

**IN RE: KEVIN P. MACMURRAY**

**BBO # 558192**

**NO. BD-2025-011**

**Order (Term Suspension) entered by Justice Georges on February 12, 2025.** <sup>1</sup>

*For misconduct in an immigration matter, the parties stipulated to a three-month suspension from practice, stayed for one year, with specific and tailored conditions.*

**SUMMARY**<sup>2</sup>

The respondent practices immigration law, and is the founder and managing partner of a firm employing approximately eighteen attorneys and over 115 non-attorney paralegals. He delegates heavily to his non-lawyer staff and to his subordinate lawyers. The misconduct at issue concerned a Guatemalan client illegally in the US since 2000. The client is married to a woman who has DACA status, and they have two children who are US citizens. The client first consulted with the respondent's firm in 2013 about obtaining lawful status. The respondent delegated the matter to his paralegal, who suggested filing an asylum petition to get a green card. The implications, likelihood of success, and risks of this approach were never explained to the client. The respondent delegated the entire matter to his non-legal staff and associates until early 2021; his involvement followed an unsuccessful hearing, resulting in an order of removal. Eventually, new counsel took over, and sought relief for the client based, in part, on the respondent's ineffective assistance of counsel for his failure to investigate or obtain suitable evidence to warrant the requested relief. That matter is still pending.

The respondent's misconduct violated numerous disciplinary rules and showed a lack of competence, lack of diligence, failure to seek a client's lawful objective, failure to communicate, and improper supervision of and delegation to staff.

Bar counsel and the respondent stipulated to a resolution of the matter. The parties proposed that the suspension be stayed to ensure that the respondent follow detailed compliance conditions.

By vote dated January 13, 2025, the Board recommended to the S.J.C. that it accept the parties' joint recommendation that the respondent be suspended from the practice of law for three months, stayed for one year, with conditions and monitoring.

On February 12, 2025, the Single Justice (Georges, J.) adopted the Board's recommendation, and ordered the respondent suspended for three months, stayed for one year with the following conditions and monitoring: (1) the lawyer and his entire staff shall have trainings on immigration law to be approved by the Office of Bar Counsel once every sixty (60) days for a total of six (6) total training classes over the twelve

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<sup>1</sup> The complete order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

<sup>2</sup> Compiled by the Massachusetts Board of Bar Overseers' Office of General Counsel based on the record filed with the Supreme Judicial Court.

(12) month period of the stayed suspension; (2) the lawyer shall participate in a practice review by Lawyers Concerned for Lawyers (LCL) and overseen by the Office of Bar Counsel, and shall comply with all recommendations; (3) the lawyer shall implement office protocols to ensure adequate supervision of non-attorney paralegals and subordinate lawyers including checklists and supervisory attorney involvement at every client meeting involving legal discussions, legal strategy, and/or legal decision making; and (4) the lawyer shall provide quarterly compliance reports to the Office of Bar Counsel summarizing all compliance actions during the quarter and quarterly meetings to discuss compliance with the Office of Bar Counsel.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPREME JUDICIAL  
COURT FOR SUFFOLK  
COUNTY  
NO: BD-2025-011

IN RE: Kevin P. MacMurray

ORDER OF TERM SUSPENSION/STAYED

This matter came before the Court, Georges J., on an Information and Record of Proceedings pursuant to S.J.C. Rule 4:01, §8(6), with the Recommendation and Vote of the Board of Bar Overseers (Board) and the parties' stipulation and compliance agreement filed by the Board on February 6, 2025.

Upon consideration thereof, it is ORDERED that:

Kevin P. MacMurray is hereby suspended from the practice of law in the Commonwealth of Massachusetts for a period of three months, stayed for a period of one (1) year, with the following conditions<sup>1</sup> and monitoring for one (1) year:

1. The lawyer and his entire staff shall have trainings on immigration law to be approved by the Office of

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<sup>1</sup> The conditions are set forth in the parties' stipulation, as well as, the parties' compliance agreement. The Court notes that the conditions appear to be set forth in greater detail in the compliance agreement and said details are incorporated into this order.

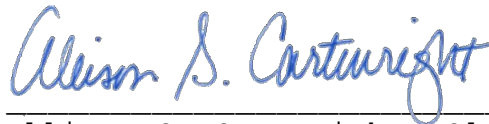
Bar Counsel once every sixty (60) days for a total of six (6) total training classes over the twelve (12) month period of the stayed suspension.

2. The lawyer shall participate in a practice review by Lawyers Concerned for Lawyers (LCL) and overseen by the Office of Bar Counsel, and shall comply with all recommendations.
3. The lawyer shall implement office protocols to ensure adequate supervision of non-attorney paralegals and subordinate lawyers including checklists and supervisory attorney involvement at every client meeting involving legal discussions, legal strategy, and/or legal decision making.
4. The lawyer shall provide quarterly compliance reports to the Office of Bar Counsel summarizing all compliance actions during the quarter and quarterly meetings to discuss compliance with the Office of Bar Counsel.

The lawyer shall timely comply with the conditions of this Order and remain in compliance throughout the one (1) year stayed suspension. If he fails to comply with any of the terms and conditions of this Order, the Office of Bar Counsel may petition this Court for the immediate imposition of the three (3) month suspension.

After one (1) year from the entry date of this Order, the lawyer may file an affidavit of compliance with the Office of Bar Counsel and the Clerk of the Supreme Judicial Court for the County of Suffolk, together with proof of his successful completion of the conditions and monitoring. Upon receipt, and with the assent of the Office of Bar Counsel, the lawyer may then request this Court to issue an Order that he is no longer subject to the three (3) month suspension for the misconduct that gave rise to the instant petition for discipline.

By the Court, (Georges J.)



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Allison S. Cartwright, Clerk

Dated: February 12, 2025