

**IN RE: MICHAEL T. HAZARD****NO. BD-1992-012****S.J.C. Order of Term Suspension entered by Justice Duffly on April 16, 2015.¹****SUMMARY²**

The respondent was suspended for violating the conditions of his reinstatement to the practice of law from a prior disbarment.

On May 3, 1993, the Supreme Judicial Court for Suffolk County (SJC) ordered that the resignation of the respondent be accepted and that he be disbarred. Matter of Hazard, 9 Mass. Att'y Disc. R. 154 (1993). On January 29, 2013, after a reinstatement hearing before a hearing panel of the board, the SJC ordered that the respondent be reinstated to the practice of law subject to conditions as enumerated in the report. The first condition required the respondent to enter into a written mentoring agreement with another named attorney for a term of two years on terms satisfactory to bar counsel. Another condition required the respondent to submit to a psychological evaluation from Lawyers Concerned for Lawyers (LCL), but did not set forth a time for compliance.

On January 25, 2013, the respondent and the mentor entered into a written monitoring agreement executed by and approved by bar counsel. By letter dated October 8, 2013, and again confirmed by a second letter dated October 18, 2013, bar counsel received written notice from the mentor that he had severed his ties with the respondent, would no longer act as a monitor and that the respondent would seek a successor monitor. By letter dated October 21, 2013, bar counsel requested that the respondent not practice law until he obtained a successor monitor willing to sign an amended monitoring agreement. Bar counsel asked for a written response within ten days. The respondent did not respond to this letter. Thus, on January 13, 2014, bar counsel wrote to the respondent and stated that bar counsel had received no information and unless he abided by the terms of his reinstatement, bar counsel would seek reconsideration of the judgment of reinstatement or revocation of his right to practice law. On January 27, 2014, the letter was returned to bar counsel by the post office as "attempted - not known unable to forward". Bar counsel assigned the matter to

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.

investigators to locate the respondent, but after diligent efforts, bar counsel was not successful.

On March 3, 2014, bar counsel filed a motion for reconsideration with the SJC asking that the SJC reconsider, and then deny or revoke, the respondent's reinstatement immediately. The matter was heard before the single justice on April 1, 2014. The respondent did not appear, but his previous counsel appeared and was given leave to speak to assist the Court. Counsel asked the Court to give the respondent time to resurface. The respondent did not resurface and on July 23, 2014, the SJC entered an order temporarily suspending the respondent pending further proceedings before the board. The respondent was ordered, among other matters, to file compliance forms and to contact bar counsel on or before October 1, 2014. The respondent failed to comply with the order of temporary suspension, had not contacted bar counsel, had not filed compliance forms and is still of parts unknown.

On August 14, 2014, bar counsel opened a file against the respondent based on the above and sent notice to the respondent at every known previous address and email of record. The respondent did not reply. On December 1, 2014, bar counsel filed a petition for discipline charging that the respondent's knowing failure to comply with the obligations and conditions of his reinstatement is conduct in violation of Mass. R. Prof. C. 3.4(c). The respondent defaulted.

On March 9, 2015, the board voted to suspend the respondent for six months and one day with a requirement that he be required to petition for formal reinstatement pursuant to S.J.C. Rule 4:01, § 18, before being reinstated. On April 16, 2015, after a hearing at which the respondent did not appear, the SJC so ordered, effective immediately.