

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPREME JUDICIAL COURT  
FOR SUFFOLK COUNTY  
No: BD-2024-052

**IN RE: STEVEN DOMINIC DILIBERO**

ORDER IMPOSING FORMAL PETITION FOR REINSTATEMENT PROCESS

This matter came before the Court, Kafker J., on the lawyer's affidavit of compliance pursuant to S.J.C. Rule 4:01, § 18 (1) (b) and (c) filed October 3, 2025. The lawyer was suspended pursuant to this Court's January 9, 2025, Order of Term Suspension (Partially Stayed) for a period of one (1) year, with six (6) months and one (1) day to be served and the balance of the suspension stayed for a period of one (1) year. On October 10, 2025, the Office of Bar Counsel filed an objection to the lawyer's affidavit of compliance, with the lawyer responding to the objection on October 20, 2025, and requesting that Bar Counsel's notice of objection be stricken. This Court denied the lawyer's request to strike, issued a scheduling order for pre-hearing written arguments, and scheduled the matter for hearing on November 25, 2025. See S.J.C. Rule 4:01, § 18(1) (c) (upon bar counsel's objection "the court shall hold a

hearing to determine if the filing of a petition for reinstatement and a reinstatement hearing as provided elsewhere in this section 18 shall be required").

This Court's January 9, 2025 Order forbade the lawyer from practicing law during his suspension, as did S.J.C. Rule 4:01 § 17(7) ("no lawyer who is disbarred or suspended . . . shall engage in legal or paralegal work"). Bar counsel's pre-hearing submission included an affidavit from the lawyer's former paralegal detailing the lawyer's continued involvement in Massachusetts legal matters following his suspension, including his overseeing the drafting and filing of a complaint in Bristol Superior Court under another attorney's name, meeting an incarcerated client about their criminal case, and directing the work of a firm associate on a divorce matter in Plymouth Probate and Family Court. This affidavit was accompanied by corroborating documentary evidence. In response, the lawyer submitted affidavit evidence disputing these allegations. Nevertheless, these are serious allegations that require further examination by the Board of Bar Overseers.

Moreover, it is undisputed that, following his suspension, the lawyer continued to perform some professional function in his law firm, for which he is the sole owner, transferred his client matters to his employees for handling, and continued to receive compensation for the legal services performed by his employees on those client matters. See S.J.C. Rule 4:01 § 17(7) ("no lawyer or

law firm shall knowingly employ or otherwise engage, directly or indirectly, in any capacity, a person who is suspended or disbarred by any court"). Cf. Waggoner v. Board of Professional Responsibility, 673 S.W.3d 227, 237 (Tenn. 2023) ("It would undermine the purpose of the attorney disciplinary process if a suspended attorney could make an end-run around his suspension, practice law by proxy, and continue to generate revenue from the practice of law").

In light of the above, and upon consideration of the parties' pre-hearing written submissions and arguments at the November 25<sup>th</sup> hearing, the Court determines that proceeding via the reinstatement process set out in S.J.C. Rule 4:01, §§ 18(1) ("Eligibility for Reinstatement -- Short-term suspensions") is not appropriate in this matter, and instead "the filing of a petition for reinstatement and a reinstatement hearing . . . shall be required." S.J.C. Rule 4:01, § 18(1)(c). Accordingly, it is ORDERED that the lawyer follow the petition processes set forth in S.J.C. Rule 4:01, §§ 18(4) ("Petitions for Reinstatement") and 18(5) ("Procedure on Petitions for Reinstatement") in seeking reinstatement from his term suspension.

By the Court,

/s/ Scott L. Kafker  
Associate Justice

Dated: December 8, 2025