IN RE: JAMES S. LAWRENCE
BBO # 553940
NO BD-2023-068
Judgment (Disbarment) entered by Justice Wendlandt on May 30, 2024.[1]

Lawyer reciprocally disbarred after investigation of several allegations of misconduct in Rhode Island results in his consent to disbarment.

SUMMARY[2]

The respondent, James S. Lawrence, is an attorney duly admitted to the Bar of the Commonwealth on June 23, 1989; he was also a member of the bar of the State of Rhode Island. On April 20, 2023, the Rhode Island Supreme Court issued an order suspending the respondent from the practice of law in Rhode Island until further notice of the court. On December 4, 2023, the Rhode Island Supreme Court disbarred the respondent.

The respondent was under investigation in Rhode Island for several allegations of professional misconduct. During the investigation, in November 2023, the respondent submitted an affidavit in which he freely and voluntarily consented to disbarment. The Rhode Island Supreme Court determined that disbarment was appropriate, and issued the December 4, 2023 Order. It further prohibited the respondent from any further contact with his clients about their cases and directed him to surrender a full electronic copy of his client files to Disciplinary Counsel.

Bar counsel sought and obtained from the S.J.C. an order for the respondent's temporary suspension on October 26, 2023. After the respondent was disbarred in Rhode Island, bar counsel, on March 12, 2024, filed a new Petition for Reciprocal Discipline seeking the respondent's disbarment in Massachusetts. The respondent waived hearing and assented to the entry of an order of disbarment. The S.J.C. issued that Order on May 30, 2024. By that Order, the respondent's reinstatement in Massachusetts is contingent on his reinstatement in Rhode Island.

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[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 Massachusetts Board of Bar Overseers' Office of General Counsel based on the record filed with the Supreme Judicial Court.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS. SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
NO: BD-2023-068

IN RE: James S. Lawrence

JUDGMENT OF DISBARMENT

This matter came before the Court, Wendlandt, J., on a Second Petition for Reciprocal Discipline pursuant to S.J.C. Rule 4:01, § 16 and the attached December 4, 2023, Supreme Court of Rhode Island Order disbarring the respondent lawyer James S. Lawrence, filed by the Office of Bar Counsel on March 12, 2024. The parties filed a waiver of hearing and assent to disbarment on May 29, 2024.

Upon consideration thereof, it is ORDERED and ADJUDGED that:

1. James S. Lawrence is hereby disbarred from the practice of law in the Commonwealth effective immediately upon the entry of this Judgment, and the lawyer's name is forthwith stricken from the Roll of Attorneys.

It is FURTHER ORDERED that:

2. Within fourteen (14) days of the date of entry of this Judgment, the lawyer shall:

a) file a notice of withdrawal as of the effective date of the disbarment with every court, agency, or

tribunal before which a matter is pending, together with a copy of the notices sent pursuant to paragraphs 2(c) and 2(d) of this Judgment, the client's or clients' place of residence, and the case caption and docket number of the client's or clients' proceedings;

b) resign as of the effective date of the disbarment all appointments as guardian, executor, administrator, trustee, attorney-in-fact, or other fiduciary, attaching to the resignation a copy of the notices sent to the wards, heirs, or beneficiaries pursuant to paragraphs 2(c) and 2(d) of this Judgment, the place of residence of the wards, heirs, or beneficiaries, and the case caption and docket number of the proceedings, if any;

c) provide notice to all clients and to all wards, heirs, and beneficiaries that the lawyer has been disbarred; that he is disqualified from acting as a lawyer after the effective date of the disbarment; and that, if not represented by co-counsel, the client, ward, heir, or beneficiary should act promptly to substitute another lawyer or fiduciary or to seek legal advice elsewhere, calling attention to any urgency arising from the circumstances of the case;

d) provide notice to counsel for all parties (or, in the absence of counsel, the parties) in pending matters that the lawyer has been disbarred and, as a consequence,

is disqualified from acting as a lawyer after the effective date of the disbarment;

e) make available to all clients being represented in pending matters any papers or other property to which they are entitled, calling attention to any urgency for obtaining the papers or other property;

f) refund any part of any fees paid in advance that have not been earned; and

g) close every IOLTA, client, trust or other fiduciary account and properly disburse or otherwise transfer all client and fiduciary funds in his possession, custody or control.

All notices required by this paragraph shall be served by certified mail, return receipt requested, in a form approved by the Board.

3. Within twenty-one (21) days after the date of entry of this Judgment, the lawyer shall file with the Office of the Bar Counsel an affidavit certifying that the lawyer has fully complied with the provisions of this Judgment and with bar disciplinary rules. Appended to the affidavit of compliance shall be:

a) a copy of each form of notice, the names and addresses of the clients, wards, heirs, beneficiaries, attorneys, courts and agencies to which notices were sent,

and all return receipts or returned mail received up to the date of the affidavit. Supplemental affidavits shall be filed covering subsequent return receipts and returned mail. Such names and addresses of clients shall remain confidential unless otherwise requested in writing by the lawyer or ordered by the court;

b) a schedule showing the location, title and account number of every bank account designated as an IOLTA, client, trust or other fiduciary account and of every account in which the lawyer holds or held as of the entry date of this Judgment any client, trust or fiduciary funds;

c) a schedule describing the lawyer's disposition of all client and fiduciary funds in the lawyer's possession, custody or control as of the entry date of this Judgment or thereafter;

d) such proof of the proper distribution of such funds and the closing of such accounts as has been requested by the bar counsel, including copies of checks and other instruments;

e) a list of all other state, federal and administrative jurisdictions to which the lawyer is admitted to practice;

f) the residence or other street address where communications to the lawyer may thereafter be directed;

and

g) any and all bar registration cards issued to the lawyer by the Board of Bar Overseers.

The lawyer shall retain copies of all notices sent and shall maintain complete records of the steps taken to comply with the notice requirements of S.J.C. Rule 4:01, § 17.

4. Within twenty-one (21) days after the entry date of this Judgment, the lawyer shall file with the Clerk of the Supreme Judicial Court for Suffolk County:

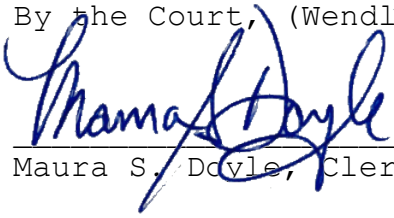
a) a copy of the affidavit of compliance required by paragraph 3 of this Judgment;

b) a list of all other state, federal and administrative jurisdictions to which the lawyer is admitted to practice; and

c) the residence or other street address where communications to the lawyer may thereafter be directed.

The lawyer's reinstatement to the practice of law in the Commonwealth of Massachusetts shall be contingent on his reinstatement to the practice of law in Rhode Island.

By the Court, (Wendlandt, J.)



Maura S. Doyle, Clerk

Dated: May 30, 2024