

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

ORDER

LD-2015-0006, In the Matter of William L Shaine, Esquire

On April 29, 2015, the Attorney Discipline Office (ADO) filed a certified copy of an order of the Supreme Judicial Court for Suffolk County, Massachusetts, accepting the resignation of Attorney William L. Shaine and ordering that he be disbarred for violating the Massachusetts Rules of Professional Conduct.

The record of the Supreme Judicial Court indicates that Attorney Shaine submitted an affidavit of resignation to the Massachusetts Board of Bar Overseers in which he admitted that he failed to safeguard and account for assets of at least \$123,000 while he served as a co-trustee of two trusts. He conceded that his conduct violated the Massachusetts Rules of Professional Conduct, including Rule 1.15(b), (d) and (f), and 8.4(h). The Massachusetts Board of Bar Overseers recommended to the Supreme Judicial Court that Attorney Shaine's resignation be accepted and that he be disbarred. The Supreme Judicial Court issued an order of disbarment on March 26, 2015.

In accordance with Supreme Court Rule 37(12), this court issued an order requiring that a copy of the Supreme Judicial Court's order be served on Attorney Shaine. The court ordered Attorney Shaine and the Professional Conduct Committee (PCC) to 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 believed that disbarment was warranted. Attorney Shaine filed no response.

Rule 37(12)(d) provides for the imposition of the same or substantially similar discipline by the Supreme Court unless the respondent attorney or the PCC demonstrates, or the court finds, based on 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; or
- (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 is unable to find any basis for imposing different discipline. See Rule 37(12)(d). It is clear from the record that Attorney Shaine participated in the Massachusetts disciplinary proceeding. Considering the nature and seriousness of Attorney Shaine's misconduct, the court does not find that disbarment would result in grave injustice or that his misconduct would warrant substantially different discipline in New Hampshire. The court concludes that the imposition of the same discipline is warranted and that Attorney William L. Shaine should be disbarred. Accordingly, the court orders as follows:

- (1) Attorney William L. Shaine is disbarred from the practice of law in New Hampshire.
- (2) Attorney Shaine shall reimburse the Attorney Discipline Office for all costs and expenses incurred in the investigation and prosecution of this matter.
- (3) If Attorney Shaine should seek readmission to the bar in the future, he shall be required to take the New Hampshire Bar Examination and the Multistate Professional Responsibility Examination and meet the other requirements of Rule 37(14).
- (4) In accordance with Rule 37(13)(a) and (b), Attorney Shaine is ordered to notify clients in all pending matters, including litigated matters and administrative proceedings, of his disbarment and consequent inability to act as an attorney, and shall advise the clients to seek new legal counsel.

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

DATE: June 22, 2015

ATTEST:


Eileen Fox, Clerk

Distribution:

Janet F. DeVito, Esquire
William L. Shaine, Esquire
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File