

**IN RE: MARK F. ROBERTS****NO. BD-2012-118****SUMMARY¹**

The respondent was admitted to the Massachusetts Bar on January 18, 1995. He was administratively suspended on December 11, 2012. On November 14, 2014, the Supreme Judicial Court for Suffolk County entered an order suspending the respondent for a period of one year and one day.

The suspension arose from the respondent's misconduct in two unrelated matters and his failure to respond to bar counsel's inquires and to comply with the order of administrative suspension.

In 2010, the respondent was retained by an individual to correct an error in a Virginia Sex Offender Registry Board classification after he had moved from Massachusetts to Virginia. After receiving a \$100 retainer, the respondent failed to perform any work of substance on behalf of his client in, violation of Mass. R. Prof. C. 1.1, 1.2, and 1.3. The respondent also failed to communicate with his client and respond to reasonable requests for information, in violation of Mass. R. Prof. C. 1.4(a). After his representation was terminated by the client, the respondent failed to refund the client's retainer in violation of Mass. R. Prof. C. 1.16(d).

Also in 2010, the respondent was appointed to represent an individual to challenge his classification level with the Massachusetts Sex Offender Registry Board. In October 2010, the respondent attended a classification hearing on behalf of his client. After the client received his classification level, he asked the respondent to appeal. The respondent agreed to file a complaint for judicial review of the board's decision in superior court. Thereafter, the respondent failed to perform any work of substance on behalf of his client in violation of 1.1, 1.2, and 1.3. In January 2012, the client made several unsuccessful attempts by phone and mail to contact the respondent, but the respondent failed to respond to his inquiries. The respondent's failure to communicate with his client violated Mass. R. Prof. C. 1.4(a). The respondent's failure to inform his client that he was terminating the representation violated Mass. R. Prof. C. 1.16(d).

On December 11, 2012, the respondent was administratively suspended by order of the Supreme Judicial Court for Suffolk County pursuant to S.J.C. Rule 4:01, § 3(2). Thereafter, the

¹ Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court.

respondent intentionally failed without good cause to comply with the order of administrative suspension, in violation of S.J.C. Rule 4:01, § 17, and Mass. R. Prof. C. 3.4(c), 8.4(d) and (h). He also failed without good cause to comply with bar counsel's requests for information, in violation of S.J.C. Rule 4:01, § 3, and Mass. R. Prof. C. 3.4(c) and 8.1(b), 8.4(d), 8.4(g), and 8.4(h).

On July 1, 2014, bar counsel filed a petition for discipline against the respondent alleging the misconduct described above. The respondent failed to file an answer to the petition for discipline and was defaulted.

On October 10, 2014, the Board of Bar Overseers voted to recommend that the respondent be suspended for one year and one day. On November 14, 2014, the Supreme Judicial Court for Suffolk County (Cordy, J.) entered a judgment of term suspension for a period of one year and one day, effective on the entry date of the order.