

**IN RE: STEPHEN MARTIN GILPATRIC****NO. BD-2015-058****S.J.C. Order of Indefinite Suspension entered by Justice Cordy on April 7, 2016.¹****SUMMARY²**

Stephen Martin Gilpatric, the respondent, was admitted to the bar of the Commonwealth on November 27, 2007. On July 14, 2015, he was temporarily suspended from the practice of law by the Supreme Judicial Court for Suffolk County pending further proceedings in this matter. On April 7, 2016, the respondent was indefinitely suspended, retroactive to July 14, 2015, for the following misconduct.

On January 16, 2015, the respondent pleaded guilty in the Middlesex Superior Court to receiving unlawful compensation in violation of conflict-of-interest laws, in violation of G.L. c. 268A, § 4(a); receiving an illegal gratuity in violation of G.L. c. 268A, § 3(b); and unlawful communication of Criminal Offender Record Information in violation of G.L. c. 6, § 178.

The factual basis for the respondent's plea was as follows. In October of 2011, the respondent, then a Middlesex County Assistant District Attorney, exchanged confidential law enforcement information with a drug supplier for oxycodone pills. Later that month he forwarded additional confidential law enforcement information to the supplier and another in an unsuccessful attempt to obtain more pills. The respondent also accepted \$1,500 to help an individual get his driver's license back after losing it following a guilty plea in a criminal matter. The respondent drafted a motion for a new trial and caused it to be filed in court by another lawyer. The motion was never acted on.

The respondent was sentenced to two and one half years in the house of correction, suspended for five years. Terms of probation included random drug screens, drug evaluation and treatment as deemed necessary by the probation department, and that the respondent not work in any law enforcement capacity.

The respondent's criminal conduct violated Mass. R. Prof. C. 1.6(a), 1.7(b) and 8.4(b), (c), (d) and (h) (all as in effect prior to July 1, 2015).

¹ The complete Order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

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

In mitigation, prior to the events in issue, the respondent had become addicted to oxycodone. By the fall of 2011, his addiction was causing the respondent severe financial strain that contributed to his criminal conduct. By November of 2011, the respondent sought treatment for his addiction. He made successful efforts to recover from his addiction and remained in treatment. In addition, the respondent admitted his guilt early in the criminal proceeding and cooperated fully with the state prosecutors and with bar counsel.

On November 13, 2015, bar counsel filed a petition for discipline with the Board of Bar Overseers. On January 19, 2016, the parties filed a stipulation in which the respondent admitted his misconduct and the parties agreed that the respondent be indefinitely suspended, retroactive to July 14, 2015, the date of his temporary suspension. On March 7, 2016, the board voted to accept the stipulation of the parties, and on April 7, 2016, the Supreme Judicial Court for Suffolk County (Cordy, J.) so ordered.