

**IN RE: MELINA MERINO****NO. BD-2013-008****S.J.C. Order of Term Suspension entered by Justice Botsford on November 14, 2014.<sup>1</sup>****SUMMARY<sup>2</sup>**

The respondent received an eighteen-month suspension from the practice of law for neglecting the interests of at least fifteen immigration clients, failing to cooperate with bar counsel and failing to fully comply with a court order. Her misconduct is summarized below.

The respondent was a sole practitioner of an immigration practice. At least by the fall of 2012, the respondent effectively abandoned her law practice. The respondent did not notify her clients that she would be abandoning their cases and the practice of law and did not take any steps of substance to return files to clients, to advise clients to seek other counsel or to otherwise protect her clients' interests. The respondent stopped communicating with her clients and clients were unable to contact her.

On February 1, 2013, bar counsel filed a petition for administrative suspension with the Supreme Judicial Court of Suffolk County as a result of the respondent's failure to cooperate with bar counsel and respond to requests for information. On February 5, 2013, an order of immediate suspension was entered by the Supreme Judicial Court effective immediately. The respondent was not reinstated to the Massachusetts bar within thirty days of February 5, 2013, and became subject to the provisions of S.J.C. Rule 4:01, § #17, requiring her, among other things, to notify all clients of her suspension, make clients' files available to clients, refund all fees paid in advance that were not earned, close all trust accounts, and properly distribute all trust funds in her possession, custody or control. The respondent failed to fully comply with the order of administrative suspension.

On February 22, 2013, the respondent was reciprocally suspended from the practice of law before the Board of Immigration Appeals, the Immigration Courts and the Department of Homeland Security. Upon request of bar counsel, on June 6, 2013, the county court appointed a commissioner to secure and return the respondent's clients' files and protect the clients' interests.

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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.

<sup>2</sup> Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court.

The respondent's conduct in abandoning her law practice and at least fifteen clients without notice to her clients, necessitating the appointment of a commissioner, violated Mass. R. Prof. C. 1.1, 1.2(a), 1.3, 1.4(a) and (b), 1.16(a), (d) and (e), and 8.4(d) and (h).

The respondent's conduct in knowingly failing without good cause to cooperate with bar counsel's investigations violated Mass. R. Prof. C. 8.4(d), (g) and (h). The respondent's conduct in knowingly failing without good cause to comply with the order of administrative suspension violated Mass. R. Prof. C. 3.4(c) and 8.4(d) and (h).

The respondent was admitted to practice on June 22, 2005 and had no record of discipline.

On January 7, 2014, a petition for discipline was filed with the Board of Bar Overseers. On September 9, 2014, a revised answer to the petition for discipline and stipulation of the parties was filed with the board jointly recommending that the respondent be suspended from the practice of law for eighteen months. On October 6, 2014, the board voted to accept the stipulation of the parties and their joint recommendation to file an information with the Supreme Judicial Court.

On November 14, 2014, the Supreme Judicial Court for Suffolk County (Botsford, J.) entered an order suspending the respondent from the practice of law for a period of eighteen months, effective on the entry date of the order.