

PAUL W. PAPPAS

Public Reprimand No. 2020-5

Order (public reprimand) entered by the Board on September 2, 2020.

The respondent stipulated to a public reprimand for failing to adhere to the rules concerning IOLTA accounts, including the deposit of settlement checks into his operating account (which contained personal funds) and the withdrawal of earned fees without sending the required notice to the client. No client was deprived of their funds.

SUMMARY¹

The respondent maintained an IOLTA account to handle the receipt and distribution of client funds. Between December 18, 2017 and April 16, 2018, the respondent deposited client settlement checks into his operating account, instead of his IOLTA account, and paid the clients directly from his operating account. No client was deprived of their funds. During this same period, the respondent also deposited to and maintained personal funds in his operating account. This conduct violated Mass. R. Prof. C. 1.15(b).

From at the latest December 18, 2017, through at the earliest April 16, 2018, the respondent did not perform three-way reconciliations of his IOLTA account, in violation of Mass. R. Prof. C. 1.15(f)(1)(E).

Finally, on October 16, 2017 and October 25, 2017, the respondent withdrew earned fees from retainer funds he was holding for a client without sending that client an itemized bill of services rendered, notice of the amount withdrawn and a balance of the client's funds left in the account. This conduct violated Mass. R. Prof. C. 1.15 (d)(2).

In mitigation, the respondent had experienced a serious family disruption that affected his practice during the relevant time period.

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 July 13, 2020, the Board of Bar Overseers voted to accept the stipulation and impose a public reprimand without further proceedings.

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

COMMONWEALTH OF MASSACHUSETTS
BOARD OF BAR OVERSEERS
OF THE SUPREME JUDICIAL COURT

BAR COUNSEL,

Petitioner,

v.

Paul W. Pappas, Esq.,

Respondent

Public Reprimand No. 2020-5

ORDER OF PUBLIC REPRIMAND

This matter came before the Board on a Petition for Discipline and a Stipulation of the Parties waiving hearing and requesting that the matter be resolved by the imposition of a public reprimand. On July 13, 2020, the Board voted to accept the stipulation of the parties and their joint recommendation. It is ORDERED and ADJUDGED that Paul W. Pappas be and he is publicly reprimanded. A summary of the charges giving rise to the reprimand is attached to this order.

Whereupon, pursuant to Supreme Judicial Court Rule 4:01, Section 8(3), and the Rules of the Board of Bar Overseers, Section 3.56, it is ORDERED AND ADJUDGED that Paul W. Pappas, be and hereby is PUBLICLY REPRIMANDED.

BY: Ernest L. Sarason, Jr.
Ernest L. Sarason, Jr., Member
BOARD OF BAR OVERSEERS

DATED: September 2, 2020