

## **ADMONITION NO. 25-22**

### **CLASSIFICATIONS:**

Handling Legal Matter when Not Competent or without Adequate Preparation [Mass. R. Prof. C. 1.1]

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

Failing to Communicate with Client for Client Decisions or About Limits of Lawful Representation [Mass. R. Prof. C. 1.4(a)(1), (2)]

Failing to Keep Client Informed or To Respond to Inquiries [Mass. R. Prof. C. 1.4(a)(3), (4)]

### **SUMMARY:**

In August 2019, the respondent was appointed to represent an incapacitated individual in connection with a guardianship that included a Rogers order granting permission for the guardian to consent to the administration of antipsychotic medication. Annually, upon receipt of notice from the guardian of intent to renew the medication treatment plan, the respondent was responsible for meeting with the incapacitated individual, confirming his compliance and continued willingness to take his antipsychotic medication, reviewing the clinician's affidavit, and filing the paperwork necessary to extend the treatment plan. From August 2019 through October 2022 the respondent adequately represented her client.

In September 2023, the guardian contacted the respondent to begin the process of filing the annual documents to renew. The respondent failed to timely respond to the guardian, failed to timely meet with her client and failed to file the necessary paperwork before expiration of the previous year's order. In December 2023, after being notified by Bar Counsel that a complaint had been filed, the respondent completed the necessary paperwork and mailed it to the court, but failed to confirm receipt of the paperwork by the court. Several months later, when the respondent learned that the paperwork had not been received by the court, she failed to take adequate action in follow-up and failed to notify the guardian that the paperwork had not been filed. The respondent never re-filed the missing paperwork.

In 2025, successor counsel was appointed by the court and the treatment plan was reinstated. The incapacitated individual remained cooperative and compliant with his treatment and suffered no harm as a result of the lapse.

By failing to file required documents in a timely fashion, failing to take action after learning court filings were missing, failing to be diligent in the representation of her client, and failing to promptly and adequately communicate with her client, the respondent violated Mass. R. Prof. 1.1, 1.3 and 1.4(a)(1), (2), (3), (4). The respondent was admitted to practice in Massachusetts in 2006 and has no disciplinary history. The respondent received an admonition for her misconduct.