

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. LD-2013-0008, In the Matter of Lawrence A. Buswell, the court on September 23, 2013, issued the following order:

On July 19, 2013, the court was advised by the Attorney Discipline Office (ADO) that Attorney Lawrence A. Buswell, Jr., was charged by complaint with two charges of felonious sexual assault; that Attorney Buswell waived a probable cause hearing in the circuit court on the charges; and that the charges were bound over to the superior court for consideration by a grand jury. The ADO recommended that Attorney Buswell be suspended from the practice of law pending resolution of the criminal charges. Attorney Buswell objected to the ADO's recommendation, arguing that he should not be suspended on an interim basis pending resolution of the criminal charges.

On August 16, 2013, the court appointed retired Supreme Court Justice James E. Duggan to serve as referee and to hold a hearing on the issue of whether Attorney Buswell should be suspended on an interim basis. The court directed the referee to submit a recommendation after the hearing as to whether an interim suspension is necessary for the protection of the public and the preservation of the integrity of the legal profession. See Rule 37(9)(i) and (16)(f); Reiner's Case, 152 N.H. 163 (2005).

On September 10, 2013, the referee held a hearing on the issue of whether Attorney Buswell should be suspended on an interim basis. On September 23, 2013, the referee report and recommendation was filed with the court. The referee found that the ADO had proven by a preponderance of the evidence that an interim suspension of Attorney Buswell is necessary for the preservation of the integrity of the legal profession and for the protection of the public. Accordingly, the referee recommended that the court suspend Attorney Buswell from the practice of law on an interim basis pending resolution of the criminal charges. A copy of the referee report and recommendation will be provided to the parties with this order.

The court has reviewed the referee's report and recommendation. Based on the referee's findings, the court concludes that Attorney Buswell's immediate suspension is necessary to protect the public and to preserve the integrity of the legal profession. See Rule 37(16)(f); Reiner's Case, 152 N.H. 163 (2005).

Accordingly, it is hereby ordered:

(1) In accordance with Rule 37(9)(i), Attorney Buswell is suspended from the practice of law in New Hampshire pending resolution of the criminal charges against him and further order of this court.

(2) Copies of this order shall be sent to Attorney Buswell and his counsel by first class mail.

(3) Attorney Buswell is enjoined from transferring, assigning, hypothecating, or in any manner disposing of or conveying any assets of clients, whether real, personal, beneficial or mixed.

On or before September 30, 2013, Attorney Buswell and the ADO shall advise the court whether they intend to challenge the referee's factual findings and rulings of law. See Reiner's Case, 152 N.H. 594, 597 (2005). If either party notifies the court of its/his intent to challenge the referee's findings or rulings, a transcript of the hearing before the referee will be prepared and an order for briefing will be issued thereafter.

On or before October 3, 2013, the ADO shall advise the court if it believes that an attorney should be appointed to make an inventory of Attorney Buswell's files and to take action to protect the interests of Attorney Buswell's clients.

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

**Eileen Fox,
Clerk**

Distribution:
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File

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SUPREME COURT

O R D E R

LD-2013-0008, In the Matter of Lawrence A. Buswell, Jr.

Attorney Lawrence A. Buswell, Jr.'s motion for reinstatement to the practice of law is granted. Attorney Buswell is reinstated to the practice of law, effective immediately.

The portion of the court's order of September 23, 2013, enjoining Attorney Buswell from transferring, assigning, hypothecating, or in any manner disposing of or conveying any assets of clients, whether real, personal, beneficial or mixed, is vacated.

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

DATE: January 8, 2015

ATTEST:



Eileen Fox, Clerk