

ADMONITION NO. 25-16

CLASSIFICATIONS:

Failing to act diligently [Mass. R. Prof. C. 1.3]

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

Withdrawal without Tribunal's Permission [Mass. R. Prof. C. 1.16 (c)]

SUMMARY:

On September 8, 2008, the respondent was appointed conservator of a temporarily incapacitated adult who had been diagnosed as bi-polar and had an alcohol addiction. Although the respondent was an experienced trusts and estates attorney, she had not served before as a conservator. From 2008 until the spring of 2015, she negotiated and paid off millions of dollars in debt, communicated with doctors, protected assets, and obtained long-term disability benefits for the ward.

Beginning in the spring of 2015, the ward's untreated alcoholism resulted in him being increasingly demanding and verbally abusive with the respondent and her staff. The respondent stopped communicating directly with the ward and improperly delegated the duties of her conservatorship to another partner in her firm for a period of six months.

By August 2015, the ward had successfully completed an alcohol treatment program and hired an attorney to assist him with removing the respondent as his conservator. On November 5, 2015, the respondent filed a motion with the court to resign as conservator, but took no action to have the motion heard by a judge. In July 2016, the ward petitioned to terminate the conservatorship, which was ultimately successful.

The respondent's conduct in this matter constituted a lack of diligence in violation of Mass. R. Prof. C. 1.3; failure to timely withdraw and resign from the conservatorship in violation of Mass. R. Prof. C. 1.16 (c), and lack of adequate communication in violation of Mass. R. Prof. C. 1.4 (a).

The respondent was admitted to the Massachusetts bar on December 15, 1993, and has no prior disciplinary history. The respondent received an admonition for her misconduct.