IN RE: PAUL J. BENNETT

NO. BD-2014-060

SUMMARY[1]

The respondent, Paul J. Bennett, is an attorney duly admitted to the Bar of the Commonwealth on July 15, 1992. On April 24, 2014, the New Hampshire Supreme Court Professional Conduct Committee suspended the respondent for two years effective May 24, 2014, with the second year of the suspension stayed for one year, provided he comply with certain conditions.

The New Hampshire suspension was based upon a stipulation entered into by the respondent and New Hampshire Attorney Discipline Office, in which the respondent admitted that he: failed to hold client funds separate from his own funds or his law firm's funds; failed to timely transfer credit card payments from a merchant trust account to his client trust account or operating account; commingled earned fees with client funds in his trust accounts; knowingly made disbursements from client trust accounts to pay firm expenses; withdrew funds from client trust accounts to pay fees not yet earned or invoiced; failed to maintain records relating to the handling, maintenance and disposition of client funds; failed to fully and accurately document financial transactions affecting client funds; failed to perform monthly reconciliations of each client trust account; failed to provide complete and accurate information in his Trust Account Compliance Certificates; and allowed his client trust account to be unreconciled for a significant period, all in violation of New Hampshire Rule of Professional Conduct 1.15, and New Hampshire Supreme Court Rule 50.

The respondent also stipulated that he failed to adequately train and supervise his non-lawyer assistants to whom he delegated the responsibility for record-keeping and the handling and maintenance of his client trust accounts, in violation of New Hampshire Rule of Professional Conduct 5.3, and that by violating rules 1.15 and 5.3, he also violated New Hampshire Rule of Professional Conduct 8.4(a).

On June 4, 2014, bar counsel filed a petition for discipline with the Supreme Judicial Court for Suffolk County. The parties assented to an order of reciprocal discipline. On July 24, 2014, the Court (Spina, J.) entered an order, effective thirty days from the entry of the order, suspending the respondent from the practice of law in Massachusetts for two years, with the second year of the suspension stayed for a period of one year, with reinstatement conditioned on his reinstatement in New Hampshire.

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