

IN RE: RONALD J. ITRI

S.J.C. Judgment of Resignation entered by Justice Ireland on August 17, 2005, with an effective date of September 16, 2005.¹

SUMMARY²

In or about 1980 and pursuant to G.L. c. 194, the respondent was appointed to be a public administrator in Suffolk County. The duty of a public administrator is to administer the estates of persons who die intestate within their county, or elsewhere leaving property in such county to be administered, and not leaving a known spouse or heir in Massachusetts. The public administrator must turn over undistributed property to the state treasurer as abandoned property to be held subject to the provisions of G.L. c. 200A. The respondent served four terms of five years each as public administrator. He did not seek to be, and was not, reappointed in 2000.

In not fewer than 22 estates for which the respondent was appointed public administrator between 1982 and 1997, the respondent failed and neglected to conclude the administration of the estates. In most of these matters, no heirs were found. The respondent failed to complete the disbursement of estate funds to heirs, if any; creditors; or, where there were no heirs or creditors, the state treasurer's office. In some but not all of these estates, the state treasurer in 2000 made demand for, and received, accountings along with any funds that were due.

The respondent's failure to conclude in a timely manner the administration of the estates for which he was appointed public administrator and to make prompt disbursement of the estate assets to the persons entitled to receive the funds is conduct in violation of Mass. R. Prof. C. 1.3 and Mass. R. Prof. C. 1.15(a) and (b) as appearing in 426 Mass. 1301, 1363 (1997) effective 1/1/98 through 6/30/04 and, for conduct prior to January 1, 1998, Canon Six, DR 6 101(A)(3) and Canon Nine, DR 9 102(A) and (B).

The respondent's record keeping for the estates for which he was appointed public administrator was generally inadequate. In addition to his neglect and failure to complete the administration of the estates, he did not maintain accurate check registers for the bank accounts of certain of the estates, he did not maintain accurate records of payments of fees to himself as administrator of these estates, and he did not maintain accurate records of payments advanced on behalf of the estates from personal or operating funds. The final accounts filed in probate court for these estates contained errors.

The respondent's inadequate record keeping and inaccurate accounting, his failure to conclude in a timely manner the administration of the estates for which he was appointed public administrator and his failure to make prompt disbursement of the estate assets to the recipient is conduct in violation of Mass. R. Prof. C. 1.3 and Mass. R. Prof. C. 1.15(a) and (b) as appearing in 426 Mass. 1301, 1363 (1997) effective 1/1/98 through 6/30/04 and, for conduct prior to January 1, 1998, Canon Six, DR 6 101(A)(3) and Canon Nine, DR 9 102(A) and (B).

On June 7, 2005, the respondent filed an affidavit of resignation pursuant to Supreme Judicial Court Rule 4:01, § 15. On July 18, 2005, the Board of Bar Overseers voted to recommend to

the Supreme Judicial Court that the respondent's affidavit of resignation be accepted as a disciplinary sanction. On August 17, 2005, 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.

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