

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**ORDER**

**LD-2011-0005, In the Matter of Rosemary A. Macero**

On April 27, 2011, the Attorney Discipline Office filed a certified copy of the April 8, 2011 order of the Massachusetts Supreme Judicial Court for Suffolk County, suspending Attorney Rosemary A. Macero from the practice of law in Massachusetts for a period of one year. The discipline was based upon the finding that Attorney Macero violated the Massachusetts Rules of Professional Conduct by attempting to pay a filing fee with a backdated check, subsequently filing a motion blaming the post office for the late receipt of the check, and attempting to mislead the court once her misrepresentation was discovered.

In accordance with Supreme Court Rule 37(12)(b), the court ordered that a copy of the April 8, 2011 disciplinary order be served on Attorney Macero. It further ordered that Attorney Macero and the Professional Conduct Committee (PCC) inform the court if either contended that the imposition of identical or substantially similar discipline would be unwarranted. The PCC notified the court that it agreed with the imposition of a similar one-year suspension. Attorney Macero filed no response.

Rule 37(12)(d) provides for the imposition of reciprocal discipline by the court unless the respondent attorney or the PCC demonstrates, or the court finds, based upon the face of the record from which the discipline is predicated, that: (1) the procedure followed by the jurisdiction imposing discipline was so lacking in notice or opportunity to be heard as to constitute a deprivation of due process; (2) the imposition of the same or substantially similar discipline by the court would result in grave injustice; or (3) the misconduct established warrants substantially different discipline in New Hampshire.

Having reviewed the order of the Massachusetts Supreme Judicial Court for Suffolk County, the court does not find that any of these conditions have been met. It appears from the material filed that Attorney Macero had an opportunity to be heard in the Massachusetts proceedings. In light of the seriousness of Attorney Macero's misconduct, the court does not find that the imposition of a one-year suspension would result in grave injustice or that her misconduct would warrant substantially different discipline in New Hampshire. Accordingly, the court concludes that a reciprocal one-year suspension should be imposed.

Therefore, the court orders that Rosemary A. Macero be suspended from the practice of law in New Hampshire for a period of one year. The suspension shall commence when this order becomes final and shall not be retroactive.

Any motion for reinstatement will be governed by Rule 37(14)(f). Attorney Macero is hereby assessed all expenses incurred by the Professional Conduct Committee in the investigation and prosecution of this matter. See Rule 37(19).

On or before August 12, 2011, the Attorney Discipline Office shall advise the court whether the appointment of an attorney is necessary to take possession of any client files or trust accounts.

Dalianis, C.J., and Duggan, Hicks, Conboy and Lynn, JJ., concurred.

DATE: July 13, 2011

ATTEST:

  
**Eileen Fox, Clerk**

Distribution:

Thomas Trevethick, Esquire, Attorney Discipline Office ✓  
Rosemary A. Macero, Esq.  
Margaret H. Nelson Chair  
File