

ADMONITION NO. 21-23

CLASSIFICATIONS:

Record-Keeping Violation [Mass. R. Prof. C. 1.15(f)(1)(C)]

Record-Keeping Violation [Mass. R. Prof. C. 1.15(f)(1)(E)]

SUMMARY:

From December 1, 2019 through June 30, 2020, the respondent disbursed funds in seven real estate closings before the corresponding deposit was made into his IOLTA account, resulting in negative balances for these client matters for a brief period of time. The respondent also failed to review and correct inaccuracies in his reconciliation reports which caused his IOLTA account to falsely appear, at times, to have negative balances.

The respondent received warnings about his failure to ensure deposit funds had cleared before disbursements were made in two prior files and was instructed to take steps to avoid future similar situations.

The respondent's conduct in authorizing disbursement of funds from his IOLTA account before funds were available for withdrawal violated of Mass. R. Prof. C. 1.15(f)(1)(C). The respondent's creation of a reconciliation report with an inaccurate balance based upon his failure to review and correct inaccuracies in his reconciliation reports and records violated Mass. R. Prof. C. 1.15(f)(1)(E).

The respondent has been a member of the Massachusetts bar since 1999 and has received no prior discipline. He accordingly received an admonition for his misconduct.