

ADMONITION NO. 21-05

CLASSIFICATIONS:

Failing to Act Diligently [Mass. R. Prof. C. 1.3]

Failing to Communicate Adequately with Client [Mass. R. Prof. C. 1.4]

SUMMARY:

In early 2017, the Committee for Public Counsel Services (“CPCS”) assigned the respondent to represent two minor children in connection with a custody matter. CPCS standards require, at a minimum, that an attorney meet with child clients on a quarterly basis. After an initial meeting with the minors, the respondent determined that he would utilize the substituted judgment of the social worker and other paraprofessionals assigned to the case. Thereafter, the respondent regularly met with the designated paraprofessionals and social workers but failed to meet with the child clients. The respondent failed to communicate directly with his clients for an extended time. This conduct violated Mass. R. Prof. C. 1.3 and 1.4(a).

In mitigation, beginning in 2016, the respondent underwent a lengthy hospitalization, rehabilitation and recovery from a severe neurological condition that affected his judgment. Since then, the respondent has made a full recovery.

The respondent was admitted to the bar in 2005. He has no previous discipline. The respondent received an admonition for this misconduct.