IN RE: GAIL M. THALHEIMER

NO. BD-2008-016

S.J.C. Judgment of Reinstatement denied entered by Justice Cordy on January 24, 2014.[1]

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

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
No. BD-2008-016

IN RE: GAIL M. THALHEIMER

MEMORANDUM AND ORDER

The petitioner, Gail M. Thalheimer, was suspended indefinitely from the practice of law in 2008 for intentionally misusing client funds, failing to comply with recordkeeping requirements, and representing clients with conflicting interests. See Matter of Thalheimer, 24 Mass. Att'y Disc. R. 684, 685-689 (2008). Last year (August 13, 2013), she was granted permission by this court to work as a paralegal in her son's law firm subject to certain conditions.[1] The petitioner also filed a petition to be reinstated as a member of the bar. After a hearing on September 17, 2013, the Hearing Panel (panel) recommended that the petition be denied, and the Board of Bar Overseers (board) adopted the panel's findings of fact, conclusions of law, and its recommendation. The petitioner urges the court to reject the board's recommendation of denial.

The panel report was thorough and its conclusions fully supported. In reviewing it, I have noted that the panel found that the petitioner had met her burden of establishing that she

[1] It is not alleged that she has violated any of the conditions of her employment as a paralegal.

has the competency and learning in the law required for admission to practice law in the Commonwealth. The panel further expressed appreciation for the petitioner's accomplishments in her life and profession, and recognized that she "has started down the path of reform that might result in her eventual reinstatement." I agree with these observations, and would hope that the petitioner continues along such a path, as she has represented she intends to do.

I also give deference to the panel's findings and conclusions (adopted by the board) that the petitioner has not yet met her burden of demonstrating the moral qualifications for readmission. Therefore, I adopt the board's recommendation.

In consideration of the petitioner's commitment and progress, I further give her leave to file a new petition for reinstatement in September, 2014, at which point she will have completed one full year of paralegal work, and have had the benefit of an extended period of therapeutic counseling which she has undertaken.

So ordered.

Robert Cordy, Associate Justice

Entered: January 15, 2014