

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**ORDER**

**LD-2013-0011, In the Matter of Charles F. Perrault**

On September 16, 2013, the Attorney Discipline Office (ADO) filed a certified copy of an order of the Supreme Judicial Court for Suffolk County (Massachusetts), suspending Attorney Charles F. Perrault for a period of three months, but staying execution of the suspension for a period of one year. The discipline was based upon the determination that Attorney Perrault violated the Massachusetts Rules of Professional Conduct while serving as the executor of a deceased client's estate. Specifically, Attorney Perrault was found to have violated the following Rules of Professional Conduct:

1. Rule 5.1(a) and (b), by failing to take reasonable measures to assure that the conduct of an associate assisting him as executor of the estate was compatible with professional obligations, and by failing to adequately supervise the associate; and
2. Rule 1.5(a), by charging a clearly excessive fee.

In accordance with Supreme Court Rule-37(12)(b), the court ordered that a copy of the order of the Supreme Judicial Court be served on Attorney Perrault. It further ordered that Attorney Perrault and the Professional Conduct Committee (PCC) inform the court if either contended that the imposition of identical or substantially similar discipline would be unwarranted. Attorney Perrault informed the court through the Attorney Discipline Office that he did not object to imposition of a three-month suspension, stayed for one year. The PCC notified the court that it believed that the imposition of a three-month suspension, stayed for one year, was warranted.

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 Supreme Judicial Court, the court concludes that none of these factors are present. It appears that Attorney Perrault participated in the Massachusetts disciplinary proceedings. The court does not find that the imposition of a three-month suspension, stayed for one year, would result in grave injustice, or that Attorney Perrault's misconduct would warrant substantially different discipline in New Hampshire. Accordingly, the court concludes that a reciprocal three-month suspension, stayed for one year, should be imposed.

Therefore, the court orders that Attorney Charles F. Perrault be suspended from the practice of law in New Hampshire for a period of three months, but that imposition of the suspension be stayed for a period of one year on the condition that Attorney Perrault complete the continuing legal education course on law office management required by the order of the Supreme Judicial Court. At the conclusion of the one-year stay, either party may request that the stay be made permanent.

Attorney Perrault is hereby assessed all expenses incurred by the Professional Conduct Committee in the investigation and prosecution of this matter. See Rule 37(19).

DATE: December 3, 2013

ATTEST:

  
**Eileen Fox, Clerk**

Distribution:  
Attorney Discipline Office  
Janet F. DeVito, Esq.  
David M. Rothstein, Esq.  
Charles F. Perrault, Esq.  
File

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**In Case No. LD-2013-0011, In the Matter of Charles F. Perrault, the court on February 9, 2015, issued the following order:**

On December 3, 2013, the court issued an order suspending Attorney Charles F. Perrault from the practice of law in New Hampshire for a period of three months, but staying the suspension for a period of one year. The court stated that after the one-year stay period, either party could request that the stay be made permanent.

On January 21, 2015, Attorney Perrault filed a motion requesting the issuance of an order stating that he was no longer subject to the three-month suspension. He stated that he had complied with the conditions of the stay. The Attorney Discipline Office advised the court that it did not object to the issuance of such an order. Accordingly, Attorney Perrault's motion is granted; the three-month suspension imposed by the court on December 3, 2013, is permanently stayed.

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

**Eileen Fox,  
Clerk**

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