

IN RE: DEREK MATTHEW BEAULIEU

NO. BD-2012-104

**S.J.C. Order of Term Suspension entered by Justice Cordy on January 25, 2013,
with an effective date of February 25, 2013.¹**

SUMMARY²

The respondent, Derek Beaulieu, is an attorney duly admitted to the Bar of the Commonwealth on December 13, 1999. At all times relevant to this matter, the respondent was a sole practitioner in Longmeadow, Massachusetts.

During the years 2007 to 2009, the respondent represented hundreds of indigent children or their parents in juvenile court proceedings, to which he was appointed by the Committee for Public Counsel Services (CPCS), pursuant to G.L. c. 211D. The respondent billed CPCS for his legal services through procedures created and implemented by CPCS. During fiscal 2007 through fiscal 2009, the respondent was also appointed by the Connecticut Commission on Child Protection (CCP) to represent indigent clients in juvenile court proceedings in Connecticut, and by the Trial Court of Massachusetts (TRC) to act as a guardian ad litem.

During fiscal years 2008 and 2009 (July 1, 2007 to July 1, 2009), the respondent billed CPCS for 1800 and 1786.25 hours, respectively. During fiscal years 2008 and 2009, the respondent billed CPP for 1,143.5 and 1,798 hours respectively. During fiscal years 2008 and 2009, the respondent billed TRC for 699 and 243 hours respectively. The total hours billed by the respondent to CPCS, CPP and TRC for fiscal years 2008 and 2009 were 3,642.5 and 3,826.25 respectively.

Many of the respondent's bills to CPCS, all of which he submitted under the pains and penalties of perjury, were inaccurate and greatly inflated, and/or simply false. In violation of the written policy of CPCS, many of the respondent's bills were not supported by contemporaneous time records in his possession.

During fiscal years 2008 and 2009, the respondent knowingly received from CPCS payments for his services in an amount greatly exceeding that to which he was entitled. The fees charged to and collected by the respondent from CPCS were "clearly excessive" within the meaning of Mass. R. Prof. C. 1.5(a).

Violations of the Massachusetts Rules of Professional Conduct

By charging to and collecting from CPCS clearly excessive fees, the respondent violated Mass. R. Prof. C. 1.5(a).

By intentionally submitting to CPCS, under the pains and penalties of perjury, bills

¹ The complete Order of the Court is available by contacting the Clerk of the supreme Judicial Court for Suffolk County.

² Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court.

that were inaccurate, inflated, and/or simply false, the respondent engaged in conduct involving dishonesty, fraud, deceit or misrepresentation, in violation of Mass. R. Prof. C. 8.4(c); conduct prejudicial to the administration of justice, in violation of Rule 8.4(d); and conduct that adversely reflects upon his fitness to practice law, in violation of Rule 8.4(h).

The respondent has no previous disciplinary history.

In mitigation, the respondent has executed a promissory note payable to CPCS, under which he will make restitution to CPCS over a four -year period in 48 installments. The respondent shall not submit an application for reinstatement to the bar, unless and until he has made restitution in accordance with the terms of the promissory note.

The matter came before the Court, Cordy J., on a stipulation of the parties and Recommendation and Vote by the Board. On January 25, 2013, the Court issued an Order suspending the respondent from the practice of law for four years, commencing thirty days from the date of the Order.