



**JARROD M. HOCHMAN**

**Public Reprimand No. 2015-11**

**Order (public reprimand) entered by the Board on October 8, 2015.**

**SUMMARY<sup>1</sup>**

The respondent received a public reprimand for his misconduct in two client matters. The respondent was admitted to the Massachusetts Bar on December 19, 1996.

The first matter involved a married couple who in 2011 retained the respondent to prepare and file a Chapter 13 bankruptcy petition with the United States Bankruptcy Court. On May 2, 2011, the respondent filed a petition for Chapter 13 bankruptcy, together with a Chapter 13 plan.

The respondent used the computer software program titled “Best Case Bankruptcy” in order to prepare the couple’s bankruptcy petition, schedules and plan. The respondent was aware that miscalculations could occur while using Best Case, but he failed to ensure that the totals he entered on the plan were correctly calculated. The respondent’s failure to review the calculations on the plan resulted in an unfeasible plan.

Between May 2, 2011, and August 14, 2013, the court dismissed the couple’s bankruptcy case four times due to the respondent’s failure to timely comply with the court’s orders and his failure to correctly calculate a feasible plan, despite the bankruptcy trustee’s attempts to explain to the respondent the steps he needed to take to adjust the plan and make it feasible. On August 29, 2013, the deputy clerk notified all parties that the court had entered an order dismissing the bankruptcy on August 14, 2013. Over the next several months the respondent took no meaningful action to reinstate the petition.

During the summer of 2013, the couple attempted to contact the respondent by telephone and office visits, but the respondent failed to respond to their requests for information on the case. On December 9, 2013, the trustee filed her final report and account.

On December 12, 2013, the respondent filed a motion to vacate the August 14, 2013, order of dismissal. In his motion, the respondent took responsibility for failing to file an acceptable amended plan. On December 18, 2013, the court denied the respondent’s motion to vacate the order of dismissal. On January 7, 2014, the trustee filed her final report and account. After January 7, 2014, the respondent failed to advise the couple that they could re-file their bankruptcy petition.

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<sup>1</sup> Compiled by the Board of Bar Overseers based on the record of proceedings before the board.

The respondent's failure to represent the couple competently and diligently and his failure to seek the lawful objective of his clients violated Mass. R. Prof. C. 1.1, 1.2(a) and 1.3. The respondent's failure to maintain reasonable communication with his clients violated Mass. R. Prof. C. 1.4(a) and (b).

In the second matter, the respondent was retained by a client on January 16, 2015, to file a complaint for modification to increase his visitation time with his children and to decrease his child support. By email dated February 6, 2015, the respondent informed his client that he had filed the complaint for modification with the court. In fact, the respondent had not yet filed the complaint for modification. The respondent made the statement to his client without determining whether the complaint had actually been filed. The respondent's negligent misrepresentations to his client that his complaint for modification had been filed violated Mass. R. Prof. C. 1.4.

The matter came before the Board of Bar Overseers on a stipulation of the parties and an agreed recommendation for discipline by public reprimand. On September 21, 2015, the Board of Bar Overseers voted to accept the stipulation and impose a public reprimand without further proceedings.