

**IN RE: BRIAN GOODWIN****NO. BD-2014-074****SUMMARY**¹

The respondent, Brian Goodwin, is an attorney who was duly admitted to the bar of the Commonwealth on November 29, 2005. At all times relevant hereto, the respondent was engaged in the private practice of law.

Between June 20, 2008, and May 2010, the respondent practiced with another attorney under the name Goodwin Sichau, P.C. In about May 2010, the respondent and Sichau separated their practices and the respondent moved to a new address. The respondent continued to hold himself out to the public and to the Board of Bar Overseers as “Goodwin Sichau, P.C.” until August 2011.

From about July 2006 to about October 2011, the respondent was certified by the Committee for Public Counsel Services (CPCS) to provide legal representation to indigent parties in criminal cases. As a condition of certification, CPCS required its lawyers to maintain professional liability coverage in specified minimum amounts. The respondent’s liability insurance was cancelled for non-payment of premiums, effective September 15, 2010. He received notice of the cancellation in due course.

In May 2011, CPCS selected one of the respondent’s CPCS bills for a random audit. In connection with the audit, it asked the respondent to verify that he maintained professional liability coverage. The respondent then took steps to obtain coverage, which was effective on June 30, 2011. The respondent altered the declarations page of the policy to make it appear that the insurance had been in effect at the time he had rendered the services that were the subject of the CPCS audit. He provided the altered declarations page to CPCS, misrepresenting that he had

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

liability coverage during a period in which he had no coverage.

The respondent's conduct in altering an insurance declarations page and presenting it to CPCS as an authentic document violated Mass. R. Prof. C. 8.4(c)(d) and (h).

The respondent's conduct in holding himself out as Goodwin Sichau, P.C. when he was a solo practitioner not associated or partners with Sichau violated Mass. R. Prof. C. 7.1 and 7.5(a) and (d).

In mitigation, the respondent experienced family medical issues in 2010 and 2011 that resulted in his taking on additional responsibilities for the care of his three young children. Those responsibilities detracted from his ability to keep up with administrative aspects of his practice.

The matter came before the Court, Cordy J., on a stipulation of the parties and July 14, 2014 recommendation and vote by the board. On July 24, 2014, the Court issued an order suspending the respondent from the practice of law for a period of six months and one day, effective thirty days from the entry of the order.