

IN RE: CRAIG J. CAMERLIN

S.J.C. Order of Term Suspension entered by Justice Gants on May 26, 2010.¹

SUMMARY²

On May 26, 2010, the Supreme Judicial Court for Suffolk County ordered that the respondent, Craig J. Camerlin, be suspended for one year and one day for misconduct in two separate cases and for failure to cooperate with bar counsel's investigations resulting in an administrative suspension.

In the first case, in April 2009 the client paid the respondent a \$1,000 retainer for a criminal appeal and a \$2,500 retainer for a personal injury claim. The respondent thereafter took no action on behalf of the client on either case.

The client repeatedly attempted to contact the respondent and repeatedly requested an accounting, a refund of the unearned portion of his fees and a copy of his file from the respondent. The respondent failed to respond to any of the client's calls or requests.

The respondent was suspended from the practice of law on April 27, 2009, for failure to register with the board and to pay an annual fee. The respondent did not notify the client of his suspension.

The respondent's failure to act with reasonable diligence and promptness on his client's cases violated Mass. R. Prof. C. 1.2(a) and 1.3. The respondent's failure to promptly comply with reasonable requests for information from the client violated Mass. R. Prof. C. 1.4 (a) and (b). The respondent's failure to account for the client's retainer, refund the unearned portion of the fees and promptly return the client's file as requested violated Mass. R. Prof. C. 1.15(d)(1) and 1.16 (d) and (e), and S.J.C. Rule 4:01, § 17(1)(f). The respondent's failure to advise the client that he had been suspended violated Mass. R. Prof. C. 3.4(d) and S.J.C. Rule 4:01, §§ 3 and 17(1)(c).

The second case concerned the defense of a client in a criminal matter. In May and June 2009, the respondent failed to appear on behalf of the client at two court dates. Prior to a scheduled pretrial conference in July 2009, the client made several attempts to contact the respondent, but the respondent's telephone numbers were disconnected. The respondent failed to appear at the pretrial conference, and the client requested and obtained a court-appointed attorney.

In August 2009, the client sent a certified letter to the respondent requesting his file. The respondent did not reply and did not return the client's file. On October 2009, after the client complained to bar counsel, the respondent provided the client's file to successor counsel.

The respondent's failure to appear at court hearings and to maintain reasonable contact with his client violated Mass. R. Prof. C. 1.2(a), 1.3 and 1.4 (a) and (b). The respondent's failure to return the client's file promptly after his discharge and upon the client's request violated Mass. R. Prof. C. 1.16 (d) and (e). The respondent's failure to advise the client that he had been administratively suspended and to make the client's file available violated Mass. R. Prof. C. 3.4(d) and S.J.C. Rule 4:01, §§ 3 and 17(1)(c) and (e).

Finally, the respondent failed without good cause to respond to bar counsel's requests for information made in the course of investigating the respondent's conduct in these two matters, for which he was suspended on November 4, 2009. The respondent knowingly failed without good cause to comply with the order of administrative suspension.

The respondent's repeated failures to cooperate with bar counsel's investigation violated Mass. R. Prof C. 8.4 (d), (g), and (h) and S.J.C. Rule 4:01, § 3. The respondent's failure to comply with the Court's order violated Supreme Judicial Court Rule 4:01, § 17(5) and Mass. R. Prof. C. 8.4(d).

In aggravation, the respondent failed to file an answer to the petition for discipline and was defaulted.

On April 12, 2010, the Board of Bar Overseers voted unanimously to recommend that the respondent be suspended from the practice of law for one year and one day, and on May 26, 2010, the Supreme Judicial Court for Suffolk County (Gants, J.) so ordered.

FOOTNOTES:

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 filed with the Supreme Judicial Court.

Please direct all questions to webmaster@massbbo.org.