IN RE: DOUGLAS F. BOYD

NO. BD-2013-076

S.J.C. Order of Term Suspension entered by Justice Cordy on September 6, 2013.[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-2013-076

IN RE: DOUGLAS F. BOYD

MEMORANDUM

This matter is before the Court on an Information filed by the Board of Bar Overseers ("Board") recommending that the respondent be suspended from the practice of law for a year and a day. The respondent did not answer the petition for discipline filed by bar counsel, and the Board deemed the allegations therein to be admitted. The respondent did not file a brief on disposition with the Board, and on June 24, 2013, the Board voted its recommendation.

I held a hearing on August 27, 2013, at which the respondent, represented by counsel, attended. The respondent does not contest the underlying factual basis of the Board's finding of misconduct, which largely pertained to the lack of diligence in representing a client in two matters, with harm resulting, the failure to return client files, and the failure to cooperate with bar counsel's investigation.

In aggravation, the respondent has been disciplined twice before for similar misconduct involving neglect and the lack of diligence. Respondent is currently under a three month suspension, which itself had been suspended for a year subject to certain conditions. See BD-2012-011. While the year has passed, not all of the conditions have been met.

Respondent's counsel asks this Court to reduce the recommended period of suspension to six months, and represents that respondent has now sought professional help for his depression related issues.

While I am sympathetic to the medical concern, it appears to me that the Board's recommendation is both reasonable and appropriately calculated to protect the public interest. I am therefore imposing a suspension of one year and one day, and an order shall enter accordingly.

I am also inclined to proceed to find the respondent out of compliance with the conditions attendant to the prior suspension of his three month suspension, and to impose that three month suspension to run concurrently with the year and one day suspension. I will not take that step before hearing from the parties, who I ask to respond on or before September 30, 2013.

Robert J. Cordy
Associate Justice

Dated: September 6, 2013

A True Copy
Attest
9/6/13
Date
Assistant Clerk