IN RE: JASON K. BETTS

NO. BD-2009-112

S.J.C. Order of Term Suspension entered by Justice Cordy on January 15, 2014.[1]

SUMMARY[2]

On August 2, 2011, the respondent, Jason K. Betts, admitted to sufficient facts to resisting arrest in violation of G. L. c. 268, § 32B. The case was continued without a finding for one year with conditions that the respondent participate in Level IV OCC programming, not consume alcohol or illegal drugs or marijuana, and submit to random testing and electronic monitoring. On October 31, 2011, the court found that the respondent had violated these conditions and ordered an examination pursuant to G. L. c. 123, § 15E, as an aid to sentencing. On December 20, 2011, the continuance without a finding was vacated, a finding of guilty was entered, and the respondent was sentenced to one year in the house of correction, with all but sixty days suspended.

The respondent admitted to sufficient facts on July 31, 2012, to another charge of resisting arrest as well as to disturbing the peace in violation of G. L. c. 272, § 53F. The case was continued without a finding until December 20, 2012, with conditions including that the respondent abstain from the use and possession of alcohol and illicit drugs, including marijuana. On June 13, 2013, the respondent was found guilty after a jury trial of operating under the influence and negligent operation of a motor vehicle. The court entered an admission to sufficient facts on both charges and continued the matter to June 13, 2014, subject to the standard conditions of probation for a conviction of operating under the influence, first offense.

The respondent's criminal conduct violated Mass. R. Prof. C. 8.4(b) and (h). At the time of these convictions, the respondent was suspended from the practice of law. *Matter of Betts*, 26 Mass. Att'y Disc. Rep. 49 (2010) (twelve-month suspension with six months stayed subject to conditions); *Matter of Betts*, S.J.C. No. BD-2009-112 (March 26, 2012) (full twelve-month suspension imposed after the respondent failed to comply with conditions of stayed suspension).

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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.

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

On August 28, 2013, bar counsel filed a petition for discipline. Because the respondent did not file an answer, the allegations and rule violations were deemed admitted. On October 23, 2013, bar counsel filed a memorandum of law in support of an indefinite suspension from the practice of law to take effect on the date of entry. The respondent did not file a memorandum of law. On November 25, 2013, the board declined to follow bar counsel's recommendation and voted to recommend to the Supreme Judicial Court that the respondent be suspended from the practice of law for three years effective on the date of entry.

On December 18, 2013, the board filed an information and the record of proceedings in the Supreme Judicial Court for Suffolk County. The county court issued an order of notice setting a hearing date for January 14, 2014. Bar counsel and the respondent waived hearing and assented to an order suspending the respondent for three years effective on the entry date of the order. On January 15, 2014, the county court (Cordy, J.) entered an order suspending the respondent for three years immediately upon entry of the order.