

IN RE: CHARLES H. BALKAM, JR.

S.J.C. Judgment of Disbarment entered by Justice Gants on August 31, 2010.<sup>1</sup>

SUMMARY<sup>2</sup>

This matter came before the Court on the respondent's affidavit of resignation pursuant to S.J.C. Rule 4:01, § 15.

The respondent acted as closing attorney representing lenders in real estate transactions. He admitted in the affidavit that sufficient evidence existed to prove by a preponderance of the evidence that he intentionally misappropriated real estate settlement funds over a period of time, that he repeatedly used funds from subsequent closings to pay off mortgages or other obligations owed on earlier closings, that the net result was that the balance in his IOLTA account was approximately \$170,000 short of the amount that should have been on deposit, and that he did not have adequate funds available to pay off a mortgage on a recent closing that had gone to record. The respondent further admitted that a hearing committee, the Board and the Supreme Judicial Court would conclude that he had violated Mass. R. Prof. C. 1.15(b) and (c) and Mass. R. Prof. C. 8.4(c) and (h).

On August 16, 2010, the Board of Bar Overseers voted to recommend that the affidavit of resignation be accepted and that the respondent be disbarred. The Court so ordered on August 31, 2010.

FOOTNOTES:

<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 Board of Bar Overseers based on the record filed with the Supreme Judicial Court.

Please direct all questions to [webmaster@massbbo.org](mailto:webmaster@massbbo.org).