



LAURENCE M. KELLEY

Public Reprimand No. 2013-10

Order (public reprimand) entered by the Board on June 24, 2013.

SUMMARY¹

The respondent, Laurence M. Kelley, is an attorney duly admitted to the bar of the Commonwealth on June 28, 1994. At all times relevant to this matter, he maintained a solo practice in Salem, Massachusetts.

On or about November 10, 2010, the client retained the respondent to file a contempt action against her ex-husband for failure to make court-ordered alimony payments. While still representing the client, on or about August 15, 2011, between 11:30 p.m. and midnight, the respondent while intoxicated sent several inappropriate text messages to the client, and telephoned the client twice and then hung up without speaking.

The respondent's late night inappropriate texts and telephone calls to his client constituted conduct adversely reflecting on his fitness to practice, in violation of Mass. R. Prof. C. 8.4(h).

On or about April 26, 2012, the respondent admitted to sufficient facts at the Concord District Court on a charge of operating under the influence, in violation of G.L. c. 24(d). Under S.J.C. Rule 4:01, section 12(1), an admission to sufficient facts is a conviction. The respondent failed within ten days of his conviction to report his conviction to bar counsel.

By failing to report his conviction to bar counsel within ten days of the conviction, the respondent violated S.J.C. Rule 4:01, § 12 (8), and MRPC 8.4(d).

In mitigation, the respondent has been struggling with alcohol addiction for many years. During the past year, he has stopped drinking, has attended meetings of Alcoholics Anonymous on a regular basis, and has a sponsor (an attorney) with whom he communicates frequently.

The matter came before the Board of Bar Overseers on an agreed recommendation for discipline by public reprimand based on a stipulation of the parties. As a condition of the stipulation, the respondent was required to contact Lawyers Concerned for Lawyers to arrange for an evaluation; to complete the LCL evaluation within sixty days from approval of the stipulation by the Board; and for a period of one year from the approval of the stipulation, to

¹ Compiled by the Board of Bar Overseers based on the record of proceedings before the board.

comply with any recommendations and/or reporting requirements made by LCL as a result of its evaluation.

On June 3, 2013, the Board of Bar Overseers voted to administer a public reprimand to the respondent on the conditions set forth above.