

IN RE: SCOTT ALBERT CORLISS

S.J.C. Order of Disbarment entered by Justice Sosman on January 18, 2001. ¹

SUMMARY ²

The respondent was disbarred for his conduct in four unrelated cases.

In the first matter, the respondent obtained \$5,400.00 from a client under the guise of requiring the funds for certain litigation-related expenses, including retention of an expert. The respondent had no intention of spending the funds for the reasons given to his client. The respondent misrepresented the status of the case to his client and, when discharged by the client, did not return any of the funds. The respondent's conduct of intentionally misrepresenting the status of his representation to his client was in violation of Mass. R. Prof. C. 8.4(c). The respondent's conduct in obtaining funds by false pretense with intent to defraud his client, and with actual deprivation resulting, was in violation of Mass. R. Prof. C. 1.15(a)-(d) and 8.4(c) and (h).

In the second matter, the respondent accepted a \$500.00 retainer from a client, was then discharged, but failed to account for or return any portion of the retainer to the client and failed to return the client's file. The respondent's client then sued in small claims court and obtained a judgment against the respondent. The respondent did not comply with the judgment or the court's order to pay. The respondent's failure to comply with an order of the court with respect to the payment of a debt was in violation of Mass. R. Prof. C. 8.4(d). The respondent's failure to account to his client for the retainer paid and his failure to return any portion of the retainer and the client's file after discharge, was in violation of Mass. R. Prof. C. 1.16(d).

In the third matter, the respondent accepted \$950.00 from a client as a retainer for representation in connection with a labor dispute and an additional \$180.00 as an anticipated filing fee litigation expense. The respondent then falsely informed the client that he had filed suit when in fact he had not. Upon learning of the misrepresentation, the client discharged the respondent. The respondent failed to account for or return any portion of the retainer to the client when discharged. The respondent's client then sued in small claims court and obtained a judgment against the respondent. The respondent did not comply with the judgment or the court's order to pay. The respondent's conduct of intentionally misrepresenting the status of his representation to his client was in violation of Mass. R. Prof. C. 8.4(c). The respondent's failure to comply with an order of the court with respect to the payment of a debt was in violation of Mass. R. Prof. C. 8.4(d). The respondent's failure to account to his client for the retainer paid, and to return any unused portion of the retainer, was in violation of Mass. R. Prof. C. 1.16(d).

In the fourth matter, the respondent neglected a legal matter entrusted to him in violation of Mass. R. Prof. C. 1.3, misrepresented the status of the case to his client in violation of Mass. R. Prof. C. 8.4(c) and failed to return his client's file upon discharge in violation of Mass. R. Prof. C. 1.16(e).

In each of the four matters, the respondent failed to cooperate with the investigation of Bar Counsel in violation of Mass. R. Prof. C. 8.4(g).

On June 7, 1999, the respondent was administratively suspended from the practice of law for

failing to pay his annual registration fee. On July 14, 2000, Bar Counsel filed a petition for discipline alleging the facts set forth in the four matters described above. The respondent did not answer the petition and, on September 8, 2000, Bar Counsel filed an amended petition adding a count for the respondent's failure to cooperate with the disciplinary process. The respondent did not answer the amended petition and, pursuant to Supreme Judicial Court Rule 4:01,§8(3), the allegations were therefore deemed admitted. On November 28, 2000, the Board of Bar Overseers voted to recommend to the court that an order of disbarment enter and, on January 18, 2001, the Supreme Judicial Court for Suffolk County so ordered.

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 Board of Bar Overseers based on the record before the Court.

Please direct all questions to webmaster@massbbo.org.

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