

ADMONITION NO. 25-05

CLASSIFICATIONS:

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

Failing to Keep Client Informed [Mass. R. Prof. C. 1.4(a)(3)]

SUMMARY:

Client retained the respondent's firm to represent him in his divorce. During the course of the divorce proceedings, the respondent, an associate at the firm, began handling the matter as the primary attorney. The divorce was highly contentious. Due to on-going discovery issues, the Court appointed a discovery master to the case.

The discovery master ordered the client to produce documents, supplement existing responses, and comply with other outstanding discovery obligations on or before a set date. The respondent received timely notice of the order. He failed, however, to advise the client of this order or its due date until well after the deadline had passed. The respondent failed to comply with the discovery order. Thereafter, the client's wife filed a motion for sanctions and attorneys' fees as a result of the client's failure to comply.

The discovery master scheduled a subsequent meeting with the parties to address the motion for sanctions and attorneys' fees. The respondent did not attend this meeting, nor did he notify the client or anyone at his firm about the meeting. As a result, the discovery master issued a sanctions order that awarded \$16,900.00 in monetary sanctions and attorneys' fees to the client's wife. The respondent received timely notice of the order but did not inform the client.

In July 2022, the respondent left the firm. He did so without notifying the client or anyone at the firm of the sanctions order. The client retained successor counsel to represent him for the remainder of his case. In 2024, the client entered into a settlement agreement with his former spouse. Under the agreement, the client's share of the divided assets was reduced by \$16,900 to account for the discovery master's sanction and fees.

During the bar discipline investigation that followed, the respondent accepted full responsibility for his lack of diligence in his handling of the client's divorce. He also reimbursed the client for the \$16,900 in sanctions. The client thus suffered no permanent harm as a result of the respondent's misconduct.

By failing to exercise reasonable diligence in the handling of his client's divorce and keep his client reasonably informed about the matter, the respondent violated Mass. R. Prof. C. 1.3 and 1.4(a)(3).

The respondent was admitted to the Massachusetts bar on November 24, 2014, and has no prior disciplinary history. The respondent received an admonition for this misconduct.