

**DENA L. PAOLINO**

**Public Reprimand No. 2017-6**

**Order (public reprimand) entered by the Board on May 25, 2017.**

**SUMMARY**<sup>1</sup>

The respondent received a public reprimand for violations of IOLTA account record-keeping requirements. Specifically, on June 14, 2015, the respondent opened a new IOLTA account by depositing an earned fee of \$5,000 into the trust account, instead of to an operating or personal account as required. She withdrew the earned fee in increments over the next months.

Thereafter, between June 14, 2015 and April 30, 2016, the respondent's IOLTA account was not properly reconciled every sixty days and the check register was not in chronological order with client identifiers for every transaction and a running balance. She also did not maintain individual ledgers for each client matter that listed every transaction in chronological order with a running balance after every transaction, and she did not maintain a ledger for her funds held in the IOLTA account for anticipated bank fees. By April 30, 2016, after bar counsel opened a complaint file, the respondent brought her IOLTA account records into compliance with Mass. R. Prof. C. 1.15.

The respondent's conduct in failing to perform a three-way reconciliation of the account violated Mass. R. Prof. C. 1.15(f)(1)(E). 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). 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). The respondent's conduct in failing to keep a ledger for bank fees and charges with a list of every transaction and running balance violated Mass. R. Prof. C. 1.15(f)(1)(D). By depositing and retaining earned fees into the IOLTA account, the respondent violated Mass. R. Prof. C. 1.15(b)(2).

On March 13, 2017, bar counsel filed a petition for discipline, and the parties filed the respondent's answer and stipulation in which the parties agreed that the appropriate sanction was a public reprimand. On April 6, 2017, the Board of Bar Overseers voted to sanction the respondent by public reprimand.

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<sup>1</sup> Compiled by the Board of Bar Overseers based on the record of proceedings before the board.