcda. Crisanta González Seda como *Comisionada Especial* para que recibiera prueba y auscultara la capacidad mental de la licenciada Ortiz Sánchez y rindiera el correspondiente informe de conformidad con la Regla 15(c) del Reglamento de este Tribunal, *supra*.

Asimismo, concedimos un término para que tanto la letrada como la Oficina del Procurador General, designaran los peritos que conformarían el *Comité de Peritos* del procedimiento de evaluación. Se le otorgó un término de diez (10) días tanto al Procurador General como a la licenciada Ortiz Sánchez para que designaran a su perito psiquiatra. Se les apercibió, además, de que, si no cumplían dentro del término otorgado, la Comisionada Especial lo haría por ambos.

Igualmente, se orientó y apercibió a la licenciada Ortiz Sánchez sobre lo dispuesto por la Regla 15(e) de nuestro Reglamento referente a que, si se negaba a someterse a un examen médico realizado por los peritos admitidos, tal negativa se consideraría como evidencia *prima facie* de su incapacidad mental.

Así las cosas, el Procurador General designó al Dr. Raúl López como su facultativo médico especializado en psiquiatría. Por su parte, la licenciada Ortiz Sánchez compareció y, en síntesis, arguyó que no había podido encontrar un psiquiatra que la evaluara en el procedimiento, por lo que solicitó una prórroga. Asimismo,

solicitó la exclusión del perito del Estado por un presunto contacto previo con este que le afectaría emocionalmente. Luego de examinar la réplica del Procurador General sobre este particular, la Comisionada Especial determinó que no procedía la exclusión del perito.

Transcurrido el término concedido para la designación de psiquiatras, y ante las dificultades que expresó la licenciada Ortiz Sánchez para escoger o conseguir un doctor que formara parte del panel, la Comisionada Especial designó a la Dra. Dor Marie Arroyo Carrero como la perito psiquiatra que representaría a la licenciada Ortiz Sánchez. En igual sentido, se designó a la Dra. Cynthia Casanova Pelosi como perito en representación de la Comisionada Especial.

Una vez se completó el panel de evaluadores médicos, se le notificó a la licenciada Ortiz Sánchez los diferentes días y horas en las cuales debía acudir a los diferentes doctores del panel para la correspondiente evaluación.

Cabe destacar que la licenciada Ortiz Sánchez no asistió a algunas de las citas programadas para su evaluación y no brindó justificación alguna. Varias citas fueron recalendarizadas y notificadas a la letrada para que posteriormente compareciera, lo cual realizó. De igual forma, en múltiples ocasiones se le apercibió sobre lo que dispone la Regla 15(e) de nuestro Reglamento respecto a que, si se negaba a someterse a un examen médico realizado

por los peritos admitidos, tal negativa se consideraría como evidencia prima facie de su incapacidad mental.

Posteriormente, el 13 de junio de 2023, la Comisionada Especial le ordenó a la licenciada Ortiz Sánchez que en un término de diez (10) días, entregara copia de ciertos expedientes médicos a los peritos evaluadores, según fuese solicitado por estos. Nuevamente, se le apercibió sobre lo que podría acarrear el incumplimiento con esa orden. La licenciada Ortiz Sánchez se negó a entregar los expedientes médicos que le fueron solicitados por los peritos para completar su evaluación, por lo que estos quedaron impedidos de completar su evaluación y de redactar los correspondientes informes.

Eventualmente, la letrada compareció a través de un escrito en el que entre otras cosas, adujo que el acceso a la totalidad de sus expedientes médicos constituiría una intromisión indebida a su derecho a la intimidad, y que ella puede elegir con quién comparte ese tipo de información. Por su parte, la Comisionada Especial le indicó que los doctores que pretenden estudiar el historial médico de la abogada configuran un panel de peritos psiquiatras y que no existía impedimento para que éstos se comunicaran sobre su encomienda, sin que ello afectase su objetividad e independencia de criterio profesional al momento de evaluar a la licenciada Ortiz Sánchez. Además, que en este proceso se protege el derecho a la privacidad e

intimidad de la licenciada Ortiz Sánchez, ya que los expedientes médicos que se supone le entregue a los peritos no pueden utilizarse para ningún otro propósito que no sea su revisión en este proceso. En consecuencia, la Comisionada Especial mantuvo su orden de que la abogada tenía que proveer los expedientes solicitados por los doctores e incluyó, nuevamente, las advertencias hechas previamente.

El 10 de julio de 2023, la doctora Casanova Pelosi envió un mensaje en el que indicó la importancia del expediente médico ante la negativa de la licenciada Ortiz Sánchez de informar su diagnóstico y tratamiento. Señaló que esa información era necesaria para rendir un informe final. Este mensaje se hizo formar parte del expediente.

Ese mismo día, la Comisionada Especial emitió una *Resolución* en la que resumió las órdenes dirigidas a la licenciada Ortiz Sánchez y su continuo incumplimiento con la entrega de los expedientes. Asimismo, dispuso que los peritos debían redactar los informes con la información que tuviesen disponible.

Así las cosas, el 12 de septiembre de 2023 se celebró una vista evidenciaria.⁵ Ulteriormente, el 6 de diciembre de 2023, la Comisionada Especial nos rindió su *Informe*.

⁵ Es pertinente señalar que la licenciada Ortiz Sánchez, presentó una demanda ante la Corte de Distrito Federal para Puerto Rico, el 11 de septiembre de 2023 contra la Comisionada Especial y el panel de psiquiatras. Las alegaciones que se presentan en la demanda se

De este surge que dos (2) de los miembros del panel rindieron informes escritos luego de realizar entrevistas presenciales a la licenciada Ortiz Sánchez, entiéndase, los doctores Casanova Pelosi y López. Estos informaron haber solicitado expedientes médicos a la abogada que no pudieron revisar debido a la negativa y renuencia de la abogada en entregarlos.

Por su parte, la doctora Arroyo Carrero no rindió su informe porque no tuvo disponible el historial médico de la licenciada Ortiz Sánchez, a pesar de haberlo solicitado.

Además, surgió que, en efecto, la licenciada Ortiz Sánchez contaba con un expediente médico que rehusó entregar a los tres miembros del panel de psiquiatras. Como consecuencia de esta negativa, no se pudo hacer un diagnóstico sobre si existe o no una condición mental que impida a la abogada mantener el patrón de conducta profesional que debe observar según los cánones de ética profesional de los abogados. De igual modo, se indicó que al no tener un historial longitudinal y no conocer cómo ella ha funcionado ni qué información se ha obtenido de su comportamiento a lo largo de los pasados años, era imposible que los peritos pudieran contestar si está o no incapacitada.

refieren a los procedimientos al amparo de la Regla 15 del Reglamento de este Tribunal.

En virtud de lo anterior, la Comisionada Especial concluyó que la licenciada Ortiz Sánchez no colaboró con las peticiones de información para su evaluación por parte de los miembros del Comité de Psiquiatras y que se ausentó de citas de evaluación, sin causa que lo justificara. Ello ocasionó que los miembros del panel de psiquiatras no pudieran completar su encomienda y realizar una evaluación completa.

II.

A. Regla 15 del Reglamento de este Tribunal

La Regla 15 de nuestro Reglamento, *supra*, cumple con el propósito de establecer un procedimiento para separar indefinidamente a un abogado o una abogada del ejercicio de la abogacía cuando no pueda desempeñarse de manera competente y adecuada por alguna condición mental o emocional.⁶ En esos casos, este Tribunal designa a un Comisionado o una Comisionada Especial quien se encargará de recibir, investigar y evaluar prueba sobre la incapacidad mental del abogado o la abogada.⁷

Como parte del procedimiento, se designan tres peritos psiquiatras para que examinen al abogado o la abogada y rindan sus respectivos informes con sus conclusiones. Estos peritos son designados sucesivamente por el Comisionado o la Comisionada Especial, por el Procurador o Procuradora

⁶ *In re Pagán Hernández*, 207 DPR 728 (2021); *In re Chiqués Velázquez*, 201 DPR 969, 971 (2019).

⁷ *In re Rodríguez Torres*, 210 DPR 8, 13 (2022).

General y por el querellado o querellada.⁸ En aquellos casos en los que la parte querellada no realice su designación dentro del término que le provee el Comisionado o Comisionada Especial, nuestro Reglamento provee para que estos últimos realicen una designación *motu proprio* del psiquiatra que ha de representar al querellado.⁹

Ahora bien, es meritorio señalar que la Regla 15(e) del Reglamento de este Tribunal establece una presunción de incapacidad mental contra el abogado o la abogada que se niegue a someterse a los distintos trámites evaluativos comprendidos y ordenados por el panel de psiquiatras. En particular, el inciso (e) de la mencionada regla dispone lo siguiente:

Si durante el procedimiento indicado en el inciso (c) de esta regla el abogado querellado o la abogada querellada se niega a someterse al examen médico ante los siquiátras designados o las siquiátras designadas, ello se considerará como prueba prima facie de su incapacidad mental, por lo que podrá ser suspendido o suspendida preventivamente del ejercicio de la profesión.¹⁰
(Negrillas y subrayado suplido)

Conforme con lo anterior, y amparados en nuestro poder inherente para regular la profesión de la abogacía y la notaría en Puerto Rico, cuando la condición mental o emocional de un letrado o una letrada le impida ejercer cabal y adecuadamente todas las funciones y los deberes propios de la práctica de la abogacía, será menester

⁸ *In re Pagán Hernández*, supra; *In re Rodríguez Torres*, supra.

⁹ Regla 15(c) del Reglamento del Tribunal Supremo, 4 LPRA Ap. XXI-B.

¹⁰ Regla 15(e) del Reglamento del Tribunal Supremo 4 LPRA Ap. XXI-B.

suspenderle indefinidamente del ejercicio de la profesión.¹¹ Ahora bien, esta suspensión indefinida no representa una sanción disciplinaria, sino que constituye únicamente una medida de protección social.¹²

B. Canon 9 del Código de Ética Profesional

Desde el momento preciso en que cada abogado presta juramento como tal y es admitido a la profesión de la abogacía, este se compromete a fijar su conducta íntimamente a las normas establecidas en el Código de Ética Profesional.¹³ El propósito de este cuerpo rector recae en "promover el desempeño personal y profesional de los miembros de la profesión legal de acuerdo con los más altos principios de conducta decorosa, lo que, a su vez, resulta en beneficio de la profesión, la ciudadanía y las instituciones de justicia".¹⁴ Asimismo, hemos señalado que este deber se hace extensivo "no solo a la esfera de la litigación de causas, sino a la jurisdicción disciplinaria de este Tribunal".¹⁵

El Canon 9 del Código de Ética Profesional, *supra*, codifica el mandato ético que obliga a todo abogado a atender y obedecer las órdenes del Tribunal y las de cualquier otro foro al que se encuentre obligado a

¹¹ *In re Rodríguez Torres*, *supra*; *In re Pagán Hernández*, *supra*.

¹² *Id.*

¹³ 4 LPRA Ap. IX.

¹⁴ *In re Torres Rivera*, 2022 TSPR 107.

¹⁵ *In re Medina Torres*, 200 DPR 610, 628 (2018).

comparecer.¹⁶ Particularmente, le impone a los letrados "el deber de observar para con los tribunales una conducta que se caracterice por el mayor respeto".¹⁷ Cuando se trata de procesos disciplinarios, los integrantes de la profesión legal tienen el deber de responder diligente y oportunamente a nuestros requerimientos y órdenes.¹⁸

Por ello, un abogado que desatiende los requerimientos realizados en el curso de un procedimiento disciplinario denota "indisciplina, desobediencia, displicencia, falta de respeto y contumacia hacia las autoridades, y revela una gran fisura del buen carácter que debe exhibir todo miembro de la profesión legal".¹⁹

Así, pues, no podemos tomar livianamente la actitud de indiferencia a la autoridad de este Tribunal. Lo anterior resulta causa suficiente para decretar la suspensión inmediata de cualquier abogado.²⁰

III.

Tras evaluar el *Informe* de la Comisionada Especial, en conjunto con la evidencia que consta en el expediente del caso, surgen varios asuntos que llaman la atención de este Tribunal, particularmente, con la disposición o

¹⁶ *In re Meléndez Mulero*, 208 DPR 541 (2022); *In re Valentín Figueroa*, 2021 TSPR 139, 208 DPR Ap. (2021)

¹⁷ *In re Torres Rivera*, supra.

¹⁸ *In re Lajara Radinson*, 207 DPR 854 (2021); *In re Colón Rivera*, 206 DPR 1073 (2021).

¹⁹ *In re Jiménez Meléndez*, 198 DPR 453, 457 (2017).

²⁰ *Id.*

colaboración de la licenciada Ortiz Sánchez con el proceso de evaluación de capacidad que se le realizaba.

En primer lugar, los tres (3) psiquiatras que tenían a su haber la evaluación clínica de la letrada, requirieron la entrega del expediente médico de ésta que obra en el Hospital de Veteranos, donde por los pasados diez (10) años ha recibido tratamiento clínico. Sin embargo, la licenciada Ortiz Sánchez se negó constantemente a entregar el expediente solicitado por los peritos bajo el argumento de que ventilar dicha información "constituiría una intromisión indebida en su derecho a la intimidad".²¹ De esta forma, reafirmó que ella podía "ventilar sus intimidades solamente con las personas que ella escog[iera]".²²

De los miembros del panel de psiquiatras, dos (2) rindieron informes luego de realizar entrevistas presenciales a la licenciada Ortiz Sánchez, no obstante, la negativa a entregar la información solicitada, evidentemente, entorpeció la labor encomendada al panel de peritos. En el caso de la doctora Casanova Pelosi, su informe expresó que no pudo realizar un diagnóstico sobre si existe o no una condición mental que impida a la abogada desempeñarse como este Tribunal espera de todos sus miembros debido a que esta no colaboró con el proceso, pues

²¹ Informe de la Comisionada Especial, pág. 14.

²² Íd.

se negó a entregar el expediente antes mencionado, el cual era indispensable para obtener una conclusión clínica responsable e informada. A similar conclusión llegó el doctor López, perito del Procurador General, quien expresó que, al no tener los informes solicitados a la abogada, no podía comprobar el estado mental de manera longitudinal.

Por su parte, la doctora Arroyo Carrero, perita asignada a la letrada, no rindió su informe, pues no tuvo disponible el historial médico de la licenciada Ortiz Sánchez a pesar de haberlo requerido. La doctora explicó que le realizó una evaluación a la abogada mediante una entrevista presencial, sin embargo, ello no era suficiente para emitir un diagnóstico conclusivo. Expresó lo anterior, pues tenía que evaluar el expediente clínico previo de la licenciada Ortiz Sánchez ya que esta se encontraba o había estado, bajo tratamiento clínico y que la negativa de la promovida para proveerle su trasfondo médico le impedía tomar una decisión definitiva. De esta forma, y en cumplimiento con las guías para una mejor práctica de la psiquiatría, tenía que evaluar la data objetiva, por lo que no rindió un informe.

Aunque del expediente y de las opiniones de los peritos surge que la licenciada Ortiz Sánchez no presenta problemas en ciertos aspectos, no es menos cierto que "hay

áreas en que algunos de los peritos tienen preocupación".²³ Un ejemplo de ello es la constante y persistente obstinación de retar a la autoridad y de ir en contra del ordenamiento social, lo que, a juicio de los peritos, en el futuro podría ser eje de controversia. Una muestra de lo anterior es el hecho de que la licenciada Ortiz Sánchez fue citada en múltiples ocasiones para que compareciera a ser evaluada por los psiquiatras y "básicamente no asistió [y] tampoco dio ninguna razón para no hacerlo".²⁴ Otro ejemplo es que la letrada no presentó los documentos médicos que le fueron exigidos como parte de su evaluación, a pesar de ser apercibida por los propios doctores de que su futuro como abogada dependía de ello.²⁵

Como mencionamos anteriormente, la falta de cooperación de la licenciada Ortiz Sánchez ha obstaculizado la labor del comité de peritos psiquiatras al punto de evitar que estos puedan emitir una conclusión categórica y responsable sobre si ésta se encuentra incapacitada para ejercer como abogada. Los doctores carecen de un historial longitudinal —atribuible a su incumplimiento reiterado— y desconocen cómo la licenciada Ortiz Sánchez ha funcionado

²³ Íd., pág. 28.

²⁴ Minuta de la vista evidenciaría del 12 de septiembre de 2023 citando al Dr. Raúl López.

²⁵ Otra muestra de lo convulso que la letrada ha hecho este proceso por su constante reto a la autoridad, es que su representación legal solicitó el desglose de todas las mociones que la licenciada Ortiz Sánchez presentó por derecho propio. De hecho, tan reciente como en diciembre del año pasado, su representante legal solicitó ser relevada como abogada de la promovida y adujo que diferencias irreconciliables en cuanto al manejo del caso la obligaban a realizar ese pedido.

en determinadas instancias o qué información se ha obtenido de su comportamiento a lo largo de los años.²⁶

Nuestro Reglamento es claro al establecer que existe una presunción de incapacidad mental en todos aquellos casos en que un abogado o abogada se niegue a someterse a los trámites provistos reglamentariamente por este tipo de procedimientos. Queda claro que la licenciada Ortiz Sánchez no ha colaborado con las importantes peticiones de información médica que le han requerido los miembros del Comité de Psiquiatras y que, además, se ausentó de citas de evaluación sin causa que lo justificara. Ello, sin lugar a duda, ocasionó que los peritos no pudieran completar su encomienda a cabalidad y se vieron impedidos de realizar una evaluación completa. Lo anterior resulta suficiente para separar a la licenciada Ortiz Sánchez del ejercicio de la profesión legal.

Ahora bien, aun si asumiéramos que la promovida se encuentra capacitada para desempeñarse como abogada y obviáramos la presunción que establece nuestro Reglamento, la continua desobediencia a las órdenes de este Tribunal, a través de los requerimientos y advertencias de la Comisionada Especial y los miembros del panel de peritos psiquiátricos, bastaría para que, igualmente, suspendiéramos a licenciada Ortiz Sánchez de la abogacía y la notaría. Si bien la licenciada Ortiz Sánchez plantea que

²⁶ íd., pág. 29.

le cobija un derecho sobre su intimidad en cuanto a los documentos que versan sobre su salud, la realidad es que esa información es necesaria y pertinente para dilucidar lo dispuesto en la Regla 15(c) del Reglamento de este Tribunal. Además, la privacidad e intimidad de la abogada se encuentra protegida de manera absoluta y la prueba que durante el proceso se presente goza de estricta confidencialidad. Así se le expresó en múltiples ocasiones. La conducta desplegada por la licenciada Ortiz Sánchez muestra un alto grado de desidia e indiferencia. El comportamiento de la letrada equivale a una infracción al Canon 9 del Código de Ética Profesional, *supra*.

Evaluated y ponderado el derecho aplicable, decretamos la suspensión de la licenciada Ortiz Sánchez de manera inmediata e indefinida del ejercicio de la abogacía y la notaría.

IV.

Consecuentemente, le ordenamos notificar a todos sus clientes de su inhabilidad para continuar con su representación y a devolverles tanto los expedientes de los casos pendientes como los honorarios recibidos por trabajos no rendidos. Además, deberá informar inmediatamente de su suspensión a los distintos foros judiciales y administrativos en los que tenga algún asunto pendiente y acreditar ante este Tribunal el cumplimiento con lo anterior, incluyendo una lista de los clientes y foros a

quienes le notificó de su suspensión, dentro del término de treinta (30) días, a partir de la notificación de esta Opinión *Per Curiam* y su correspondiente Sentencia. No hacerlo pudiera conllevar que no se le reinstale al ejercicio de la abogacía de solicitarlo en el futuro.

De igual forma, el Alguacil de este Tribunal deberá incautar inmediatamente la totalidad de la obra protocolar y sello notarial de la señora Ortiz Sánchez y entregarlos al Director de la Oficina de Inspección de Notarías para el correspondiente examen e informe. En virtud de esta suspensión, la fianza que garantiza las funciones notariales queda automáticamente cancelada. No obstante, la fianza se considerará buena y válida por tres (3) años después de su terminación, en cuanto a los actos realizados durante el periodo en que estuvo vigente.

Se dictará Sentencia de Conformidad.

IN THE SUPREME COURT OF PUERTO RICO

In re:

Maritza Ortiz Sánchez
(TS-19,522)

AB-2022-0272

Complaint

RESOLUTION

In San Juan, Puerto Rico, April 9th, 2024.

In view of the fact that Mrs. Maritza Ortiz Sánchez was immediately and indefinitely suspended from the exercise of the legal and as a notary, through March 1, 2024's Per Curiam Opinion and Judgment, it is ordered for the temporary administrative docketing of this complaint.

The Secretary of this Court is instructed to include a copy of this Resolution to Mrs. Ortiz Sánchez's personal file, so that this matter be reconsidered in case reinstatement is requested.

The Supreme Court agreed and the Secretary certifies it. Associate Judge Mrs. Pabón Charneco does not intervene.

Javier O. Sepúlveda Rodríguez
Supreme Court's Clerk

CERTIFICATION

CERTIFIED: That the attached document is a true and correct translation of the original document from *Spanish* into English.

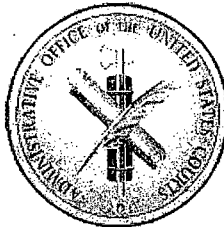
Further, that I am a Federally Certified Court Interpreter & Translator for the Administrative Office of the U. S. Courts within the active list of Certified Interpreters and Translators at the U.S. District Court for the District of Puerto Rico.

DOCUMENT(S): **RESOLUTION**
PUERTO RICO SUPREME COURT

DATE: 04/28/2024

TRANSLATION REGISTRY CODE: MO001-04-2024

Carlos T. Ravelo
AOUSC Certification # 95-063



EN EL TRIBUNAL SUPREMO DE PUERTO RICO

In re:

Maritza Ortiz Sánchez
(TS-19,522)

AB-2022-0272

Queja

RESOLUCIÓN

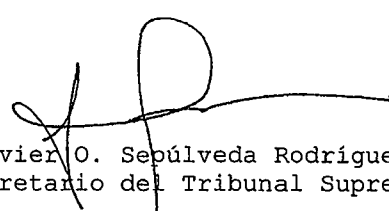
En San Juan, Puerto Rico, a 9 de abril de 2024.

En vista de que la Sra. Maritza Ortiz Sánchez fue suspendida inmediata e indefinidamente del ejercicio de la abogacía y la notaría mediante Opinión *Per Curiam* y Sentencia de 1 de marzo de 2024, se ordena el archivo administrativo de esta queja.

Se instruye a la Secretaría de este Tribunal a que incluya copia de la presente Resolución al expediente personal de la señora Ortiz Sánchez, para que este asunto sea considerado en caso de que esta solicite reinstalación.

Lo acordó el Tribunal y certifica el Secretario del Tribunal Supremo. La Jueza Asociada señora Pabón Charneco no interviene.




Javier O. Sepúlveda Rodríguez
Secretario del Tribunal Supremo

COMMONWEALTH OF PUERTO RICO
SUPREME COURT OF PUERTO RICO

IN RE MARITZA ORTIZ TS- 19522 REGARDING: RULE 15

RECONSIDERATION, MOTION IN LIMINE AND REQUEST FOR REINSTALLATION
TO THE HONORABLE SUPREME COURT OF PUERTO RICO:

In order to save time, the defendant Maritza Ortiz, on her own behalf, and in defense of her fundamental rights, very respectfully expresses and requests:

1. That on **March 1, 2024**, this Honorable Supreme Court published that as of yesterday, the undersigned is prohibited from practicing law, on an indefinite or permanent basis.
2. As a consequence, we believe that the plenary session should have become aware of the following errors:
 - a. On **April 25, 2023**, this Honorable Supreme Court of P.R., imposed the following interviews:
 - i. Dor Mari Arroyo Carrero - **May 24, 2024**
 - (1) In this regard, this Honorable Supreme Court of P.R. wrote: "...However...and in relation to the appointment of **May 24**, in the case of an inmate..." we were allowed to move it to **June**. In other words, the undersigned complied with the only appointment ever imposed by Dormari Arroyo Carrero, and this was confirmed, under oath, in open court, within the **September 12, 2023**'s hearing:

CRISANTA GONZÁLEZ SEDA: Go ahead attorney.

ATTY. ELBA VILLALBA: Good morning...state your name.

DAC: Dormari Arroyo Carrero

ATTY.ELBA VILLALBA: How many times did you interview Atty.Ortiz?

DAC: On one occasion.

ATTY. ELBA VILLALBA: Did you summon her for any other occasion?

DAC: In one occasion, in May...she did not show up¹...because she had a court hearing ...that same day in May...I evaluated her in June...I had the intention ...of assigning her another appointment ...a third occasion.

ATTY. ELBA VILLALBA: And did you ever assign the appointment for that?

DAC: It did not reach me ("*No me han llegado*")... she was not assigned any other appointment (...no fue citada...).

ATTY. ELBA VILLALBA: Did you have the time to evaluate her?

DAC: Yes. She was evaluated.

(2) The undersigned complied and was subjected to this sole interview, which is the only interview that was ever imposed by Arroyo Carrero.

ii. Cynthia Casanova Pelosi - May 11, 2024, May 29, 2023 and June 13, 2023. The undersigned complied with 100% of all the interviews imposed by Casanova Pelosi.

iii. Raúl López Menéndez (sexual abuse expert for one of the undersigned's minor kids) - May 10 and 17, 2024.

b. The undersigned complied with 100% of all the interviews imposed by him. However, on May 17, 2024, López Menéndez changed the nature of an unintelligible or third visit to his office. López Menéndez voiced that the third encounter, to be held with flexibility, on or around May 24, 2024, was different: "We have until June 1...you changed it...because you had a court

¹The intent or the wording is highly questionable, as the witness had already (or previously) agreed to move this appointment.

hearing...try to bring it . . . ". In other words, López Menéndez alleged that the subscriber had, up to June 1st, 2023, to deliver a list of privileged and confidential information, about each one of the subscriber's clients, including their respective personal telephone numbers.

- c. There is evidence within the Supreme Court of P.R.'s file that establishes that two different interviews were wrongly assigned to the undersigned for **May 24, 2023**, by Arroyo Carrero, and by López Menéndez, **FOR THE EXACT SAME DAY**. On top of that, we were required to appear in a hearing, related to yet another felony murder case, in Aguadilla. For that reason, and with advanced notice, all of us, including Arroyo Carrero, and López Menéndez had already previously agreed to move it. That sole interview, ended up becoming the very first, and very last appointment, ever imposed by Dor Mari Arroyo Carrero.
- d. There is evidence, within the Supreme Court of P.R.'s file, as it is already stated here today, that establishes, beyond reasonable doubt, that Ortiz was never, ever, absent to any of the interviews imposed by Arroyo Carrero, nor López Menéndez.

3. **"MEDICAL FILE"**

- a. There is evidence, within the Supreme Court of P.R.'s file, that establishes that on **June 20, 2024**, our distinguished and extremely appreciated lawyer, Atty.Elba Nilsa Villalba Ojeda, wrote that we were not refusing to hand over the so-called, and overly broad "medical record." We requested that said matter of law be referred to, and resolved by, the plenary session, and we quote:

"...We request assistance ... constitutional protections ... Ms.Ortiz Sánchez's right to privacy,...we request assistance...to vent her private matters, only with the people she chooses...since...it includes matters related to third parties, who are not parties to this process..." Motion drafted and signed by Atty. Villalba Ojeda, on June 20, 2024.

4. Regardless of whether there was no real surprise as to the way, or writing style, the **March 1st, 2024's** expulsion was drafted, and given the humiliation-discredit stemming from what was published yesterday, along with its natural astronomically permanent consequences, we then again proceed to inform that we have already notified our resignation and/or said expulsion to all of our clients, by mail. Furthermore, there are no fees owed to any of the following:
 - a. Kevin Figueroa (felony murder case known as the "*Hasca Los Marcianos*" case);
 - b. Sara Vélez;
 - c. José Cordero;
 - d. Paola Ramos.
5. Once again, the undesigned is not a disrespectful attorney, specially when she expresses herself as a lawyer, for her clients (when she does not appear on her own behalf, with the conglomeration of feelings that any other injured mother encounters, when expressing herself, regarding unattended sexual abuse matters of her minor kids). Again, the undersigned does not suffer, and we are quoting Dr. Carol Romey's report, as well as Casanova Pelosi's own report and sworn testimony, there is no such illness "... of such significant degree, to be considered a mental impairment under Rule 15." See the report signed and filed, within this Honorable Supreme Court of P.R.'s folder, dated **June 28, 2023**, and **July 20, 2023**. Both of them were paid by the State. Choosing to omit this part, or this true fact, the way it was included in the folder, and discussed during

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September 12, 2023's hearing, clearly destroys my professional, and emotional wellbeing, on a permanent basis.

6. All of this kneecapping, with each one of its implications when choosing such wording, is not reasonably precise. In turn, it truly provokes a permanent stigma, which is highly cruel. That precise type of wording, and massive amount of omissions², are totally different and separate (from the truly admissible, vented, and pertinent facts). Those type of statements or mere allegations, have kept multiplying massive amounts of unbearable stress, since 2007.

THEREFORE, it is very respectfully requested that:

- a. For this Honorable Supreme Court of P.R. to revoke yesterday's cruelty;
- b. In the alternative,
 - i. Proceed to amend your publicized ruling, by eliminating 100% of all untimely allegations that:
 - (1) were never raised,
 - (2) were never alleged under oath,
 - (3) were never evaluated in open court, nor by any expert.
 - ii. Proceed to amend your publicized ruling, so that it includes all the timely exculpatory and documental evidence we offered into evidence, as well as the one we transcribed, and filed, on a timely manner;
 - iii. Proceed to eliminate, from yesterday's suspension documents, all untimely paragraphs that are not strictly limited, to the exact content of the ethics' referral, as it was truly drafted;

²The entirety of the exculpatory evidence we transcribed and we filed, was totally omitted from this Honorable Supreme Court's suspension ruling.

- iv. Please eliminate all the untimely paragraphs that are referring to inapplicable portions of Rule 15. Sudden amendments that do not pertain to the undersigned's conduct, back in 2022 (along as with any other amendments what were never properly, nor constructively announced), should not be considered as part of this suspension process.
- v. Please identify, once and for all, which relevant parts of the "medical record", are truly relevant and pertinent (to the topic of Ortiz's ability to work, as a lawyer, in 2023)³;
- vi. please eliminate partially true allegations or everything that was not included in the original ethics' referral, which were never raised, announced, addressed, nor vented, in open court, nor within any forensic report, including, but not limited to correcting:
 - (1) true fragments, such as the one related to *"...chooses who to share it with...includes matters about third parties, who are not parties to this process...."*;
 - (2) generalizations related to unidentified legal folders;
 - (3) surprising and unknown assertions, about illogical fragments that were never specifically pointed out, reviewed, nor included within the original referral, nor in open court,
 - (4) wrongly phrased fragments that are not the true sources of this referral, etc.

³We insist, we are not able to comply with overly broad, and extremely tedious and time-consuming requests. Instead, we can still comply with providing a reasonably sanitized copy of relevant parts, of some of our most intimate and private records.

vii. please eliminate from yesterday's suspension order, 100% of all erroneous allegations that are not proven facts, which includes eliminating innuendo, and all the errors listed and specified within this motion;

viii. please adjust our sanction, so that it correlates to the true degree of severity of what was actually vented, within the limits imposed by the extremely short ethics' referral⁴.

I CERTIFY: That on this date, the subscriber will notify the same electronically, under the provisions of the Administrative Guidelines for the Electronic Presentation and Notification of Documents, through the Unified Case Management and Administration System, as amended, so its electronic presentation will constitute the notification that must be made between lawyers, as provided in the Rules of Civil Procedure.

In Carolina, P.R. as of March 2nd, 2024.

RESPECTFULLY SUBMITTED.

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⁴In other words, we respectfully request for this Honorable Supreme Court of P.R., to amend its ruling, by publishing and notifying us, the specific duration of this suspension. We respectfully express that any suspension should be limited to a specific time frame, imposed in a strictly fit manner, and in accordance with the severity, of what was truly proven in open court.

AT THE PUERTO RICO SUPREME COURT

In re:

MARITZA ORTIZ SÁNCHEZ
(TS-19-522)

AB-2022-0271

COMPLAINT

STATED OPINION

TO THE HONORABLE COURT

Maritza Ortiz Sánchez appears, represented by the undersigned attorney, and addressing with the highest respect therein, PROPOUNDS AND REQUESTS:

The honorable commissioner has before her consideration the reports presented by two of the three appointed experts, with the sole purpose of determining whether the licensed attorney Ortiz-Sánchez can carry out and comply with the responsibilities and duties required of her by the practice of law, and whether she can temper her conduct, to the canons of Ethics' mandate. The evaluation required in this procedure has that purpose to carry it out in an expedited procedure, within a period that requires few contact visits since these behavioral professionals are trained to carry out that evaluation and are able to comply with the Honorable Supreme Court's assigned objective. Such evaluation is the result of the professionals' analysis, when using criteria within that scrutiny and analysis by the professionals, whenever there is certainty resulting from personal contact. Nothing has prevented them from fulfilling the task.

Attorney Ortiz Sánchez asked for help so that the Commissioner refers, to the consideration of the Supreme Court's Plenary, the issue of producing medical records held by the Veterans Administration, request for help she reproduces, protected by the constitutional right to privacy and other rights. That question of law alleged by Ms. Ortiz Sánchez, has not been referred. If the reports presented by the experts do not contain determinations to the effect that she is disqualified from completing and complying with the responsibilities and duties required by the practice of law and from adjusting her conduct to the mandate of the canons of Ethics, we respectfully understand that the honorable commissioner must take judicial knowledge of this fact and proceed to issue a resolution to that effect.

Attorney Ortiz Sánchez presented the documentary evidence that she will use, which consists of Dr. Carol Romey Lillyblad's report and announces her as her witness, if necessary.

Once the evaluation has been carried out and the reports have been submitted, it appears that Atty. Maritza Ortiz Sánchez can carry out and fulfills the responsibilities and duties required of her, by the practice of law. From the reports, there is no expert determination to the effect that she cannot do so, which is why we request that the honorable commissioner issues a resolution to that effect.

FOR ALL OF THIS, it is very respectfully entrusted to the honorable court to take judicial knowledge of the above and GRANT this motion. RESPECTFULLY SUBMITTED. In Corozal, Puerto Rico today, August 17, 2023. I CERTIFY that a copy of this submitted document will be notified in accordance with Rule 67 of the Rules of Civil Procedure to: ATTY. FIGUEROA SANTIAGO, FERNANDO FERNANDO. FIGUEROA@JUSTICIA.PR.GOV

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*I certify that all copies are signed in original blue ink.

CERTIFICATION

CERTIFIED: That the attached document is a true and correct translation of the original document from Spanish into English.

Further, that I am a Federally Certified Court Interpreter & Translator for the Administrative Office of the U. S. Courts within the active list of Certified Interpreters and Translators at the U.S. District Court for the District of Puerto Rico.

DOCUMENT(S):

STATED OPINION

PUERTO RICO SUPREME COURT

DATE:

04/28/2024

TRANSLATION REGISTRY CODE:

MO001-04-2024

Carlos T. Ravelo

AOUSC Certification # 95-063



EN EL TRIBUNAL SUPREMO DE PUERTO RICO

In re: MARITZA ORTIZ SÁNCHEZ (TS -19-522)	AB-2022-0272 Queja
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EXPRESAMOS POSICIÓN

AL HONONORABLE TRIBUNAL :

Comparece **Maritza Ortiz Sánchez** representada por la abogada que suscribe y en el tono de más alto respeto **EXPONE Y SOLICITA:**

La Honorable Procuradora tiene ante su consideración los Informes presentados por dos de los tres peritos designados con el único propósito de determinar si la licenciada Ortiz Sánchez puede realizar y cumplir con las responsabilidades y deberes que le exige la práctica de la abogacía y atemperar su conducta al mandato de los cánones de Ética. La evaluación requerida en este procedimiento tiene ese propósito. Se realiza en un procedimiento expedito, dentro de un periodo que requiere pocas visitas de contacto, ya que estos profesionales de la conducta están capacitados para realizar esa evaluación y cumplir con el objetivo de la encomienda del Honorable Tribunal Supremos. Esa evaluación es el resultado del análisis de los profesionales al utilizar los criterios en ese escrutinio, análisis producto del resultado que le consta del contacto personal. Nada ha impedido que pudieran cumplir con la encomienda.

La licenciada Ortiz Sánchez pidió auxilio para que se refiriera al Pleno del Tribunal Supremo la consideración de producir expedientes médicos en poder de la Administración de Veteranos, solicitud de auxilio que reproduce, al amparo de derechos constitucionales a la intimidad y otros derechos. No ha sido referido al asunto de derecho alegado por la licenciada Ortiz Sánchez, Si los informes presentados por los peritos no contienen determinaciones a los efectos de que esté inhabilitada para realizar y cumplir con las responsabilidades y deberes que le exigen la práctica de la abogacía y atemperar su conducta al mandato de los cánones de Ética., entendemos respetuosamente que la Honorable Procuradora debe tomar conocimiento de ese hecho y emitir una Resolución a esos efectos

La Licenciada Ortiz Sánchez presentó la prueba documental que utilizará que consiste en el Informe de la Dra. Carol Romey Lillyblad y la anuncia como su testigo, de ser necesario.

Realizada la evaluación y rendidos los informes surge que la Lcda. Maritza Ortiz Sánchez puede realizar y cumplir con las responsabilidades y deberes que le exige la práctica de la abogacía. De los informes no surge determinación pericial a los efectos de que no pueda hacerlo por lo y solicitamos de la Honorable Procuradora que dicte resolución a esos efectos. ,

POR TODO LO CUAL, muy respetuosamente se solicita de este Honorable Tribunal que **Tome conocimiento** de lo antes expresado y declare **CON LUGAR** la presente moción. **RESPETUOSAMENTE SOMETIDO**. En Corozal, Puerto Rico hoy 17 de agosto de 2023. **CERTIFICO** que copia de este escrito presentado se notificará conforme la Regla 67 de Procedimiento Civil a: LIC. FIGUEROA SANTIAGO, FERNANDO FERNANDO.FIGUEROA@JUSTICIA.PR.GOV

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* Certifico que firmo en original con tinta azul todas las copias