

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
NO: BD-2024-046

In Re: CHARLES A. REID, III

MEMORANDUM OF DECISION AND JUDGMENT OF DISBARMENT

This matter came before the Court, Wendlandt, J., on an Information and Record of Proceedings pursuant to S.J.C. Rule 4:01, § 8 (6), filed by the Board of Bar Overseers (board) on August 5, 2025, with the Recommendation and Vote of the Board that the respondent, Charles A. Reid, III, be disbarred. The respondent presently is suspended from the practice of law by order of temporary suspension pursuant to S.J.C. Rule 4:01, § 12A. See Order of Immediate Temporary Suspension (order), BD-2046-046, entered November 13, 2024 (Wendlandt, J.). The respondent has failed to comply with the terms of that order.¹

On April 16, 2025, the Office of Bar Counsel (bar counsel) filed a twelve-count petition for discipline against the

¹ See Bar Counsel's Pet. for Discipline, Count XII (noting that respondent has failed to file required affidavit and to comply in other respects with terms of order and provisions of S.J.C. Rule 4:01, §§ 17 [1], [5], and [6]). As discussed infra, the allegations in Count XII are deemed admitted in light of the respondent's failure to file an answer. See Information and R. at *35-36 (letter from Board of Bar Overseers, dated May 13, 2025); B.B.O. Rules §§ 3.15 (e), (f), (g), and (h).

respondent for professional misconduct that included, inter alia, neglect of multiple client matters, making material misrepresentations to clients concerning the status of their matters, and failure to refund unearned fees (counts I through VII); and, with respect to two clients, that he filed baseless actions against them in retaliation for complaints to bar counsel filed against him (counts I and VI). Additionally, the petition charged that the respondent, while appearing on behalf of a client, engaged in a loud, disorderly, and threatening outburst toward a judge (count VIII); that he failed to timely inform bar counsel that he was convicted of a crime as required by S.J.C. Rule 4:01, § 12 (count IX); that he neither created nor maintained required IOLTA account records (count X); that he failed without good cause to cooperate with bar counsel's investigation of three separate client complaints against him (count XI); and that he failed to comply with the terms of the temporary suspension order discussed supra (count XII).² Bar

² Bar counsel charged that the respondent's misconduct involving his representation of seven separate clients (counts I through VII) violated Mass. R. Prof. C. 1.1 (lack of competence); 1.2 (failing to seek client's lawful objectives); 1.3 (lacking diligence in representation); 1.4 (a) (3) (failing to keep client reasonably informed regarding status of matter); 1.4 (a) (4) (failing to comply with client's reasonable requests for information); 1.5 (a) (charging fee for work not performed); 1.5 (b) (failing to set forth scope of representation in writing); 1.16 (d) (failing to refund unearned portion of fee); 3.1 (asserting baseless claim against former client for retaliatory purposes); 8.1 (making false statement of material fact to client

counsel's petition was served with a notice from the board informing the respondent that, pursuant to B.B.O. Rules § 3.15 (e), he was required to file an answer to the petition within twenty days and that his failure to do so would be deemed an admission of all charges.

The respondent did not file an answer, and a default was entered on May 13, 2025; he did not file a motion for relief from the default for good cause, B.B.O. Rules § 3.15 (h). In a letter dated June 9, 2025, the board notified the respondent that the allegations in the petition had been deemed admitted and invited the parties to submit briefs on the matter of

and bar counsel), 8.2 (making statement concerning integrity of judicial officer with reckless disregard for truth or falsity), 8.4 (c) (engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation), 8.4 (d) (engaging in conduct prejudicial to administration of justice), 8.4 (h) (engaging in conduct that reflects adversely on attorney's fitness to practice law), and S.J.C. Rule 4:01, § 10 (offering legal services conditioned on withdrawal of complaint with bar counsel).

For the behavior at issue in Count VIII, the respondent was charged with violating Mass. R. Prof. C. 3.5 (d) (engaging in conduct intended to disrupt tribunal); for Count IX, he was charged with violating rule 8.4 (b) (committing criminal act that reflects adversely on lawyer's probity or fitness to practice law) and S.J.C. Rule 4:01, § 12 (8) (failing to notify bar counsel within ten days of conviction); for count X, he was charged with violating Mass. R. Prof. C. 1.15 (b) (misusing trust funds intentionally) and (f) (failing to maintain required trust accounts and trust records); for Count XI, he was charged with violating rule 8.4 (g) (failing to cooperate with bar counsel during investigation of client complaints); and, for Count XII, he was charged with violating rule 3.4 (c) (disobeying obligation knowingly under rules of tribunal through failure to comply with terms of temporary suspension order).

sanction. Bar counsel timely filed its Brief of Disposition on June 23, 2025, wherein it recommended that the respondent be disbarred. The respondent did not file a brief. On July 14, 2025, the board voted unanimously to adopt bar counsel's proposed sanction and later filed the instant information.

An Order of Notice was issued and served on the respondent in the manner specified in S.J.C. Rule 4:01, § 21, directing him to appear in person before this court on September 3, 2025. Prior to the scheduled hearing, the respondent contacted bar counsel and left a telephonic message stating that he was in a residential treatment facility, but that he was scheduled to be released on September 4, 2025. Bar counsel thereafter filed a motion for a continuance, which the court allowed, and the hearing was rescheduled for September 10, 2025.³

The hearing was held on the rescheduled date, attended by assistant bar counsel and the respondent. At the hearing, the respondent represented that he did not receive notice of the instant bar discipline proceedings against him. Specifically, the respondent stated that since January 2025 he has been in treatment for substance use disorder and as a result had limited

³ In weighing whether to grant the continuance, the court considered (i) the respondent's status as suspended from the practice of law by virtue of the order, and (ii) bar counsel's representation to the court that the respondent's message, while not expressly stating as much, suggested he would be interested in appearing before the court if the hearing were rescheduled.

ability to communicate; he also asserted that he was subject to a restraining order that precluded him from receiving mail at his registered office address, including the notices pertaining to these proceedings.

While the court applauds the respondent's decision to seek treatment, the record before me does not support the respondent's claimed lack of notice. The respondent received no less than four notices from this court between April 12, 2024, and November 13, 2024, setting forth bar counsel's allegations that he engaged in serious misconduct;⁴ these same allegations form the bases of bar counsel's petition for discipline. Notably, after receiving notice to appear before this court in connection with bar counsel's petition for temporary suspension pursuant to S.J.C. Rule 4:01, § 12A, see ORDER OF NOTICE, In re: Charles A. Reid, III, BD-2024-046 (entered: November 7, 2024), the respondent filed an opposition to that petition and appeared at the emergency hearing on November 12, 2024, at which time bar counsel detailed the misconduct that would comprise

⁴ Specifically, the respondent received notice from this court on April 12, 2024, regarding the entry of the case in connection with his conviction, S.J.C. Rule 4:01, § 12 (9); notice on June 3, 2024, that an order had entered "remanding [the] matter to the [board]" for further proceedings; notice on November 7, 2025, to appear before this court to show cause why the relief sought in bar counsel's petition for temporary suspension should not be granted; and notice on November 13, 2024, that an order had entered "temporarily suspending [the] respondent pending further proceedings before the [board]."

substantially all the counts brought in the petition for discipline.⁵ Contrast Konan v. Carroll, 37 Mass. App. Ct. 225, 228 (1994) (service of process at defendants' prior address insufficient to support default judgment in light of defendants' affidavits stating they had moved from prior address almost four years before service was perfected and absent evidence they had actual knowledge of suit prior to entry of default judgment).

Moreover, the respondent provided no explanation for his failure to inform bar counsel of a change of address following the entry of the restraining order, and despite his knowledge of the pending disciplinary proceedings against him, as well as the gravity of the allegations and their consequences.⁶ In fact, despite his claimed lack of notice, at the hearing before me,

⁵ Bar counsel's investigation of the respondent's conduct with respect to one client, A.M., is described as "pending" in the temporary suspension petition, which has been impounded. The respondent's behavior toward A.M. would later form count VII of the formal petition. See Bar Counsel's Pet. for Discipline at *20-21.

⁶ The respondent does not substantively challenge the board's findings (now admitted) against him; at the hearing before me, the respondent addressed only one matter concerning one client, V.G. Even with regard to that client, however, the respondent failed to address the record before me that he, *inter alia*, neglected her claim for almost a year; refused to refund her money upon her discovery that he had accomplished almost no work on her matter and repeatedly misrepresented the status of his progress; and then proceeded to threaten and harass her after learning that she filed a complaint against him with bar counsel. Notably, the respondent was aware of bar counsel's allegations concerning these events prior to his entry into treatment.

the respondent acknowledged that he had communicated with a different assistant bar counsel regarding the petition and agreed to "surrender his bar license," demonstrating his familiarity with the misconduct. Thus, even were the court to credit the respondent's unsupported and unsworn representation that he lacked access to his mail by January 2025, his present assertion that he was unaware of these proceedings is not credible. See Notice of Docket Entry, In re: Charles A. Reid, III, BD-2024-046 (dated: November 13, 2024) (informing respondent he is suspended "pending further proceedings before the [board]"). Contrast Konan, 37 Mass. App. Ct. at 228.

Therefore, upon consideration of the foregoing, and for substantially the reasons listed in bar counsel's Brief on Disposition, it is ORDERED and ADJUDGED that:

1. Charles A. Reid, III, is hereby disbarred from the practice of law in the Commonwealth effective immediately upon the entry of this Judgment, and the respondent's name is forthwith stricken from the Roll of Attorneys.

It is FURTHER ORDERED that:

2. Within fourteen (14) days of the date of entry of this Judgment, the respondent shall:

- a) file a notice of withdrawal as of the effective date of the disbarment with every court, agency, or tribunal before which a matter is pending, together with a

copy of the notices sent pursuant to paragraphs 2 (c) and 2 (d) of this Judgment, the client's or clients' place of residence, and the case caption and docket number of the client's or clients' proceedings;

b) resign as of the effective date of the disbarment all appointments as guardian, executor, administrator, trustee, attorney-in-fact, or other fiduciary, attaching to the resignation a copy of the notices sent to the wards, heirs, or beneficiaries pursuant to paragraphs 2 (c) and 2 (d) of this Judgment, the place of residence of the wards, heirs, or beneficiaries, and the case caption and docket number of the proceedings, if any;

c) provide notice to all clients and to all wards, heirs, and beneficiaries that the lawyer has been disbarred; that he is disqualified from acting as a lawyer after the effective date of the disbarment; and that, if not represented by co-counsel, the client, ward, heir, or beneficiary should act promptly to substitute another lawyer or fiduciary or to seek legal advice elsewhere, calling attention to any urgency arising from the circumstances of the case;

d) provide notice to counsel for all parties (or, in the absence of counsel, the parties) in pending matters that the lawyer has been disbarred and, as a consequence,

is disqualified from acting as a lawyer after the effective date of the disbarment;

e) make available to all clients being represented in pending matters any papers or other property to which they are entitled, calling attention to any urgency for obtaining the papers or other property;

f) refund any part of any fees paid in advance that have not been earned; and

g) close every IOLTA, client, trust or other fiduciary account and properly disburse or otherwise transfer all client and fiduciary funds in his possession, custody or control.

All notices required by this paragraph shall be served by certified mail, return receipt requested, in a form approved by the board.

3. Within twenty-one (21) days after the date of entry of this Judgment, the respondent shall file with bar counsel an affidavit certifying that the lawyer has fully complied with the provisions of this Judgment and with bar disciplinary rules. Appended to the affidavit of compliance shall be:

a) a copy of each form of notice, the names and addresses of the clients, wards, heirs, beneficiaries, attorneys, courts and agencies to which notices were sent,

and all return receipts or returned mail received up to the date of the affidavit. Supplemental affidavits shall be filed covering subsequent return receipts and returned mail. Such names and addresses of clients shall remain confidential unless otherwise requested in writing by the lawyer or ordered by the court;

b) a schedule showing the location, title and account number of every bank account designated as an IOLTA, client, trust or other fiduciary account and of every account in which the lawyer holds or held as of the entry date of this Judgment any client, trust or fiduciary funds;

c) a schedule describing the lawyer's disposition of all client and fiduciary funds in the lawyer's possession, custody or control as of the entry date of this Judgment or thereafter;

d) such proof of the proper distribution of such funds and the closing of such accounts as has been requested by the bar counsel, including copies of checks and other instruments;

e) a list of all other state, federal and administrative jurisdictions to which the lawyer is admitted to practice;

f) the residence or other street address where communications to the lawyer may thereafter be directed;

and

g) any and all bar registration cards issued to the lawyer by the board.

The lawyer shall retain copies of all notices sent and shall maintain complete records of the steps taken to comply with the notice requirements of S.J.C. Rule 4:01, § 17.

4. Within twenty-one (21) days after the entry date of this Judgment, the respondent shall file with the Clerk of the Supreme Judicial Court for Suffolk County:

a) a copy of the affidavit of compliance required by paragraph 3 of this Judgment;

b) a list of all other state, federal and administrative jurisdictions to which the respondent is admitted to practice; and

c) the residence or other street address where communications to the respondent may thereafter be directed.

By the Court,

/s/ Dalila A. Wendlandt
Associate Justice

Dated: September 16, 2025.