

PAMELA J. SCHAEFER

Public Reprimand No. 2015-7

Order (public reprimand) entered by the Board on August 31, 2015.

SUMMARY¹

The respondent stipulated to misconduct alleged in a petition for discipline.

The respondent maintained an IOLTA account to handle the receipt and distribution of client funds. Between at least January 1, 2012, and October 31, 2013, the respondent did not perform a three-way reconciliation of her IOLTA account every sixty days, her check register was not in chronological order with client identifiers for every transaction and a running balance, and she did not maintain individual ledgers for each client matter that listed every transaction in chronological order with a running balance after every transaction. The respondent also deposited some retainer funds into her operating account, rather than her IOLTA account. She either earned or refunded the retainers when the case ended. By November 1, 2013, the respondent had brought her IOLTA account records into compliance with Mass. R. Prof. C. 1.15.

The respondent's conduct in failing to perform a proper reconciliation of the account violated Mass. R. Prof. C. 1.15(f)(1)(E), as in effect prior to July 1, 2015. Her conduct in failing to keep an account ledger with a client identifier after every transaction and list of every transaction and running balance violated Mass. R. Prof. C. 1.15(f)(1)(B), as in effect prior to July 1, 2015. The respondent's conduct in failing to keep individual client ledgers with a list of every transaction and running balance violated Mass. R. Prof. C. 1.15(f)(1)(C), as in effect prior to July 1, 2015. The respondent's deposit of retainer funds in her operating account violated Mass. R. Prof. C. 1.15(b)(2), as in effect prior to July 1, 2015.

On July 29, 2015, bar counsel filed a petition for discipline, along with the respondent's answer and a stipulation in which the parties agreed that the appropriate sanction was public reprimand. On August 10, 2015, the Board of Bar Overseers voted to sanction the respondent by public reprimand.

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

