



**IN RE: JOHN J. KING**

**NO. BD-2011-104**

**S.J.C. Order of Term Suspension entered by Justice Cordy on March 23, 2012.<sup>1</sup>**

(S.J.C. Judgment of Reinstatement entered by Justice Cordy on June 5, 2013.)

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<sup>1</sup> 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  
SJC No. BD-2011-104

IN THE MATTER OF JOHN J. KING

MEMORANDUM OF DECISION

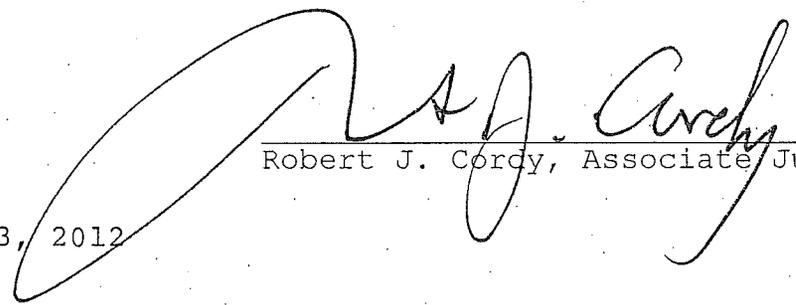
This bar disciplinary matter is before me pursuant to an Information filed by the Board of Bar Overseers (board) recommending that John J. King (respondent) be suspended from the practice of law for nine months. Bar counsel contends that the sanction is too lenient and markedly disparate from sanctions for similar misconduct. The respondent on the other hand, urges that he not be suspended from the practice of law, principally because the conduct resulting in this proceeding was similar in kind and occurred at or about the same time as conduct that resulted in his stipulation to a two month suspension in 2007. In essence, he contends that all of these disciplinary matters properly should have been resolved at that time, and that subsequent to his reinstatement to practice in 2008, he has conducted himself in full accord with the rules of professional responsibility. That is, he learned his lesson, changed his ways, and has not reoffended. Consequently a second suspension and disruption of his practice is unfair, unwarranted, and not necessary to protect the public or the integrity of the profession.

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This is a difficult case for the many reasons fully explicated in the meticulous Report of the Hearing Committee and the Memorandum of the board. The respondent's equitable arguments are not without their appeal, and it is indeed unfortunate that all of the matters now before the court could not have been resolved in a single suspension in 2007. However, I am also persuaded that the fault does not lie with bar counsel; that the matters before me in the Information are serious, involving the serious neglect of a client's case, the intentional commingling and misuse of client funds in two other cases, and misrepresentations made to a judge. Consequently, I am persuaded that had all of the matters been resolved in the 2007 disciplinary action, a lengthy if not indefinite suspension may have been appropriate.

The Hearing Committee recommended a two year suspension, with the last year suspended on certain conditions. As noted, the board recommended the lesser sanction of a nine month suspension. While both recommendations have their merit and are well justified in the respective Report and Memorandum, I am persuaded by the board's ultimate recommendation and take into account the particularly difficult impact of successive

suspensions in the circumstances. Therefore, an order shall enter suspending the respondent from the practice of law in the Commonwealth for a term of nine (9) months.

A large, stylized handwritten signature in black ink, appearing to read 'R. J. Cordy'. The signature is written over a horizontal line.

Robert J. Cordy, Associate Justice

Entered: March 23, 2012