



JAMIE MAURITZ JAMES

Public Reprimand No. 2016-4

Order (public reprimand) entered by the Board on April 7, 2016.

SUMMARY¹

The respondent received a public reprimand for failing to adequately supervise her employees and failing to properly maintain her IOLTA account.

Beginning in November of 2012 and continuing through June of 2014, the respondent transferred responsibility for maintaining her IOLTA account and its records to various bookkeepers, paralegals, secretaries and others in her employ. The respondent did not make reasonable efforts to insure that she had in place measures giving reasonable assurance that her employees were conducting themselves in a manner compatible with the respondent's professional obligations.

From November of 2012 through June of 2014, the respondent did not consistently maintain an accurate check register for her IOLTA account with a client identifier after every transaction, a list of every transaction, and a running balance after every transaction. The respondent did not consistently maintain accurate individual client ledgers with a list of every transaction and running balance for each client matter. The respondent did not consistently perform a three-way reconciliation of her IOLTA account at least every sixty days. Consequently, during that period of time, certain trust funds were inadvertently used to pay unrelated client obligations. The respondent's failure to properly maintain her IOLTA account also led her to leave earned fees and to erroneously deposit flat fees into that account. On one occasion she deposited personal funds into the IOLTA account.

No client was ever deprived of funds and no client lost funds as a result of the respondent's negligent maintenance of her IOLTA account. The respondent has since brought her IOLTA account into compliance with her professional obligations.

By failing to adequately supervise her employees and by failing to make reasonable efforts to ensure that she had in effect measures giving reasonable assurance that her employees' conduct was compatible with the respondent's professional obligations, the respondent violated Mass. R. Prof. C. 5.3(a) and (b).

By failing to keep a check register with a list of every transaction and with a client identifier and running balance after every transaction, the respondent violated Mass. R. Prof. C. 1.15(f)(1)(B). By failing to keep an individual client ledger consistently for each client matter with a list of every transaction for each client and with a running balance after every transaction, the respondent violated Mass. R. Prof. C. 1.15(f)(1)(C). By failing to perform a three-way reconciliation of her IOLTA account, the respondent violated Mass. R. Prof. C. 1.15(f)(1)(E).

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

By unintentionally misallocating client funds in her IOLTA account and creating a negative balance for individual clients, the respondent violated Mass. R. Prof. C. 1.15(b) and (f)(1)(C). By leaving earned fees in her IOLTA account and by depositing personal funds into her IOLTA account, the respondent violated Mass. R. Prof. C. 1.15(b).

The respondent was admitted to the bar of the Commonwealth in 1993. She has no history of prior discipline.

The petition for discipline and the respondent's answer and stipulation of the parties were filed on February 9, 2016. The parties jointly recommended that the respondent receive a public reprimand. On March 7, 2015, the board voted unanimously to accept the parties' stipulation and their joint recommendation to administer a public reprimand to the respondent without further proceedings.